

National Action Plan for Safeguarding Children from Sexual Exploitation



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Foreword

Every day, somewhere in the world, children fall victim to sexual violation and abuse. Every individual case, every incident, is a profound tragedy. Child abuse shatters dreams and extinguishes, perhaps for ever, a child's natural zest for life. Acts of violation leave scars which children will carry into adulthood, and indeed throughout the rest of their lives.

Under the Convention on the Rights of the Child, every child, irrespective of his or her background, is entitled to be treated with respect. All children must be protected against all forms of sexual exploitation and sexual abuse. All States Parties to the Convention are required to take all appropriate measures to ensure that children are protected against sexual exploitation wherever they may be living. We have a particular responsibility to protect children from acts of sexual abuse or exploitation committed by persons who are resident in our own country, regardless of where such acts take place.

Freedom from violence, abuse or exploitation is a basic human right which applies to each and everyone. All human beings are born free and equal in dignity and rights. Human rights are universal. They apply everywhere in the world, irrespective of country, culture or specific circumstance.

The purpose of the updated action plan against the sexual exploitation of children that you are holding in your hand is to follow up and report on ongoing measures and initiatives, an important enough aim in itself. Even more important, however, is the need to identify deficiencies and shortcomings, and propose measures designed to further strengthen child protection.

Our goal is to ensure that no child in Sweden, or in any other country, becomes a victim of sexual exploitation. Those children who do become victims in spite of our efforts must receive all the support and help they need. The present action plan is designed to enable the Government to make further progress towards this objective.

Stockholm, December 2007



Göran Hägglund

Minister for Health and Social Affairs



List of Contents

Aims and problem description	3
Follow-up of measures presented in 2001	4
The Government's objectives and the aims of the Action Plan	4
Target groups	4
Sexual exploitation of children	5
The right of every child to protection and support	6
Implemented and ongoing measures against the sexual exploitation of children introduced after 2001	9
National measures	10
<i>Improved protection under penal law</i>	<i>10</i>
<i>Police action against child pornography</i>	<i>12</i>
<i>On specific measures against human trafficking</i>	<i>13</i>
<i>Improved investigative procedures</i>	<i>14</i>
<i>Knowledge enhancement within the judicial system and improved treatment of victims</i>	<i>15</i>
<i>Measures in the social services for children and young people</i>	<i>16</i>
<i>Improved knowledge and collaboration</i>	<i>17</i>
<i>Better oversight of activities targeting children</i>	<i>18</i>
<i>Other, mainly preventive, measures</i>	<i>19</i>
<i>Measures targeting perpetrators</i>	<i>21</i>
<i>The work of voluntary organisations and industry actors</i>	<i>22</i>
Action at international level	23
New initiatives to combat sexual exploitation of children	29
Target areas	30
New measures	30

Aims and problem description

The 1998 National Action Plan against Commercial Sexual Exploitation of Children was drawn up in response to the first World Congress against the Commercial Sexual Exploitation of Children held in Stockholm in 1996.

The Action Plan was updated in 2001. Since then, a great deal has happened. A government inquiry was commissioned to inventory and compile data and information on the sexual exploitation of children in Sweden. Internet usage, particularly among children and young people, has grown at an explosive rate and practices such as child 'grooming' have become familiar phenomena. New legislation on sexual crimes has come into effect.

There is a strong case, in light of these developments, for undertaking a follow-up and a further update of the Action Plan, and for putting forward new measures aimed at further preventing and combating sexual exploitation of children. The present updated Action Plan is based on knowledge, observations and experience gained from earlier plans. Its drafting has involved the participation of a number of ministries. The Government Offices (Ministry of Health and Social Affairs) have also enlisted the participation of relevant authorities and voluntary organisations, and has benefited from their knowledge and viewpoints.

Follow-up of measures presented in 2001

The previous Government pledged that the 2001 Action Plan would be followed up on a regular basis in connection with Sweden's periodic reports to the United Nations (UN) Committee on the Rights of the Child on progress in implementing the UN Convention on the Rights of the Child. The Government submitted its fourth periodic report to the UN Committee in the autumn of 2007, and aims to continue following up the Action Plan on a regular basis.

A follow-up assessment of the measures set out in the 2001 Action Plan is presented in the section entitled *Im-*

plemented and ongoing measures against sexual exploitation of children introduced after 2001. Its purpose is to provide a relatively comprehensive account of how the measures presented in 2001 have been applied. The section also includes an account of certain other measures taken in addition to those set out in the 2001 Action Plan.

The Government's objectives and the aims of the Action Plan

The Government's objectives are to ensure that

- no child in Sweden is subjected to sexual exploitation
- no child in another country is sexually exploited by persons from Sweden
- child victims of sexual exploitation receive all the support and help they need
- Sweden contributes to effective international co-operation on this issue.

The Convention on the Rights of the Child defines a child as a person under the age of 18, unless, under the law applicable to the child, majority is attained earlier.

The aim of the Action Plan is *partly* to provide an account of the work that has been achieved in this area since 2001, as well as initiatives currently under way in various areas of activity, and *partly* to present a number of measures which the Government plans to initiate as part of continuing efforts to prevent and combat sexual exploitation of children.

Target groups

The Action Plan is aimed primarily at central and local government authorities that come into contact with children, authorities responsible for tourism education programmes, the travel industry and voluntary organisations actively concerned with these matters.

Sexual exploitation of children

Previous action plans have targeted *commercial sexual exploitation of children*. The Declaration by the 1996 World Congress in Stockholm defined commercial sexual exploitation of children as “sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object”.

However, sexual exploitation is not always or necessarily commercial in character. The Government has accordingly resolved to widen its perspective and target the present Action Plan at *the sexual exploitation of children*, which also covers commercial exploitation.

How do children come to be exploited sexually?

Sexual exploitation of children is a complex problem with several underlying causes. In some countries, poverty, low levels of education and difficulty in securing a livelihood are strong contributory factors. In a country like Sweden, other factors are involved. The Committee of Inquiry on Knowledge about Sexually Exploited Children in Sweden¹ noted in its report that young girls with substance abuse problems are particularly at risk. The inquiry also referred to a number of factors that heighten the risk of sexual exploitation among certain children, such as emotional neglect, sexual abuse, physical abuse and inadequate supervision and protection.

How widespread is the problem in Sweden?

The number of child victims of sexual exploitation in

Sweden cannot be stated with certainty. By its very nature, this type of crime is very difficult to quantify. However, a number of recent studies can give us some idea of its extent. For example, the Committee of Inquiry on Knowledge about Sexually Exploited Children in Sweden conducted a study of young people’s experiences of and attitudes to sexual exploitation. The study² showed that 1.4 per cent of the respondents (1.0 per cent of the girls and 1.8 per cent of the boys questioned) had at some time offered or sold sex in exchange for money or other form of remuneration. The study also showed that of the 60 young people who stated that they had sold sex, 46 were aged between 14 and 18 when they did so for the first time.

Since 1999, the National Council for Crime Prevention (Brå) has conducted regular questionnaire-based surveys of a representative, systematically selected sample of pupils in the ninth grade of compulsory school. The primary aim of these surveys is to determine the prevalence of crime and other problem behaviours among the pupils. The 2005 survey questioned nearly 7 500 pupils in 107 schools about their experience of sexual contacts with adults. Just over 30 per cent of the respondents stated that they had experienced some form of sexual contact by a previously unknown person whom they believed or knew to be an adult. More girls than boys (48 and 18 per cent respectively) stated that they had been the object of such contacts, which, in the vast majority of cases, had taken place on the Internet.³

¹ Sexual Exploitation of Children in Sweden (*Sexuell exploatering av barn i Sverige*) p. 73ff. Swedish Government Official Reports (SOU) 2004:71.

² Carl Göran Svedin and Gisela Priebe, *Young People’s Sexuality – Attitudes and Experiences, Selling Sex for Money/Remuneration (Ungdomars sexualitet – attityder och erfarenheter, Att sälja sex mot ersättning/pengar)*, Lund 2004.

³ See further Brå Report 2007:11, *Sexual Contact between Adults and Children via the Internet (Vuxnas sexuella kontakter med barn via Internet)*.

Who are the perpetrators?

Although cases of sexual exploitation of children by women do occur, studies and surveys show that the overwhelming majority of perpetrators are men.

A two-part study carried out by Brå in 2003 reviewed cases of sexual exploitation of children and child pornography crime respectively⁴. The first part consisted of a survey of sexual crimes containing elements of sexual exploitation that were reported to the police and subsequently prosecuted. The 70 judgements identified as coming within the purview of the survey involved 77 convicted offenders, of which 73 were men. The convicted persons were aged between 16 and 79; the average age was 41. The survey registered 133 reports to the police. Suspected offenders numbered 144, of which 140 were men. The other part of the study, a survey of child pornography crimes, was mainly based on data on 180 convictions of the same number of offenders. All were men. Thirty per cent of the perpetrators were also convicted in the same case for sexual crimes against children. Twenty per cent of these had previous convictions for this type of crime

Very little research has been done in Sweden on the type of adults who try to contact children on the Internet. Brå however conducted a web-based questionnaire survey⁵, polling over 1 000 habitual Internet users aged 15–17. The respondents were asked about the age and sex of the person(s) who had contacted them. The survey showed that Swedish children are contacted for sexual purposes

on the Internet both by adults and by young people of approximately same age. More girls than boys in the survey stated that they had been contacted. They also tended to be younger than the boys when the contacts took place. The girls also stated that they had been contacted by persons who were considerably older on average than those who contacted the boys. The survey also showed that the children were mainly contacted by men. This applied to girls to a greater extent than to boys.

