



**Convention on the
Rights of the Child**

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Committee on the Rights of the Child

**Consideration of reports submitted by States
parties under article 12, paragraph 1, of the
Optional Protocol to the Convention on the Rights
of the Child on the sale of children, child
prostitution and child pornography**

Initial reports of States parties due in 2009

Sweden*, **

[3 February 2009]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

** Annexes can be consulted in the files of the Secretariat.

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I. Introduction

1. On 7 December 2006, Sweden ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The instrument of ratification was deposited with the Secretary-General on 19 January 2007. The protocol came into force for Sweden on 19 February 2007. Pursuant to the provisions of article 12.1 of the Protocol, Sweden is now submitting its report on the measures taken to implement the protocol.

2. In conjunction with ratification, Sweden made a declaration concerning the protocol's definition of child pornography in article 2 (c). According to this declaration, the word "representation" shall only refer to visual representation, i.e. pictures. This declaration has been referred to in the instrument of ratification.

3. The report was prepared at the Government Offices with the ministries concerned. The Office of the Children's Ombudsman and interested NGOs have had the opportunity to submit proposals concerning the structure and content of the Government's report.

4. The Convention on the Rights of the Child (CRC) and its two optional protocols serve as the basis for Government policy on children's rights. The Optional Protocol on the sale of children, child prostitution and child pornography has been a starting point for the Government's work on the most recent update, in 2007, of the national Action Plan against sexual exploitation of children, as well as in the production of the Action Plan against prostitution and human trafficking for sexual purposes, adopted in July 2008.

5. Policy on children's rights including overall responsibility for the implementation of the optional protocol is part of the portfolio of the Minister of Health and Social Affairs. Specialist issues are, of course, dealt with by the relevant ministry. The operational work to implement the CRC and its optional protocols is coordinated by the CRC Coordination Office at the Ministry of Health and Social Affairs. This Coordination Office has access to an inter-ministerial network consisting of contact persons in all policy areas and all ministries at the Government Offices.

6. Neither the CRC nor the two optional protocols have become part of the Swedish judicial system on ratification. As is the case of other international conventions and international agreements which Sweden has acceded to, the CRC and the two protocols have been incorporated into Swedish law by various legislative measures. On ratification of the Optional Protocol, a review was made of Swedish legislation and the amendments required for ratification were made.

7. The challenge is to apply the legislation on every appropriate occasion. This is a daily and not infrequently laborious task. UNICEF Sweden has drawn attention to the deficiencies that exist with respect to inter-agency collaboration and competence on children's needs and rights. According to UNICEF, in order to identify children who are exploited in human trafficking, for example for prostitution, to commit theft or to beg, knowledge is required from the children exploited in criminal activity, and they seldom regard themselves as victims of human trafficking, but rather as a thief or other criminal. Many children are in a relationship of dependency to the human traffickers, and see no alternative but to be loyal to them. Children often do not either see any alternative than to live the life that he or she lives just now. The child will therefore probably not talk about his or her situation, nor ask for help. Appropriate legal powers and resources for the agencies concerned are also needed, according to UNICEF.

8. In 2007, the Government gave the Children's Welfare Foundation funds to, among other purposes, to conduct research and a study on sexual exploitation of children in different sectors of society. The report of the study was submitted in January 2009. The

Children’s Welfare Foundation noted in its report to the Government that the knowledge of professionals on sexual exploitation is still relatively low in parts of Sweden. General knowledge is lacking that sexual exploitation is something that can affect children and young people with a risk behaviour that they are already working with. The use of Internet and other modern technology in connection with exploitation is not infrequently an unknown field for many of the specialists who work with children. According to the Children’s Welfare Foundation, representatives from, inter alia, the police, social services and schools have drawn attention to difficulties in dealing with sexual exploitation given existing resources.

9. Attention has also been drawn to the need for more knowledge by ECPAT Sweden, which considers that there is a lack of knowledge regarding the links between the different crimes defined as child sex trafficking, i.e. the sale of children for sexual purposes, child pornography and child sex tourism. Knowledge about human trafficking of Swedish children within Sweden is also very limited according to ECPAT which would like to see the police equipped with increased resources for search and investigation, and for the dissemination of knowledge within the agency.

10. Other challenges for Sweden relate to child pornography. According to ECPAT Sweden, commercial child pornography has increased enormously over the past decade. Thousands of attempts to access child pornography websites are stopped every day in Sweden. ECPAT further considers that the judicial system does not have time to investigate all of the millions of abusive pictures that are seized around the country.

11. It is in the nature of things that it is very difficult to assess the extent of the crime covered by the protocol. To be able to combat this crime, it is required that the crime be tackled from a number of directions by different methods. The Government has therefore drawn up and updated a national Action Plan against sexual exploitation of children (Annex 1). Well-developed international cooperation is also required to have the benefit of the unique knowledge and experiences that the NGOs and actors from the industry possess.

II. Statistics¹

12. The Swedish National Council for Crime Prevention (Brå) produces the official crime statistics, evaluates reforms, carries out research to produce new knowledge and supports local crime prevention work. The National Council for Crime Prevention also has statistics on reported crimes that are relevant in this context.

Number of notified crimes

	2000	2001	2002	2003	2004	2005	2006	2007	2008 <i>prel.</i>
Exploitation of children for sexual posing							22	70	68
Child pornography crimes	239	347	396	351	600	553	368	343	335
Internet-related							54	272	272
Purchase of sexual acts from children	-	-	55	22	38	60	46	67	-

Source: National Council for Crime Prevention.

¹ Sweden has a population of around 9.3 million, of which 1.9 million are children aged between 0 and 17.

Number of persons prosecuted for relevant crimes according to the National Council for Crime Prevention

	2002	2003	2004	2005	2006	2007
Purchase of sexual acts from children					1	6
Exploitation of children for sexual posing					3	6
Child pornography crimes	44	39	68	72	58	74

13. According to the Children's Welfare Foundation's report to the Government in January 2009 (see paragraph 8 above), it is still very difficult to estimate the extent of sexual exploitation of children and the visible part of exploitation is only a part of the actual extent. ECPAT Sweden also points out that statistics are lacking on the number of victims brought to Sweden or within Sweden and on the number of minors in human trafficking.

14. The Committee of Inquiry on Sexual Exploitation of Children in Sweden (SOU 2004:71) conducted a study of young people's experiences of and attitudes to sexual exploitation. This study from 2004 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 for money or some other form of remuneration, which corresponds to around 1,000 children. The study showed that of the 60 young people who stated that they had sold sex, 46 said that they were aged between 14 and 18 when they did so for the first time.

15. Since 1998, the National Board of Health and Welfare has been commissioned by the Government to regularly monitor the extent and development of prostitution in Sweden. The third report appeared in 2007. According to the National Board of Health and Welfare, it is known that there were persons under the age of 18 who sold sexual services in approximately 34 per cent of Swedish municipalities.

