

SWEDEN

The applications

1. The number of applications

According to the Central Authority for Sweden, they received 14 incoming return and 2 incoming access applications in 1999, making a total of 16 incoming applications. Additionally, they made 15 outgoing return and 1 outgoing access application in that year. Altogether, therefore, the Central Authority for Sweden handled 32 new applications in 1999.

2. The Contracting States which made the applications

(a) *Incoming return applications*

Requesting States

	Number of Applications	Percent
USA	3	21
Israel	2	14
Belgium	1	7
Canada	1	7
Denmark	1	7
Greece	1	7
Italy	1	7
Norway	1	7
Switzerland	1	7
UK - England and Wales	1	7
Cyprus	1	7
Total	14	100

The highest proportion of applications to Sweden came from the USA. Only 2 of the 14 applications came from other Scandinavian States, which is a smaller proportion than in applications to Denmark and Norway.

(b) *Incoming access applications*

The access applications came from Argentina and Norway.

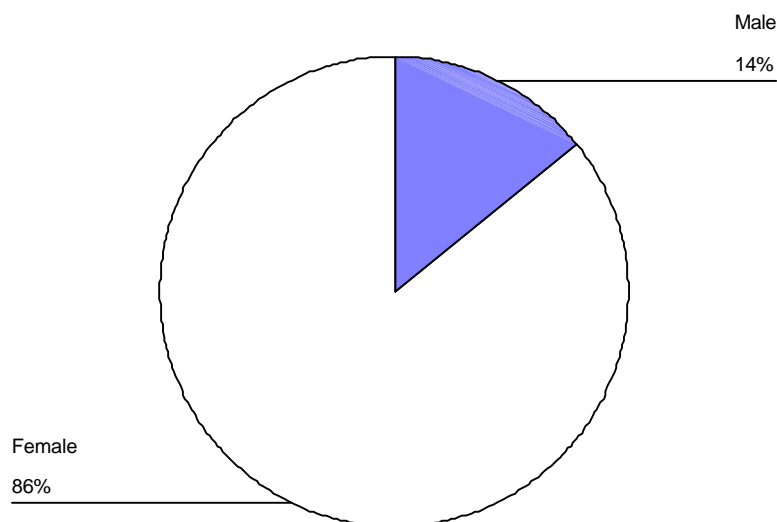
The taking person / respondent

3. The gender of the taking person / respondent

(a) *Incoming return applications*

Gender of the Taking Person

	Number	Percent
Male	2	14
Female	12	86
Total	14	100



The above chart and table show that 86% of persons taking children into Sweden were female, which is significantly higher than the global norm of 69%. It is, however, lower than the proportion of female taking persons involved in incoming applications to other Scandinavian States, including Denmark and Norway, both at 91%.¹

(b) *Incoming access applications*

Both respondents in the access applications were female.

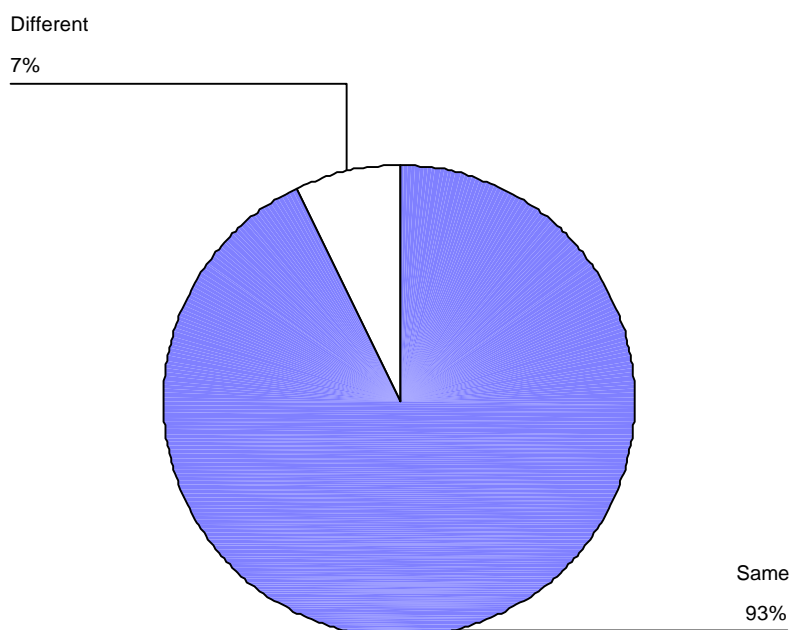
¹ In all 4 of the applications received by Iceland, the taking person was female.

