



PERMANENT DELEGATION OF SWEDEN
TO THE ORGANIZATION FOR
SECURITY AND CO-OPERATION IN EUROPE

FSC.EMI/73/12
30 March 2012

ENGLISH only

Vienna, 29 March 2012

The Permanent Delegation of Sweden to the OSCE presents its compliments to all OSCE Delegations/Missions and to the Conflict Prevention Centre and has the honour to transmit the Swedish response to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security, valid as of 15 April 2012.

The Permanent Delegation of Sweden to the OSCE avails itself of this opportunity to renew to all OSCE Missions and to the Conflict Prevention Centre the assurances of its highest consideration.



ALL OSCE MISSIONS/DELEGATIONS
CONFLICT PREVENTION CENTRE (CPC)
VIENNA



REGERINGSKANSLIET

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OSCE Code of Conduct on Politico-Military Aspects of Security

Participating state:

Sweden

Annual Information Exchange on the Implementation of the Code of Conduct

Valid as of 15 April 2012

Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism

1.1 Agreements and arrangement related to preventing terrorism

Multilateral, Regional Conventions such as:

- International Convention for the Suppression of Terrorist Bombings (New York, 15.12.1997)
- International Convention for the Suppression of the Financing of Terrorism (New York, 09.12.1999)
- Council of Europe Convention on the Prevention of Terrorism (Warsaw, 16.05.2005 – ETS 196).
- European Convention on the Suppression of Terrorism (Strasbourg, 27.01.1977)
- European Convention on Extradition (Paris, 13.12.1957)
- European Convention on Mutual Assistance in Criminal Matters (Strasbourg, 20.04.1959)
- European Convention on the Transfer of Proceedings in Criminal Matters (Strasbourg, 15.05.1972)
- EU Framework Decision 2001/500/JHA on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime (26.06.2001)
- EU Framework Decision 2005/212/JHA on confiscation of crime-related proceeds, instrumentalities and property (24.02.2005)
- EU Framework Decision 2002/475/JHA on combating terrorism (13.06.2002)
- EU Framework Decision 2008/919/JHA amending Framework Decision on combating terrorism (28.11.2008)
- Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (Strasbourg, 08.11.1990 – ETS 141)

Cooperation in Multilateral Fora, such as:

Sweden cooperates in relevant multilateral fora such as EU, UN, OSCE, Council of Europe, EAPC, PfP etc.

Bilateral Treaties on the issues related to terrorism

- Agreement between the Government of the Kingdom of Sweden and the Cabinet of Ministers of Ukraine concerning co-operation as regards measures to combat crime, Stockholm, 23 March 1999.
- Agreement between the Government of the Kingdom of Sweden and the Government of the Republic of Hungary on co-operation in combating organized crime, illegal trafficking in narcotic drugs and psychotropic substances, terrorism and other forms of serious crime, Budapest, 23 April 1997.
- Agreement between the Government of the Kingdom of Sweden and the Government of the Russian Federation on co-operation in combating crime, Moscow, 19 April 1995.
- Agreement on police co-operation with France with respect to combating terrorism, illegal trafficking in narcotic drugs and organized crime, Paris, 15 December 1989.
- Memorandum of Understanding with Spain on co-operation in combating terrorism, illegal trafficking in narcotic drugs and serious organized crime, Madrid, 11 May 1989.
- Co-operation agreement between Sweden and Malta on the fight against illicit trafficking in narcotic drugs and psychotropic substances and against organised crime, Valletta, 10 May 2001
- Agreement with Romania on cooperation in combating organized crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, trafficking in human beings, terrorism and other serious crimes, Bucharest, 11 May 2004.
- Agreement with Slovenia on cooperation in the fight against organised crime, illicit trafficking in drugs and precursors, terrorism and other serious crimes, Stockholm, 18 May 2004.
- Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Sweden on co-operation in combating serious crime, Warsaw, 13 April 2005.
- Agreement between the Government of the Republic of Croatia and the Government of the Kingdom of Sweden on co-operation in combating crime, Zagreb, 3 October 2005.

1.2 National Legislation

Swedish legislation fulfils the obligations of all criminal law conventions for the suppression of terrorism to which Sweden is a party.

1.3 Roles and Missions of Military, Paramilitary and Security Forces and the Police in preventing and combating terrorism in your State?

Preventing and combating terrorism within Sweden is a matter for the Police and the Swedish Security Service. A new legislation entered into force on 1 July 2006 regulating support from the Swedish Armed Forces to the police in the fight against terrorism.