16. As a follow-up, the Government has given the National Board for Youth Affairs the task of conducting a study among girls and young women, boys and young men on their attitudes to and experience of a sexual nature on the Internet and through other interactive media as well as their attitudes to and experiences of sexual services for payment. A report on this assignment is due in 2010.

17. The National CID state in their 9th progress report (2007) that 37 notifications were made during 2006 on human trafficking, of which 26 related to human trafficking for sexual purposes. The same year, 11 people were sentenced for human trafficking, one for being complicit in human trafficking, and six for crimes resembling human trafficking, such as grave procuring or procuring. The victims were women and girls aged between 16 and 35.

18. There are now 125 identified Swedish children in Interpol's picture database of abusive pictures (ICAID). The total number of identified children is 875 representing 37 countries. At present, Interpol is arranging training on the next generation picture database ICSE. The new system will enable Interpol's member states (187) to search directly in the database and also to post abusive pictures that have been found in different investigations.

III. General measures of implementation

Action plans

19. The National Action Plan against sexual exploitation of children was updated again in 2007 (see Annex 1). The Action Plan is a result of the 1996 World Congress against

Commercial Sexual Exploitation of Children, which was held in Stockholm and was originally adopted in 1998. The Action Plan was first updated in 2001. The Action Plan is based on a number of international agreements such as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime, the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the Convention on the Rights of the Child (CRC) and its Optional Protocol on the sale of children, child prostitution and child pornography.

20. The Government's aim according to the Action Plan is that:

- No child in Sweden shall be exposed to sexual exploitation
- No children in other countries shall be exposed to sexual exploitation by individuals from Sweden
- Children who are victims of sexual exploitation shall receive the help they need
- Sweden shall contribute to effective international cooperation on this issue

21. The purpose of the Action Plan is partly to describe the work that has been carried out in this area and the work in process in various activities, and to present a number of measures that the Government wants to initiate to further drive forward the work of preventing and suppressing sexual exploitation of children. The relevant ministries, agencies and NGOs have participated in the work of producing the Action Plan.

22. The Government adopted an Action Plan against prostitution and human trafficking in 2008. This Action Plan consists of five areas for measures: increased protection and support for the vulnerable, reinforced preventive work, reinforced quality and efficiency in the judicial system, increased national and international cooperation, as well as increased knowledge. Special measures target children and young people. An integrated follow-up of the Action Plan will take place in 2011, and will be presented to the Swedish parliament, the Riksdag. See Annex 2 for further details.

Legislation

23. New legislation on sexual crimes came into force on 1 April 2005. The purpose of this legislation was, inter alia, to highlight and strengthen in different ways protection for children and young people from sexual violations. Special penal sanctions were therefore introduced for rape of a child, sexual exploitation of a child and sexual abuse of a child. The area of application of these crimes was broadened by removal of the requirement of coercion.

24. The prohibition against purchase of sexual acts from children was made more stringent partly by extending the penal provision to include purchase of sexual acts from children that take place in other conditions than outright prostitution. This was intended to cover situations which can ultimately lead the child into prostitution. At the same time, a special penal provision was introduced to protect children from exploitation for sexual posing.

25. In connection with the reform of sexual crimes in 2005, the statutory period of limitation for some sexual crimes against children was extended so that it does not begin to run until the child attains the age of 18 or would have attained the age of 18. Furthermore, there is no longer a requirement of double criminality to be able to sentence someone in Sweden for certain serious sexual crimes committed abroad against children under the age of 18.

26. At the same time, a new provision has been introduced to protect children against being exploited for sexual posing, and the prohibition against purchase of sexual acts by children has been made more stringent. Among other things, the penal provisions have been broadened to include purchase of sexual acts from children that take place under other conditions than outright prostitution. This is intended to cover situations which can ultimately lead the child into prostitution.

27. In 2008, the Government decided to appoint a committee of inquiry to evaluate the application of the 2005 sexual offences reform. This evaluation is intended, among other things, to follow up and investigate how the provisions on sexual crime have worked in practice and whether protection against sexual violations and abuse has been strengthened. The evaluation has focus in particular on the crime of rape and the particular penal provisions on sexual crimes against children and how these have been applied. A report of this evaluation is due in 2010.

28. On 1 July 2002, human trafficking for sexual purposes was introduced as a new crime in Sweden. In 2004, the area covered by the crime was expanded to include human trafficking which is not cross-border as well as human trafficking intended for other forms of exploitation than for sexual purposes, such as forced labour or the removal of body organs. This crime is now called human trafficking. Particular attention has been given to the vulnerability of the child through provisions that entail that the application of “improper means” is not required if the crime is directed at a child.

IV. Prevention (article 9, paragraphs 1 and 2)

Prevention programmes (articles 9.1 and 9.2)

Collect and disseminate knowledge

29. Since 2004, the Children’s Welfare Foundation has been working to spread knowledge about sexual exploitation of children in Sweden to professional groups that meet sexually exploited children. As part of the implementation of the national Action Plan against sexual exploitation of children, the Government made funds available in 2008 to the Children’s Welfare Foundation to carry out an assignment of behalf of the Government that entailed spreading knowledge and compiling the research and knowledge that exists within agencies, NGOs and companies on sexual exploitation of children as well as making proposals for how to organize overall responsibility for keeping it updated and accessible. The Children’s Welfare Foundation reported on the assignment in January 2009. The Children’s Welfare Foundation recommends that a special knowledge centre be established to spread and implement knowledge about sexual exploitation of children to the relevant professional groups, for example, the police, the social services, schools, child and youth psychiatry and others. In addition, it is proposed that the tasks of the knowledge centre include coordinating and supporting research and evaluation in this field, the provision of advice to professionals and creating networks and working together with relevant actors, in particular, NGOs. The proposal from the Children’s Welfare Foundation is now under consideration at the Government Offices.

30. In September 2008, the National Board for Youth Affairs was given the task of implementing measures aimed at promoting general preventive work against sexual exploitation of children and young people aged between 13 and 25. This assignment includes carrying out a study among the target group to increase knowledge about their attitudes to and experiences of a sexual nature and sexual exploitation, in particular through the Internet and other interactive media. On the basis of this study, the National Board for Youth Affairs will subsequently, in consultation with the Swedish Media Council, produce

a method material which can be used in preventive work with children and young people, as well as carrying out education and training measures to increase knowledge about these issues among those working with young people, for example employees at recreational centres, the social services, schools and other relevant municipal activities. A final report on this assignment is due by 31 December 2010.

Safe Internet use

31. The Swedish Media Council is a committee at the Government Offices that works with the media situation of children and young people, with a view to reducing the risks of harmful media influence. This assignment applies to all moving image media, for example, the Internet, film, TV, DVD and computer games. This activity is aimed to increase awareness of both the benefits and risks of the use of media, and to provide advice to parents and adults, who come into contact with children and young people in their work. The Media Council mainly works with obtaining and disseminating knowledge and facts about these issues as well as arranging courses.