4. The nationality of the taking person / respondent

(a) *Incoming return applications*

Taking Person Same Nationality as Requested State

	Number	Percent
Same Nationality	13	93
Different Nationality	1	7
Total	14	100



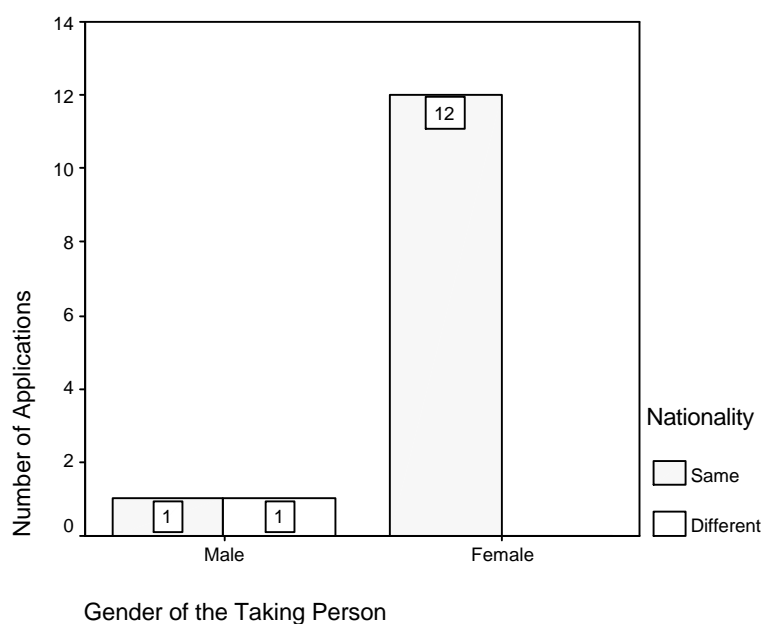
93% of persons taking children into Sweden were Swedish nationals. Indeed, only one application involved a taking person who was not Swedish. This is markedly different from the global norm of 52% of taking persons having the nationality of the requested State. It is also markedly different from other Scandinavian States, namely, Denmark where 36% of taking persons had Danish nationality and Norway where 27% of taking persons had Norwegian nationality.

(b) *Incoming access applications*

1 of the 2 respondents in the access applications had Swedish nationality.

5. The gender and nationality of the taking person combined

(a) Incoming return applications



It is striking that all the female taking persons were Swedish. In other words it would appear that Swedish incoming applications involved Swedish females, essentially mothers who were 'going home'. This is similar to the pattern found in Hungary where all taking persons were females and Hungarian nationals.

The children

6. The total number of children

There were 24 children involved in the 14 return applications and 2 children involved in the 2 access applications. Altogether, therefore, 26 children were involved in new incoming applications received by Sweden in 1999.

7. Single children and sibling groups

(a) Incoming return applications

Single Child or Sibling Group

	Number	Percent
Single Child	7	50
Sibling Group	7	50
Total	14	100

Number of Children

	Number	Percent
1 Child	7	50
2 Children	5	36
3 Children	1	7
4 Children	1	7
Total	14	100

Globally, 63% of applications involved a single child. In applications to Sweden this figure was lower at 50%. Globally, 93% of applications involved 1 or 2 children, in applications to Sweden this figure was lower at 86%.

(b) Incoming access applications

Both of the access applications involved single children.

8. The age of the children

(a) Incoming return applications

Age of the Children

	Number	Percent
0-4 years	7	29
5-9 years	12	50
10-16 years	5	21
Total	24	100

The majority of children were aged between 5 and 9 years old. Globally, 42% of children were in this age group. Proportionally fewer children were aged between 0 and 4 years old, 29%, compared with the global norm of 38%.

(b) Incoming access applications

1 child in the access applications was aged between 0 and 4 years. The other child was aged between 10 and 16 years.

9. The gender of the children

(a) Incoming return applications

Gender of the Children

	Number	Percent
Male	9	38
Female	15	63
Total	24	100

The global figures show that 53% of children involved in applications were male. The table above shows a striking difference with male children accounting for just 38% of children involved in applications received by Sweden.

(b) Incoming access applications

There was 1 male and 1 female child involved in the access applications.