According to the legislation, the National Police Board may request support from the Swedish Armed Forces, that implies the use of violence, to prevent or in other ways intervene against terrorist crime. Support from the Swedish Armed Forces may be requested only if the police lacks such specific resources that is needed to master the situation. Support by the Swedish Armed Forces under the act, requires permission by the Government, unless there is an immediate urgency. A military unit that supports the police shall be under the command of military personnel. Personnel fulfilling their basic training or conducting refresher training should not be used for these kind of support missions. Personnel of the Home Guard may be used.

The Swedish Armed Forces is participating in the Joint-action Council against Terrorism. The Swedish Armed Forces is also a party to the National Centre for Terrorism Threat Assessment.

1.4 Additional Measures (Restrictions, Structural Changes, New Creations, Law Amendments)

Since the autumn of 2001 the issue of combating terrorism has been high on the political agenda, in Sweden as in most other states. In March 2008, the Government presented a national strategy in which it describes the measures that will be implemented during this electoral period and the principles that will guide efforts to combat terrorism. In this strategy the Government describes its view of the principles guiding Swedish counter-terrorism and presents important proposals to be implemented under four main headings: pursue, prevent, protect and manage.

The reinforcement of the Swedish law enforcement bodies' counter-terrorism abilities have in part been dealt with through redeployment of resources within these bodies, in order to enhance their operational and analytical capacities linked to counter-terrorism. To further raise the level of ambition in this field and to intensify international cooperation in particular, the Government has in 2007 given significant extra resources for the Swedish Security Service. To a limited extent the Swedish Security Service has liaison officers assigned to Swedish Embassies abroad, whose duties include co-operation in the counter-terrorism field. On the operational level, co-operation with other EU member states has increased markedly, on the bilateral as well as the multilateral level.

To further enhance co-ordination between national authorities dealing with terrorism a coordination mechanism has been set up on the governmental agency level in the form of a National-Counter-Terrorism Co-operation Council. It is chaired by the Director-General of the Security Service (SÄPO) and had its first meeting in February 2005. The other agencies involved are the National Police Board, the Military Intelligence and Security Service, the National Defence Radio Institute, the Defence Research Institute, the Board of Customs, the Migration Board, the Emergency Management Agency, the Office of the Prosecutor-General, the National Economic Crimes Bureau and the Coast Guard. The directors of these agencies take part in the executive-level meetings. Measures undertaken to combat organised crime and other serious crime also contributes and reinforces the fight against terrorism.

In January 2008 a new time limited legislation was introduced that gave the judicial authorities the right to use bugging and preventive investigative methods. In December 2008 the Government appointed an inquiry chair to evaluate the new legislation. The evaluation was presented in July 2009 and the Government submitted a bill to the Parliament in March 2010 proposing that the acts regarding bugging and preventive

investigative methods should continue to apply until 2012. A further evaluation of the legislation will be performed in 2010-2011.

Sweden is not a Party to the following instruments:

- International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 13.04.2005)
- Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (London, 14.10.2005).

Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf (London, 14.10.2005)

- Council of Europe Convention on Laundering, Search, Seizure, Confiscation of the Proceeds from Crime and on the Financing of Terrorism (Warsaw, 16.05.2005 – ETS 198)

Sweden has signed the instruments above and is now preparing ratification.

- Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing, 10.09.2010)
- Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing, 10.09.2010)

Sweden has not yet signed these two instruments.

Sweden has adopted new, enhanced legislation to counteract money laundering and terrorism financing through administrative measures, namely the *Act (2009:62) on Measures against Money Laundering and Terrorist Financing* which entered into force 15 March 2009. The new act implements EU Directive 2005/60/EC and the accompanying Commission Directive 2006/70/EC.

In December 2010 the Act (2010:299) on Criminal Responsibility for Public Provocation, Recruitment and Training concerning Terrorist Offences and other Particularly Serious Crime entered into force. The new act contains provisions for the implementation of the EU Framework Decision amending Framework Decision on combating terrorism and the Council of Europe Convention on the Prevention of Terrorism.

As a member of the European Union, Sweden has taken active part in elaborating antiterrorist policies at the European level. The measures underway and foreseen are all listed in the EU Strategy and Action Plan on combating terrorism and form the framework also for the work at national level.