32. The Media Council is organizing a campaign for safer use of the Internet by children and young people, The Young Internet. This campaign has been organized with the support of the EU Commission and in collaboration with BRIS – Children’s Rights in Society. In this work, the Media Council represents Sweden in the European network Insafe. The Media Council, together with the Swedish National Agency for School Improvement, has run a project for safer use of the Internet. (See Sweden’s fourth periodic report to the Committee on the Rights of the Child, CRC/C/SWE/4, paras. 100–108, 243–246.)

33. In the autumn of 2008, the Government initiated a dialogue with Internet and telecom companies. The Minister of Health and Social Affairs invited senior representatives of Internet and telecom companies to a dialogue with a view to identifying the most effective method of work to increase protection of children when they use the Internet or other media. Continued dialogue should lead to more effective methods of work to protect children in these environments.

Treatment of men sentenced for sexual offences

34. The Swedish Prison and Probation Service has been working for a number of years with scientific quality tested programme activities for, among others, those sentenced for sexual crimes and violence in close relationships. From 2007, the Government has increased the appropriation of the Swedish Prison and Probation Service by an additional SEK 20 million for treatment of men sentenced for sexual crimes and men who have been sentenced for violence in close relationships.

35. The Swedish Prison and Probation Service has also been given the task by the Government of carrying out a special initiative intended to increase measures for those sentenced for sexual crimes as well as those sentenced for violence in close relationships. This task will include measures that contribute to increasing opportunities to participate in programme activities for these groups of men, as well as to develop work on risk assessment, methods, release preparations and cooperation with other principals.

Committee of inquiry into combating serious crime

36. In 2007, the Government gave a special investigator the task of considering certain matters relating to penal proceedings and police law with respect to the concealed search and investigation activities of the crime prevention agencies. A final report on this assignment is due in May 2009. The investigator shall review the need for rules on what the crime prevention agencies are permitted to do within the framework of undercover operations to combat serious crime. Rules in this area are lacking in Sweden.

National CID child pornography group

37. The National CID crime prevention group is a national intelligence service, which has an overarching role. The group has successfully built up a digital reference library which has proven very effective in the struggle against child pornography crimes. This has served as an example for a similar system developed by Interpol. The possibilities of identifying victims and perpetrators in such crimes have been significantly improved through this digital reference library. Continuous work is taking place to become even more effective.

Hotline

38. ECPAT Sweden runs a 24-hour hotline which the public can contact to report child pornography on the net, among other things. These tips are passed on to the police.

New legislation on adult contact with children for sexual purposes

39. In a referral to the Council on Legislation, the Government decided on 29 January 2009 to propose a new crime called contact with children for a sexual purpose. This is intended to further strengthen the penal law protection for children against being exposed to sexual abuse. The crime is targeted on contacts with children, for example, through the Internet, which are aimed at making possible sexual abuse in physical meetings with the child. It is proposed that this provision cover a person, who, with a view to committing certain sexual crimes against a child under the age of 15, makes an agreement with a child on a meeting and takes some action intended to promote such a meeting taking place. It is proposed that the punishment be a fine or imprisonment for at most a year. It is proposed that the legislation come into force on 1 July 2009.

V. Prohibition and related matters (articles 3; 4, paragraphs 2 and 3; 5; 6 and 7)**Sale of children (articles 3.1(a)(i), 3.2 and 3.3)****Kidnapping**

40. Under chapter 4, section 1, of the Penal Code, anyone who seizes and carries off or confines a child or some other person with the intent of injuring him in body or health or forcing him into service, or to practise extortion, shall be sentenced for kidnapping. Picking up a small child on the street in a car is an example of such seizing. It is not important whether the child understands what is happening or comes voluntarily. The punishment is imprisonment for a fixed period of minimum four to maximum ten years or life. If the crime is of a less serious nature, imprisonment for maximum six years shall be imposed. Any attempt, preparation and conspiracy to commit kidnapping are punishable, as well as failure to expose such crimes. Incitement and being an accessory to the crime are also punishable under the provisions of chapter 23, section 4 of the Penal Code.

Human trafficking

41. Under chapter 4, section 1(a), of the Penal Code, anyone who, otherwise than as provided for in the provision on kidnapping, by using unlawful coercion or deception, by exploiting a person's vulnerability or by other similar improper means, recruits, transports, harbours, receives or undertakes any other similar action towards a person, and thereby gains control over the person with the intent that this person to be subject to an offence under chapter 6, sections 1 to 6 of the same code, to be exploited for casual sexual relations

or other forms of exploitation for sexual purposes, exploited in military service or forced labour or any such state of coercion, exploited for removal of organs, or otherwise exploited in a situation which entails distress for the vulnerable person, shall be sentenced for human trafficking. A person shall also be sentenced for the same crime mentioned above if he takes control over another person or hands control over a person to someone else, or receives control over a person from another for the same purpose. If the deed has been committed against a person below the age of 18, it is not required that improper means have been used. The punishment is imprisonment for minimum two years and maximum ten years. If the crime is less serious, imprisonment for maximum four years shall be imposed. Attempted human trafficking and preparations for and conspiracy to engage in human trafficking, as well as failure to expose such crimes, are punishable. Incitement and complicity are punishable in accordance with the provisions of chapter 23, section 4, of the Penal Code.

Inquiry into human trafficking

42. In 2008, the Committee of Inquiry into Human Trafficking and Related Matters presented its report, which contains several proposals in order to make the penal legislation more effective and to further strengthen the protection of victims, as well as clarifying the vulnerable situation of the child. The wording of the penal provision is clarified and complemented, by, for example, a listing of improper means and a broadening of trafficking measures. Another proposal is that the requirement for double criminality no longer shall apply for human trafficking offences committed abroad. The report has been circulated for comment and is now being processed within the Ministry of Justice.

Improperly inducing consent to adoption

43. Under chapter 7, section 2, of the Penal Code, a person who, in another person's adoption of a person below the age of 18, obtains consent to such adoption by unlawful coercion or deception or by promising or providing inappropriate remuneration, shall be sentenced for improperly obtaining consent to adoption. The punishment is a fine or imprisonment for at most two years. Attempted improper obtaining consent to adoption of a child is punishable.

Child prostitution (articles 3.1(b), 3.2 and 3.3)

44. Chapter 6 of the Penal Code contains a number of penal provisions targeted on sexual crimes against children. Part of these require that the act was committed against a person below the age of fifteen and part that the deed was committed against someone below the age of eighteen. The differences should be understood in the light of the fact that the right to sexual self-determination in Sweden is not gained until fifteen years of age.

45. Under chapter 6, section 8, of the Penal Code, a person who promotes or exploits a child below the age of fifteen to perform or take part in sexual posing shall be sentenced to a fine or imprisonment for at most two years for exploitation of a child for sexual posing.

46. The same applies to person who commits such an act against a child who has attained the age of fifteen but not eighteen, if the posing is likely to damage the child's health or development. For grave exploitation of a child for sexual posing, the punishment is imprisonment for at least six months and at most six years.

47. Under chapter 6, section 9, of the Penal Code, a person who induces a child, below the age of eighteen, to undertake or participate in an act with sexual implications, shall be sentenced to purchasing a sexual act from a child to fines or imprisonment for at most two years.