A US study from 2004⁶ showed that 99 per cent of adults who initiated a close relationship with children on the Internet were men and that 75 per cent were aged 26 and over.⁷

The right of every child to protection and support

The right of every child to protection from all forms of sexual exploitation is defined in national legislation and in the international agreements to which Sweden is a party. Examples of national legislation include the section on sexual crimes in the Swedish Penal Code; provisions in the Social Services Act and provisions on the right of children to protection and support in the Care of Young Persons (Special Provisions) Act; provisions in the Health and Medical Services Act on care; and the provisions requiring suitability testing for persons employed in pre-school institutions, school-age childcare, schools and care homes that take in children and young people.

⁴ For a more detailed analysis see Sexual Exploitation of Children – Behind the sexual crime statistics. (*Sexuell exploatering av barn – vad döljer sig bakom sexualbrottsstatistiken?*). The survey was commissioned by the Committee of Inquiry on Knowledge about Sexually Exploited Children in Sweden.

⁵ Brå Report 2007:11, Sexual Contact between Adults and Children via the Internet (*Vuxnas sexuella kontakter med barn via Internet*), pp 9 & 42f.

⁶ *Internet-initiated sex crimes against minors: Implications for prevention based on findings from a national study*, J. Wolak et al, 2004.

⁷ See further *Contacts with Children by Adults for Sexual Purposes*, (*Vuxnas kontakter med barn i sexuella syften*), p.29. Ministry Publication Series (*Ds*) 2007:13.

In addition, Sweden is bound under a number of international agreements to adopt measures to prevent and combat sexual exploitation of children, to protect and support the victims and to cooperate with other states. Examples of such agreements include the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; the ILO⁸ Convention (No. 182) on the Prohibition of the Worst Forms of Child Labour and Immediate Action for their Elimination; and, of course, the Convention on the Rights of the Child with its optional protocol on child trafficking, child prostitution and child pornography.

To combat sexual exploitation of children effectively, the problem must be tackled from several angles, using a range of methods. A number of public bodies are responsible within their respective areas of activity for preventing sexual exploitation and for protecting, supporting and helping children who have been exploited. It is vital that the knowledge, expertise and skills that exist in different areas is preserved and further enhanced, and that staff are adequately supported. Effective cooperation, both between professional groups and between and across the public, private and voluntary sectors, is also essential. The work of combating sexual exploitation of children is a common responsibility of all countries. Because crime is often a cross-border phenomenon, combating it requires well-developed international collaboration that will, among other things, facilitate better exchange of information and knowledge and improve the prospects of reaching, protecting and supporting children at risk. It is also vital that full use is made of the unique body of knowledge and experience possessed by voluntary organisations and by actors in the travel and Internet industries in particular.

Sexual exploitation of children affects both girls and boys, and any measure adopted must take account of the fact that their respective circumstances and needs may differ. Children who have been sexually exploited must as far as possible be permitted to participate and express their views on issues concerning them during legal proceedings and in connection with protection and support measures, etc.

⁸ ILO – International Labour Organization.

Implemented and ongoing
measures against sexual exploitation
of children introduced after 2001

National measures

Various public bodies are responsible within their respective areas of activity for preventing sexual exploitation of children and for protecting, supporting and helping those who have been exploited. These include schools, the social services, the police, public prosecutors and the courts, and the health and medical care services. A series of initiatives affecting these bodies, and aimed to a greater or lesser extent at preventing and combating sexual exploitation, have been taken since 2001. The measures that have been or are currently being implemented are of various types. They include amended legislative provisions aimed at further strengthening protection for children, a focus on new, more child-oriented ways of working for professionals who come in contact with child victims of sexual exploitation, measures against convicted offenders, special training for public prosecutors, police and other professional groups, and efforts to intensify inter-agency collaboration. They also include the important work undertaken by voluntary organisations, and the travel and IT industries. In the Government's view, particular attention should be focused on the national measures set out below.

A measure included in the 2001 Action Plan was the appointment of a working group comprising representatives of ministries, public authorities and voluntary organisations to conduct a broad national inventory of sexual exploitation of children. The working group was appointed in February 2002.⁹ In April 2003, an Inquiry Chair was commissioned to complete the group's work.¹⁰ The Committee of Inquiry on Knowledge about Sexually Exploited

Children in Sweden presented its report, Sexual Exploitation of Children in Sweden (*Sexuell exploatering av barn i Sverige*)¹¹, in June 2004. The Inquiry noted in its report that sexual exploitation – as opposed to sexual abuse – of children in Sweden was a problem that has only recently gained national attention and that experience and knowledge in this area was largely lacking.

The Inquiry also submitted a number of proposals which were subsequently referred to the various relevant ministries in the Government Offices. A number of these are also dealt with in this section.

IMPROVED PROTECTION UNDER PENAL LAW

New legislation against sexual crimes

New legislation on sexual crimes came into force on 1 April 2005. Among other things, its purpose was to highlight and strengthen protection for children and young people against sexual violation.

A new penal provision on child rape, aimed at the most serious sexual crime against children, was introduced. Under this provision, it is no longer necessary to show that violence or threats were used in order for the crime to be treated as child rape. A person who engages in sexual intercourse or in a comparable sexual act with a child under 15 years of age is to be convicted of child rape. The provision also covers cases where children between the ages of 15 and 18 are exploited by people with whom they have a close relationship or other persons with special responsibility for them.

A new provision has also been introduced to protect

⁹ S2002:B.

¹⁰ Terms of reference (*Dir*) 2003:54.

¹¹ Swedish Government Official Reports (*SOU*) 2004:71.

children from being used for sexual posing, and the provision prohibiting the purchase of sexual acts from children has been tightened. Among other things, the penal provision has been broadened to include the purchase of sexual acts from children in circumstances other than those associated with unalloyed prostitution in order to encompass situations which could ultimately lead the child into prostitution.

Extended statutory limitation period for certain sexual crimes committed against children

In conjunction with the sexual crimes reform of 2005, the statutory limitation period for sexual crimes against children was extended. The period now begins to run when the child reaches, or would have reached, the age of 18.

Abolition of the dual criminality requirement for certain serious sexual crimes against children

Since the sexual crimes reform of 2005, dual criminality¹² will no longer be a requirement for convicting offenders in Sweden for serious sexual crimes committed abroad against children under the age of 18.

Contact with children by adults for sexual purposes

The Prosecutor-General, Fredrik Wersäll, was commissioned by the Ministry of Justice, to *inter alia* determine whether and how existing penal law can be applied to adults who seek contact with children for sexual purposes, known as child grooming, and to consider whether the law is sufficient to protect children against this practice. In April 2007, the Prosecutor-General reported his find-

ings in a ministry memorandum proposing that a new penal provision, contact with children for sexual purposes, be introduced in Chapter 6 of the Penal Code.¹³ Under the proposal it will be punishable for adults to have contact with children under the age of 15 if the purpose of the contact is to commit a sexual crime. The prohibition would apply to contacts made on the Internet and elsewhere. A proposal has been prepared and circulated for review by the Government Offices (Ministry of Justice). The Ministry aims to submit a draft bill for cabinet approval in 2009.

Brå was concurrently tasked with drawing up a briefing paper on the extent and nature of child grooming. Its findings were also reported in April 2007.¹⁴ The survey indicated that vigorous measures will be needed to prevent adults from seeking contacts with children for sexual purposes via the Internet in Sweden. More and better education and information for children, parents and the general public will be needed, according to Brå. Actors in the Internet industry can also help improve protection for children using the Internet.

Proposal for more stringent legislation against child pornography

In principle, all crimes involving child pornography, including possession, have been treated as criminal offences in Sweden since 1999. In 2005, the maximum penalty for gross child pornography was raised from four to six years' imprisonment.

In August 2007, the Child Pornography Inquiry presented its report *Focus on the Child – Stricter legisla-*

¹² Under the dual criminality requirement, a Swedish court has no authority to try a case involving an act perpetrated abroad unless the act is a criminal offence both in Sweden *and* in the country where it was committed.

¹³ Adult Contact with Children for Sexual Purposes (*Vuxnas kontakter med barn i sexuella syften*), Ministry Publication Series (*Ds*) 2007:13.