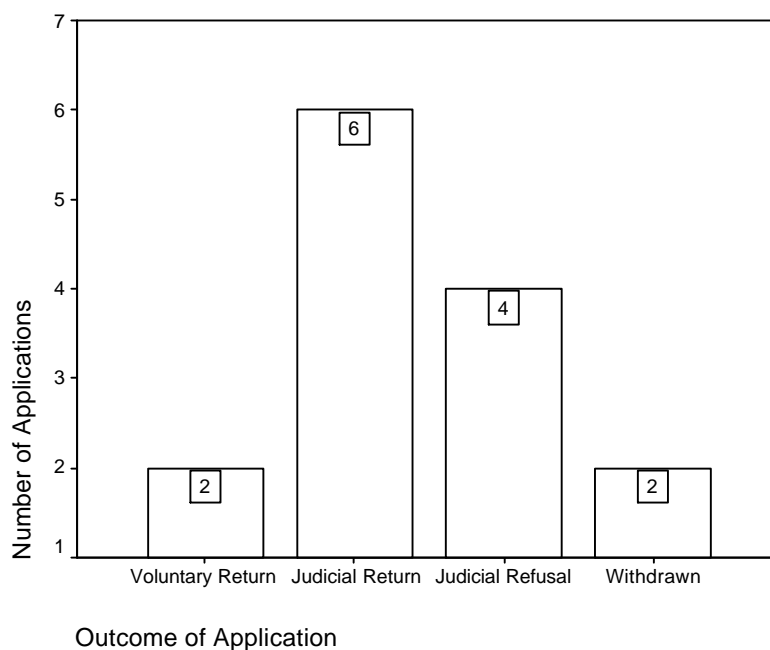
The outcomes

10. Overall outcomes

(a) Incoming return applications

Outcome of Application

	Number	Percent
Rejection	0	0
Voluntary Return	2	14
Judicial Return	6	43
Judicial Refusal	4	29
Withdrawn	2	14
Pending	0	0
Other	0	0
Total	14	100



A noticeably high proportion of applications went to court, 71% compared with a global norm of 43%. There was a higher proportion of judicial returns at 43%, than the global norm of 32%, and judicial refusals at 29% were also higher than

the global norm of 11%. Of the 10 cases which went to court, 6 resulted in a judicial return, a proportion of 60% which is below the global norm of 74%. Combining judicial and voluntary returns, 57% of applications resulted in a return, which is higher than the global norm of 50%. 2 cases were withdrawn and it is to be noted that no cases were rejected and no cases were still pending.

(b) Incoming access applications

In 1 application access was voluntarily agreed and in the other application access was judicially granted.

11. The reasons for judicial refusal

(a) Incoming return applications

It is interesting that all 4 of the judicial refusals were based on Article 13 b. In other Contracting States the reasons for refusal tended to be more diverse. Refusals in applications to Sweden accounted for 29% of all applications, which is significantly higher than the global norm of 11%. While we cannot comment on the validity of these refusals, and bearing in mind that the figures are small, the fact that they were all refused on the same basis may at least occasion pause for thought.

12. The reasons for judicial refusal and the gender of the taking person

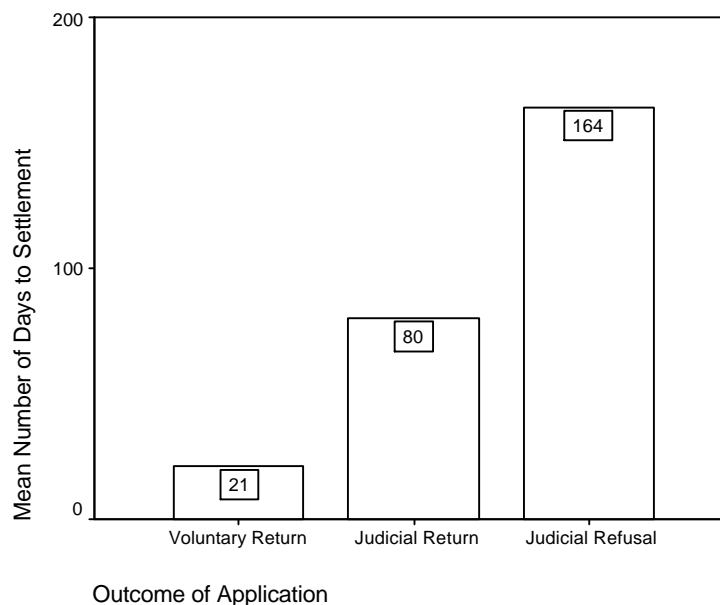
(a) Incoming return applications

In all four of the refused applications, the taking persons were female, having Swedish nationality. Considering that 86% of taking persons were female this is perhaps not surprising. As against this, it might also be said that the 6 cases where a return was ordered by the court, all involved females as taking persons.

Speed

13. The time between application and outcome

(a) Incoming return applications



	Outcome of Application		
	Voluntary Return	Judicial Return	Judicial Refusal
Mean	21	80	164
Median	21	81	165
Minimum	3	46	117
Maximum	39	129	210
Number of Cases	2	6	4

The 2 voluntary returns took 3 and 39 days respectively, which is much faster than the global norm of 84 days. The mean average time for the 6 judicial returns was 80 days, compared with a global norm of 107 days. The average time for the 4 judicial refusals was 164 days which was slightly longer than the global norm of 147 days. Overall, the system in Sweden appears to operate relatively quickly.

(b) Incoming access applications

While return applications were resolved relatively quickly, both of the access applications took over 6 months to reach a conclusion. This follows a general global pattern that return applications tend to be dealt with quicker than access applications.

14. Appeals

(a) Incoming return applications

Three cases were appealed, 2 ending in a judicial refusal and 1 ending with a judicial return. The two judicial refusals took an average of 157 days to be concluded, which was quicker than the global norm of 176 days. The judicial return took 129 days, which was also quicker than the global norm of 208 days.