48. Attempt, preparation for and conspiracy to gross exploitation of a child for sexual posing, as well as failure to expose such crimes, are punishable, as well as attempted exploitation of a child for sexual posing and purchase of a sexual act from a child. Incitement and acting as an accomplice are punishable.

49. Promoting or in an improper way exploiting the fact that someone has casual sexual relations for payment, both as regards children and adults, is punishable as procuring under chapter 6, section 12, of the Penal Code. The punishment is imprisonment for at most four years. The punishment for gross procuring is, however, imprisonment for at least two and at most eight years. When judging the gravity of the crime, special attention shall be paid to whether the crime is part of a large-scale activity, which has entailed considerable profit or ruthless exploitation of another person.

50. Attempted procuring and attempted gross procuring are punishable. The same applies to preparation and conspiracy to commit grave procuring and failure to expose such crimes. Incitement and acting as an accomplice are also punishable in accordance with the provisions of chapter 23, section 4, of the Penal Code.

51. It is not permissible under any circumstances to engage in sexual acts with children under the age of fifteen. Engaging in sexual acts with children under the age of fifteen can be considered as rape of a child, sexual exploitation of a child, sexual abuse of a child or gross sexual abuse of a child as provided for in chapter 6, sections 4, 5 or 6 of the Penal Code.

52. The penal tariff for rape of a child is normally imprisonment for at least two and at most six years or, if the crime is grave, imprisonment for at least four and at most ten years. The punishment for sexual exploitation of a child is imprisonment for at most four years. The penal tariff for sexual abuse of a child is imprisonment for at most two years, for grave sexual abuse imprisonment for at least six months and at most six years.

53. Attempt, preparation and conspiracy to rape of a child and gross rape of a child are, like failure to expose such crime, punishable. Attempted sexual exploitation of a child, sexual abuse and grave sexual abuse of a child are also punishable. Incitement and complicity are also punishable in accordance with the provisions of chapter 23, section 4, of the Penal Code.

54. These provisions mean that in cases where the child is below the age of 15, the provisions on rape of a child, sexual exploitation of a child and sexual abuse of a child will be applicable, since these apply regardless of whether the perpetrator has promised or given remuneration. The provision on purchase of a sexual act of a child is therefore in practice mainly applicable to children aged between 15 and 18.

55. It may also be mentioned in this context, that the statutory period of limitation for some sexual crimes against a child has been extended since 2005, so that now the period does not begin until the date on which the child attains or would have attained the age of 18.

Child pornography (articles 3.1(c), 3.2 and 3.3)

56. Since 1999, in principle, all dealings with child pornography, including possession, have been criminalized in Sweden. A person who:

- Portrays a child in a pornographic pictures
- Disseminates, transfers, grants use, exhibit or in any other way make such a picture available to some other person
- Acquires or offers such a picture of a child

- Brings about contact between buyer and seller of such pictures of children or takes other similar step to facilitate dealing in such pictures or posses such a picture of a child
- Shall be sentenced for child pornography crime

The same applies to a person who in the course of business or otherwise for the purpose of making money disseminates a child pornographic picture through negligence.

57. In the penal provision, a child is defined as a person whose pubertal development is not complete or, if it is apparent from the picture and its attendant circumstances, who is less than 18 years of age. The main rule is that the pubertal development is crucial. A person who has developed late may thus be considered as a child even if he or she is over the age of eighteen. The provision also defines as children certain persons who have completed their pubertal development but who have not reached the age of 18 at the time of photographing or recording, namely if this is evident from the picture and the circumstances relating to it.

58. The provision covers pictures of all kinds e.g. pictures in printed publications, pictures in video recordings and pictures communicated via Internet. A picture can be produced in different ways, for example by a child being photographed, filmed or drawn. Through different techniques, more or less realistic artificial pictures can be created. New representations can also be created when existing pictures are duplicated. It is not required that the pictures show a real child but pictures of fictitious children are also subject to criminal liability.

59. A picture may be considered as being pornographic when it, without having any scientific or artistic value, depicts a sexual motif in an undisguised and alluring way. The liability to sanction is not limited to acts which manifestly have a sexual meaning. Pornographic pictures where girls or boys appear with one or more adults who engage in such acts are also covered. The same applies for pictures where children, for example through a special camera arrangement, are shown in a way intended to appeal to the sexual drive without it being possible to say that the child depicted has participated in sexual conduct in the depiction.

60. Exceptions for criminalization are only made for craft-scale production and subsequent possession of drawings and the like which are not intended to be made available for others, as well as for acts which, in view of the circumstances, are defensible. There is little scope for considering an act defensible – this is primarily aimed at such possession which may be necessary for news provision, research and opinion formation.

61. The scale of punishment for child pornography crimes is imprisonment for at most two years or, if the crime is petty, to a fine or imprisonment for at most six months. In the case of gross pornography crimes, a sentence of imprisonment for at least six months and at most six years will be imposed. The maximum punishment for a gross child pornography crime was increased in 2005 from imprisonment for four years to imprisonment for six years.

62. When determining whether a crime is gross, special consideration shall be given to whether it was committed in the course of commerce or otherwise for profit, was a part of a criminal activity that was systematically practiced on a large scale, concerned a particularly large number of pictures in which children are exposed to especially ruthless treatment.

63. Attempt to intentional child pornography crimes are punishable if they are not petty, as well as attempt or preparation to gross child pornography crimes. Instigation and complicity are punishable.

64. If depictions of a child in a pornographic picture are imported into or exported from Sweden, sentence will be imposed in accordance with the Act (1998:1443) concerning Prohibition to Import and Export Child Pornography and for an offence against the Act (2000:1225) on Penalties for Smuggling. The punishment for smuggling is a fine or imprisonment for two years or, in petty cases, a fine. The punishment for gross smuggling is imprisonment for at least six months and at most six years.

65. Attempted smuggling and attempted preparation and conspiracy to commit gross smuggling are sentenced under chapter 23 of the Penal Code. Instigation and complicity are also punishable.

66. It may also be added that practically every form of production of pornography using children under 18 years of age is illegal. A person who promotes or exploits performance or participation in sexual posing by a child under 15 years of age shall be sentenced for exploitation of a child for sexual posing. The same applies to a person who commits such an act against a child who has attained the age of fifteen but not eighteen if the posing is likely to damage the child's health or development.

67. Child pornography crimes are subject to review. The Committee of Inquiry into Child Pornography submitted a report in 2007, which, among other things, proposed that a definite 18-year limit be introduced in the penal provisions on child pornography. Another proposal is for the criminalized area to be broadened to also include any person who, for payment, according to a predetermined plan, on repeated occasions, extensively or in another similar manner acquires access to child pornographic pictures. It is further proposed that the legislation on the period of limitation will be changed, primarily entailing that it should not start to run until the child attains the age of 18 in crimes relating to depiction of children in pornographic pictures. It is also proposed that the requirement for double criminality, i.e. that the act must also be punishable in the country where it was committed in order to institute legal proceedings in Sweden, shall be removed for child pornography crimes, which are not petty crimes. This proposal is at present being considered at the Ministry of Justice.