¹⁴ Brå Report 2007:11, Sexual Contact between Adults and Children via the Internet (*Vuxnas sexuella kontakter med barn via Internet*).

tion against child pornography (*Barnet i fokus – En skärpt lagstiftning mot barnpornografi*)¹⁵. The Inquiry had been tasked with conducting a review of the existing legislative provisions on child pornography and related legislation with a view to facilitating more effective action against child pornography and strengthening the position of children in cases involving crimes of this kind. The report contains a number of proposals for tightening the laws against pornography, including the introduction of a strict age limit of 18 years in the definition of child pornography. The Inquiry also proposes that criminalisation be extended to include any person who acquires access to child pornography images, in return for payment, in accordance with a predetermined plan, on repeated occasions, extensively or in another similar manner. It further proposes that a special statutory limitation provision be introduced in certain cases involving child pornography crimes and that the dual criminality requirement as it applies to child pornography crimes be rescinded. The proposal has been circulated for review. The referral period expires at the end of February 2008 after which further preparatory work on the proposal will be carried out in the Government Offices (Ministry of Justice).

POLICE ACTION AGAINST CHILD PORNOGRAPHY

Police measures for more efficient handling of child pornography cases

The National Criminal Investigation Department Child Pornography Unit has been in operation since 1995. The unit is a national criminal intelligence service dedicated to combating sexual abuse of children and child

pornography. In 2006, the National Criminal Investigation Department initiated the gradual transfer of overall responsibility for examining and assessing confiscated child pornography material from the Child Pornography Unit to local police authorities. To facilitate the transfer, a course of training in the examination and assessment of child pornography material was designed in collaboration with the National Police Academy. The aim was to shorten processing times for this type of crime and free up resources for other tasks such as the identification of crime victims and perpetrators. Some 80 persons in local police authorities have now been trained.¹⁶ This initiative has enabled the Child Pornography Unit to focus on its role as an international contact point, serve as a support centre for the police authorities and concentrate on child identification.

Blocking websites with child pornography content

2005 saw the start of the Blocking Project (*Blockeringsprojektet*) a collaborative effort between the Criminal Investigation Department and a number of Internet providers, including some of the largest operators in Sweden. The purpose of the project is partly to make commercial dissemination of child pornography less profitable, and partly to protect Internet users from involuntary exposure to child pornography through misleading links, etc. The Internet providers block, i.e. deny access to, sites reported as containing child pornography by the Criminal Investigation Department. Some 30 000 attempts to access such sites in Sweden are blocked daily in this way.

¹⁵ Swedish Government Official Reports (*SOU*) 2007:54.

¹⁶ According to data supplied by the National Criminal Investigation Department in October 2007.

ON SPECIFIC MEASURES AGAINST HUMAN TRAFFICKING

The development of legislation on human trafficking

On 1 July 2002, trafficking in human beings for sexual purposes became a criminal offence in Sweden. On 1 July 2004, this offence was extended to include human trafficking that takes place within the country's borders and human trafficking for purposes other than sexual exploitation, such as forced labour or organ removal. In cases where human trafficking – as these crimes are now collectively termed – is committed against a child, it is not necessary to show that improper means have been used.

In October 2004, a new provision was incorporated into the Aliens Act under which authorities in charge of preliminary investigations may apply for a temporary residence permit for foreign witnesses, injured parties, etc. This also applies to victims of human trafficking summoned or wishing to give evidence. Under an amendment to the law, which came into force on 1 July 2007, a 30-day residence permit may be granted initially if the alien requests time to recuperate and consider whether she or he wishes to cooperate with the criminal investigation authorities. Thereafter, a temporary six-month residence permit shall be granted provided that the person in charge of the preliminary investigation considers that the presence of the witness/injured party is needed in order to conduct a preliminary investigation or a subsequent trial, that the person has clearly indicated her/his willingness to cooperate with the criminal investigation authorities, and that she or he has broken off all contact with the person or persons suspected of the crime under investigation.

The penal provision against human trafficking is currently under review. An Inquiry Chair has been appointed

to evaluate the application of and consider changes to legislation governing the crime of human trafficking. The Inquiry has also been instructed to determine whether grounds exist for supplementing the provisions in the Aliens Act governing residence permits in order to give effective protection in Sweden to witnesses and injured parties. Another issue for evaluation is the question of Sweden's accession to the Council of Europe Convention on Action against Trafficking in Human Beings and the legislative amendments required for accession. The Inquiry is to submit its findings not later by 30 April 2008.¹⁷

Supplementary funding for police action against human trafficking

The Government instructed that SEK 10 million be used annually by the police authorities between 2004 and 2006 to combat human trafficking. These funds were mainly employed in connection with operational activities. However they were also used to develop support resources for case officers assigned to human trafficking investigations and for police training projects.

National rapporteur on human trafficking

As the national rapporteur on issues concerning human trafficking, the Criminal Investigation Department has conducted surveys among victims of child trafficking in Sweden since 2004. The Department's annual status report includes a separate section on child trafficking. In its 2005 report, the Department stated that the subjects of preliminary investigations of victims of child trafficking were girls in their late teens (16–17 years of age). The Department has chosen not to compute estimates of the number of victims, whether children or adults, of human

¹⁷ Terms of reference (*Dir*) 2005:152, 2006:78 and 2007:88.

trafficking in Sweden. The reason is that such estimates do not reflect the real extent of human trafficking, but merely the resources that have been available to combat it.

The work of the Swedish Prosecution Authority

On 1 September 2006, a new organisation was created within the Swedish Prosecution Authority to combat international crime and serious organised crime. With the new organisation in place, it was possible to concentrate the handling of cross-border crime and serious organised crime in three public prosecution offices, in Stockholm, Göteborg and Malmö respectively, and to set up an operative coordination group.

The international public prosecution offices normally handle matters relating to human trafficking and gross procuring similar in character to human trafficking. Consequently, such matters are mainly handled by public prosecutors who specialise in serious cross-border crime and have special knowledge and experience of these types of crime.

IMPROVED INVESTIGATIVE PROCEDURES

Preliminary investigations where children are the injured parties to be conducted speedily

On 1 January 2002, a special requirement was written into the Preliminary Investigations Ordinance. This stipulates that a preliminary investigation involving an injured party (plaintiff) who had not reached the age of 18 at the time the offence was reported must be completed and a decision reached on whether to prosecute within three months of the date on which a person was suspected on probable cause of having committed the offence, provided

the offence was aimed at the life, health, peace or liberty of the injured party and the crime is punishable by more than six months' imprisonment. This time limit may only be exceeded if warranted by the nature of the investigation or other exceptional circumstances.

Wider scope for the police to investigate crimes

The Committee of Inquiry on Knowledge about Sexually Exploited Children in Sweden proposed that the Government consider reviewing the cost of disclosure of IP (Internet Protocol) numbers¹⁸ and extend the retention period for log files in order to improve the ability of the police to investigate crimes involving the sexual exploitation of children. The Committee also suggested in this connection that attention should be given to the possibility of tracking mobile telephone traffic. In its interim report, Access to Electronic Communication in Criminal Investigations, etc., the Judicial Development Project Group proposed that the police should be given greater access to information concerning Internet subscriptions, including IP numbers. The report also contains proposals concerning access by law enforcement agencies to location data for mobile telephones, etc. These are currently being processed in the Government Offices (Ministry of Justice).

Raising levels of expertise in police investigations of violence against children

The National Police Board was made responsible in 2007 for ensuring that every local police authority commands the necessary qualified expertise to prevent and investigate cases of violence committed by men against women and violence against children. The Board is also required to adopt measures to ensure that all personnel who inves-

¹⁸ Everyone who has an Internet connection and logs onto the Internet is allocated a personal IP address. Although the address occasionally changes, it can still be traced to a specific person.

tigate matters involving children who have been subjected to violence undergo training specifically tailored to their tasks and assignments. The Board is pursuing these two assignments as part of a wider project (*Brott i nära relation*) aimed at reducing crime in close relationships and increasing the ability – in terms of skills and expertise – of police officers to investigate crimes of this kind. The project also included the creation in 2007 of a new, more extensive training programme for personnel responsible for questioning children. The Board has also decided to introduce recommendations regarding requirements for such personnel.

National Police Board liaison officers

The Swedish police liaison officers posted in countries abroad are an important resource in ensuring that regular contact is maintained with relevant actors in different countries. Nordic police liaison officers cooperate with one another. Swedish liaison officers are required to attend an introductory course followed by a training programme before being posted abroad. Since 2007, the training programme has addressed issues concerning the sexual exploitation of children, including child pornography and child prostitution.

KNOWLEDGE ENHANCEMENT WITHIN THE JUDICIAL SYSTEM AND IMPROVED TREATMENT OF VICTIMS

Training and support for public prosecutors and judges

Training in how to deal with child abuse is part of the basic course provided by the Swedish Prosecution Authority. To deepen their understanding of violence and sexual abuse directed at children, prosecutors have had access since 2004 to a special course, Child Abuse (*Övergripp mot*

barn), composed of a basic block and two advanced courses. A course on the handling of child pornography cases focusing on Internet-related crime and the preservation of evidence in IT environments has also been included in training given to prosecutors.

