



Vienna, 7 May 2018

The Permanent Delegation of Sweden to the Organization for Security and Co-operation in Europe (OSCE) presents its compliments to all OSCE Missions and Delegations and to the Conflict Prevention Centre and has the honour to convey the Kingdom of Sweden's completed response to the questionnaire on the Code of Conduct on Politico-Military Aspects of Security for 2018.

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

TO ALL OSCE MISSIONS AND DELEGATIONS  
TO THE CONFLICT PREVENTION CENTRE

VIENNA



## 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).
- 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)
- 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)
- Directive (EU) 2017/541 of the European Parliament and of the Council on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (15.03.2017)

- 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 the EU, the UN, OSCE, the Council of Europe, the Euro Atlantic Partnership for peace Council, Partnership for Peace 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 criminal legislation includes three Acts on criminal responsibility for terrorist offences and terrorism-related offences:

The Act on Criminal Responsibility for Terrorist Offences (2003:148) implements the EU Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism and contains

provisions on the acts that can constitute terrorist offences and the sanctions to be applied to those convicted of such offences.

The Act on Criminal Responsibility for Public Provocation, Recruitment and Training concerning Terrorist Offences and other Particularly Serious Crime (2010:299) contains provisions for the implementation of the Council of Europe Convention on the Prevention of Terrorism, the EU Framework Decision 2008/919/JHA of 28 November 2008 amending Framework Decision 2002/475/JHA on combating terrorism and paragraph 6 of the United Nations Security Council Resolution 2178 (2014).

The Act on Criminal Responsibility for the Financing of Particularly Serious Crime in Some Cases (2002:444) contains provisions for the implementation of the UN International Convention for the Suppression of the Financing of Terrorism and paragraph 6 of the United Nations Security Council Resolution 2178 (2014).

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 and a new framework agreement of 2015 the National Police Commissioner, head of the Department of National Operations (NOA), head of the Swedish Security Service (SÄPO) may request support from the Swedish Armed Forces, which 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 but the Police have the overall authority and command of the mission. Personnel fulfilling their basic training or conducting refresher training should not be used for these kinds 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 August 2015, 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.

Sweden has adopted new, enhanced legislation to counteract money laundering and terrorism financing through administrative measures, primarily through the Act (2017:630) on Measures against Money Laundering and Terrorist Financing. The new legislation, which entered into force 1 August 2017, implements Directive (EU) 2015/849 and complements Regulation (EU) 2015/847.

In order to enable Sweden to fully meet the penal law requirements under UN Security Council Resolution 2178 (2014) amendments to the Recruitment Act (2010:299) and the Financing Act (2002:444) entered into force in April 2016.

The amendments contain new penal provisions that cover individuals who

- receive training with the intention of using it for terrorist offences or other ‘particularly serious crime’,
- travel abroad with the intention of committing or preparing terrorist offences or other ‘particularly serious crime’,
- travel abroad with the intention of providing or receiving training for terrorist offences or other ‘particularly serious crime’, and
- finance such terrorist travels.

In March 2018 the Government submitted a bill to the Parliament containing proposals to ratify the Additional Protocol to the Convention on the Prevention of Terrorism and to transpose the EU Directive on combatting terrorism and the Convention. Numerous legislative amendments are proposed, including extensions of the terrorist offence and the provisions on receiving training, travel and terrorism financing. The legislation is proposed to enter into force on 1 September 2018.

Furthermore, in December 2017 the Government submitted a bill to the Parliament containing proposals on:

- extension of the criminal liability on hijacking to include hijacking by any technological means, and

- that Sweden accede to both the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (the Beijing Convention) and the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (the Beijing Protocol).

The Parliament has adopted the proposed law and the legislation will enter into force on 1 May 2018.

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 almost 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)

Sweden is not yet a Party to the following instruments (please see above):



- 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)

## **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 the Swedish armed forces participate in international operations and 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 operations and 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 operations 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 during military cooperation within NATO and PfP.

