



Input to List of issues prior to reporting for **Sweden**

submitted by
ECPAT Sweden

to the United Nations Committee on the Rights of the Child

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Introduction

ECPAT Sweden is a child rights organisation working against child sexual exploitation. This is done in many ways. We provide information and expertise on the subject and work with prevention. We advocate for change and collaborate with government agencies, the private sector and other organisations. ECPAT Sweden also operates a web-based Hotline to which the public can anonymously report suspected child sexual exploitation.

ECPAT Sweden contributes to the process with this thematic report as well as with a consolidated report from Swedish civil society organisations working with child rights. We have chosen this course of action since violence against children is an important human rights issue with serious repercussions, and sexual exploitation is a special form of violence against children in which we have extensive knowledge. ECPAT Sweden's mandate covers sexual exploitation of children and our thematic report is consequently limited to this topic.

General measures of implementation – article 4

Lack of collection of data

There is no systematic data collection on sexual exploitation of children in Sweden, including the number of children sexually exploited in prostitution, number of children being trafficked to and within Sweden for sexual purposes and sexual exploitation of children in the context of travel and tourism. Furthermore, Sweden does not collect data on online sexual exploitation of children, and it is not possible to follow a case from report to dismissal or verdict. Consequences of the lack of data include big challenges in identifying children at risk and inability to discover any trends that need particular attention and resources. The Sustainable Development Goal 16.2 on ending abuse, exploitation, trafficking, and all forms of violence against and torture of children¹ makes it imperative to know the extent of sexual exploitation of children to be able to plan the best strategy to make this happen. Comprehensive data collection is an important way of implementing the rights in the Convention on the Rights of the Child (CRC) for every child, as listed in General comment number 5². Sufficient recording and reporting of disaggregated data to provide an accurate situation analysis is clearly stated as a requisite in the Implementation Handbook for the Convention on the Rights of the Child³.

On the basis of this ECPAT Sweden would like to suggest to the United Nations Committee on the Rights of the Child to ask the Swedish government the following question:

¹ UN General Assembly, *Resolutions Adopted by the General Assembly [without reference to a Main Committee (A/70/L.1)] Transforming our world: the 2030 Agenda for Sustainable Development*, 25 September 2015 A/RES/70/1, available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

² UN Committee on the Rights of the Child (CRC), *General comment no. 5 (2003): General measures of implementation of the Convention on the Rights of the Child*, 27 November 2003, CRC/GC/2003/5, available at: <https://www.barnombudsmannen.se/globalassets/dokument-for-nedladdning/publikationer/generalcommentnr5.pdf>

³ UN Children's Fund (UNICEF), *Implementation Handbook for the Convention on the Rights of the Child*, September 2007.

Q: What steps is Sweden taking to establish a mechanism for the systematic collection of data regarding sexual exploitation of children; disaggregated by relevant information about the victim and perpetrator?

Protection from abuse and neglect – article 19

Children have the right to safe participation online

Online child sexual exploitation (OCSE) is a serious violation of the fundamental rights of children, resulting in the same profound and long-lasting harmful consequences that can continue well into adulthood as child sexual abuse (CSA) and child sexual exploitation (CSE) that occurs off the Internet⁴. Internet related crimes entail that the police need to be able to collect digital evidence, and to do so in a timely manner since digital evidence may be time-sensitive and altered or destroyed with little effort⁵. The Council of Europe's Convention on Cyber-Crime is intended to facilitate that countries may cooperate rapidly in their investigations when it comes to criminality that involves the Internet⁶.

On the basis of this would ECPAT Sweden like to suggest to the United Nations Committee on the Rights of the Child to ask the Swedish government the following question:

Q: When will Sweden ratify the Convention on Cybercrime of the Council of Europe (Treaty 185), also known as the Budapest Convention?

Internet is an important arena for children to express themselves, learn about the world and hang out with friends. Access to information is every child's right. And children are taking on the internet not only as information seekers, but also as creative producers of content - and they are incorporating the technological opportunities seamlessly into their lives. As one child we spoke to in 2019 expressed it: 'If someone asks you what you're doing, you can answer with a photo instead of writing.'⁷

But there are risks on the Internet as well as in life in general. OCSE is rapidly emerging as a key threat to children's wellbeing and development. The rapid development and spread of information and communications technologies (ICT) are providing great opportunities to bring people together and provide children with opportunities to explore and learn. At the same time, this development has exposed more children to the risk of sexual exploitation. Pupils in their fifth semester of high school (when one is typically aged 18) were in 2014 asked in a nationwide study if they had been contacted online by someone they know or think was at least five years older than them for sexual purposes before the age of fifteen, and 32,5 % of girls and 11,2 % boys answered yes. Most contacted were