In its appropriation directions for 2008, the Swedish Prosecution Authority has been instructed to provide an account of the measures it has taken to ensure that personnel who are in contact with children in the course of their work are fully informed about children's rights, as well as what steps the authority has taken both to quality assure its training in issues affecting children and ensure that levels of skill are maintained over time.

Many prosecutors from the Swedish Prosecution Authority have taken part in training courses on human trafficking both in Sweden and abroad. These courses have targeted prosecutors, police, court officials and voluntary organisations. Prosecutors in the international public prosecution offices have also taken part in a two-week training course organised annually by Europol on how to combat sexual exploitation of children on the Internet.

To guide and support prosecutors undertaking preliminary investigations of child abuse cases, the Swedish Prosecution Authority has produced a special manual, Processing Child Abuse Cases (*Handläggning av ärenden rörande övergrepp mot barn*). The manual sets out a number of basic principles. Preliminary investigations, for instance, must be undertaken speedily, prosecutors must actively lead such investigations, and the handling of child abuse cases is to be confined to a limited number of specialist prosecutors. The Swedish Prosecution Authority has also compiled a legal memorandum as an aid to prosecutors dealing with child pornography offences. This covers issues relating to the preliminary investigation and to trials in connection with this type of offence.

In the spring of 2006, the National Courts Administra-

tion organised a training course centred on child pornography and child sex crimes. In the autumn of that year, the agency also organised a conference focused on the commercial exploitation of children in collaboration with ECPAT (End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes) Sweden. The conference was open to all employees in the Swedish courts. Child sex crimes were also the subject of a specialist project (*Humanjuridik*) also dealing with international family law, domestic violence, honour-related violence, etc. In 2006 and 2007, the National Courts Administration and the Swedish Prosecution Authority jointly provided training on human trafficking for prosecutors, judges and lawyers.

The Swedish courts, too, have received instructions in their appropriation directions for 2008 concerning levels of knowledge within the court system with regard to children. The courts are required to specify what steps have been taken to ensure that personnel whose work concerns children are fully aware of children's rights, development and needs, and what measures have been adopted both to quality assure training on issues affecting children and ensure that levels of skill are maintained over time.

Better treatment of sex crime victims by the judiciary

In May 2007, the Government instructed the Criminal Victim Compensation and Support Authority to prepare and, in consultation with relevant authorities, to implement a training programme aimed at improving the reception and treatment of sex crime victims. The target group comprises police authorities, public prosecution offices and the courts. A report is to be submitted no later than 1 October 2009. Where the crime victims are children, the programme is to focus in particular on heightening awareness of their specific risk situation and needs arising in connection with such offences.

MEASURES IN THE SOCIAL SERVICES FOR CHILDREN AND YOUNG PEOPLE

Extended obligation to report to the social services when children are in need of protection

The duty to report to the social services in cases where children are in need of protection was extended in 2003 to include employees of both the penal care and the forensic psychiatry systems. In the same year, the Education Act, the Health and Medical Services Act and the Dental Care Act were amended to make clearer the obligation of preschool, school and school-age childcare staff to report if they have reason to believe a child may be in need of protection from the local social services committee. In addition, an obligation for agencies to cooperate in cases involving children or young people who are suffering neglect or mistreatment or are at risk of doing so was incorporated into a number of laws relating to the social services, education, preschool activities, school-age childcare, the police and the healthcare service.

A new system of documentation to strengthen the position of the child in social services for children

Children's Needs in Focus (*Barns behov i centrum, BBIC*) is a system for the processing and documentation of investigations, planning and follow-up, aimed at strengthening the position of the child in the social childcare system. Other basic principles of the system include putting the focus on children and young people, cooperation with the children themselves and their families, and collaboration between agencies with regard to inquiries and evaluations of measures taken. The system has now been adopted by most Swedish municipalities.

The National Board of Health and Welfare has issued a number of publications to support and guide the social services in their work with children, including a basic reference work on children's needs (*Grundbok Barns behov*

i centrum) and a series of handbooks on how to analyse, plan and follow up measures to be taken on their behalf (*Barn och unga i socialtjänsten – Utredda, planera och följa upp beslutade insatser*). The latter contains a reference to the report Sexual Exploitation of Children in Sweden (*Sexuell exploatering av barn i Sverige*).¹⁹

IMPROVED KNOWLEDGE AND COLLABORATION

Measures to improve levels of knowledge and expertise in the social services

One of the measures set out in the 2001 Action Plan involved deepening and broadening the expertise of those working with children by instructing the National Board of Health and Welfare to provide knowledge-based social services and examine the feasibility of establishing research and information centres for the social services to support their work with child victims of assault and sexual abuse. Support for knowledge enhancement is a recurrent feature of development efforts in the social services and an important part of the task assigned to the National Board of Health and Welfare's Institute for Evidence-Based Work Practice (IMS).²⁰ The aim is to ensure that social work is based to a greater extent on an awareness of the impact of various types of actions, procedures and methods. The National Board of Health and Welfare and the IMS have an ongoing mandate to develop knowledge and information designed to improve the work of the social services with children and young people in vulnerable situations. In addition, a committee has been appointed to consider and draw up proposals on ways in which central government resources currently earmarked for use by the

social services can best help promote knowledge enhancement in this area.

Conveying knowledge and information to relevant professional groups

In 2004, the Swedish Children's Welfare Foundation was allocated SEK 400 000 by the Government for the twin purposes of producing a shortened version of the report²¹ presented by the Committee of Inquiry on Knowledge about Sexually Exploited Children in Sweden and of disseminating such knowledge and information to relevant professional groups through regional conferences. In 2006 and 2007, the foundation organised a number of round-table seminars on the sexual exploitation of children at various locations around the country as part of its regular activities, and invited key figures from county administrative boards, social welfare offices, the police, etc. to attend.

Strategy for promoting collaboration on cases involving children who are suffering or are at risk of suffering neglect or mistreatment

The National Board of Health and Welfare has been instructed to work with the National Police Board and the National Agency for School Improvement on developing a strategy for improving collaboration between the social services and other relevant agencies on cases involving child neglect or mistreatment. This strategy is to be used in the agencies' joint undertakings in this area and disseminated as a guide to cooperation at local level. Children are to be given protection and support on the basis of an all-round, integrated approach, implemented at an

¹⁹ Swedish Government Official Reports (SOU) 2004:71.

²⁰ Institute for Evidence-Based Social Work Practice, IMS (*Institutet för utveckling av metoder i socialt arbete*).

²¹ Swedish Government Official Reports (SOU) 2004:71, *Sexuell exploatering av barn i Sverige*.

early stage if the child's development prospects are unfavourable. The agencies have produced a five-year project plan. The strategy was revised in September 2007.

Criminal investigations must be child-centred

When cases involving a child who may have been the victim of a serious offence are investigated, he or she should not have to be interviewed by several different officials or be moved from one location to another. One location should be enough. With this in mind, the National Board of Health and Welfare, the National Police Board, the Swedish Prosecution Authority and the National Board of Forensic Medicine have been jointly tasked with the trial establishment of 'children's houses' (*barnahus*) where children can meet representatives of the social services, police and prosecutors or undergo forensic examination. The aim is to improve the quality of investigations through cooperation between agencies in individual cases and in general. The 'children's house' programme has been launched on a trial basis in six locations around the country. The agencies are required to submit outcome reports no later than 1 March 2008.

Following local agreements, similar types of inter-agency cooperation have been established or are planned in a number of places besides the trial locations.

Training and information to Swedish forces abroad

In March 2007, the Swedish Armed Forces established ethical rules and a code of conduct for Swedish personnel preparing for or involved in international operations abroad. On the basis of this code of conduct, staff will be given special training by the agency. Among other things,

the code prohibits all forms of sexual abuse and all forms of sexual contact with children, as well as possession or dissemination of child pornography material.

Training material on human trafficking, focusing in particular on sexual exploitation and sexual abuse, has recently been developed by the Swedish Armed Forces as part of the Genderforce project. Issues relating to child trafficking and child abuse are also covered.

BETTER OVERSIGHT OF ACTIVITIES TARGETING CHILDREN

Proposal for more extensive screening of staff in preschools, schools and school-age childcare

Under the law governing background register checks of pre-school, school and school-age childcare staff, anyone offered employment in the Swedish preschool service, the school-age childcare service, preschool classes or out-of-school activities for children of school age, whether organised by a public body or by a private natural or legal person, is required to present an extract from the police register of criminal records to whomever offers them employment.

To help protect children from abuse or violation by persons working in these activities, the Government recently proposed²² widening the range of employees to whom the law applies. Under the proposal, background register checks of persons offered employment in Swedish preschools, schools and school-age childcare should be extended to include those offered or given work in any of the above areas under conditions similar to those obtaining in an employment situation, e.g. procured services such

²² Extended background register checks in pre-schools, schools and school-age childcare (*Utvidgad registerkontroll inom förskoleverksamhet, skola och skolbarnsomsorg*), Govt Bill (*Proposition*) 2007/08:28.

as cleaning, repair and maintenance, and school transport. It is further proposed that such screening should include student teachers and adult education students in work experience placements, as well as those taking part in a labour market policy programme. It is proposed that the above amendments enter into force on 1 April 2008.