Liability for legal entities (article 3.4)

68. There are provisions in chapter 36, sections 7–10(a) of the Penal Code on corporate fines. It follows from these that an entrepreneur shall be liable to pay a corporate fine for crimes committed in the course of business activity. This applies provided that a stricter punishment is provided for the crime than a summary fine, and that the entrepreneur has not done what could reasonably be required of him to prevent the crime, or that the crime was committed by a person in a managerial position with powers to represent the entrepreneur or to make decisions on behalf of the entrepreneur, or that the crime was otherwise committed by a person who had special responsibility for supervision or control of the activity.

Intercountry adoptions (article 3.5)

69. Sweden has acceded to the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption. Sweden complies with the intentions of the convention as far possible also in adoption cooperation with other countries which have not acceded to the convention. The Swedish Intercountry Adoptions Authority (MIA) is the central agency in Sweden for this Convention.

70. A person who wishes to adopt a foreign child must obtain consent from the social welfare committee of the municipality where he or she lives. The Social Services Act

makes specific requirements which are to be investigated with reference to the applicant or applicants. To obtain consent, the applicants must also have undergone special parental training for adoption. The National Board of Health and Welfare has produced a special handbook and advice and guidelines for the work of the social welfare committee on the report that serves as the basis for the decision on consent. In this way, society has assumed responsibility for a child adopted from another country coming to well-prepared parents, who are suitable to receive a child from abroad for adoption. The National Board of Health and Welfare and the county administrative boards supervise the social services in Swedish municipalities.

71. Most adoptions of foreign children take place through the mediation of authorized adoption organizations. MIA is the central government agency that is responsible for authorization of associations that act as intermediaries in international adoptions and MIA supervises these associations. This activity is regulated by the International Adoption Intermediary Act. MIA considers the prerequisites for adoption cooperation with different countries in connection with MIA, making decisions on authorization of the authorized associations that work in a particular country in accordance with section 6(a) of the International Adoption Intermediary Act. Supervision and control of adoption activities are maintained through MIA's authorization and supervision of the authorized associations.

72. Sweden has only one bilateral agreement at governmental level on cooperation concerning adoptions with another country, and that is between Sweden and Vietnam. (Vietnam has not acceded to the 1993 Hague Convention.) The agreement between Sweden and Vietnam applies from 1 May 2004 to 1 May 2009. Sweden has decided to terminate the agreement which would otherwise have been extended for another five years.

Jurisdiction (article 4)

73. A Swedish court is always competent to consider crimes committed in Sweden. A Swedish court is also competent to consider crimes committed on a Swedish ship or aircraft. Furthermore, a Swedish court is competent to consider crimes committed abroad, if the crime has been committed by a Swedish citizen or by an alien resident in Sweden, who has become a Swedish citizen after the crime, and by other aliens in Sweden if the crime can be punished by imprisonment for more than six months.

74. In order for a Swedish court to be competent to consider crimes committed abroad, it is normally required that the crime be also punishable in the country where it has been committed. Double criminality is thus required. Certain exceptions are made from the requirement for double criminality, including crimes with a minimum punishment of four or more years' imprisonment (for instance, kidnapping) and crimes which Sweden has undertaken in international agreements to prosecute wherever they have been committed. Furthermore, certain serious sexual crimes are exempted under chapter 6, sections 1–6, 8, paragraph 3, and section 12, or attempted such crimes if they were committed on a child under the age of eighteen.

75. It may also be mentioned in this context that the 2005 Committee of Inquiry into Child Pornography (see above in 67) recommended that the requirement for double criminality be removed in all cases of child pornography offences which are not petty crimes. The Committee of Inquiry into Human Trafficking (see also under Sale of children, point 43) made corresponding recommendations concerning human trafficking crimes.

Extradition in the event of crime (article 5)

76. No extradition agreement is required with the other state for extradition to be possible. However, double criminality is required for the deed for which extradition comes into question. A punishment of one year's imprisonment or more shall be stipulated in Swedish law.

77. Swedish citizens are not extradited to other states. However, there are possibilities for Swedish authorities to investigate these crimes and initiate prosecution provided that there is Swedish jurisdiction. There is extensive extraterritorial jurisdiction in Swedish law.

78. Extradition from Sweden in accordance with a European Arrest Warrant applies in relation to other Member States of the European Union. There is a requirement for double criminality with exceptions of certain deeds listed in a special list of deeds, in which case extradition may take place without prior consideration of double criminality. The crimes on this list include human trafficking and child pornography. For extradition due to these listed crimes, it is required that the deed is punishable in the requesting state's legislation by deprivation of liberty for three years or more. Otherwise, it is required that a sentence of imprisonment of one year or more is stipulated for the deed in the requesting state's legislation. Swedish citizens can also be extradited.

79. The Act (1959:254) on Extradition for Crimes to Denmark, Finland, Iceland and Norway applies for extradition for crimes between the Nordic states. According to this law, extradition may not take place if only a fine can be imposed for the deed for which the state is requesting extradition. Swedish citizens can also be extradited, provided that the person has spent at least two years in the other state at the time of the crime.

International cooperation in criminal cases (article 6)

80. The Act (2000:562) concerning International Legal Assistance in Criminal Cases contains provisions on legal assistance in criminal cases in Sweden and abroad. This legislation applies regardless of the type of crime. No international agreement on cooperation with other states is required but there are good opportunities to assist other states in their investigation work. The requirement for double criminality only applies if coercive methods came into question.

Seizure and confiscation (article 7)

81. According to law, any object may be seized which may reasonably be assumed to be important for the investigation of a crime or which has been deprived from someone through a crime or is forfeited due to a crime. An object also includes written documents. A decision on seizure may be imposed only if the reasons for the measure outweigh the consequent intrusion or other detriment to the suspect to another adverse interest.

82. According to law, the proceeds of a crime under the Penal Code shall be declared forfeited, unless it is manifestly inequitable. The proceeds cover objects as well as intangible gains. If anyone is sentenced for a crime for which six years' imprisonment or more is stipulated and if the crime by its character is such that it may produce proceeds, property shall be declared forfeited in other cases as well, if it is clearly more probable that it constitutes the proceeds of criminal activity than not. Instead of property, its value may be declared forfeited. The same also applies to certain crimes, which do not have up to six years' imprisonment within the scale of punishment, including human trafficking which can be considered less grave and procurement. In the event of forfeiture, it is thus not required

that what is forfeited can be linked to a particular concrete crime. Furthermore, the link between the property and the criminal activity does have to be fully proven.

83. According to law, property which has been used as an instrument in the commissioning of a crime under the Penal Code or which is the product of such a crime, may be declared forfeited if this is called for the prevention of crime or if there are otherwise special reasons. The same applies to property intended to be used as an instrument in the commissioning of a crime if the crime is completed or the procedure constituted a punishable attempt or a punishable preparation or conspiracy. These provisions normally also apply in the case of crimes under penal law provisions in laws other than the Penal Code if a sentence of imprisonment of more than a year is stipulated for the crime and if nothing else is expressly stipulated. Forfeiture may also be decided with regard to, for instance, instruments of crime etc.