Other Multilateral Conventions such as:

Sweden has ratified all universal criminal law conventions for the suppression of terrorism that have entered into force, such as:

- Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 14.09.1963)

- Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague, 16.12.1970)
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 23.09.1971)
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 23 September 1971 (Montreal, 24.02.1988)
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (New York, 14.12.1973)
- International Convention against the Taking of Hostages (New York, 17.12.1979)
- Convention on the Physical Protection of Nuclear Material (Vienna, 03.03.1980)
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome, 10.03.1988)
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf (Rome, 10.03.1988)
- United Nations Convention against Transnational Organized Crime (UNTOC) (New York, 15.11.2000)
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, supplementing UN Convention against Transnational Organized Crime (New York, 15.11.2000)
- United Nations Convention against Corruption (UNCAC) (New York, 13.10.2003)

2. Stationing of armed forces on foreign territory

2.1 Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

Sweden does neither have any armed forces permanently stationed on the territory of another participating State, nor are there any foreign armed forces stationed on Swedish territory. When Swedish armed forces participate in international missions, the status of the personnel is defined in general terms by international law and the UN Charter, and by the specific legal foundation of the missions in which they participate, inter alia Status of Forces Agreements between the international organisations through which the troops are deployed, and the countries in which the particular missions are carried out.

Sweden has signed the "Agreement among the States Parties to the North Atlantic Treaty and the Other States Participating in the Partnership for Peace Regarding the Status of Their Forces" (PfP SOFA) regulating the status of forces participating in Partnership for Peace exercises.

3. Implementation of other international commitments related to the Code of Conduct

3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence- and security-building as an element of indivisible security are implemented in good faith.

Sweden has signed and ratified all major multilateral disarmament and non-proliferation treaties, such as;

- Treaty on the Non-proliferation of Nuclear Weapons (NPT)
- Comprehensive Nuclear-Test-Ban Treaty (CTBT)
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction (CWC)
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BTWC)
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (CCW)
- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

Sweden implements these treaties as well as other international instruments and initiatives in the field of disarmament and non-proliferation, such as the UN Security Council Resolution 1540, the UN Action Plan on Small Arms and Light Weapons, the Global Initiative to Combat Nuclear Terrorism (GICNT) and the Proliferation Security Initiative (PSI). Sweden takes active part in the work that is pursued in international fora in the field of disarmament and non-proliferation, such as the UN General Assembly First Committee and the Conference on Disarmament.

As regards the NPT, Sweden emphasises the need for a balanced strengthening of all three pillars; non-proliferation, disarmament and the peaceful uses of nuclear energy.

Sweden is an active member of the export control regimes the Nuclear Suppliers Group (NSG), the Zangger Committee (ZC), the Australia Group (AG), the Missile Technology Control Regime (MTCR) and the Wassenaar Arrangement (WA).

The Swedish Armed Forces is a supporting authority to the Government concerning the implementation of Swedish commitments in the area of arms control, disarmament and confidence- and security-building measures. The Swedish Armed Forces reports, on a yearly basis, to the Government concerning the Swedish Armed Forces responsibilities within the frame work of different arms control, disarmament and confidence- and security-building measures.

On a yearly basis the Swedish Armed Forces receives a separate governmental decision regulating the level of ambition and geographical focus for the arms control activities during the upcoming year. In addition to the governmental decision there are recurrent

meetings between representatives from the Ministry of Foreign Affairs, Ministry of Defence and the Swedish Armed Forces.

The Swedish Armed Forces take active part in international arms control negotiations as an effect of yearly governmental decisions. The active participation of specialists from the Swedish Armed Forces assures the implementation in good faith of the Swedish commitments.

3.2 Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area

Sweden has, together with Finland, taken an initiative to further the arms control and the confidence- and security-building measures in the Baltic region. The initiative was introduced in 1998 and has been accepted by Denmark, Estonia, Latvia and Lithuania. The core of the initiative is the offer of one additional inspection and evaluation visit, conducted in accordance with the stipulations in VD Chapter IX, among the participating states.

During 2008 Sweden also initiated a bilateral exchange with Germany concerning additional evaluation visits to military units not notified within the *Annual Exchange of Military Information*. In 2008 both Germany and Sweden respectively opened anti-aircraft units for the evaluation visits.

Sweden has taken an active part in the Open Skies treaty (OS) since 2002 and is an active partner in the OSCC and its working groups. The Swedish Armed Forces also supply their own observation aircraft, OS-100, to the co-operation and actively further the activities within the treaty through bilateral co-operations. The Swedish Armed Forces is also able to supply the services of the OS-100 to other States Parties to the OS.