Screening of staff at institutions for children

On 1 July 2007, a new law on background register checks of staff at institutions for children came into force. The law states that anyone offered employment, an assignment, trainee work or the like at such a home must provide an extract from the register of criminal records and of suspected offenders to whomever is offering the employment.

OTHER, MAINLY PREVENTIVE, MEASURES

The National Board of Health and Welfare to support the development of a virtual youth clinic

In May 2007, the Government decided to support the development of a virtual youth clinic as an integral part of the national healthcare advisory service at *sjukvårdsrådgivningen.se*. The overall purpose of the new service is to strengthen and support young women and men in their personal development by making available reliable and easily accessible information. Internet-based guidance and counselling allows for anonymity, which can make it easier to reach groups that would not otherwise contact a youth clinic. The virtual clinic's primary target group is children and young people aged 13–25.

Sex and partnership tuition in schools

Under the national compulsory school curriculum²³, cross-disciplinary areas of knowledge are to be integrated into the teaching of certain subjects. One such area is instruction in sex and relationships, which also forms part of the syllabuses for biology, religion and social studies.

However, the teaching is deficient in some respects and the quality is uneven. In a report from 2009²⁴, the National Agency for Education concludes that the variation in quality is largely attributable to unclear policy documents, poor teaching guidance, and varying teacher skills in this field. The Government intends to return to the matter in connection with future syllabus-related mandates.

National development centre for early action on behalf of children and young people at risk of severe mental ill-health

In March 2007, the Government commissioned the National Board of Health and Welfare to establish a national centre for the development of early measures on behalf of children and young people at risk of severe mental ill-health. It earmarked SEK 20 million for this purpose in 2007 and SEK 25 million per year thereafter. The task of the centre will be to collect, coordinate and disseminate knowledge and scientific expertise with a view to helping relevant bodies to identify, prevent, provide early support for and treat children and young people at risk. A key task of the development centre will be to call attention to knowledge gaps and specific needs in terms of interdisciplinary research in this field.

²³ Curriculum for Compulsory Education (*Lpo*) 94.

²⁴ National Quality Checks 1999 (*Nationella kvalitetsgranskningar 1999*), National Agency for Education report No. 180.

Parental support

One of the measures contained in the 2001 Action Plan was to assign the National Institute of Public Health to collect and disseminate educational material for parents. In early 2005, the agency submitted a report entitled *New Tools for Parents: Proposals on New Forms of Parental Support (Nya verktyg till föräldrar – förslag till nya former av föräldrastöd)*. The report examined ways in which such support might be structured so as to be of real benefit to the children themselves and proposed broad dissemination of new, structured methods for supporting parents, with the emphasis on allowing parents to develop creatively interactive relationships with children. In its appropriation directions for 2006 and 2007, the National Institute of Public Health was instructed to report what measures were taken to disseminate the methodological knowledge compiled in the report. In September 2007, the agency organised a parental support conference in Stockholm, at which its work in this area, including the Family Workshop initiative, was presented. The latter is a DVD-based support method targeting all parents, developed in cooperation with psychologists and counsellors. The DVD is accompanied by a manual for parents. The material is self-instructional. The agency plans to organise a further conference of this type in the spring of 2008. It is also planning to train special 'ambassadors' to help disseminate information on the Family Workshop. Adult education associations, in cooperation with municipalities and county councils, will provide training courses based in part on this material.

Safer Internet use among children and young people

The Media Council is a government committee primarily concerned with reducing the risk of harmful media impact. Its activities include efforts to strengthen children and young people in their roles as media consumers and

to strengthen parents in their parental roles. Other target groups are teachers and others in occupations that bring them close to children, media enterprises, and other agencies/organisations engaged in issues relating to children, young people and the media. The work involves developing and disseminating knowledge and information in the media field, including the Internet and computer games. Since 2002, the Media Council has been in charge of an EU project, SAFT (Safety Awareness, Facts and Tools), and a project entitled Young Internet, both of which seek to promote safer use of the Internet among children and young people. As part of the Young Internet project, the Media Council and the National Agency for School Improvement have organised conferences targeting professional groups working with children and young people, with a view to encouraging teaching and discussions on the subject of the Internet and other media. Since 2007, the national organisation BRIS (Children's Rights in Society) has collaborated with the Media Council on the development of a special emergency phone line that children and young people can call for guidance and support in connection with their experiences on the Internet. In addition to teachers and school heads, new target groups for the campaign are personnel working with the social services and with pupil welfare. A network of regional information officers has been built up and will be continuing informational work at regional level.

Efforts to combat discrimination and other degrading treatment, including bullying

Another measure presented in the 2001 Action Plan was a national anti-bullying campaign, entitled Together (*Tillsammans*). It was implemented by the National Agency for Education in 2001 and 2002 in cooperation with a number of other organisations to strengthen and inspire those working to stop bullying. In addition, the agency was in-

structed to highlight instructive examples of action programmes and procedures for combating degrading treatment. A further task was to develop general guidelines for possible counter-measures and to produce a status review of research and knowledge relating to degrading treatment and bullying. The agency has provided an overview of research on bullying.²⁵ In 2003, the National Agency for Education delivered its report on the part of the assignment concerning instructive examples of action programmes, in a support publication entitled Different But Equal (*Olikas lika värde*). This publication describes such matters as the democratic task of schools and what is encompassed by the term 'degrading treatment'. In 2004, the agency delivered its report on the final part of the assignment – general guidelines for efforts to combat all forms of degrading treatment. The National Agency for School Improvement has since disseminated to others what it learned from working with Different But Equal, partly via a series of conferences at which schools from around the country described their efforts to combat bullying and other degrading treatment, and partly by sending out support material and general guidelines to municipalities. The municipalities are now using this support material, which can be requisitioned from the National Agency for School Improvement or downloaded from its website.

A new Act prohibiting discrimination and other degrading treatment of children and students entered into force on 1 April 2006. This law was introduced to promote the equal rights of children and pupils in education and in other areas of activity covered by the Education Act.

It is designed to combat discrimination on grounds of a person's sex, ethnic origin, religion or other belief, sexual orientation or disability. It is also intended to combat the kind of degrading treatment that is not directly attributable to any of the grounds for discrimination specified in the Act, including bullying. The National Agency for Education has a special representative for the equal treatment of children and pupils (*Barn- och elevombud för likabehandling, BEO*), whose task is to ensure compliance with the law. The representative is also tasked with disseminating information about the law and how it is to be applied.

MEASURES TARGETING PERPETRATORS

Penal care efforts on behalf of perpetrators

For a number of years now, the Prison and Probation Service has been seeking to develop and improve treatment measures by psychotherapists of people convicted of sex crimes. One result of this undertaking is the Sex Offender Treatment Program. This treatment programme was accredited in December 2005 and is currently under way at five separate units. A research project is also in progress at Stockholm University to evaluate the effects of the programme. As of 2007, the Prison and Probation Service has been allocated special funding to improve the treatment of male sex crime offenders and men who have been convicted of violence in close relationships (intimate partner violence). As part of the Government's Action Plan for combating violence committed by men against women, etc.²⁶, the Prison and Probation Service will be allocated

²⁵ Björn Eriksson, Odd Lindberg, Erik Flygare och Kristian Daneback, School: An arena for bullying (*Skolan – en arena för mobbning*).

²⁶ Action Plan for combating men's violence against women, violence and oppression in the name of honour and violence in same-sex relationships (*Handlingsplan för att bekämpa mäns våld mot kvinnor, hedersrelaterat våld och förtryck samt våld i samkönade relationer*), Govt communication (*Skr*) 2007/08:39.

an additional SEK 10 million for 2008–2010 for investment *inter alia* in penal care activities targeting violent men. One of the aims of this initiative is to increase the treatment programme's accessibility and to improve risk assessment, methods, etc.

Efforts on behalf of young perpetrators

The National Board of Institutional Care is responsible for implementing the institutional care of minors at special youth homes. Three of these homes employ staff who are specially trained to investigate and treat boys convicted of sexual abuse. The board is also financing a three-year research project at the University of Gothenburg's Department of Psychology focusing on young offenders who have committed crimes involving sexual abuse.

THE WORK OF VOLUNTARY ORGANISATIONS AND INDUSTRY ACTORS

Voluntary organisations shape public opinion and provide active support

Through their activities, voluntary non-governmental organisations such as ECPAT Sweden, UNICEF Sweden, Save the Children Sweden and BRIS have acquired valuable experience in dealing with issues relating to the sexual exploitation of children.