## **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 is party to, or has 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
- Convention on Cluster Munitions
- Arms Trade Treaty (ATT)
- Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies

Sweden fully implements and endeavours to strengthen all those treaties, as well as UN Security Council Resolution 1540, where Sweden currently serves as vice-Chair for the 1540 Committee. Sweden also participates actively in other international instruments and initiatives in the field of disarmament and non-proliferation, such as the Global Partnership against the Spread of Weapons and Materials of Mass Destruction, the Hague Code of Conduct against Ballistic Missile Proliferation, the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all its aspects, the Global Initiative to Combat Nuclear Terrorism (GICNT), and the Proliferation Security Initiative (PSI). Sweden takes active part in the work 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 of the Treaty; disarmament, non-proliferation, 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 Inspectorate of Strategic Products is charged with national implementation of the export control regulations and the Chemical Weapons Convention.

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 framework of different arms control, disarmament, 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 arms control activities during the upcoming year. In addition to the governmental decision there are recurrent meetings between representatives from the Ministry for Foreign Affairs, Ministry of Defence and the Swedish Armed Forces.

The Swedish Armed Forces takes 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**

Together with Finland, Sweden has taken an initiative to further arms control and confidence- and security-building measures in the Baltic Sea 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.

In 2008 Sweden initiated a bilateral exchange with Germany concerning additional evaluation visits to military units not notified within the *Annual Exchange of Military Information*.

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 OS inspections and actively further the activities within the treaty through bilateral co-operation. The Swedish Armed Forces are also able to supply the services of the OS-100 to other State Parties to the OS.

The Swedish Armed Forces strive for a comprehensive view of arms control, combining different areas of interest to gain a broader view on how to develop and/or further current areas of co-operation.

## 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 Police Department of National Operations (NOA) 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 pre-requisites for the Swedish Armed Forces.

The governmental control of the Swedish Armed Forces is executed directly through governmental decisions, and through the Government's authority to appoint officers to leading positions within the Armed Forces. 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 formal decisions-making. 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 small number of military officers serve at the Ministry. The Swedish Armed Forces constitute a 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 (civilian) 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?**

The Parliament and the Government are responsible for taking other states' security concerns into consideration, as they are also responsible for tasking and controlling the Swedish Armed Forces. The Swedish Armed Forces does not make neither security policy decisions, nor defence policy decisions. The Parliament and the Government decide if, how, when and where the Swedish Armed Forces will 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, and through the Government's authority to appoint officers to leading positions within the Armed Forces. 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, the latter 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 general rule is applicable also to the Swedish Armed Forces. The constitution, laws, 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 armed military forces abroad is subject to approval by the Parliament. 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 misdemeanours are subject to internal 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?**

Compulsory military service was replaced by a voluntary personnel system in July 2010 and a new force structure, consisting of both standing and reserve units was created. The manning system was adapted to fulfil personnel requirements of both standing and reserve units. The all-volunteer system did however not achieve its goal of manning the military units. On March 2 2017 the Swedish government decided to reactivate enrolment from July 1 2017 and the conscription from January 1 2018.

As of 2018 general conscription has been reinstated and basic military training is mandatory for those selected. Conscription applies to both men and women. The basic military training is currently up to eleven months long. After the training the conscripts will be assigned posts in the military units. There is also an option to seek employment in the Armed Forces as a squad leader, soldier, sailor, or to undergo NCO or officers training for those who has the right competence and skills. There is also an option to be part of the homeguard.

Sweden has no paramilitary or security forces.