84. Through the Act (1994:1478) concerning Forfeiture of Child Pornography, a depiction of a child in a pornographic picture is normally declared forfeit even if forfeiture cannot take place in accordance with the Penal Code or the Act (2000:1225) on Penalties for Smuggling.

85. According to Article 7 (c) of the Optional Protocol, the States parties to the Convention shall undertake measures with a view to temporarily or permanently shutting down premises used to commit such crimes as are referred to in the protocol. A tenant who makes available his or her apartment for another person's prostitution activities has in certain circumstances forfeited his or her right to the tenancy. The corresponding provisions exist for tenant-owned apartments.

86. According to the Code of Judicial Procedure, a building or room may be closed off, admission to a certain area may be prohibited, prohibitions notified against movement of a particular item or another such measure undertaken to secure a crime inquiry.

VI. Protection of the rights of victims (articles 8 and 9, paragraphs 3 and 4)

Adaptation of procedures (article 8.1(a))

Preliminary investigation

87. The Code of Judicial Procedure contains provisions on the conduct of the preliminary investigation. There is a special regulation applicable to a person who is below the age of 15 concerning the length of time the child is obliged to remain for questioning and that the custodian of the child should attend the questioning, if this can take place without detriment to the investigation.

88. There are also provisions in the Preliminary Investigation Ordinance (1947:948) that in particular regulate the conduct of preliminary investigations concerning injured parties who were under 18 years of age at the time of the crime:

- The preliminary investigations concerning crimes directed at the life, health or peace of mind of the injured party and for which a punishment of more than six months' imprisonment is provided and where the injured party was below the age of 18 at the time of the crime shall be conducted particularly swiftly.
- The injured party, regardless of age, shall be informed, inter alia, that the prosecutor in certain conditions can pursue an action for private claims, on the right in certain cases to a victim's legal adviser, orders prohibiting visits, rules on a support person and on which agencies, organizations and others which can provide support and

help. The injured party shall also be asked whether he or she wishes to be notified of, for example, a decision that the preliminary investigation is not to be initiated or a decision to abandon a preliminary investigation.

- Interviews with injured parties under the age of 18 shall be planned and carried out so that there is no risk of harm to the person interviewed.

89. Special care should be observed if the interview concerns sexual activity. It should be carefully ensured that the interview does not attract attention. It must not be made more detailed than the circumstances require. Interviews may not take place more times than is necessary bearing in mind the nature of the investigation and the best interests of the child.

Interagency cooperation in “child centres”

90. In investigations of cases where children may have been the victims of serious crimes, it shall not be necessary for the child to have to be interviewed by a number of different officials and visit different places. It should be sufficient to come to one place. The National Board of Health and Welfare, the Swedish Police Service, the Swedish Prosecution Authority and the National Board of Forensic Medicine were therefore given the task in 2005 of trying to create jointly a “children’s house” where the child come and meet the social services, the police, prosecutor or undergo a forensic medical examination. It is also expected to improve the quality of the investigations through inter-agency cooperation both in individual cases and at the general level. The trial activity with children’s houses continued in accordance with the government commission during 2006 and 2007 at six places in Sweden. A final report was presented to the Government in March 2008. The activity in the children’s houses, which started on a pilot basis at six places in 2006, has now been made permanent. Since 2006, a number of new children’s houses have been established and additional ones are in the process of being started.

91. According to measure 21 in the Action Plan against prostitution and human trafficking for sexual purposes, the National Police Board has been given the task by the Government, in collaboration with the Prosecution Authority, the National Board of Forensic Medicine and the National Board of Health and Welfare of producing joint guidelines for collaboration in investigations concerning children who may have been subjected to crime. This assignment also includes making an evaluation of activities where the agencies work together in common premises (children’s houses) in investigations concerning children who may have been subjected to crime.

Witness support

92. The Crime Victim Compensation and Support Authority and the Swedish Courts (previously the National Courts Administration) were commissioned by the Government in 2006 to participate in the establishment of witness support activities at all of the district courts and courts of appeal in Sweden. The Crime Victim Compensation and Support Authority has the overall responsibility for this activity through ensuring that recruitment and training take place as well as for quality assurance of the witness support activity. This work takes place in collaboration with the Swedish Association for Victim Support and other NGOs. Witness Support activity now exists at all district courts and courts of appeal in Sweden. An evaluation report with recommendations for further development of the activity was presented to the Government on 1 October 2008. Both agencies have been given a continued remit in the 2009 appropriation document to work for witness support activities being carried out at all district courts and courts of appeal in Sweden.

Information (article 8.1(b))

Crime victim portal

93. The Crime Victim Compensation and Support Authority has created a crime victim portal. Through the crime victim portal, the crime victim can easily obtain clear information about his or her rights and possibilities of obtaining support and help and other relevant information. The crime victim portal contains special information for persons who have been victims of sexual offences. The Crime Victim Compensation and Support Authority has also produced a special information brochure intended for children who have been victims of crime.

Court proceedings school

94. The Crime Victim and Support Authority has also produced a court introduction on the Internet, intended for those who have been victims of crime and summoned to legal proceedings. The court introduction aims at enabling victims of crime and witnesses, as well as the accused, to be able to prepare for court proceedings and have more knowledge about what happens before, during and after court proceedings. The court introduction can be of great assistance to both victims of crime, witnesses and the accused, although some information only concerns victims of crime. The court proceedings school is one component in strengthening the rights of victims of crime and meeting the needs of victims of crime for information.

Views of the child (article 8.1(c))

95. According to the Preliminary Investigation Ordinance, if a statement by a child is of crucial importance for the investigation, it is important, taking into consideration the age and development of the child and the nature of the crime, that someone with special expert knowledge of child and interview psychology assist in the interview or make a statement on the value of the child's statement. See also paragraphs 87–91 on the adapted procedures.

Appropriate support (article 8.1(d))

The right to legal counsel for the injured party

96. The victim's legal adviser shall safeguard the interests of the injured party and provide support and help to the injured party. When a preliminary investigation has been initiated, a special victim's legal adviser shall be appointed in cases involving:

- Crimes under chapter 6 of the Penal Code, unless it is evident that the injured party has no need of such assistance
- Crimes under chapters 3 or 4 of the Penal Code, for which a sentence of imprisonment can be imposed, or under chapter 8, sections 5 or 6 of the Penal Code or attempt, preparation or conspiracy to commit such crimes, if, in the light of the injured party's personal relationship to the suspect or other circumstances, it can be assumed that the injured party is in need of such assistance
- Another crime for which a sentence of imprisonment can be imposed, if, in the light of the injured party's personal relationship to the suspect or other circumstances, it can be assumed that the injured party is in need of such assistance

The right to a special representative for children

97. When there is reason to assume that a crime for which a sentence of imprisonment can be imposed has been committed against a person aged under 18, a special representative shall be appointed for the child if:

- A custodian can be suspected of the crime, or
- It is feared that a custodian, due to his or her relationship with the person suspected of the crime, may not safeguard the child's rights

98. A special representative shall, instead of the child's custodian, safeguard the child's rights in the preliminary investigation and the subsequent court proceedings. However, the representative may not initiate prosecutions. Neither may the representative initiate any action for damages unless a public prosecution has been initiated. An attorney-at-law, an assistant lawyer at a lawyer's firm or another person may be appointed as special representative. The person appointed must be particularly suitable for the commission due to his or her knowledge and experience.