Voluntary organisations undertake advocacy work but are also involved in more practical efforts to support and protect children. Working in close collaboration with the National Criminal Police, for instance, ECPAT Sweden has taken over the hotline initiated by Save the Children

Sweden. The general public can contact this hotline via the web to report information about suspected child pornography cases, trafficking of children for sexual purposes and sexual exploitation of children in conjunction with tourism and travel. ECPAT Sweden has also drawn up a workplace policy against child sex trafficking. Child victims of sexual exploitation are treated by psychotherapists at the Centre for Children and Young People in Crisis run by Save the Children Sweden. BRIS, too, comes into contact with such children via its telephone helpline and other channels. In late 2006, BRIS also launched Squill²⁷ on a trial basis in collaboration with the company Net-Clean Technologies. Squill is a free Internet service offering children and young people guidance and recommendations on aliases on Internet chat rooms. Together with UNICEF Sweden, the National Board of Health and Welfare is currently developing a quick guide to child trafficking as a support for agencies that may come into contact with victims in Sweden. The authorities involved include the social services, the Swedish Migration Board and the child and youth psychiatric service. The guide will contain information about what steps need to be taken to safeguard children's rights.

The Government has supported the work of voluntary organisations in a variety of ways. The Swedish Inheritance Fund, for instance, has granted funding to ECPAT Sweden for its project on children's rights and commercial sexual exploitation (*Barnets rätt mot kommersiell sexuell exploatering*) and to the aid organisation the Swedish Mission Council for a joint Swedish-Romanian drama project on human trafficking for sexual purposes.

²⁷ According to BRIS, the purpose of Squill is to make children and young people aware of the dangers that exist on the Internet and to give them the means to avoid them. Via Squill, children can simply check up on a person with a simple mouse click before starting to chat with him or her. Squill also gives children the opportunity to help one another by posting warnings about suspect aliases.

Code of conduct for travel operators regarding the sexual exploitation of children

At the initiative of ECPAT Sweden, and in collaboration with it, the Swedish travel industry, the World Tourism Organisation and the United Federation of Travel Agents' Associations have drawn up a code of conduct for travel operators regarding child sex trafficking. All major Swedish travel companies, and a number of smaller ones, now subscribe to the six criteria in the code of conduct. In doing so, they have committed themselves to establishing an ethical corporate policy against commercial sexual exploitation of children, to training all staff both at home and at travel destinations abroad, to providing their travellers with information in various ways, and to including a clause in their contracts with suppliers stating that both parties dissociate themselves from all exploitation of this kind.

Compliance with the criteria is monitored both internally by the travel operator or travel agent and externally by an international secretariat to which the code of conduct signatories are obliged to report. The secretariat staff include representatives of the travel and tourist industry and ECPAT International. Many other countries have taken note of this initiative and now apply the code of conduct themselves. In addition, the Tour Operators' Initiative – the global travel operator network for sustainable tourism – now requires its members to adopt the code. Further information about the code of conduct is available at www.thecode.org.

Action at international level

Sexual exploitation of children is frequently a cross-border problem. For instance, children may be sexually exploited by Swedes on holiday or travelling abroad for other reasons. Child pornography is another example of exploitation that often extends beyond national frontiers. International cooperation is essential if sexual exploitation of children is to be combated effectively. The completion of the present Action Plan is planned to coincide with a third World Congress against Commercial Sexual Exploitation of Children to be hosted by Brazil in 2008 in collaboration with UNICEF and ECPAT International. The congress will continue the work of the first World Congress, held in Stockholm in 1996, and the second, held in Yokohama in 2001.

There are a number of bodies and actors in the international arena whose activities are vital to the prevention of sexual exploitation of children, and in which the Swedish Government and/or Swedish public authorities take an active part. Of particular importance is cooperation within the Council of the Baltic Sea States (CBSS), the European Union, the Council of Europe and the United Nations. A number of examples of the activities of these bodies and of Swedish action at international level are set out below.

The strategy and policy of the Ministry for Foreign Affairs

The Swedish Ministry for Foreign Affairs and the Swedish International Development Cooperation Agency (Sida) are continuing their efforts to ensure implementation of the strategic measures set out in the 2001 publication *The Commercial Sexual Exploitation of Children*.

The Council of the Baltic Sea States

A Working Group for Cooperation on Children at Risk (WGCC) within the Council of the Baltic Sea States

has been in existence since 2002. The National Board of Health and Welfare is the national coordinating body for Swedish participation in the WGCC. An action plan has been drawn up to deal with children who cross national frontiers unaccompanied or who are victims of human trafficking. Also cooperating in the process are Ukraine, Belarus and Moldova. To facilitate bilateral and multilateral contacts in specific matters, a national contact point has been established in 12 of the 14 countries for issues arising in connection with unaccompanied children and children who are victims of human trafficking. In Sweden, an official at the Ministry of Justice (formerly based at the Ministry for Foreign Affairs) has been assigned to act as Sweden's national contact point. Experts from ten of the cooperating countries took part in a training programme in 2006 and 2007 and will pass their knowledge on to their respective countries.

The European Union

The EU is responsible for participating in and moving work forward internationally, and for promoting and encouraging cooperation between states. The EU Commission put forward proposals for a comprehensive strategy on children's rights in July 2006.²⁸

Since 2000, every EU member state holding the EU presidency has held an informal meeting of ministers or officials responsible for general child issues and/or implementation of the Convention on the Rights of the Child in their respective countries. The group, which has adopted the name Permanent Intergovernmental Group Europe de l'Enfance, is dedicated to ensuring that a child perspective

based on the Convention on the Rights of the Child runs through all initiatives within the EU relating to children and children's issues. Sweden has attended all the meetings held by every EU president country and played an active part in the proceedings. In 2007, the Commission also initiated a project aimed at establishing a European forum on the rights of the child within the Union.

The EU Council Framework Decision on combating trafficking in human beings, adopted on 19 July 2002, and the EU Council Framework Decision on combating the sexual exploitation of children and child pornography adopted on 22 December 2003 form a basis of agreement by the EU member states on common minimum rules on penal measures, including penal sanctions, in the fight against human trafficking, sexual exploitation of children and child pornography. The framework decisions have been implemented in Swedish law, the former on 1 July 2004²⁹ and the latter on 1 April 2005.³⁰

At an informal meeting of EU ministers of tourism held in Malta on 1 October 2001, France raised the issue of stronger cooperation against sexual exploitation of children in tourism and travel. France brought up the question again in March 2006 at an informal meeting of EU tourism ministers in Vienna. The French initiative is comprised of three parts:

- 1) an increase in voluntary commitments by the travel industry
- 2) establishment of an informal group at EU level composed of representatives of the ministries concerned aimed at facilitating the exchange of best practices among member states

²⁸ Towards an EU Strategy on the Rights of the Child, COM (2006) 367.

²⁹ Govt Bill 2003/04:111, Extended criminal liability for trafficking in human beings (*Ett utvidgat straffansvar för människohandel*).

³⁰ Govt Bill 2004/05:45, New legislation on sexual crime (*En ny sexualbrottslagstiftning*).

- 3) consultation by member states and the EU Commission with the countries affected with a view to gathering information and planning joint activities on prevention in this area.

In the Government's view, the French initiative constitutes a very good basis for continued cooperation within the EU on the issue of sexual exploitation of children in tourism and travel.

In the autumn of 2007, the EU adopted new guidelines on children's rights for use in dialogues on human rights and projects involving third countries. Violence against children, including sexual exploitation of children is an issue that EU member states have resolved to focus on in the coming years on the basis of these guidelines.

The Council of Europe

The Council of Europe is an important arena for international cooperation in the promotion of human rights. A number of conventions relating to the sexual exploitation of children have been drawn up within the framework of the cooperation and assistance programmes of the Council of Europe. For example, Sweden signed the Council of Europe Convention on Action against Trafficking in Human Beings in May 2005. The primary aims of the convention are to prevent and combat human trafficking, safeguard the human rights of the victims and draw up a full set of rules on protection of and assistance to crime victims and witnesses, guarantee efficient and effective criminal investigations and prosecutions, and promote international cooperation. Sweden's ratification of the convention is being evaluated in connection with the ongoing Inquiry on Trafficking in Human Beings³¹, which is to present its report by 30 April 2008.

In addition, Sweden has actively participated in drafting the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, which was adopted by the Council of Europe Committee of Ministers in the summer of 2007. Sweden signed the convention when it was opened for signature on 25 of October 2007.

The purpose of the convention is to prevent and combat sexual exploitation and sexual abuse of children, protect the rights of victims and promote national and international cooperation on this issue. The convention has a broad scope of application. Its provisions embrace a wide range of areas including prevention, measures to assist and protect victims, treatment of sexual offenders, substantive penal law, matters of jurisdiction, criminal investigations, prosecution and rules of judicial procedure.

The question of Sweden's ratification of the convention and of legislative measures which may be required in that event is currently being examined in the Government Offices (Ministry of Justice).

