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**Call for inputs – Human Rights Council resolution 51/12 on local government and human rights***The Ombudsman for Children in Sweden is a government agency established in 1993 representing children’s rights and interests on the basis of the UN Convention on the Rights of the Child. The Ombudsman is an independent national institution based on the Paris Principles that monitors the implementation of the Convention in municipalities, regions and government agencies. The Ombudsman identifies weaknesses in the implementation of the Convention on the Rights of the Child, proposes changes to laws and ordinances, collects and disseminates knowledge and information about the situation of children and advocates and participates in the public debate.*

The Swedish Ombudsman for children welcomes the opportunity to provide input to the report and expert meeting on local government and human rights, in accordance with Human Rights Council Resolution 51/12, and would like to submit the following information.

1. **What capacity building initiatives have been taken to implement/incorporate human rights in local administration?**
2. *Please provide information on* ***institutional structures*** *for coordination and harmonization of capacity building initiatives.*

On 1 January 2020 the United Nations Convention on the Rights of the Child Act (2018:1197) entered into force. In connection with the incorporation of the Convention into domestic law, the Government believed that a variety of awareness-raising measures were needed in order for the Convention to reach its desired impact. Particularly, the Government saw a need for increasing the knowledge about the Convention and strengthening the competence about how children´s rights should be implemented in practice among public actors at all levels.[[1]](#footnote-1)

Since 2017, the Ombudsman for Children in Sweden is responsible for the implementation and coordination of a Government project that aims to increase the knowledge and strengthen the competence on issues related to the Convention on the Rights of the Child among public actors that makes decisions that affect children. The target groups for the project are representatives of government authorities, municipalities and regions. The work is being carried out in cooperation with the County Administrative Boards.

In its work with supporting different actors with the implementation of the Convention on the Rights of the Child, the Ombudsman for Children has developed several online tools. The tools are available on the Ombudsman for Children´s website and they include 1) an online training on the Convention on the Rights of the Child,[[2]](#footnote-2) 2) tools to assess the level of implementation of the Convention on the Rights of the Child (*barnrättsresan*, “The children's rights journey”)[[3]](#footnote-3) as well as its implementation, 3) tools demonstrating how a “best interest of the child impact assessment” can be conducted[[4]](#footnote-4) and 4) legal guidance regarding the interpretation and application of the Convention on the Rights of the Child.[[5]](#footnote-5)

Since 2016, the Ombudsman for Children in Sweden has also implemented a government project with the aim of developing and disseminating methods and materials related to the interpretation and application of the Convention on the Rights of the Child to selected government authorities. Special emphasis has been placed on collecting and sharing best practices among the authorities included in this government project with the purpose of raising awareness of children's rights among those working with or for children.[[6]](#footnote-6)

As a coordinator of the project, the Ombudsman for Sweden continues to hold regular network meetings with all actors that are or have been involved in the Government project. During the meetings, topical issues related to the implementation of the Convention are discussed and representatives of different authorities and regional and local governments have the opportunity to exchange experiences and knowledge.[[7]](#footnote-7)

1. *Please provide information on* ***the involvement of civil society****, the private sector, academia, etc. in capacity building initiatives.*

N/A

1. *Please provide information on* ***any monitoring or evaluation mechanisms assessing the effectiveness of capacity building initiatives*** *and their impact on the promotion and protection of human rights at the local level.*

In June 2022, the Government mandated the Swedish Agency for Public Management to monitor and evaluate the project to raise knowledge on children’s rights. The evaluation will also look at the role of Ombudsman for Children as a coordinator of the project. Questions related to the effectiveness and impact of the project will be answered by this report, which will be released in October 2023. Once available, you will be able to retrieve it at the website of the the Swedish Agency for Public Management: [In English (statskontoret.se)](https://www.statskontoret.se/in-english/)

1. **What are the capacity building gaps and needs of local governments in relation to implementing/incorporating human rights at the local level?**

The Ombudsman for Children in Sweden has observed that a shortcoming in the implementation of Children´s rights at the local and regional level is that staff often do not have cross-sectoral responsibilities and that there is a tendency to focus only on one area of responsibility, such as for example children´s rights or the rights of persons with disabilities. Another challenge is related to the shortage of funds with regard to these issues.

