

Information from Sweden on the Status of the Protocols Additional to the Geneva Conventions of 1949 relating to the protection of victims of armed conflict, pursuant to General Assembly resolution 73/204 of 20 December 2018

In accordance with General Assembly resolution 73/204 of 20 December 2018 and relating to the protection of victims of armed conflict, pursuant to General Assembly resolution 73/204 of 20 December 2018, Sweden reports on the implementation of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflict, pursuant to General Assembly resolution 73/204 of 20 December 2018.

1. Sweden has been a party to the first and second Protocol Additional to the Geneva Conventions since 1979, and has reported continuously on the implementation and development of international humanitarian law (IHL) to the UN Secretary General in accordance with the above-mentioned resolution since 1994, in the latest report from 2016. The following information supplements previous reports.

2. Strengthening compliance with IHL is a core priority for Sweden. In the national implementation of IHL is an important part of the overall compliance effort. Sweden works to promote cooperation between national and international actors to initiate national prosecution for violations of IHL when possible. Sweden co-hosted a joint ministerial and expert meeting for this purpose in Brussels in April 2018.

3. Sweden has since 2008 had permanent entities within its judicial authorities investigating and prosecuting crimes against the Geneva Conventions. In Sweden exercises universal jurisdiction for international crimes in order to end impunity and uphold accountability for said crimes. Through cases on national level, Sweden has taken part in establishing new jurisprudence relating in the field of IHL. In investigations at national level, victims of armed conflicts are entitled legal counsel financed by public means. In order to safeguard their rights in judicial proceedings, additional measures are taken in relation to victims of sexual and gender-based crimes in armed conflict. Moreover, Swedish judicial authorities regularly undergo training in IHL. Sweden is an active member of meetings regularly held by the Eurojust Network for investigation and prosecution of genocide, crimes against humanity and war crimes. Since 2015, Swedish judicial authorities have specially appointed investigators and prosecutors for investigating and prosecuting sexual and gender-based war crimes committed by

4. The Swedish criminal and terrorism legislation was introduced for the main purpose of implementing various international obligations within the framework of the UN, the Financial Action Task Force (FATF), the Council of Europe and the European Union (EU). This legislation does not directly implement IHL such as the Additional Protocols to the Geneva Conventions of 1949. That

went into force with respect to Sweden on 10 February 2018. In line with this ratification, the Swedish Act on criminal responsibility for genocide, crimes against humanity and war crimes (2014:406) is subject to a minor amendment related to property in order for it to align with the obligations under the Second Protocol to the Hague Convention.

7. Sweden strongly supports the universalization of the Arms Trade Treaty (ATT). Sweden contributes with funds to UNSCAR, Control Arms and the ATT Voluntary Trust Fund in their work to promote and assist in the implementation of the ATT. Sweden strongly supports the EU in its programs to ensure ATT implementation.

8. Sweden is a state party to both the Convention on Cluster Munitions and the Personnel Mine Ban Convention and fulfil our obligations. Sweden has also provided support to several initiatives from various organizations on mine action programs, including policy, information campaigns and clearance assistance.

9. Sweden strongly supports the coherence and effectiveness of EU action in the field. Based on a Swedish initiative, the EU Guidelines on humanitarian law serve as an important tool to promote compliance with IHL for purposes of, among other things, limiting the impact of armed conflict on civilians. Sweden welcomes the implementation report on the EU Guidelines, which was presented in June 2019. The implementation of the EU Guidelines will be monitored by the Political and Security Committee (PSC) and the Council Working Group on Public International Law (COJUR).

10. In June 2016, Sweden was elected as a permanent member of the UN Security Council for the first time. Sweden has contributed to efforts to strengthen IHL and accountability for violations of IHL in the Council. Sweden's main priorities concerning IHL during its time as a member of the Security Council are: humanitarian access, the protection of medical personnel, and integrating a gender perspective on IHL.

11. Sweden participated actively in the 33rd International Conference of the Red Cross and Red Crescent in 2019 and welcomed the adoption of the resolutions of the conference. Six resolutions were adopted, including one on the protection of civilians. Sweden has been instrumental in the development of a number of IHL resolutions. Sweden is strengthening compliance with international humanitarian law through its promotion, dissemination and protection of humanitarian and medical personnel.