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

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/her 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 entail the use of a weapon, or be enrolled for service in the Armed Forces, against his/her 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 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 (1995:336) requires the Swedish Armed Forces to disseminate the OSCE Code of Conduct, and to ensure that the Armed Forces personnel are 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) 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, 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, and 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, and 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 or her identity to get

access to the document. A person who 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.**

Department for European Security Policy  
Ministry for Foreign Affairs  
103 39 Stockholm  
Sweden



## **Implementing UNSCR 1325 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 United Nations Security Council resolution 1325 on women, peace and security (UNSCR 1325/2000) and the seven other resolutions (UNSCR 1820/2008, 1888/2009, 1889/2009, 1960/2010, 2106/2013, 2122/2013 and 2242/2015) that together make up the Women, Peace and Security agenda. Integrating a gender perspective will help the Swedish Armed Forces build a credible and capable organisation. Taking women's and men's different needs, security situations, experiences and preconditions into account in military operations will contribute additional capability and likely also lead to increased operational effectiveness and the strengthening of women's human rights. In implementing UNSCR 1325, the Swedish Armed Forces also commits to increasing the number of women in the organisation.

The Swedish Armed Forces started its work related to UNSCR 1325 in 2004. At that time, efforts were mainly related to international operations. From the outset, this work was based on broad cooperation between the Swedish Armed Forces and stakeholders from other parts of the government security sector and civil society in a comprehensive approach. Since 2006, Sweden has had a national action plan (NAP) for the implementation of UNSCR 1325 on women, peace and security that provides guidelines and sets out goals for the different government agencies dealing with crisis management and conflict resolution. In the same way as its predecessors, the new *National Action Plan for the Implementation of the UN Security Council Resolutions on Women, Peace and Security 2016–2020* identifies the Swedish Armed Forces as a key actor, together with other government agencies. The NAP has four thematic priorities: inclusive peace processes and peacebuilding; conflict prevention; strengthening protection of women and girls; and leadership and expertise. These priorities match the basic principles of UNSCR 1325, but also add to and emphasise the importance of reinforcing the gender perspective and gender expertise in the work for peace and security.

The Swedish Armed Forces has adopted a framework for integrating a gender perspective. It states that gender equality is the ultimate objective of implementing UNSCR 1325 and gender mainstreaming efforts. This objective applies to all Armed Forces activities, and all personnel are responsible for contributing to it. Based on legislation, recruitment needs and operational requirements, the Armed Forces command has identified three fundamental perspectives: the rights perspective, the personnel provision perspective and the operative capability perspective.

### *The rights perspective*

The rights perspective is based on human rights and Sweden's gender equality policy objectives. Its foundation is the right of every individual to have the power to influence and shape society and their own lives. This perspective entails guaranteeing human rights for the entire civilian population in the planning and implementation of operations.

### *The personnel provision perspective*

The personnel provision perspective serves the rebuilding of Armed Forces capabilities. It implies broadening the recruitment base to include more women, and efforts to become a more attractive employer. It also involves creating the conditions for women and men to work

and develop in all areas and levels of the organisation's core activities. The goal is to be a credible actor – nationally and internationally – with a strong brand.

### *The operative capability perspective*

The operative capability perspective refers to the ability of the Armed Forces to recruit the most competent individuals to develop and strengthen the organisation. In this context, capability refers to the capacity that people have, forming the basis of their capability to perform, carry out activities and apply their knowledge and experience. An individual's capability can be influenced and shaped, supported by processes, methods, guidelines and attitudes.

### ***Participation***

The Swedish Armed Forces has worked for many years both to recruit and retain women. One example of an effort to retain women, both nationally and in operations, is the network for women. In recent years, the proportion of women members in Armed Forces operations has been around 10 per cent. In 2013, 119 women and 1 163 men, or 10.2 per cent women, participated in international operations for the Swedish Armed Forces. Unfortunately, women are not represented in operational positions very often, which the Swedish Armed Forces is trying to change to fulfil operational requirements and provide equal opportunities.

In 2014, the Swedish Government allocated funding for a project employing three full-time staff members to integrate gender equality in the Armed Forces, which was one of 18 government agencies to receive such funding. This project was very successful, as it led to increased gender mainstreaming in the Armed Forces, with a focus on three areas in particular: education, equipment and policies.