1. **What measures are needed to further strengthen the capacity of local governments to implement/incorporate human rights at the local level?**

*Pending government evaluation of current project see above Q 1a).*

1. **What are existing procedures and practices for engaging local governments in the work of the United Nations human rights mechanisms and in implementing, reporting and following up on relevant recommendations? How could the existing level of engagement be enhanced?**

N/A

1. **What are the capacity building gaps and needs of local governments in relation to engaging with the United Nations human rights mechanisms and in implementing, reporting and following up on relevant recommendations?**

N/A

1. **What are the main challenges in your country in the promotion and protection of human rights at the local level?**

On several occasions, the Ombudsman for Children in Sweden has highlighted that the major obstacle to the application of the Convention on the Rights of the Child in Sweden is not a gap in the legislative framework but in the implementation.

Another challenge that the Ombudsman for Children has identified during the implementation of the above described project is that many actors at the local and regional level, including representatives of government authorities, find the practical implementation of international norms challenging and difficult. They often express a desire for more concrete guidance tools and manuals, particularly with regard to the assessment of individual cases.

1. **Please provide examples, good practices, challenges, and recommendations with regard to the above-mentioned issues.**

As an important factor for the successful implementation of capacity-building projects such as the one described above, the Ombudsman for Children has identified the shared responsibility for the implementation between the coordinating body on the hand and the authorities/governments receiving the training on the other. In Sweden this was resolved through the dual mandating of both authorities by the Government, both “the provider” and “the receiver”. This led to the issue being defined as a priority by both parties.

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Deputy Ombudsman for Children

Helen Ronen

1. Previous Government inquires had shown that there was an insufficient level of knowledge among Government actors regarding particularly the application and implementation of children´s rights, see [Barnkonventionen blir svenska lag, SOU 2016:19 (regeringen.se)](https://www.regeringen.se/contentassets/7bcd0fe8815345aeb2ff0d9678896e11/barnkonventionen-blir-svensk-lag-sou-2016_19.pdf) [↑](#footnote-ref-1)
2. [Webbutbildning om barnkonventionen - Barnombudsmannen](https://www.barnombudsmannen.se/stod-och-verktyg/kunskap-om-barnkonventionen/webbutbildning-om-barnkonventionen/) [↑](#footnote-ref-2)
3. [Barnrättsresan – arbeta med barnkonventionen - Barnrättsresan (barnombudsmannen.se)](https://barnrattsresan.barnombudsmannen.se/for-myndigheter) [↑](#footnote-ref-3)
4. [Prövning av barnets bästa - Prövning av barnets bästa (barnombudsmannen.se)](https://provningbarnetsbasta.barnombudsmannen.se/) [↑](#footnote-ref-4)
5. [Juridisk vägledning vid tolkning av barnkonventionen - Barnombudsmannen](https://www.barnombudsmannen.se/stod-och-verktyg/tolkning-av-barnkonventionen/). By way of example, the Children's Ombudsman has developed tests that can be used to map the current level of implementation of children's rights in an organization. The results that the tests provide are based on subjective assessments of those who answer and can serve as a basis for discussion and analysis of the current situation for work with the Convention on the Rights of the Child. [↑](#footnote-ref-5)
6. At the outset, the following government authorities were designated by the government to be included in the awareness raising project: the Swedish Gender Equality Agency, the Swedish Prison and Probation Service, the Swedish Enforcement Agency, the Swedish Agency for Youth and Civil Society, the Swedish Police and the Swedish Prosecution Authority.

   Since 2016, the number of authorities included in the project have increased. Some of the authorities that have been included in the project are: the National Board of Health and Welfare, the Swedish Agency for Participation, Family Law and Parental Support Authority, the Swedish National Agency for Education, the Swedish Migration Agency and The Swedish National Board of Institutional Care The Health and Social Care Inspectorate, The National Agency for Special Needs Education and Schools and The Swedish Social Insurance Inspectorate. [↑](#footnote-ref-6)
7. In the last two meetings the latest Concluding Observations of the Committee on the Rights of the Child to Sweden were discussed as well as the right of the child to the highest attainable standard of health. [↑](#footnote-ref-7)