The Swedish Armed Forces strives for a comprehensive view of arms control, combining different areas of interest to gain a broader view how it can be possible to develop and/or further the current co-operations.

Section II: Intra-State elements

1. National planning and decision-making process

1.1 What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

The Swedish constitution is based on the principles of popular sovereignty, representative democracy and parliamentarism. A parliament elected by the people occupies the pre-eminent position among the branches of government; it is the foundation for the democratic exercise of power through the Government. Thus, the Swedish constitution vests the power to appoint and exercise control over the Government, with the Parliament, the *Riksdag*. Legislation and government decisions are to be implemented by the public administration, of which the Swedish Armed Forces and the National Police Board are parts. The constitution also vests the Parliament with the authority to decide over the State's finances. The Parliament decides on governmental bills concerning the budgetary and legal prerequisites of the Swedish Armed Forces.

The governmental control of the Swedish Armed Forces is executed directly through governmental decisions to the Armed Forces and through the authority to appoint officers to leading positions. The Government has the authority to make decisions concerning the entire organisation of the defence sector, within the framework set up by the Parliament in the defence decisions and in accordance with national laws.

Formulation and implementation of the Government's defence policy is primarily carried out by the Ministry of Defence, although the Government as a whole is responsible for all its decisions. In line with the constitutional division of responsibility between the Government and the authorities, the Ministry of Defence is a comparatively small body. A majority of the civil servants have civilian background, although a number of military officers serve at the Ministry. The Swedish Armed Forces constitutes one single public authority under the Government.

The Government appoints the Chief of Defence, in Sweden titled the Supreme Commander of the Armed Forces. The Supreme Commander exercises overall command of the Swedish Armed Forces in the execution of tasks assigned to the Armed Forces by the Government, and in accordance with the guidelines provided by the Government. The Government also has the power to designate the highest-ranking military officers, principally from the rank of Major General or Rear Admiral up to General or Admiral. These officials are appointed on merit and remain on duty when there is a shift of governments. The Government also appoints a Director General of the Swedish Armed Forces. The Director General is the deputy head of the public authority.

Work on the budget begins more than a year before the beginning of the fiscal year concerned. In the spring, the Government presents the Spring Fiscal Policy Bill to Parliament, followed by the Government's Budget Bill in the autumn. The two Bills differ in content. The Spring Fiscal Policy Bill contains the Government's proposed guidelines for economic policy and budget policy over the next few years. In the Budget Bill these proposals are then turned into a central government budget for the following fiscal year. The Budget Bill presents detailed proposals for distribution of government expenditures between the various expenditure areas. The Parliament adopts formal decisions on these two bills at the beginning of June and at latest mid-December.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

2. Existing structures and processes

2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

The Parliament decides on governmental bills concerning the budgetary and legal prerequisites of the Swedish Armed Forces. Further control of the Armed Forces is executed directly through governmental decisions to the Armed Forces and through the authority to appoint officers to leading positions. Sweden has no paramilitary or internal security forces. Specific institutions have been established to ensure the efficiency of the democratic control over the public administration, including the Swedish Armed Forces.

Parliamentary control and the Swedish Armed Forces

The Act containing instructions for the Parliamentary Ombudsmen (1986:765) charges the Parliamentary Ombudsmen with the task of supervising the central government and the municipal authorities, public officials and other officers employed at these authorities, which include the Armed Forces, the Police, and the Swedish Security Service. The Act concerning the Supervision exercised by the Chancellor of Justice (1975:1339) stipulates that the Chancellor of Justice shall exercise supervision in order to ensure that persons and organisations which conduct public sector business observe laws and other statutes, and otherwise fulfil their obligations. Finally, the Chancellor of Justice and the Parliamentary Ombudsmen have full insight into the workings of the Armed Forces, and are responsible for the legal control of them. Any citizen can file a legal complaint against the Swedish Armed Forces to these two bodies, which also carry out investigations on their own initiative.

2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

See above.

2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

The tasks of the Swedish Armed Forces, as defined by Parliament, are to:

- defend the country against armed attack,
- uphold the territorial integrity of Sweden,
- contribute to international peace and security, and
- support the civil society in the event of severe peacetime strains and emergencies.

