Sweden’s response on progress made to end child, early and forced marriage, and to support already married girls and women affected by this practice

**Legislation**

From 1 July 2014, the legislation provides for a stronger protection against forced marriage and child marriage. The legislation introduces a new offence, coercion to marry, which applies to a person who, by unlawful coercion or exploitation of another person’s vulnerable situation, induces this person to enter into marriage or a marriagelike relationship. The legislation also criminalizes attempt or preparation of the offence of coercion to marry. It is further criminalized to lure someone to travel abroad with the purpose of forcing them to enter into marriage. Furthermore, the possibility for children to obtain an exemption from impediment to marriage is removed, and the possibility to recognize foreign forced marriages, child marriages and proxy marriages is significantly curtailed.

On 9 March 2017 the Government decided to commission a public enquiry into whether legislative changes or changes to the implementation of existing rules will be necessary to better prevent child marriages, forced marriages and honour crimes.

The inquiry submitted its final report *Increased protection against honour related crimes (SOU 2018:69)* in August 2018. The report includes the following legal proposals.

*The introduction of a penal provision regarding child marriage.* Unlike the present regulation of coercion to marry, the proposed penal provision regarding child marriage does not include a requirement of coercion or exploitation of a vulnerable situation.

The proposal corresponds to the regulation of human trafficking, which does not require coercion or exploitation of a vulnerable situation in the case of offences directed at children. It is also proposed that it should be the person who “induces” or “permits” the child to enter into a marriage who should be held accountable for the offence. The penal provision covers both legally valid marriages and informal marriages regardless if the marriages are entered into in Sweden or abroad. The penalty proposed for the offence is imprisonment for a maximum of four years.

*The penal provisions on coercion to marry and luring a person into travelling abroad for the purpose of a forced marriage shall be made explicitly subsidiary to the provision on trafficking in human beings (THB)****.*** Thepurpose of this proposal is to clarify that the first provisions shall apply only if the provision on THB, which has a more severe scale of punishment, is not applicable. The aim is to raise awareness of the fact that for example a forced marriage may in some cases also be covered by the provision of THB and thus should be investigated and prosecuted as such a crime.

*The introduction of a special ground for more severe penalties for offences with honour motives.* The purpose of this proposal is for the seriousness of criminal activity taking place in the name of honour to be reflected clearly and regularly in its penal value. It is important that there is a scope to assign offences with honour motives a higher penal value than corresponding criminal activity that is not honour related. The proposed ground for more severe penalties can also be a step towards clarifying the particularly great vulnerability of these victims and towards strengthening the protection of rights of those affected.

*The introduction of a travel ban on leaving the country for children at risk of being taken abroad to enter into marriage or be subjected to genital mutilation*. The possibilities of intervening with preventive measures when children are being taken abroad to enter into marriage or be subjected to genital mutilation are limited. The purpose of this proposal is to meet the need of being able to restrict the possibility of travelling abroad for children who are at risk of being taken out of the country to enter into marriage or to undergo genital mutilation. The penalty proposed for this offence is imprisonment for at most one year.

As a step in the legislative procedure the inquiry’s report was referred for consultation. The end date for comments was on the 28th of May 2019. The above proposals are currently being processed within the Government Offices.

**Other work in the area**

Since 2016, Sweden has a ten-year national strategy to prevent and combat men’s violence against women. This is based on several government inquiries, the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention, 2011), and previous work carried out in this area. The area of application of the strategy is all forms of physical, psychological and sexual violence and threats of violence against women and girls, including honour-related violence and oppression, prostitution and human trafficking.

One focus in recent years has been to improve support for people subjected to honour-related violence and oppression.

The Government prioritises emergency support to victims of violence and their children, preventive work, and initiatives to get people who exercise violence to change their behaviour. In the long term, the norm-changing and preventive work is crucial. Negative gender stereotypes which link masculinity to violence need to be counteracted. Universally, preventive initiatives against violence, including sexual violence, with a special focus on young people, are needed. Among other things, the Government supports manual-based mentoring programmes provided in schools with the aim of changing norms to promote gender equality.

In September 2018 the Swedish Government initiated a project in the consular field to strengthen the efforts regarding family conflict issues with a special focus on child and forced marriage. The Government intends to make the project permanent from 1 January 2020 and as such, incorporate the reinforced work within the Ministry for Foreign Affair’s regular activity (Budget Bill 2020, UO 5). The strengthened efforts in this area have resulted in increased capacity to handle these types of cases in the foreign administration as well as development of working methods and knowledge that is valuable, also for preventive efforts in the municipalities.

Gender equal health – for women and men and girls and boys to have the same opportunities and conditions for good health and to be offered care and healthcare on equal terms – is one of the sub-goals of gender equality policy. Gender equal health is a goal in its own right, but good health for women and men and girls and boys respectively also contributes to a gender equal and active participation in society. There are significant differences between women and men and between girls and boys when it comes to physical and mental health. Women generally experience their health as worse than men do. The Government will continue taking measures for women’s health, partly through new investments in maternity care. SEK 1 billion has been earmarked for 2019 and SEK 1 billion is estimated per year for 2020–2022.

Honour-related violence and oppression restrict, harm and in the worst case kill. Violence and oppression affect individuals but also society. It is mainly women and girls who are the victims but boys and men and LGBTI persons are also affected. Honour-related violence and oppression are unacceptable and must actively be prevented and combatted through broad-based initiatives in collaboration between several actors. The Government is therefore conducting a coherent, multi-annual initiative to prevent and combat honour-related violence and oppression. The initiative has several different elements, including mandates to the county administrative boards and other agencies, and supporting local action and preventive action. Work against honour-related violence and oppression is a high priority for the Government. The Government intends to increase awareness of the issues and strengthen work in schools and social services. Society’s readiness to take direct action in the event of a suspicion that people will be subjected to genital mutilation or married against their will must be strengthened.

The Swedish Migration Agency has worked for gender equality and to ensure that women and men have their asylum applications examined individually and in line with the rule of law irrespective of their gender. The aims are for women and men to have their cases examined equally and to be treated equally and receive equal service, to combat men’s violence against women and honour-related violence and for operations to be characterised by a gender equality perspective.

The 21 county administrative boards are to implement the Government’s policy at regional level, and this also includes gender equality policy. The county administrative boards also play a strategic role in implementing the Government’s national strategy to prevent and combat men’s violence against women. Östergötland County Administrative Board also has a national mandate to prevent and combat honour-related violence and oppression, child marriage, forced marriage and genital mutilation of women and girls. As a pilot, five county administrative boards have introduced a collaboration in the regions to detect and protect persons abused for honour-related violence. The initiative is a commission from the Government since 2018.

In June 2015 Linköping University was tasked by the Government with gathering and spreading knowledge on violence and other abuses against children. The university has set up *Barnafrid* – a national knowledge centre on violence against children. *Barnafrid* is to promote the development of knowledge across professional boundaries and encourage and support collaboration and submit proposals for action to the Government. *Barnafrid* also has a specific remit regarding honour-related violence and oppression and trauma care.

In the work to establish indicators for the follow-up on the 2030 Agenda, monitoring of SDG 5 has been supplemented with the indicator Women’s proportion of the individual disposable income of men, which is taken from the indicators for following up the goals of the gender equality policy. This is because the global indicator refers to what is from a national perspective a very limited part of target 5 A: Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws. Statistics Sweden has also proposed to establish an indicator on honour-based violence and oppression for the Swedish context.