The United Nations

On 7 December 2006, the Government ratified the optional protocol to the Convention on the Rights of the Child which deals with child trafficking, child prostitution and child pornography. In order accede to the protocol, a new offence was introduced into the Penal Code in July 2006: unlawfully inducing or coercing agreement or permission to adopt a child. This provision criminalises acts or attempts by intermediaries to unlawfully elicit agreement or permission to adopt a child.

The EU member states, together with the Latin American states, annually sponsors a resolution on the rights of the child in the Third Committee of the UN General

³¹ Terms of reference (*Dir*) 2005:152, 2006:78 and 2007:88.

Assembly. The focus of the 2007 resolution was violence against children, with special emphasis on sexual violence and sexual exploitation. The resolution led to the appointment of a new Special Representative of the UN Secretary-General with a mandate that includes enhancing the visibility of all forms of violence against children, including sexual exploitation.

The UN Human Rights Council has appointed a Special Rapporteur on child trafficking, child prostitution and child pornography, who, in addition to annually compiling and submitting reports to the Council, conducting field studies and drawing up country reports, will be responsible for maintaining a dialogue with governments of countries where crimes against children's rights in the form of sexual exploitation take place.

Sweden is one of the biggest donors to the United Nations Children's Fund (UNICEF), which works in various ways to combat sexual exploitation of children in many countries around the world. For example, 52 of UNICEF's country offices monitor and report on this issue. The Fund has also issued status assessments on sexual exploitation of children in many countries.

Sida

In 1999, the Swedish International Development Cooperation Agency (Sida) published a position paper entitled *The Rights of the Child in Swedish Development Work* containing guidelines on the integration of children's rights in bilateral development work. Although primarily designed for use by Sida staff at embassies and in Sweden, the guidelines are also intended for Sida's cooperation part-

ners. On the issue of sexual exploitation of children, the guidelines state that Sida should support countries in their efforts to draw up national action plans and that measures should focus primarily on preventing violations so that advantage cannot be taken of children's vulnerability and dependence. According to the guidelines, legislation and international cooperation are essential if child trafficking, child prostitution, child pornography and child sex tourism are to be stopped. Measures for the rehabilitation and education of girls and boys who have suffered sexual violation and/or have been exploited through prostitution must also be developed and supported.

In a communication to the Riksdag³² in May 2002³³ the Government reported progress on Swedish and international efforts to promote the fulfilment of development cooperation commitments under the Convention on the Rights of the Child and presented proposals on how this experience should be turned to account. In 2007, Sida was tasked by the Government to propose revisions and additions to the communication.

ASEM

The Asia-Europe Meeting (ASEM), launched in 1996, is a forum for dialogue and collaboration between EU member states, the EU Commission and currently 16 countries in East and South-East Asia (10 Asian countries were affiliated in 1996–2004). Cooperation today spans a number of policy areas, and issues relating to transnational crime such as human trafficking have been of central importance from the outset.

The 2001 Action Plan included a measure to the effect

³² The Swedish Parliament.

³³ Govt communication 2001/02:186 on a child rights perspective in international development cooperation (*Regeringens skrivelse om ett barnrättsperspektiv i internationellt utvecklingsamarbete*).

that a planned study of demand for human trafficking should be undertaken as part of the ASEM process. An ASEM project on human trafficking focused particularly on women and children was launched at the third ASEM summit meeting in Seoul in 2000 by Sweden, Thailand and the Philippines. An action plan was presented ahead of the ASEM meeting of Foreign Ministers in China in 2001 and at the meeting of Migration Ministers in Spain in 2002. The completion of the project was marked by two major conferences in Thailand in 2002 and 2003. Human trafficking continues to be highlighted, e.g. in the conclusions of ASEM summit meetings.

Swedish participation in international judicial cooperation

The Swedish Prosecution Authority is a regular participant in the annual cooperation meetings of prosecutors-general in the Baltic Sea region. A special expert group on human trafficking³⁴ has reported to the Baltic Sea region prosecutors since 2000. The group, composed of a network of experts, discusses operational issues and current trends in this type of crime. Sweden is also represented on Eurojust by a National Member stationed permanently in the Hague and by a deputy at the Office of the Prosecutor-General. Eurojust, a European Union body established in 2002, is a permanent network of judicial authorities dedicated to enhancing the effectiveness of the competent authorities within member states when dealing with the investigation and prosecution of serious cross-border and organised crime. In recent years, a number of operative coordination meetings within Eurojust have been devoted to the fight against international human trafficking and serious child pornography offences.

³⁴ The Prosecutors' Network for Trafficking in and Sexual Abuse of Women and Children in the Baltic Sea region.

New initiatives to combat sexual exploitation of children

Target areas

The measures presented below refer to the following target areas, which were formulated by the 1996 World Congress.

1) Coordination and cooperation

Measures aimed at establishing or strengthening cooperation between, for example, the public and voluntary sectors at local or national level, and measures to promote better cooperation at regional or international levels. Measures aimed at implementation of the Convention on the Rights of the Child, and resource allocation for combating the sexual exploitation of children also belong here.

2) Preventive work

Action to strengthen protection of children through relevant legislation in accordance with the intentions of the Convention on the Rights of the Child, and information initiatives aimed at raising awareness of sexual exploitation of children at all levels in society and at enhancing the quality of activities undertaken by professional groups working with children.

3) Protection

Measures aimed at improving protection of children through relevant legislation, and measures to protect child victims of commercial sexual exploitation. Measures aiming at building networks between national and international law-enforcement agencies.

4) Rehabilitation and reintegration

Measures aimed at generating viable treatment alternatives for victims and their families. Action to ensure effective measures aimed at offenders. One aim is to prevent children who have already been subjected to sexual exploitation from further violation in the course of judi-

cial proceedings and/or treatment. The object is to ensure that the intentions of the Convention on the Rights of the Child permeate all activities involving interactions with child victims.

5) Participation by children and young people

Participation refers to the right of children to express their opinions and to be heard on issues that concern them.

New measures

Ten measures presented by the Government are set out below under the following headings:

- sexual exploitation of children in tourism and travel
- dissemination of knowledge and information
- identification of measures aimed at offenders
- increased cooperation at national and international level
- review of legislation

Sexual exploitation of children in tourism and travel

Sexual exploitation of children in connection with tourism and travel is presumably a growing problem in an increasingly mobile world. It is relatively easy nowadays to travel cheaply to countries with widespread poverty and social problems. In these countries, protection networks for children are often weak, leaving them dangerously exposed to sexual exploitation of different kinds. In October 2005, the French Minister of Tourism stated that approximately three million children are victims of sexual exploitation in connection with tourism and travel.

The measures presented here by the Government relating to sexual exploitation of children in tourism and travel are focused on international cooperation, provision of information to travellers and dialogue with the travel industry.

Measure 1.

The Government aims to draw attention to the issue of sexual exploitation of children in connection with tourism and travel at EU level within the framework of its participation in the Permanent Intergovernmental Group Europe de l'Enfance.

*(Target area 1: Coordination and cooperation,
Target area 2: Preventive action)*

The Government is resolved to highlight this issue continually, and, in particular, during the Swedish presidency of the EU Council of Ministers in the second half of 2009 within the framework of its participation in the Permanent Intergovernmental Group Europe de l'Enfance, which meets at ministerial or official level once in every Council presidency.

Responsible actor: The Government Offices (Ministry of Health and Social Affairs).

Other actors: the EU and its member states, and others.

Timetable: Continuous.

Desired result: Strengthened cooperation at EU level on issues relating to sexual exploitation of children in connection with tourism and travel.

Measure 2.

Advice for people travelling abroad issued by the Ministry for Foreign Affairs to be supplemented by information about the exploitation of children in connection with tourism and travel.

(Target area 2: Preventive action)

Travel advice on a range of subjects, assembled under the heading "Ready to Travel?" (*Resklar?*) is available on the

Government website www.regeringen.se. The foreign ministry webpage "Advice for people travelling abroad" receives an average of almost 10 000 visits a month. As of December 2007, information relating to the sexual exploitation of children in connection with tourism and travel will be posted on the Government's website. Similar information has been available on the website of the Swedish embassy in Bangkok since the summer of 2007.

Responsible actor: The Government Offices (Ministry for Foreign Affairs).

Other actors: Ministry of Health and Social Affairs.

Timetable: 2007.

Desired result: Access by travellers to information, made available on the Government's website, on sexual exploitation of children in connection with tourism and travel.

Measure 3.

The Government intends to invite relevant actors in the travel industry and agencies responsible for tourism education to a dialogue meeting on the issue of preventive action against sexual exploitation of children in connection with tourism and travel.

*(Target area 1: Coordination and cooperation,
Target area 2: Preventive action)*

In the spring of 2008, the Government intends to hold a dialogue meeting with relevant actors in the travel industry and agencies responsible for tourism education. The dialogue is intended to enable the Government to gain a better understanding of the views of these actors with regard to the measures needed to combat sexual exploitation of children in connection with tourism and travel. Its purpose is also to inform the latter about the extent of the problem and possible preventive measures. Through

dialogue, participants can gain a clearer picture of the initiatives that have already been taken and what further measures are needed.