As a general rule, Swedish authorities are prohibited from taking action within other areas than those set out in laws or other regulations, or decided by a superior body, i.e. the Government. This rule is applicable to the Swedish Armed Forces. The constitution, other regulations, and Parliament and Government decisions in individual cases determine what tasks should be assigned to the Armed Forces. The constitution stipulates that only the Government has the authority to activate the Armed Forces in response to an armed attack on Sweden. The deployment of Swedish forces abroad is subject to approval by the Parliament. Upon request by the UN, or pursuant to a decision by the OSCE, the Government can put an armed force at disposal for peace keeping operations abroad. By the Armed Forces for Duty Abroad Act (2003:169), the Parliament assigns this authority to the Government for general use. It is not necessary to repeat the decision in each individual case where such participation by Swedish forces is demanded.

To ensure the lawful behaviour by the Swedish Armed Forces personnel, there are penal and disciplinary regulations. Put in simplified terms, serious violations by Swedish Armed Forces personnel are dealt with according to penal law, while less serious misdemeanours are subject to disciplinary measures. On the same penal and disciplinary grounds, superior

staff has a similar responsibility for their subordinates. Sweden has no paramilitary or security forces.

3. Procedures related to different forces personnel

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

Recruitment to the defence sector, which includes both military and civilian branches, is built on a voluntary system for all personnel categories. All military positions, including combat positions, are open to both male and female candidates.

However, following a parliamentary decision the National Service Act can be applicable if necessary in the future. This duty applies to all citizens and permanent residents between the ages of 16 and 70. All Swedish men between the ages of 19 and 47 are under the obligation to serve if called

Sweden has no paramilitary or security forces.

3.2 What kind of exemptions or alternatives to military service does your State have?

All duty in the Swedish Armed Forces is voluntary.

If the law on military service is reinstated by the parliament as above, exceptions are applicable as follows. If a person obliged to serve in the military service can be assumed to have such a serious personal conviction concerning the use of a weapon against a fellow human being, that this conviction is irreconcilable with service in the Armed Forces, that person shall have the right to complete his service duty in an unarmed position. That is one of several alternative positions available within the duty of compulsory national service in the defence sector. A conscientious objector who has been granted the right to serve in an unarmed position cannot be drafted for a position which would oblige the use of a weapon, or be enrolled for service in the Armed Forces, against his own will.

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

The Swedish Armed Forces are subject to the regulations in Swedish law regarding the right to membership in an employee association, and the right to participation in decision-making in the working life. Employment agreements in the Armed Forces are subject to the same civil law regulations as are other civil servant positions. If an Armed Forces employee, volunteer or a person subject to compulsory national service duty in the total defence, has been convicted of a violation under criminal law, or charged with a disciplinary punishment, he or she has the right to appeal. As Sweden has no martial court system, appeals are presented to a civilian court of law.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?

The Government Ordinance (1995:36) requires the Swedish Armed Forces to disseminate the OSCE Code of Conduct, and to ensure that the Armed Forces personnel is instructed on Swedish commitments therein, and their implications. The proficiency level for each personnel category is determined by the Swedish Armed Forces.

The Swedish Armed Forces Internal Regulation (FIB 1997:2) supplements the Government Ordinance and lays down the terms for instruction of international law of all personnel within the Swedish Armed Forces' field of activity. This document reaffirms Sweden's obligation to international rules, conventions and commitments governing armed conflict, included in military training programmes and regulations. It makes reference to the International Law Regulation of the Total Defence (Totalförsvarets folkrättsförordning (1990:12), in which it is stated that all personnel within the Armed Forces' field of activity shall receive satisfactory instruction and information about the rules of war and neutrality, as laid down in international law. Furthermore, this regulation stipulates that it is the responsibility of every military commander to ensure that his subordinates, both military and civilian, receive instruction on their rights and obligations according to the laws of war. Moreover, the regulation stipulates that a special instructor or teacher of international law shall be stationed at every unit and military academy. Instruction shall include theoretical classes and practical exercises within the fields of international humanitarian law under armed conflict, the law of neutrality and the law of occupation. Furthermore, instruction shall be integrated into other exercises and training within other fields of activity. Instruction shall aim at bestowing the personnel with a satisfactory knowledge of the laws of war. Training shall be adapted to the position and responsibility of the individual employee or serviceman.

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

All service personnel, during basic training, are informed about their obligations in respect to national and international law in wartime. The information is part of the manual "Svensk soldat". Sweden is currently developing a new training aid concerning humanitarian law at the operational and tactical levels.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

Sweden is governed by the rule of law. For details, see answers above (1.1, 2.1, 2.3, 3.3).