⁴ Hamilton-Giachritsis et al. *Everyone deserves to be happy and safe*, November 2017, available at: <https://learning.nspcc.org.uk/media/1123/impact-online-offline-child-sexual-abuse.pdf>

⁵ Police Executive Research Forum, *The Changing Nature of Crime And Criminal Investigations*, January 2018, available at: <https://www.policeforum.org/assets/ChangingNatureofCrime.pdf>

⁶ P. Csonka, 'The council of europe's convention on cyber-crime and other European initiatives' in *Revue internationale de droit pénal* 2006/3-4 (Vol. 77), pages 473-501.

⁷ ECPAT Sweden, *Man kan bli utpressad även om det kändes OK från början – en rapport om barns egenproducerade material*, page 7, April 2019, available at: https://www.ecpat.se/uploads/ECPAT_Hotline-rapport_2019.pdf

those who did not identify as a girl or a boy (40,4 %). Those who answered yes to the question had significantly more often been subjected to some form of sexual abuse (43,4 % vs 13,7 %) ⁸.

Children have the right to safe participation when searching for information and exploring the different arenas online. ICT companies are crucial in the fight against OCSE and they have a responsibility to protect child rights and participate in the fight against child sexual abuse and exploitation online. The European Parliament stresses the importance for member states to cooperate with relevant industry ⁹. It also stresses the need for more investment in research and development and new technologies designed to detect CSAM online and expedite takedown and removal procedures. The Swedish Government got recommended in the Concluding observations on the fifth periodic report that Sweden should strengthen the mechanisms for monitoring and prosecuting ICT-related violations of children's rights ¹⁰. Sweden was also urged to adequately train children, teachers and families on the safe use of ICT, in particular on how children can protect themselves from sexual exploitation online ¹¹. All of this is still much needed in Sweden, especially given that 48 % of Swedish children between the ages of 0 and 5 used the Internet daily in 2019, a rise from 42 % just the year before ¹². The amount of self-generated exploitation material (when children are taking explicit photos and videos of themselves, either entirely voluntary or after being enticed or threatened) is also getting bigger ¹³, and the children in this material is getting younger ¹⁴. A child we at ECPAT Sweden spoke to in 2019 said that sending explicit pictures or videos is something that is so normal in a relationship that you are supposed to do it:

It can also be emotional manipulation that leads to sending things, or being forced to send things... it can be a relationship, and that your partner nags or asks for such pictures, although you don't want to, you feel like that you have to do things just because you are in a relationship ... that's the norm. And then you can end up in the situation that you send pictures ... and then ... one thing leads to the other. ¹⁵

A holistic and multisectoral approach to prevention is crucial, with the civil society organizations and the private sector as indispensable partners to law enforcement and other government agencies. Civil society possesses extensive knowledge and can be an invaluable resource in reaching out and raising public awareness or providing services to children and those around them, especially when it comes to

⁸ L. Jonsson & C.G. Svedin. *Barn utsatta för sexuella övergrepp på nätet*, 2017, available at: <http://www.allmannabarnhuset.se/wp-content/uploads/2017/02/Slutversion-n%C3%A4t%C3%B6vergreppsrapporten.pdf>

⁹ European Union: European Parliament, *European Parliament resolution on children's rights on the occasion of the 30th anniversary of the Convention on the Rights of the Child (2019/2876(RSP))*, 26 November 2019, P9_TA(2019)0066, available at: https://www.europarl.europa.eu/doceo/document/TA-9-2019-0066_EN.pdf

¹⁰ UN Committee on the Rights of the Child (CRC), *Concluding observations on the fifth periodic report of Sweden*, March 2015, CRC/C/SWE/CO/5, available at: <https://www.barnombudsmannen.se/globalassets/dokument-for-nedladdning/publikationer/concluding-observations-2015.pdf>

¹¹ Ibid

¹² Internetstiftelsen, 'Barnen och internet 2019', *Svenskarna och internet [website]*, 25 November 2019, Förskola och lågstadiet – internet för nytta och nöje, <https://svenskarnaochinternet.se/rapporter/barnen-och-internet-2019/de-sma-barnen/>, accessed 26 February 2020.

