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| **Memorandum** |  | |
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| 29 October 2015 | | |
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**Response to the Note Verbale of 2 September 2015, with reference to the Human Rights Council Resolution 29/22 - SWEDEN**

Referring to the note verbale from the OHCHR of 2 September 2015 on the issue of the Human Rights Council Resolution 29/22, Sweden would like to convey the following information in relation to the follow-up of above-mentioned resolution. The points elaborated upon below all stresses the importance Sweden attaches to an all-encompassing perspective on families and the various forms thereof, nonetheless protecting and promoting the human rights of every individual family member. While not to be interpreted as an exhaustive enumeration, the information conveyed below rather highlight significant features of the Swedish legislative framework on areas related to the protection of the family.

Sweden reaffirms its commitments to the sustainable development for families. Policies directed towards families and investments in children are important cornerstones of development strategies. We would like to stress the rights of the child at the centre of policies regarding families, particularly the right to free and adequate government-funded education. The Swedish government is a strong advocate for the importance of countering discrimination, having gender equality and actively working with the implementation of Sexual and Reproductive Health and Rights (SRHR).

Family patterns as well as views regarding parenthood and family are changing. Parents increasingly see responsibility for their children as a joint obligation. Full awareness of the diversity of families, including same-sex couples, must continue to be recognized when discussing, monitoring, and developing policies for the family.

Resolution 29/22, however, takes a more restrictive approach and Sweden’s view is that it does not adequately reflect the human rights of women, international commitments regarding gender equality and the rights of the child.

Strong social security systems that include various governmental-funded subsidies directed towards families and parents with children provide extensive economic protection. The importance of parental employment for both men and women is vital in reducing the risk of poverty, in the short as well as in the long term. Parental benefits, such as compensation for income loss in connection with childbirth or adoption or when staying at home caring for a sick or disabled child, shortened working hours and the right to equally divided parental leave, also promote gender equality in the labour market. According to the Convention on the Rights of the Child, every child is entitled to both his/her parents; the fulfilment of a fundamental right which an extensive right to government-funded parental benefits immensely facilitates.

Automatically granted child allowance is a general benefit that ultimately aims to compensate for some of the costs associated with raising a child and serves as a financial support primarily directed towards households with a low income or families with many children.

Parents should be responsible for the maintenance of their children until the child has attained the age of 18 or concluded education, which is an obligation that should persist whether the parent is the custodian or live permanently with the child. If a parent has a low income or for some other reason is impeded to fulfil his/her maintenance responsibilities, the government should forward a maintenance support to the single parent living with the child, which serves to ensure that a child of divorced or separated parents receive the maintenance it is entitled to.

Access to free education in the public school system, applicable to all children attending preschool up to upper secondary school, should be a constitutional right which would emphasize the vital role education plays in eradicating poverty and inequalities. The right to education preconditions for parents to distribute unpaid childcare and housework equally and for men and women to take part on the labor market on more equal terms.

Child punishment shall never be accepted and should thus be prohibited in every part of the world. The rights of the child must prevail over the assumed privileged as a parent to raise their child employing whatever method they as a parent deems necessary for the child’s upbringing. Changing attitudes and introducing positive approaches as alternatives to physical and psychological punishment are part of the work to advocate global abolishment of child punishment.

The protection against forced marriage and child marriage must be recognized worldwide as a crime of unlawful coercion or exploitation of girls and young women, which stress the dire need to avert the serious forms of violence women and girls are exposed to.

LGBT-equality, regardless of if you are heterosexual, lesbian, gay, bisexual or transgender, is a universal human right and the importance of continuing efforts to secure the implementation of equal rights and privileges cannot be stressed enough. Everyone must be able to live their lives in freedom irrespective of whom they love or who they are.

Enhancing and promoting SRHR as part of gender equality is a fundamental prerequisite for long-term democratic development and an equitable and sustainable global development. It should be every State’s ambition to elevate the awareness of SRHR in every aspect of society, but particularly in sectors such as care and education, in order to emphasize a non-tolerance approach towards discrimination and oppression.

To recognize the rights of cohabitees; the legal definition of two people, regardless of sex, who live together as a couple on a permanent basis and share a joint household but have not entered into a marriage, are pertinent in policies regarding the family as this family constellation is becoming increasingly prevalent. Legislation should be aimed at protecting the weaker part when a cohabitee relationship ends by stipulating rules of fair division of the joint dwelling and household goods.

Delineated inheritance legislation entails an extensive protection for family members, including surviving spouse, children in the marriage and from previous relationships. The order of inheritance of the deceased’s estate should be legally regulated or grant a right for the deceased to divide the estate in accordance with his/her last will.

Reconciliation of work and family life for men and women is essential for achieving good living standard for families, sustainable development, poverty eradication and economic growth. Initiatives in policy development should take a holistic approach to parenting and to family support.