### ***Protection***

As mentioned above, part of the Swedish Armed Forces' concept of a gender perspective includes integrating women's and men's different experiences, varied needs and potential vulnerabilities into the Operational Planning Process, from Military Strategic Doctrine and Concept of Operations to Operational Plans, Operational Orders and Tactical Technical Procedure. For example, the security situation and risks may be different for a group of women and a group of men in a specific area, and this should be analysed, planned for and dealt with by the operation. The majority of the Swedish Armed Forces' steering documents now have gender integrated into their texts. This includes the Military Strategic Doctrine, the Operational Doctrine, the Annual Activity Plan, and the operational planning guide, as well as orders.

### ***Prevention***

Sweden has strong legislation on gender equality and sexual discrimination, and since 1998 there has been a national requirement to take active measures to prevent and combat all forms of sexual harassment or discrimination. For example, each workplace must have its own action plan to both prevent and combat 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 has conducted several surveys and researched sexual harassment in its organisation and is actively working to prevent the occurrence of all forms of harassment and discrimination. Since 2010, surveys and research on this matter have included an intersectional perspective and measure all grounds of discrimination.

The implementation of UNSCR 1820 on sexual violence against civilians in conflict is integrated in the conduct of operations in the same way as UNSCR 1325 is, by the training and education of troops and commanders before deployment, by cooperating with local stakeholders and women's organisations, and by requiring troops to always report this issue in the chain of command.

The Swedish Armed Forces has had a revised Code of Conduct since 2015 that aims to permeate all activities and interactions within the organisation. The Code is to be viewed as guidance document in every aspect of the Armed Forces' work and is not limited to expeditionary missions alone.

### ***Cooperation and lessons learned***

The Swedish Armed Forces is eager to share information and best practices concerning gender and the implementation of UNSCR 1325. This includes cooperation between government agencies in a forum for sharing information on women, peace and security that the Armed Forces takes part in.

The Nordic Centre for Gender in Military Operations (described below) is one of the main actors in the Swedish Armed Forces in the area of information sharing and knowledge exchange, and education and training.

### ***The Nordic Centre for Gender in Military Operations***

The Nordic Centre for Gender in Military Operations (NCGM), hosted by Sweden, is part of the Nordic Defence Cooperation (NORDEF) framework and has status at Department Head for gender within NATO.

NCGM's primary aim is to train, educate and coordinate on all issues related to gender in military operations, and support and provide subject matter experts to staff exercises and Joint Actions on behalf of the Centre's participants.<sup>1</sup>

NCGM offers support to operational branches, in both multilateral organisations (such as NATO, the EU and the UN) and various national military organisations through training and education, by providing a pool of subject matter experts, material to staff exercises and support in developing concepts and doctrines, and by compiling lessons learned and updated information on gender relations and cultural context when it comes to different areas of operations.

Other nations' defence organisations can take part in NCGM's training and education courses, and it is possible to create partnerships to support the strengthening of capabilities in other nations' defence organisations. Some NCGM courses include the Gender Adviser course, the Gender Training of the Trainers course, and the Key Leader Seminar, which targets flag officers, and the Commanding Officer Seminar on Gender.

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<sup>1</sup> Technical Arrangement between the Swedish Armed Forces, the Finnish Defence Forces, the Norwegian Defence Forces, the Danish Defence Forces on the Nordic Centre for Gender in Military Operations, 2014.

## *Education and training*

### *Handbook Gender*

Handbook Gender is a part of the long-term work of the Swedish Armed Forces to increase gender equality and the integration of a gender perspective in all its work, both in production and in operations and missions. This is a high priority, aimed at broadening the recruitment base and increasing the quality of all Swedish Armed Forces activities, both in peace and in armed conflict. Essentially, it is a matter of the equal rights of men and women, and the obligations and opportunities involved in participating in the defence of Sweden. The Swedish Armed Forces views Handbook Gender as a tool for strengthening the appeal of the organisation and attracting the best talent, since the organisation upholds, in both word and conduct, respect for the equal status of all individuals, and protects the equality of men and women within the organisation and in its missions and operations. Handbook Gender will be published in English in 2018.

