

## SWEDEN

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RULES/GENERAL LAWS	
<b>General</b>	<p><a href="http://www.government.se/government-policy/judicial-system/the-swedish-penal-code/">http://www.government.se/government-policy/judicial-system/the-swedish-penal-code/</a></p> <p><a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-19941811-om-disciplinansvar-inom_sfs-1994-1811;">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-19941811-om-disciplinansvar-inom_sfs-1994-1811:</a></p> <p><a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/forordning-1995241-om-disciplinansvar-inom_sfs-1995-241">https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/forordning-1995241-om-disciplinansvar-inom_sfs-1995-241</a></p> <p><a href="http://www.forsvarsmakten.se/siteassets/4-om-myndigheten/vart-uppdrag/fmsi-2015-underbilaga-1.1-vardegrund-och-uppforandekod.pdf">http://www.forsvarsmakten.se/siteassets/4-om-myndigheten/vart-uppdrag/fmsi-2015-underbilaga-1.1-vardegrund-och-uppforandekod.pdf</a></p> <p>The relevant laws concerning criminal and disciplinary measures against personnel in the Swedish Armed Forces are:</p> <ol style="list-style-type: none"> <li><b>The Swedish Penal Code</b></li> <li><b>The Law and Ordinance on disciplinary responsibility within the total defence (Swedish - lagen (1994:1811) om disciplinansvar inom totalförsvaret, m.m. och förordningen (1995:241) om disciplinansvar inom totalförsvaret, m.m.)</b></li> </ol> <p>The basic rule is that all Swedish Armed Forces personnel are on duty during their deployment. The rules and regulations (penal code and disciplinary law) are at all time applicable to the personnel during their deployment.</p> <p>Before Swedish Armed Forces (SwAF) are deployed to a mission area the soldiers and officers receive different training and education. One of the training objects is gender training and focus on different UN documents.</p>
<b>SEA: military offence?</b>	<p><a href="http://www.government.se/government-policy/judicial-system/the-swedish-penal-code/">http://www.government.se/government-policy/judicial-system/the-swedish-penal-code/</a></p> <p>There are no specific military offences, which means that the general provisions on sexual crimes in the Penal Code will be applicable.</p>
<b>Powers of the Commanding Officer (CO)</b>	<p>The Commanding Officer has the mandate to promulgate different rules, regulations and policies in the mission area and at the camp as long as they are in accordance with Swedish law.</p> <p>The CO has disciplinary powers. The disciplinary actions include warning and salary deduction. The CO has military police, a Military Legal Advisor and a Judge Advocate to support him/her in disciplinary matters and investigations.</p>
INVESTIGATION	
<b>Who can investigate?</b>	<p>If a crime is suspected the military legal advisor or the military police get in contact with the Swedish international prosecution chamber in Stockholm. The prosecutor then takes the decision if a criminal investigation shall be made by the military police or the civilian police.</p>
<b>National Investigations Officer (NIO)</b>	<p>The prosecutor will decide whether he or she and the civilian police shall go to the area of deployment to investigate the suspected crime or if the investigation can be done by the military police in the mission area.</p>
PROSECUTION	
<b>Referral</b>	<p>Once the investigation is completed the prosecutor decides whether or not to institute a prosecution. A prosecutor who wants to institute a prosecution shall file with the district court a written application for a summons against the person to be charged. If the prosecutor decides not to institute a prosecution he or she shall notify the suspect and the victim. If a public authority tasked with handling disciplinary cases according to the law and ordinance on disciplinary responsibility within the total defence, has submitted a notification for legal action, a notification of the decision not to institute a prosecution shall also be sent to that public authority.</p>
<b>Who can charge?</b>	<p>The prosecutor (a civilian authority) decides whether or not to institute criminal charges.</p>
JUSTICE	
<b>Military justice</b>	<p>Sweden does not have a military justice system.</p>
<b>Deployable Court Martial?</b>	<p>No.</p>

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