

Report: Child Removal Cases in Sweden and the Nordic Countries Summary

The purpose of this report is to direct the attention of the The UN High Commissioner for Human Rights and the Committee on the Rights of the Child (CRC) towards the laws of the Nordic countries regarding compulsory care of children and young persons, and the implementation of the said provisions.

The Nordic countries in general, and Sweden in particular, implement these provisions in a way that leads to unusually high numbers of children being removed from the care of their parents and being placed in foster homes every year. In the case of Sweden, this is the result of the Law with Special Provisions on the Care of Young Persons, which most often leads to compulsory care, on arbitrary grounds.

It is also our opinion that the administrative courts are reluctant to diverge from the position of individual social workers and social councils, when a case regarding compulsory care is put before them. The administrative courts thereby neither comply with domestic law, which provides an obligation for the said courts to ensure that cases put before them are properly and sufficiently investigated, nor do they comply with the European Convention on Human Rights, which guarantees the right to a fair trial.

In addition to the issues of arbitrary legislation and biased, or at the very least partial trials, the disproportionately high number of children being removed from the care of their parents can be attributed to the economic incentives for the *foster home industry*. These economic incentives also result in the placing of children under the care of unsuitable foster parents, whereby children who the social workers claim are subjected to neglect, are removed from their parents only to be placed in an environment where they become subjected to further, and often more serious neglect.

Despite numerous attempts to influence the Swedish government to investigate the legislation concerning compulsory care of children, and the implementation of that legislation, no measures have been taken to diminish the use of compulsory care. Aiming to rid the system of compulsory care of its flaws, we urge the Council of Europe to investigate these issues further and, should the Council find it appropriate, give a statement concerning the Nordic countries compliance with their international obligations.

Since the beginning of the 1980's, a great number of families have fled from Sweden in order to protect their children from being taken into care and placed in foster homes.

In its report, 2009, the UN Child Committee was critical of the large numbers of children in foster care in Sweden.