

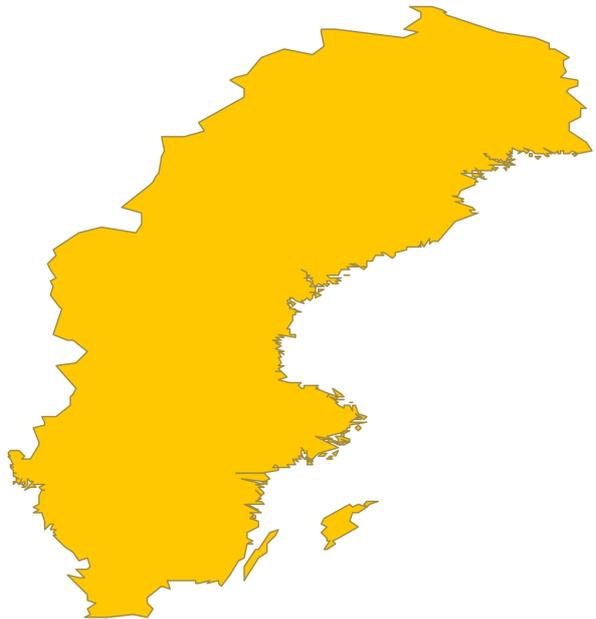
Sweden

Issues

- Sweden does not recognise the right to conscientious objection for professional soldiers.

Military recruitment

Swedish defence policy is based on the concept of total defence, which means that all inhabitants are obliged to participate in national defence in case of emergency or war. Total defence consists of military service, civil defence service and general service. Conscription only takes place into military service and civil defence service. General service does not involve any form of training, but means that one may be called up for service in time of war or emergency.



Conscription

Conscription in Sweden will be suspended on 1 July 2010. Mandatory enlistment will continue until June 2010, and those still serving on 1 July will have the choice to continue their service on a voluntary basis. From 1 January 2011 on, the present system of basic military training will be replaced with three month voluntary military training, after which a longer training with the aim of a long-term contract will be possible¹.

According to the 1994 Swedish Act on Defence (*Lag om totalförsvarsplikt*)², all Swedish citizens (both men and women) and all foreigners living in Sweden are liable for general service between the ages of 16 and 70. General service does not involve any form of training, and is an obligation which may only be imposed during "*periods of intensified preparedness*".

Presently, before the suspension of conscription, all men between the ages of 18 and 47 are liable for military service (Article 5 Swedish Act on Defence). Conscription for military service, however, applies essentially only to men between the ages of 18 and 24 and it is also open to women on a voluntary basis³.

Most conscripts undergo military service of 2 periods totalling around 11 months. The conscript may then apply to undergo a third period of training concentrating on international missions.

The conscripts who are accepted for the third period are employed on the basis of a contract with a salary instead of a daily conscription allowance. The employee under contract is on standby, together with the unit, for possible interventions or for carrying out a foreign mission⁴.

1 Military conscription phase out under fire, The Local, 16 August 2009, <http://www.thelocal.se/21494/20090816/>, accessed 22 September 2009

2 Lag (1994:1809) om totalförsvarsplikt (Swedish), <http://tinyurl.com/6bsjvh>, accessed 28 April 2008 (English translation: http://www.pliktverket.se/upload/375/pliktlagen_eng.doc, accessed 28 April 2008)

3 Swedish Armed Forces: The Swedish military service system, <http://www2.mil.se/en/About-the-Armed-Forces/Organisation/The-Swedish-military-service-system/>, accessed 28 April 2008

4 Swedish Armed Forces: The Swedish military service system, <http://www2.mil.se/en/About-the-Armed-Forces/Organisation/The-Swedish-military-service-system/>, accessed 28 April 2008

In the current system, 8 000 people out of an annual cohort of 120,000 Swedish citizens are called in to carry out military service⁵.

With the suspension of conscription on 2010 the Total Defence Service Act will still remain in force and can be applied if required by military preparedness. In that case, compulsory military service will be gender-neutral, which means men and women will be conscripted⁶.

Professional soldiers

According to the website of the Swedish Armed Forces, one of the main tasks of the Armed Forces is to train soldiers for international missions. International service is not something a conscript can be forced to do during conscription, but is subject to voluntary choice after compulsory military service has been completed⁷.

The Swedish Army also has its own recruitment website (<http://forsvar.fileflat.com/english/>), especially aimed at attracting officers.

Conscientious objection

Conscientious objection for conscripts

The right to conscientious objection has been legally recognised since 1920. Its present legal basis is the 1994 Act on Defence, which replaced the 1966 Non-Military Service Act.

According to the law CO status is to be granted if someone has "*such a personal serious conviction about the use of weapons against another person so that this conviction is inconsistent with a combatant role*"(Chapter 3 Article 16)

According to the government there is no separate legal provision for the right to conscientious objection in wartime.

With the discussion about an end of conscription, and the low rate of call-up for military service, the numbers of conscientious objectors went down. While more than 2,000 people applied for conscientious objection every year until the mid-1990s, in 2005 and 2006 there were only 160 and 128 CO applications⁸. The institutions providing non-military basic training for conscientious objectors in Sweden are closing down due to lack of funds. As a consequence, conscientious objectors in Sweden cannot get basic training and do a substitute service, and will be placed in the "training reserve".

Conscientious objection for professional soldiers

Sweden does not recognise the right to conscientious objection for professional soldiers⁹.

The rules for leaving the Armed Forces prematurely are presently not known.

Draft evasion and desertion

Draft evasion and desertion are punishable under the 1994 Act on Defence and the 1995 Ordinance on Discipline of the Total Defence System. The same punishments are

5 Military favours ending conscription, The Local, 21 December 2007, <http://www.thelocal.se/9479/20071221/>, accessed 28 April 2008

6 Ministry of Defence: A functional defence, Fact Sheet, March 2009, <http://www.sweden.gov.se/content/1/c6/12/30/22/3ed2684c.pdf>, accessed 22 September 2009

7 Swedish Armed Forces: The Swedish military service system, <http://www2.mil.se/en/About-the-Armed-Forces/Organisation/The-Swedish-military-service-system/>, accessed 28 April 2008

8 Civilpliktsrådet: What's going to happen to the conscientious objection in Sweden? Email on ebcobaord-e-list, 26 February 2008

9 Exercise of the right of conscientious objection to military service in Council of Europe member states, Report Committee on Legal Affairs and Human Rights, Doc. 8809 (Revised), 4 May 2001.

applicable in all forms of service.

Failure to appear at medical examination is punishable by a fine. Failing to respond to a call-up for service is punishable by a fine or up to a years' imprisonment. If the misdeed is considered a serious crime imprisonment can last from six months to four years (Total Defence Service Act, Chapter 10).

A number of people are still jailed every year for refusing to carry out compulsory military service¹⁰. Some 41 men were jailed in 2006 for refusing to attend the armed forces recruitment days, failing to turn up to military service or deserting¹¹.

¹⁰ Military favours ending conscription, The Local, 21 December 2007, <http://www.thelocal.se/9479/20071221/>, accessed 28 April 2008

¹¹ 'Stop prosecutions for refusing military service', The Local, 4 November 2007, <http://www.thelocal.se/8997/20071104/>, accessed 28 April 2008