Best interest of the child (article 8.3)

99. See section 8.1(a).

Training (article 8.4)

Training for prosecutors relating to assaults on children

100. A special training unit is responsible for the training required at the Swedish Prosecution Authority. The courses arranged can be divided up into basic courses, which all prosecutors participate in, and advanced courses, which only some prosecutors attend. Child abuse is dealt with in the basic courses for all prosecutors, where a number of hours of tuition are dedicated to this topic. A section on child pornography crimes is also included in the basic course.

101. In addition, the course "Child abuse" is arranged consisting of a basic block and two continuation courses. This training consists of three days per course. Topics included in the course include child development, children with disabilities, interview methods, interviews with children, pictures of injuries, preliminary investigation, assessment of evidence, main proceedings, sanctions and secrecy. Sections are also included concerning the responsibility of the social services for young people exposed to assault and sexual abuse and a section on young people as perpetrators of sexual abuse.

102. The Prosecution Authority has also produced a manual for guidance and support to prosecutors when dealing with preliminary investigations involving abuse of children. This manual was published in May 2006 and contains a revision and supplement as well as an expansion of the memorandum that it replaced. The manual takes up a number of starting points for handling cases involving child abuse, including the obligation for speed in preliminary investigation and that the prosecutor is to be active as inquiry leader. It is also stated that an endeavour should be made to notify the injured person in person, with the exception of the youngest children, of a decision to terminate a preliminary investigation without it leading to a prosecution. It is also stated that investigations concerning child abuse should be specially allocated to a limited number of prosecutors, who should be specialized and have attended the "Child abuse" course.

103. A course in dealing with child pornography crimes has also been introduced in the training of prosecutors on IT crime and securing evidence in an IT environment, which is an advanced course available for all prosecutors.

104. On the occasions when Europol invites prosecutors to take part in its courses on sexual exploitation of children on the Internet, the Prosecution Authority usually sends one or two prosecutors. This training is two weeks' long.

Training programmes relating to victims of sexual crimes

105. The Crime Victim Compensation and Support Authority has been given the task by the Government of arranging a programme of training targeted on personnel at the Police, the Prosecution Authority, and the Swedish courts. The intention of this programme is to increase knowledge about victims of sexual violence and to improve treatment of these victims of crime in connection with police report, preliminary investigation and court proceedings. In the case of children who have been exposed to sexual crimes, the programme shall specially focus on increasing knowledge about children's special vulnerability and needs in these crimes. A final report on this commission is due by 1 October 2009.

Training programmes relating to prostitution and human trafficking for sexual purposes

106. The Crime Victim Compensation and Support Authority has been given the task by the Government, in consultation with the National Police Board, the Prosecution Authority, the Swedish Courts Administration and the Swedish Migration Board, of producing and arranging a training programme on matters relating to prostitution and human trafficking for sexual purposes. The training programme is to be targeted on personnel at the police, the Prosecution Authority, the Swedish courts and the Swedish Migration Board. The programme is intended to improve knowledge about the underlying mechanisms that affect the incidence of prostitution and human trafficking for sexual purposes and to improve treatment of those exposed to prostitution and human trafficking for sexual purposes.

Training for judges

107. The Swedish Courts arrange regular seminars on the topic of human trafficking and a section on issues relating to human trafficking is included both in training for assistant judges and in the ordinary training for judges. There is also a section within the framework of these courses focusing on the child in legal proceedings, for example, through making assessments of children's statements and interview methods. Issues relating to the treatment of those who come in contact with the courts are generally given high priority in competence development. Issues relating to treatment of, among others, parties and witnesses are dealt with both in the basic and further training. The new Court Academy, which will be responsible for training newly-appointed judges from January 2009 will also provide training in these areas.

Competence in the social services

108. The municipal social services have overall responsibility for protecting and providing support for children who risk being badly treated. Social welfare officers who can encounter children who have been victims of human trafficking are as a rule university-trained in social work or have equivalent competence. The University Diploma in Social Work Programme includes knowledge of legislation to protect and support children and about psychosocial work. Developments in the social services are increasingly moving in the direction of more knowledge-based social work. The employer is responsible for

meeting the employees' needs for the further training they need to be able to perform their work.

109. The National Board of Health and Welfare and UNICEF Sweden have jointly produced a brochure entitled "Kan det vara människohandel?" [Can this be human trafficking?] which contains brief information for agencies and others who may come into contact with children who have been exposed to human trafficking. During 2008–2010, the Government is making funds available to UNICEF to spread this brochure to relevant agencies and organizations.

110. The Children's Welfare Foundation has spread knowledge through round-table discussions on sexual exploitation of children in Sweden based on the knowledge compiled by the Committee of Inquiry into Knowledge of Sexual Exploitation of Children in Sweden (SOU 2004:71).

111. The social services uses privately or municipally run institutions for care and treatment of children, when necessary. These institutions shall have a permit for their activity from the county administrative board. The Social Services Ordinance makes demands that are to be met for this permit to be granted and the National Board of Health and Welfare has stipulated more detailed requirements relating to competence and general guidelines for competence at institutions. These institutions are subject to supervision by the county administrative boards. There has been a special focus during 2007 and 2008 on supervision of these institutions.

112. Persons who work with institutions which receive children shall provide an excerpt from the police register and the register of suspects when they are employed. This provision applies to people who are employed, who are given an assignment or have a practical placement.

Support and protection (article 9.3)

113. All children in Sweden (regardless of whether they are Swedish citizens or not or whether they have a residence permit in Sweden) are covered by the support and protection that the local social services are obliged to provide according to the Social Services Act (2001:453) or the Act (1990:52) with Special Provisions for Care of Young People. The child's circumstances and need for support are to be investigated and action decided upon if necessary. Action can consist of open or 24-hour care. The starting point is that action taken by the social services should be voluntary and decided upon together with the child and his/her parents. If this is not possible and there is a manifest risk in the circumstances that the child's health or development will be harmed, the county administrative court can decide on coercive care (under the Care of Young Persons Act (LVU)). The social services shall cooperate with other relevant agencies to meet all of the child's needs for treatment and care. Agencies such as the police, pre-school and school as well as the health service have a duty to work together with the social services.

114. The National Board of Health and Welfare together with the National Police Board and the National Agency for School Improvement have the task of producing a strategy for collaboration with the social services and other agencies concerned for children who are or risk being badly treated. This strategy is to be used in joint work by the agencies and disseminated as guidance for cooperation at the local level. The strategy was revised in 2007 and presented in a joint report.

