

Interregional Public Organization "For Family Rights"

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Maria Larsson
Minister for Children and the Elderly
Ministry of Health and Social Affairs
Government of Sweden
Fredsgatan 8
SE-103 33 Stockholm
Sweden

RE: Protecting the rights of Johansson family and Domenic Johansson

Dear Minister Larsson,

By way of introduction the Interregional Public Organization "For Family Rights" is a body dedicated to protecting the rights of both parents and children for family life and other relevant rights in Russia. We're also helping to protect the rights of the families internationally, on the basis of our strong conviction that "the family is the natural and fundamental group unit of society and is entitled to protection by society and the State" (International Covenant on Civil and Political Rights, Art. 23).

It has come to our attention that the rights of the particular Swedish family are now in great danger, and we wish humbly express our concern over this situation.

On June 26th, 2009, Domenic Johansson, a seven year-old boy (born on September 9, 2001) who is a dual citizen of Sweden and India, was seated in a commercial airliner awaiting departure of a flight to India. Without a court order or any kind of preliminary notification, Swedish social services of Gotland boarded the plane and removed Domenic from the custody of his parents, Christer Johansson (a Swedish citizen) and Annie Johansson (an Indian citizen). The sole purpose of the removal of Domenic was to prevent his parents from moving with him to India. At the time of the removal, the sole issue that motivated the actions of the Swedish government was the fact that Domenic was being homeschooled. It is appropriate to mention that at the moment when the boy was seized, home schooling option was completely legal in Sweden under the national legislation.

After the seizure of this young boy from his parents, they were allowed extremely limited contacts with their son and only under overbearing state supervision. All attempts by the parents to offer alternatives for Domenic's education, as well as their offers of sincere cooperation on the other minor matters that have since been addressed, have been rebuffed by the Social Services without any sufficient reason.

It was found after the seizure of the boy, that he had a minor medical problem with his teeth (several cavities). It is presumed that this problem was attended to and is no longer of any concern. It was also found that the boy had not been vaccinated for childhood illnesses. In this regard it is necessary to mention that as far as we know no vaccination is obligatory in Sweden, and it means that this fact cannot be regarded as a chargeable fault or negligence of the boy's parents nor provide a legitimate reason to remove the child from the family.

Both Social Services and the national Courts insisted that the reasons we mentioned were sufficient for the government authorities to keep permanent custody of the boy. The lower court cited the fact that Domenic had not been vaccinated as a reason to remove him permanently from his parents and also

repeated the provably false charges that home-schoolers do not perform well academically and are not well socialized.

In fact the independent researches constantly confirm that the home schooled children are performing well both academically and socially. Scientific research and practical experience around the world have convincingly proven that home schooling is at least as effective as public schools in both areas. In fact, most of the studies show that home schooled children have better results in both areas than those of their peers who attend schools.

In the light of these facts it was strange and surprising that the decision of the lower court was then upheld by the upper court decision.

The facts of the case show, there were no chargeable fault or culpable negligence from the side of the parents. No laws were broken by the family and all the educational and medical choices of the parents regarding their child were in principle legal under the Swedish legislation at the moment of the seizure. No abuse or neglect of the child by the parent ever took place.

Unfortunately it's obvious that the actions of the authorities in the case of Johansson family could be regarded as the dangerous abuse of power, breaking the fundamental human rights both of the parents and of the child. There is enough ground to say that these actions were in fact directed against the best interest of the child.

The actions undertaken by the authorities are obviously breaking the basic human rights, defended by the norms of international law. These actions can be regarded as breaking the rights under Article 26 of the Universal Declaration of Human Rights, under Articles 18 and 23 of the International Covenant on Civil and Political Rights and especially under Article 14 of the Charter of Fundamental Rights of the European Union and under Articles 7, 8 and 9 of the Convention on the Rights of the Child.

The fact that these well established basic human rights could be easily and arbitrarily broken in the State of Sweden even with the support of the local Courts seems striking and alarming. The obvious necessity to take into consideration the best interests of the child doesn't provide state authority with the basis for unprecedented arbitrary decisions, ruining the family and the relations of the child with his parents that the state is obliged to defend.

The fact of breaking the basic human rights in the case of Johansson family and the fact that the state authorities and the courts didn't provide the family on the national level with the legal remedies sufficient for restoring their openly broken rights is quite regrettable and could become a matter of great disgrace for the state of Sweden.

We humbly ask the authorities and public leaders of Sweden to take necessary steps in order to restore the broken basic rights of Johansson family and of Domenic Johansson, to re-unite family and to provide the parents with the full possibility to care for their son, to bring him up and to educate him according to their convictions without any further unnecessary and abusive interferences by the social services or state authorities.

With kind regards

Pavel A. Parfentiev,

Chairman of the Board

Interregional Public Organization "For Family Rights" (Russian Federation)