4.4 What has been done to provide for the individual service member's exercise of his other civil rights and how does your State ensure that the country's armed forces are politically neutral?

See answers above (1.1, 2.1, 2.3, 3.3).

4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?

The respect for international law and human rights is a cornerstone in Swedish politics. Concern for international law and human rights permeates Sweden's actions, both multilaterally in the United Nations, regionally in the EU and other bodies, and bilaterally with individual states.

Section III: Public access and contact information

1. Public access

1.1 How is the public informed about the provisions of the Code of Conduct?

The internet website of the Swedish Ministry for Foreign Affairs has a link to the website of the OSCE politico-military dimension which includes information on all OSCE arms control related activities and relevant documentation.

1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

See above.

1.3 How does your State ensure public access to information related to your State's armed forces?

The principle of public access to official documents is firmly established in the Swedish constitution. This principle dates back to the 18th century and contains the right to access most official documents kept by the public authorities, including the Swedish Armed Forces. The right to access official documents is limited only if it is deemed necessary with regard to certain specified vital interests, e. g. national security, or Sweden's relations to other states or international organisations. Nobody is obliged to justify or to reveal his identity to get access to the document. A citizen that is denied access to an official document can appeal against that decision in an administrative court.

2. Contact information

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.

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Implementation of UNSCR 1325 “Women, Peace and Security” in the Swedish Armed Forces

BACKGROUND

The rationale behind integrating a gender perspective in operations in the Swedish Armed Forces Operations is the commitment to UN Security Council Resolution 1325 (2000) on Women, Peace and Security (UNSCR 1325) (UNSCR 1820/2008, 1888/2009, 1889/2009 and 1960/2010). By implementing a gender perspective, military operations take into account women’s and men’s different needs, security situations, experiences and preconditions, resulting in an increased operational effect.

Since 2004 the Swedish Armed Forces has developed a concept with regards to gender dimensions and UNSCR 1325 related to the international operational work, as well as collecting lessons learned.

The work was from the beginning based on a broad cooperation between the Swedish Armed Forces and stakeholders from other parts of the governmental security sector as well as the civil society, constituting a Comprehensive Approach. One concept developed as a result from this cooperation was the Gender (Field) Advisor function, based on the fact that military commanders are often not themselves trained in integrating Gender dimensions and UNSCR 1325 into operations. The Gender Field Advisor, placed in the Command Group, functions as a support to the commander, as well as the rest of the operational organization in implementing a gender perspective, making sure that the operational work from planning to execution and evaluation reflects and handles the gender dimensions. So far, the Swedish Armed Forces have appointed Gender (Field) Advisors in its Directorate of Operations, in EUFOR RD Congo, EUFOR Tchad/RCA and Afghanistan ISAF PRT MES/RC NORTH, and in 2011 appointed a Gender Advisor to NATO Shape/ACO. A gender perspective has shown to enhance the operational effect for example in EUFOR RD Congo, EUFOR Chad/RCA, and Afghanistan ISAF PRT MES/RC NORTH.

Experience from previous operations shows that implementation of a gender perspective in accordance with the UNSCR 1325, will improved chances to succeed with the stated mission, to bring peace and security to the whole society in our AOR.

Participation

The Swedish Armed Forces has for many years worked to both recruit and retain women in the organisation. One example of an activity regarding retaining women is the network for women, both nationally and in operations. In the last couple of years, there has been up to 12% women among the troops. In 2011, 195 women and 1,945 men participated in international operations for the Swedish Armed Forces, resulting in a 10% representation of women. That is the same level as previous year, and an increase from 2009, when 8,4% of personnel in international operations were women. Unfortunately, women are not that often represented in positions on tactical levels, something which the Swedish Armed Forces try to change due to operational and equal opportunities reasons.

The systematic work related to gender inside the Swedish Armed Forces focuses on women and men working together in the same positions, and the Swedish Armed Forces run the project of MOT (Military Observation Team) 1325 inside the ISAF operation. MOT 1325 is a mixed team consisting of three women and three men solving the exact same tasks as all the other MOTs. This project is now established in the ISAF structure and the Swedish Armed Forces work with Mixed Engagement Teams (MET) in order to increase female engagement locally.

The Swedish Armed Forces has chosen not to work with teams consisting of only women, so-called “Female Engagement Teams”, for the same reasons that all male teams are avoided. Both all-male and all-female teams are considered to, in specific situations, have its limitations. Commanding Officers should at all times be given the most optimal tool to conduct operations, and with both women and men on the teams, the CO have the opportunity to be as flexible as possible without creating special solutions.