115. Professionals at schools, pre-schools, school childcare, the police and the health service are obliged to notify the social services if a child is in need of protection. This duty to notify also applies to privately-run facilities.

116. Within the framework of the Working Group for Cooperation on Children at Risk (WGCC), a system of contact points has been established for the countries participating in this cooperation as well as with Belarus, Ukraine and Moldova. The intention is, in cases where it is considered to be in the child's best interests for the girl or boy to return home, for the agencies in the respective country to ensure that the girl or boy can return safely.

Compensation for damages (article 9.4)

117. The Damages Act contains provisions on the obligation of a perpetrator to compensate a victim of crime for the injuries he or she has incurred. In addition to compensation for personal injury (which includes hospital costs, loss of income, pain and suffering) and damage to objects, a victim of crime who has been exposed to abuse of his or her person, freedom, liberty, peace or honour, is also entitled to damages for this violation. Compensation for such violation is normally the largest single item of compensation.

118. The main rule is that the perpetrator shall pay compensation. In cases where the perpetrator does not have the financial capacity to pay damages, or if it has not been possible to identify the perpetrator, the victim of crime can apply to the state victim of crime compensation. This application is made to the Crime Victim Support and Compensation Authority.

119. The Crime Victim Compensation Act is applicable if the crime has been committed in Sweden regardless of the nationality of the perpetrator or the victim of crime. The act is also applicable when the crime has been committed abroad in the cases where the crime victim is resident in Sweden.

Prohibit production and dissemination of material (article 9.5)

120. Sweden complies with its undertaking under the protocol through the provision on child pornography in chapter 16, section 10a of the Penal Code, which has been presented above. In addition, it may be added that advertisements offering sexual services should be covered by the penal provision on procuring in chapter 6, section 12, of the Penal Code. Advertisements on children for sexual posing should be covered by the penal provision on exploitation of children for sexual posing in chapter 6, section 8, of the Penal Code. Moreover, it may be mentioned that a person who makes available electronic noticeboards is responsible for removing messages with a content which is evidently to be regarded as a child pornography crime (chapter 4 of the Electronic Noticeboards Act (1998:112)).

VII. International assistance and cooperation (article 10)

International cooperation for prevention and detection (article 10.1)

121. Sweden has been active in the drafting of both multilateral, regional and bilateral agreements for international penal law collaboration within the Nordic Council, the Council of Europe, the European Union and the United Nations, even though no agreement is required for Sweden to collaborate with other states. Sweden also works in other ways to promote cooperation and coordination with other states.

122. As regards international penal law cooperation, i.e. matters relating to extradition for crimes, legal assistance and enforcement of sentences, collaboration takes place in general and advantageously through general international agreements which are aimed at collaboration as such and do not concern particular types of crime.

123. A continuing dialogue takes place in Sweden between the Ministry of Justice and the national agencies which work with international penal law collaboration. The agencies are involved in the legislative process through a referral procedure and there is also otherwise a regular dialogue and coordination between ministry and agencies responsible for international judicial cooperation.

124. The Working Group for Cooperation on Children at Risk in the Baltic Sea Region has operated within the framework of cooperation in the Council of Baltic Sea States since 2002. This working group aims to improve and develop work for vulnerable children in the region. Among the prioritized areas of the working group are in particular special protection of children from all kinds of sexual exploitation, sexual abuse and trafficking as well as children arriving alone. The working group has in 2006–2007 arranged training for employees in the social services, child and youth psychiatry and institutional care in most of the countries in the region.

International cooperation to assist child victims (article 10.2)

125. Through international development cooperation, global, regional and bilateral support is provided to improve countries' measures for the recovery of child victims. In among other ways, support is provided through ECPAT and UNICEF. This support often covers capacity-developing measure to strengthen health care and social services for children who are victims of commercial sexual exploitation.

Combating poverty and related matters (article 10.3)

126. By allocating one per cent of gross national income annually to development cooperation, Sweden is one of the leading countries in the world in contributing to combat the basic causes of poverty. Poverty is multidimensional and context-specific and changes over time. Sweden's contributions therefore vary in different regions and countries.

127. These measures are based on a rights perspective as well as a multidimensional poverty perspective. The target for Swedish development cooperation is thus to strengthen the possibilities of individuals to get themselves out of poverty by their own efforts. The investment in economic growth, education, improved conditions of life, etc. are all parts of a whole which must work to achieve the overall objective.

International assistance (article 10.4)

128. Sweden provides global, regional and bilateral support for both technical and financial development assistance to counteract trade with children, child sex tourism and child prostitution.

129. Sweden is one of the largest regular donors to UNODC. Sweden also provides specific support for the organization as support to counteract human trafficking in greater Mekong, contributions to develop a film about human trafficking with a view to increasing international awareness of the causes and effects of human trafficking and to contribute to strengthening measures to counteract human trafficking as well as support to UNODC's project against human trafficking in Brazil, which entails strengthening implementation of existing laws against human trafficking.

130. Sweden is also one of the largest donors to UNICEF which works with both preventive measures such as assistance to children who are exploited through human trafficking, child pornography and child sex tourism. Besides the basic support to UNICEF,

Sweden also provides specific grants for UNICEF's work in the field of protection of children aimed to strengthen the legal system, strengthen the protective environment at schools, work with national protection systems, which are, among other things, to counteract children being badly treated, exploited and violated.

131. Furthermore, Sweden has contributed, through UNICEF, inter alia, to extensive technical support in Moldova to improve Moldova's legislation and enable implementation of the optional protocol. Sweden has also contributed in Moldova to the establishment of a children's ombudsman.

132. Sweden has made extensive contributions to measures against human trafficking in Europe and Russia, in particular through IOM, but also through OCSE, Save the Children and local NGOs. These measures are partly in the form of support for children who have become victims of human trafficking, for example, through shelter activities, legal and psychological support and support for those returning to their country of origin, and in the form of preventive measures such as support for improved legislation, increased capacity at relevant authorities to work better with issues, training on these matters of social workers, police, customs officials, judges, teachers, young people and internal refugees.

133. Sweden provides a grant to ECPAT International whose initiatives contribute, inter alia, to building up countries' capacity to assist child victims. The goals are to improve laws and implementation initiatives, to support research in the field, to combat trade with children, to prevent commercial sexual exploitation of children on the Internet, to prevent child sex tourism, to promote the participation of children and young people for improved measures, to engage in campaign work as well as information and training in the field, to prevent sale of children, to take care of victims of trafficking as well as to strengthen national agencies and NGOs on this issue.

134. Sweden also provides grants to the NGO Group for the Convention on the Rights of the Child for their work on alternative reporting to the optional protocol and their work of following up the world congresses against sexual exploitation of children. Sweden took the initiative to and hosted the first world congress on commercial sexual exploitation of children as well as assisting the organizational committee preparing these conferences for the following two conferences. The Swedish Government also financed participation of a hundred children from the whole world at the third congress in Brazil.