Responsible actor: The Government Offices (Ministry of Health and Social Affairs).

Other actors: Ministry of Enterprise, Energy and Communication, Ministry of Agriculture, tour operators, actors in the shipping and aviation sector, relevant education authorities, and others.

Timetable: Spring of 2008.

Desired result: Establishment by the Government of an in-depth body of knowledge, information and background data on appropriate ways to continue work on the prevention of sexual exploitation of children in connection with tourism as this bears on the travel industry and the education system. These actors for their part can gain both a better understanding of how others are dealing with the issue and a documented basis for continued preventive work.

Dissemination of knowledge and information

Despite the existence of a considerable body of knowledge on the sexual exploitation of children, there is a need to monitor developments in this area, particularly in the field of information technology. There is a need to vest overall responsibility in a single body which then can act as a knowledge hub in this area.

Measure 4.

The Government intends to allocate funds for continued knowledge tracking and dissemination in this area to the Swedish Children's Welfare Foundation. The assignment may include the requirement to act as a knowledge hub.

(Target area 1: Coordination and cooperation,

Target area 2: Preventive action,

Target area 3: Participation by children and young people)

The Swedish Children's Welfare Foundation has been engaged since 2004 in dissemination of knowledge and information on the sexual exploitation of children in Sweden to professional groups working with exploited children.

The Government intends to assign funds to the Swedish Children's Welfare Foundation to enable continued tracking and dissemination of knowledge and information among relevant professional groups. The question of setting up a knowledge hub may become an issue as part of this assignment. The foundation may also be commissioned to propose ways in which children's and young people's views and experience can be turned to account.

Responsible actor: Swedish Children's Welfare Foundation.

Other actors: Ministry of Health and Social Affairs, relevant agencies, and others.

Timetable: 2008.

Desired result: Dissemination of relevant knowledge and information on the sexual exploitation of children to relevant professional groups and identification of further knowledge needs.

Survey of measures aimed at offenders

The Committee of Inquiry on Knowledge about Sexually Exploited Children in Sweden noted in its report that adults who have sexually abused a child have little possibility of receiving adequate treatment unless they have been convicted of a sexual offence against a child. This applies to both in- and out-patient psychiatric treatment.³⁵

Measure 5.

The Government intends to commission the Swedish Council on Technology Assessment in Health Care (SBU) to conduct a survey in consultation with the National Board of Health and Welfare of available treatment measures for persons who have committed sexual offences against children, and to evaluate their effect. The survey and evaluation is also to cover treatment measures for potential offenders.

(Target area 2: Preventive action,

Target area 4: Rehabilitation and reintegration)

According to the Brå 2003 survey of reported and prosecuted sexual offences against children with elements of sexual exploitation, more than one in ten offenders surveyed had been prosecuted at least once before for sexual offences against children.³⁶ The likelihood of reoffence in crimes of this kind suggests a need for measures besides those provided under the auspices of the Swedish Prison and Probation Service and the National Board of Institutional care. As far as is known, the chances of an offender receiving adequate treatment and other support outside

penal custody are very small. The same applies to support for persons who are sexually attracted to children but have not committed any offence. A survey and evaluation of treatment measures currently available to offenders and potential offenders is therefore a matter of urgency.

Responsible actor: Swedish Council on Technology Assessment in Health Care (*SBU*).

Other actors: Ministry of Health and Social Affairs, National Board of Health and Welfare, and others.

Timetable: 2008.

Desired result: Compilation of background data on treatment measures aimed at and available to offenders and potential offenders, as well as on the effect of such measures, to thereby enable the Government to assess the need for further measures.

Increased cooperation at national and international level

Combating sexual exploitation of children is a common responsibility, both within and between countries. Effective cooperation is a precondition of success.

Measure 6.

An annual meeting between the public and voluntary sectors to improve collaboration and coordination and to follow developments in matters concerning the sexual exploitation of children.

(Target area 1: Collaboration and coordination)

³⁵ See further Sexual Exploitation of Children in Sweden (*Sexuell exploatering av barn i Sverige*) p. 23, Swedish Government Official Reports (*SOU*) 2004:71.

³⁶ Sexual Exploitation of Children – Behind the sexual crime statistics. (*Sexuell exploatering av barn – vad döljer sig bakom sexualbrottsstatistiken?*).

Between 2002 and 2004, annual meetings were held between the working groups of the Committee of Inquiry on Knowledge about Sexual Exploitation of Children in Sweden and the network composed *inter alia* of representatives of agencies, voluntary organisations and experts. In the spring of 2006, the then Minister for Tourism invited representatives of the travel industry, voluntary organisations and authorities to a meeting on the sexual exploitation of children in connection with tourism and travel. During 2007, the Ministry of Health and Social Affairs convened a number of meetings both with relevant voluntary organisations and authorities to address the work of following up and updating the 2001 Action Plan. The Government considers that collaboration between the public and voluntary sectors is vital to the formation of a coherent picture of the situation with regard to the sexual exploitation of children and accordingly intends to maintain this forum for consultation and exchange of best practices.

Responsible actor: The Government Offices (Ministry of Health and Social Affairs).

Other actors: Relevant ministries, authorities and voluntary organisations.

Timetable: Annually.

Desired result: More open dialogue and more efficient exchange of best practices between bodies engaged in these issues.

Measure 7.

Follow-up of the Action Plan.

(Target area 1: Collaboration and coordination)

As in the past, the Government will be following up the Action Plan in connection with Sweden's report to the UN Committee on the Rights of the Child, which is next

due in 2012. In addition, a follow-up of the measures presented here will be implemented in 2010.

Responsible actor: The Government Offices (Ministry of Health and Social Affairs).

Other actors: Relevant ministries, relevant authorities, voluntary organisations and other actors.

Timetable: 2010 and 2012.

Desired result: Regular follow-ups of the measures in the Action Plan.

Measure 8.

The Government intends to draw attention to the issue of sexual exploitation of children during the Swedish presidency of the Council of Europe Committee of Ministers in 2008.

*(Target area 1: Coordination and cooperation,
Target area 2: Preventive action)*

Sweden will hold the presidency of the Council of Europe Committee of Ministers between May and November 2008. One of the areas to which the Swedish presidency will be giving priority is the rights of the child. The issue of the sexual exploitation of children *inter alia* in connection with tourism and travel, will be addressed at the high-level conference on the theme Building a Europe for Children – Provision, Protection, Participation, which will be held by the Swedish presidency in September 2008.

Responsible actor: The Government Offices (Ministry of Health and Social Affairs).

Other actors: Ministry of Justice, Ministry of Integration and Gender Equality, Council of Europe and its member states, and others.

Timetable: May–November 2008.

Desired result: Increased attention in the Council of Europe and its member states on the issue of sexual exploitation of children, *inter alia* in tourism and travel, and intensified exchange of experience and best practices between member countries. It will also be possible to turn the knowledge gained from the conference to account during Sweden's presidency of the EU in 2009.

Measure 9.

Cooperation on protection and support for children at risk in the Council of the Baltic Sea States should continue.

*(Target area 1: Coordination and cooperation,
Target area 2: Preventive action)*

The Council of the Baltic Sea States Working Group for Cooperation on Children at Risk (WGCC) conducts activities in five priority areas.

- protection of children against all forms of sexual abuse, sexual exploitation and human trafficking,
- unaccompanied children and child victims of human trafficking,
- street children,
- children in institutions, and
- young offenders.

The work of the WGCC has helped to further development in this area and the Government considers that cooperation should continue.

Responsible actor: The Government Offices (Ministry of Health and Social Affairs).

Other actors: National Board of Health and Welfare, the countries of the Council of the Baltic Sea States, voluntary organisations, and others.

Timetable: 2007–2012.

Desired result: Continued further development of the collaboration begun in this area in 2001.

Review of legislation

Effective legislation is a fundamental prerequisite for successfully combating all forms of sexual exploitation of children. In recent years, our laws have been amended in numerous ways in an effort to further strengthen protection for children. However, legislation must be regularly reviewed and adjusted to changing circumstances.

Measure 10.

Evaluation of legislation on sexual crimes.

(Target area 3: Protection)

On 1 April 2005, new reformed legislation on sexual crimes entered into force. The reform entailed a number of new and important changes, including stronger provisions to protect children from sexual violation. In connection with the introduction of this legislation, emphasis was placed on the need to monitor its impact and to determine whether it was being applied in an appropriate and effective way. To determine how this new legislation has been applied and whether it has had the desired effect, the Government intends to appoint an inquiry in 2008 to evaluate its application.

Responsible actor: The Government Offices (Ministry of Justice).

Other actors: Ministry of Health and Social Affairs, and others.

Timetable: 2008

Desired result: The creation of strong, effective protection against sexual violation and abuse of different kinds. Legislation which is consistent with the basic values of society and can be applied without ambiguity and in conformity with the rule of law.



REGERINGSKANSLIET

Ministry of Health and Social Affairs

SE-103 33 Stockholm, Sweden