The Swedish Armed Forces do not have a specific target number of women even though efforts are continuous in trying to increase the number of women recruited into the armed forces.

The system of Gender Advisors, Gender Field Advisors and Gender Focal Points is developed and used by the Swedish Armed Forces. Depending on the mandate and size of the operation it is decided in every specific Joint Operational Planning Group and Operational Planning Process on how to design the gender function.

It is stated that all operations should bring the capacity and capability to work with gender integrated in the operational and tactical planning, execution and evaluation.

The function of gender in the Swedish Armed Forces is about to ensure that gender is a part of the “daily work” of all functions in the operation, with the Gender Field Advisor enabling other functions to take on such tasks, for example collaborate or cooperate with local female stakeholders and/or women’s organisations. The Gender Field Advisor also assigns Gender Focal Points in each unit in the field. The Gender Focal Points are soldiers or officers dedicating a certain part of their work to support the Gender Field Advisor in ensuring integration of a gender perspective in the operation. Some of their duties include conducting training on gender and resolution 1325 for the troops, and providing the Gender Field Advisor on reports on the issues.

The Swedish Armed Forces have a pool of Gender (Field) Advisors. The rationale behind building this pool is to meet the actual demand of capacity. The pool consists of men and women, military officers and civil servants with different backgrounds. They must qualify through training courses, exercises and specific tests (made by recruitment experts/Psychologists).

So far the Swedish Armed Forces deployed 13 Gender (Field) Advisors to different Operations run by mainly EU and NATO. The Gender function is also trained during the National and International Staff Exercises.

Protection

As mentioned earlier, part of the Swedish Armed Forces concept of a gender perspective is to integrate women’s and men’s different experiences, needs and situations, into the Operational Planning Process from Military Strategic Doctrine, Concept of Operations, to Operational Plans; Operational Orders and Tactical Technical Procedure. For example, the security situation and risks might be different between a group of women and a group

of men in a specific area and this should be analysed, planned and handled by the operation.

Prevention

The Swedish legislation on gender equality and sexual discrimination is strong and since 1998 there have been a national demand to take active measures to prevent and handle all forms of Sexual Harassment/discrimination. Among other requirements, each workplace has to have their own action plan for both prevention as well as handling sexual harassment and gender based discrimination. Sexual and gender based violence (both physical and verbal) is prohibited by Swedish national law.

The Swedish Armed Forces have made several surveys and research on sexual harassment inside the Swedish Armed Forces and actively work to prevent the occurrence of all forms of harassment and discrimination. Since 2010, surveys and research on this matter has an intersectional perspective and measure all grounds of discrimination.

When it comes to implementation of UNSCR 1820 on sexual violence against civilians in conflict, this is integrated in the conduct of operations in the same way as UNSCR 1325, by training and education of troops and commanders before deployment, by cooperation with local stakeholders as well as women's organisations, and that the troops at all times are ordered at a minimum to report on this issue in the chain of command.

The Swedish Armed Forces has a Code of Conduct (including a paragraph on SEA) and all soldiers and officers going to operation should sign the Code of Conduct to ensure that the message and intention is understood. The Code of Conduct is strictly followed up and every breach is handled in the chain of command, and individuals breaching the regulations will be forced to disrupt their service and sent home. The Code of Conduct is currently being revised and the new version will be implemented during 2012.

Cooperation and Lessons Learned

The Swedish Armed Forces have together with other Swedish Agencies and NGOs been active in developing the Swedish Government's National Action Plan for UNSCR 1325.

The Swedish Armed Forces intention is to positively support other nations defence organisations to develop their own work with gender and UNSCR 1325.

Therefore the strategy is to disseminate information, Lessons Learned and as well Best Practices. One of the main developments in this area is the newly established Nordic Centre for Gender in Military Operations, described below.

Many previous and current Gender (Field) Advisors share their LL in different forums, for example through seminars and reports.

During 2011, the Swedish Armed Forces has requested an evaluation study to be performed by Uppsala University in collaboration with Stockholm Policy Group. The study is based on extensive research and interviews with Gender Field Advisors and other stakeholders inside and outside the Armed Forces and will map the development of the concept and methods of working with gender issues in the Swedish Armed Forces as well as give recommendations for future work. The study will be published in 2012.