¹³ ECPAT Sweden, *Man kan bli utpressad även om det kändes OK från början – en rapport om barns egenproducerade material*, April 2019, available at: https://www.ecpat.se/uploads/ECPAT_Hotline-rapport_2019.pdf

¹⁴ ECPAT International, *Trends in online child sexual abuse material*, April 2018, available at: <https://www.ecpat.org/wp-content/uploads/2018/07/ECPAT-International-Report-Trends-in-Online-Child-Sexual-Abuse-Material-2018.pdf>

¹⁵ ECPAT Sweden, *Man kan bli utpressad även om det kändes OK från början – en rapport om barns egenproducerade material*, page 18, April 2019, available at: https://www.ecpat.se/uploads/ECPAT_Hotline-rapport_2019.pdf

OSCE¹⁶. Collaborative action and information sharing regarding developments and best practice between law enforcement, civil society and the private sector is an important part of promoting child safety online¹⁷.

On the basis of this ECPAT Sweden would like to suggest to the United Nations Committee on the Rights of the Child to ask the Swedish government the following questions:

Q: How will Sweden encourage a combination of proper legislation, expert knowledge and technological innovation to create a safe environment for children online?

Q: How will Sweden ensure that ICT companies and online platforms take their share of responsibility in the fight against child sexual abuse and exploitation online?

Q: How will Sweden ensure that the industry use the most efficient technological tools to detect, report and delete child sexual abuse material (CSAM)?

Q: How will Sweden work to enhance cooperation between law enforcement authorities and civil society organisations in combatting OCSE?

Special protection measures

Sexual abuse and exploitation of children in Sweden – a public health issue

The sexual exploitation of children is considered an emerging global public health issue¹⁸. The effects of exposure to child sexual abuse (CSA) extend well beyond the immediately harmful and include increased risk for development of severe psychological, physical, and behavioural health disorders across the entire life span^{19 20 21}. A child who is a victim of sexual abuse also has an increased risk for committing or experiencing a range of offences, especially crimes of a sexual or violent nature, as well as being exposed to continued victimization^{22 23}.

The same is true regarding the situation in Sweden. 26 percent of Swedish children (40 percent of girls and ten percent of boys) who participated in a nationwide study in 2016 reported that they had been

¹⁶ ECPAT France & ECPAT Luxembourg, *Online child sexual abuse and exploitation – current forms and good practice for prevention and protection*, June 2017, available at: https://ecpat-france.fr/www.ecpat-france/wp-content/uploads/2018/10/Revue-OCSE_ANG-min.pdf

¹⁷ Ibid

¹⁸ E. J. Letourneau et al., 'The economic burden of child sexual abuse in the United States', in *Child Abuse and Neglect*, Vol. 79, May 2018, p. 413-422.

¹⁹ Ibid

²⁰ C. Fisher et al., *The impacts of child sexual abuse: A rapid evidence assessment*, July 2017, available at: <https://www.iicsa.org.uk/key-documents/1534/view/iicsa-impacts-child-sexual-abuse-rapid-evidence-assessment-full-report-english.pdf>

²¹ E. Hanson, 'The Impact of Online Sexual Abuse on Children and Young People', in J. Brown ed., *Online Risk to Children – Impact, Prevention and Protection*, John Wiley and Sons Ltd, 2017.

²² J. RP. Ogloff et al., 'Child sexual abuse and subsequent offending and victimisation: A 45 year follow-up study', in *Trends & issues in crime and criminal justice*, Vol 440, June 2012, p. 1–6.

²³ World Health Organization, *Global Plan of Action to strengthen the role of the health system within a national multisectorial response to address interpersonal violence, in particular against women and girls, and against children*, 2016, available at: <https://apps.who.int/iris/bitstream/handle/10665/252276/9789241511537-eng.pdf;jsessionid=789F56392A194CAF8EEA301713782626?sequence=1>

sexually abused on one or more occasions²⁴. Since 2010, the reported rape crimes against children aged 15-17 have seen a total increase of 38 %, the corresponding increase for children aged 0-14 is 18 %²⁵. The increase could be explained in part due to the new legislation regarding rape of children and the broadening of the scope of this legislation, as well as by an increased willingness to report these crimes. Only about 10 % of all sexual abuse is reported²⁶ which means that many children live with their experiences of sexual exploitation and abuse without the support from society. In addition to being a basic right for every child, children who receive the necessary support and treatment have a high probability for recovery and a good life.

Worldwide, the reports on child sexual abuse material (CSAM) online has increased rapidly on an annual basis²⁷. And the increase and accessibility are also confirmed by the reports to ECPAT Sweden Hotline²⁸. Self-generated exploitation material (when children themselves are taking explicit photos and videos of themselves, either voluntary or after being enticed or threatened) is getting more common and the children are younger²⁹. Almost half of all 15-year-old Swedish girls and just under one of five Swedish boys who are regular Internet users, state that they have been contacted online for sexual purposes by someone they believe or know is an adult³⁰.