### *Exercises*

One effective tool for transforming a military organisation into a more gender-aware security instrument is to demonstrate in practice, first in operations but also in international staff exercises, how a gender perspective can contribute to a military operation. The participation of Gender Advisers in exercises demonstrates to personnel how and where gender and UNSCR 1325/1820 can be used in operational objectives and contribute to operational effectiveness. During Combined Joint Staff Exercises and VIKING exercises, the Gender Adviser function is exercised at both operational and tactical level, as is the Gender Focal Point (GFP) system. The Gender Adviser to the Chief of Joint Operations always takes part in all national (Swedish) operational Combined Joint exercises, together with the GFP in all branches and departments, tactical and regional command, and takes part in planning in preparation for these exercises in close cooperation with GFPs.

### *Pre-deployment training at the Swedish Armed Forces International Training Unit*

Pre-deployment training of all personnel includes a mandatory (3–4hr) module consisting of both tactical and operational implementation of the gender perspective and UNSCR 1325/1820, etc. The gender perspective is also integrated into other types of training sessions, such as patrolling, liaison, PSYOPS, etc.

### *Training platform*

The Swedish Armed Forces International Centre (SWEDINT) and NCGM conduct individual training and education courses for military, the police and civilian staff in Peace Support Operations led by the UN, NATO, the EU and other regional organisations. The focus is to be as gender-integrated as possible to give the participants a feeling of the real state of the situation in Peace Support Operations.

SWEDINT's and NCGM's close cooperation with the Swedish Police Authority and civil organisations provides a unique opportunity to offer integrated training and education in 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 received basic and/or directly mission-related training and education to date.

The Integrated Concept (UN, NATO), together with additional Staff Officer courses at SWEDINT and NCGM, constitutes a platform to implement and integrate the gender perspective at different levels based on education and training in a multinational environment.

*Cooperation with other government agencies dealing with crisis management and conflict resolution*

The Swedish Armed Forces cooperates with the Civil Contingencies Agency, the Folke Bernadotte Academy and the Swedish Police Authority. This cooperation involves a network of subject matter experts and aims to share best practices when it comes to implementing UNSCR 1325 and the gender perspective in both national and international operations. This cooperation is increasing with regards to the Swedish total defence concept (a whole-of-government approach to crises and conflict situations). A gender perspective is to be integrated into this work.

***Leadership and expertise***

*Gender Coach Programme*

In 2015, the Swedish Armed Forces started its third Gender Coach Programme, aimed at Armed Forces senior leadership. The programme was run in conjunction with senior leadership from the Swedish Police Authority and the Swedish Defence University. In 2018–2020 the Gender Coach Programme will employ a full-time course director, but only with adepts from the senior leadership of the Swedish Armed Forces. The programme has been a very successful example of gender mainstreaming and has resulted in concrete knowledge and a strong motivation within senior leadership to really effect change to achieve gender mainstreaming in the organisation. The systematic gender efforts in the Swedish Armed Forces focus on women and men working together and fulfilling the same requirements.

*Gender advisers*

Since 2017, Swedish Armed Forces headquarters employs three full-time gender advisers, supporting commanders and staff at strategic level, joint forces command and training and development. Sweden has also appointed gender advisers to international operations in Kosovo, Afghanistan and Mali. The latter appointment ends in May 2018.

*Gender Focal Points*

Since 2015, the Swedish Armed Forces has a well-developed system of Gender Focal Points (GFP). These GFP are found in regiments and units all over Sweden, and in the joint forces command. Since 2018, GFPs are also at regional commands. A GFP or a gender field adviser (GFA) must also be appointed to Swedish troop contributions to international operations, depending on the size of the contribution.