The Nordic Cooperation NORDEF

The Nordic countries' (FI, NO and SE) NORDEF collaboration on Gender is based on a need for both capability and capacity building in all three countries defence organizations regarding Gender an UNSCRs 1325 and 1820. The collaboration will both increase the quality of the work and contribute to a more cost effective result.

The NORDEF Gender Work involves two initiatives. The first is; implementation of UNSCR 1325 on tactical level i.e. MOT (Military Observation Team) 1325, The second initiative is a Nordic Centre of Gender in Military Operations (NCGM), operational on 2012-01-01.

This centre is to assist in developing concepts and mandates for gender sensitive operations, facilitate/ conduct training and education of key personnel, compile lessons learned and carry out evaluations of gender sensitive operations. Furthermore, it is meant as a watchdog for 1325 in the respective defence forces.¹

The NCGM will have nine full-time positions, of which four are earmarked for the Swedish Armed Forces, with the hope that the other countries will contribute to the other positions.

The project's planning horizon (2012-2018) is defined according to the time frame of regular planning structures. This should be followed by an evaluation and assessment of further approach.

The desired End State is a Nordic Centre of Gender in Military Operations that offers relevant support to the operational branches inside the participating countries like training, education, pool of SME, material to staff exercises, support of development of concepts and doctrines, compile Lessons Learned and updated information on gender relations and cultural context when it comes to different areas of operations.

Vision

- Gender fully integrated in military operations.
- The NORDEF Platform of Gender in Operations contributes with relevant competence to the operational branches inside the participating countries like training, education, pool of SME, material to staff exercises, updated information on gender relations and cultural context when it comes to different AOs.

Aim

- Full implementation of gender perspectives (in line with UNSCR 1325 and 1820) into operations in planning, execution and evaluation.

Purpose

Gender capacity building in support of the operations:

- To meet the commitments regarding UN Security Council Resolution 1325
- To increase cost efficiency

¹ NORDSUP progress report, June 16, 2008, p. 22

- To increase operational effect and interoperability
- To increase competence and the capability about gender perspectives in operations

Other nations' defence organizations will be able to take part of training and education, and there are possibilities to create internships to other participants to support the strengthening of capabilities in other nations defence organizations.

Education and training

Exercises

One efficient tool of transforming the military organisation into a more gender aware security instrument is to show by practice, first in operations but also in international Staff Exercises. Exercising the Gender Advisors is a way of showing the staff process were Gender and 1325/1820 belongs in the ordinary military daily work. During VIKING 08, Combined Joint Staff exercise 08, 09, 10 and 11, and Illuminated Summer 10 the Gender Advisor function has been exercised. This is considered as a very efficient way of training. During VIKING 2011 approximately 10 individuals were exercised. The Swedish Armed Forces continue with increasing the opportunities to exercise Gender Field Advisors in various exercises.

Pre-mission training at the Swedish Armed Forces International Training Unit

During the pre-mission training for all personnel there is a mandatory (3-4hrs) training consisting of both tactical and operational implementations of a Gender perspective and UNSCR 1325/1820. Gender is also integrated into other types of training sessions as i.e. patrolling, liaison, PSYOPS etc.

The Gender Field Advisor (GFA)course (as of 2012-01-01 part of the NCGM), was NATO-accredited during 2011. Gender Field Advisor specialist pre-deployment training includes, apart from the GFA course, liaison and staff exercise training. The Gender Field Advisor is also training his/her assigned Gender Focal Points in the units.

Training platform

SWEDINT conducts individual training and education for military, police and civilian staff personnel in Peace Support Operations led by UN, NATO, EU or other regional organisations. The focus is to be as integrated as possible in order to give the participants a feeling of the real state of the case in Peace Support Operations.

During 2010 SWEDINT will provide new and additional courses, some in close cooperation with NATO-school (NATO Operational Headquarters' Staff Officer Course) and some in support to ACT i.e. NATO Lessons Learned Course.

SWEDINT's close cooperation with the Swedish Police and Civil organisations gives a unique opportunity to offer integrated training and education including military functions, police activities, GOs and NGOs. Staff officers, junior officers, staff units, police personnel, Red Cross delegates, Election Supervisors, Relief Workers and other participants from more than 120 countries, have so far been provided with basic and/or directly mission related training and education.

The Integrated Concept (UN, NATO) together with the additional Staff Officers Courses at SWEDINT constitute a sufficient platform to implement and integrate the Gender perspective on different levels due to education and training in a multinational environment.

The NCGM is physically placed at SWEDINT in order to provide support and expertise in the area of Gender and integration of Resolution 1325.