Integrated prevention efforts over time with coordinated approaches are necessary to end violence against children³¹. The current fragmented approach that leans heavily on the justice system needs to be updated to an integrated one that supports cross-sectoral collaboration with an emphasis on health and preventative measures³². To ensure that violence against children receives sufficient human, technical and financial resources, ECPAT Sweden believes that Sweden should therefore give violence against children the status of public health issue.

On the basis of this ECPAT Sweden would like to suggest to the United Nations Committee on the Rights of the Child to ask the Swedish government the following question:

Q: Please describe any new initiatives the state party is taking, to ensure that the work to combat all forms of violence against children, including sexual exploitation, have enough resources, priority and knowledge?

²⁴ C. Jernbro & S. Janson, *Violence against children in Sweden 2016 – a national survey*, August 2017, available at: <http://www.allmannabarnhuset.se/wp-content/uploads/2018/03/A-national-survey-Violence-against-children-2016.pdf>

²⁵ Brottsförebyggande rådet, *Kriminalstatistik 2019 – anmälda brott preliminär statistik*, 2019, available at: https://www.bra.se/download/18.7d27ebd916ea64de5301efed/1579163409123/Sammanfattning_anmalda_prel_helar_2019.pdf

²⁶ Rädda Barnen, *Detta borde alla veta om sexuella övergrepp mot barn*, 2016, available at: https://www.raddabarnen.se/globalassets/dokument/rad--kunskap/handbocker/detta_borde_alla_veta_om_sexuella_overgrepp_barn.pdf

²⁷ Interpol & ECPAT International, *Towards a Global Indicator on Unidentified Victims in Child Sexual Exploitation Material – Technical Report*, 2018, available at: <https://www.ecpat.org/wp-content/uploads/2018/02/Technical-Report-TOWARDS-A-GLOBAL-INDICATOR-ON-UNIDENTIFIED-VICTIMS-IN-CHILD-SEXUAL-EXPLOITATION-MATERIAL.pdf>

²⁸ ECPAT Sweden, *Man kan bli utpressad även om det kändes OK från början – en rapport om barns egenproducerade material*, April 2019, available at: https://www.ecpat.se/uploads/ECPAT_Hotline-rapport_2019.pdf

²⁹ ECPAT International, *Trends in online child sexual abuse material*, April 2018, available at: <https://www.ecpat.org/wp-content/uploads/2018/07/ECPAT-International-Report-Trends-in-Online-Child-Sexual-Abuse-Material-2018.pdf>

³⁰ Rädda Barnen, *Detta borde alla veta om sexuella övergrepp mot barn*, 2016, available at: https://www.raddabarnen.se/globalassets/dokument/rad--kunskap/handbocker/detta_borde_alla_veta_om_sexuella_overgrepp_barn.pdf

³¹ P. S. Pinheiro, *World Report on Violence Against Children*, chapter 7: Violence Against Children in the Community, 2006, available at: <https://www.unicef.org/violencestudy/7.%20World%20Report%20on%20Violence%20against%20Children.pdf>

³² American Public Health Association, 'Violence is a Public Health Issue: Public Health is Essential to Understanding and Treating Violence in the U.S.', *Violence is a Public Health Issue* [website], 2018-11-13, Abstract, <https://apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2019/01/28/violence-is-a-public-health-issue>, accessed 26 February 2020.

A national strategy against violence against children with an action plan against sexual exploitation of children

Sweden have an obligation to act proactive regarding the child's right to protection from all forms of violence. The European Parliament has urged the member states to put in place a national strategy with a holistic multi-stakeholder approach to eradicate sexual violence and child abuse both online and offline³³. The Global Partnership to End Violence Against Children has an initiative in which countries may join as partners. Sweden has done that, and with that committed to develop an evidence-based national action plan with commitments for three to five years with estimations of what budget is required, and a related resource mobilization plan³⁴. Sweden has as of today in February 2020 no such action plan, nor a specific strategy regarding violence against children.

It is clearly stated in The Explanatory Report to the Guidelines regarding the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography that where an action plan represents a component of a broader strategy for the implementation of the rights of the child or on the prevention of and response to all forms of violence against children, it is recommended to dedicate a specific chapter or section to sexual exploitation of children in order to set forth clear actions and targets to protect children from such acts³⁵.

Article 9 of the OPSC (Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography) infer that states shall adopt or strengthen, implement and disseminate laws, administrative measures, social policies and programmes to prevent the offences referred to in the protocol. Particular attention shall also be given to protect children who are especially vulnerable to these practices³⁶. If a child despite this is subjected to sexual abuse and exploitation, that child has the right to be identified and provided with proper care and support³⁷. Sweden was recommended in the Concluding observations on the fifth periodic report of Sweden to ensure that children who have suffered violence and abuse have sufficient access to adequate physical and psychological care³⁸. Sweden was also urged to increase the development of programmes and policies for the prevention, recovery and social reintegration of child victims³⁹. In 2019 The Children's Welfare Foundation

³³ European Union: European Parliament, *European Parliament resolution on children's rights on the occasion of the 30th anniversary of the Convention on the Rights of the Child (2019/2876(RSP))*, 26 November 2019, P9_TA(2019)0066, available at: https://www.europarl.europa.eu/doceo/document/TA-9-2019-0066_EN.pdf

³⁴ The Global Partnership to End Violence Against Children, 'Pathfinding Countries', *End Violence Against Children* [website], n.d., About, <https://www.end-violence.org/pathfinding-countries>, accessed 26 February 2020.

³⁵ ECPAT International, *Explanatory Report to the Guidelines regarding the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*, September 2019, available at: <https://www.ecpat.org/wp-content/uploads/2019/09/OPSC-Guidelines-Explanatory-Report-ECPAT-International-2019.pdf>

³⁶ UN General Assembly (opened for signature 25 May 2000, entered into force 18 January 2002). *Optional Protocol to Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*. Accessed 26 February 2020, at <https://www.ohchr.org/Documents/ProfessionalInterest/crc-sale.pdf>

³⁷ P. S. Pinheiro, *World Report on Violence Against Children*, chapter 7: Violence Against Children in the Community, 2006, available at: <https://www.unicef.org/violencestudy/7.%20World%20Report%20on%20Violence%20against%20Children.pdf>

³⁸ UN Committee on the Rights of the Child (CRC), Concluding observations on the fifth periodic report of Sweden, March 2015, CRC/C/SWE/CO/5, available at: <https://www.barnombudsmannen.se/globalassets/dokument-for-nedladdning/publikationer/concluding-observations-2015.pdf>

³⁹ Ibid.

established that Swedish children that have been subjected to violence does not always get the rehabilitation they need⁴⁰. It is important that Sweden ensure access to adequate physical and psychological care and that policies for prevention, recovery and social reintegration are instituted and properly financed.

The demand side of sexual exploitation of children must be addressed much stronger. Addressing the demand for the sexual exploitation of children can be said to have three aspects: those who want to sexually exploit or abuse children; those who facilitate the sexual exploitation and the structures, such as the gender, social, cultural, economic and institutional constructs that create an environment in which sexual exploitation of children is ignored, tolerated or accepted⁴¹. An action plan for prevention of sexual exploitation of children should include measures to address all these aspects.

It is imperative that children participate in every step of the process in setting up and continuously evaluate the national strategy and the action plan. The Special Rapporteur on sale and sexual exploitation of children has written that child participation is a key element of a comprehensive and rights-based child protection systems, to guarantee the effective protection of every child from sexual exploitation⁴². The right to participation is connected to articles 5, 12 and 13 to 17 in the Convention on the Rights of the Child⁴³.

On the basis of this ECPAT Sweden would like to suggest to the United Nations Committee on the Rights of the Child to ask the Swedish government the following questions:

Q: When will the Swedish government institute a national strategy to eradicate all forms of violence against children with an associated action plan against sexual abuse and exploitation of children?

Q: How will Sweden ensure strategic initiatives on child participation with long-term goals to ensure the right to participation for children in the planning, implementation and evaluation of the strategy and the action plan?

Q: How will Sweden ensure that all children who have suffered violence and sexual abuse have sufficient access to adequate support and treatments that is consistent throughout Sweden and offered to children in a timely manner regardless of if there's been a report to the police or not?

⁴⁰ Stiftelsen Allmänna Barnhuset, *Det fjärde rummet – en modell för stöd och behandling för barn som utsatts för våld eller övergrepp*, November 2019, available at: <http://www.allmannabarnhuset.se/wp-content/uploads/2019/11/Det-fj%C3%A4rde-rummet-en-modell-f%C3%B6r-st%C3%B6d-och-behandling.pdf>

⁴¹ ECPAT International, *Explanatory Report to the Guidelines regarding the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*, September 2019, available at: <https://www.ecpat.org/wp-content/uploads/2019/09/OPSC-Guidelines-Explanatory-Report-ECPAT-International-2019.pdf>

⁴² UN General Assembly, *Child participation as a key element in preventing and combating the sale and sexual exploitation of children*, 10 August 2012 A/67/291, available for download at: <https://digitallibrary.un.org/record/735419>

⁴³ Ibid