



PERMANENT MISSION OF SWEDEN
TO THE UNITED NATIONS

New York

The Permanent Mission of Sweden to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to note no. LA/COD/2 of 14 March 2016 in regards to General Assembly resolution 69/120 of 10 December 2014 entitled “Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts”, has the honour to convey the following information.

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 2014. The following information supplements previous reports.
2. The Swedish Government ratified the Protocol Additional to the Geneva Conventions of 12 August 1949, Relating to the Adoption of an Additional Distinctive Emblem (Protocol III) on 21 August 2014. In the same year, the Swedish Parliament passed a law regarding the protection of emblems in international humanitarian law.
3. Sweden ratified the Arms Trade Treaty (ATT) on 16 June 2014, and is playing an active role in supporting its effective implementation and universalization. The ATT has the potential to enhance the international community’s ability to deal with the illegal and irresponsible arms flows that often exacerbate the humanitarian consequences of armed conflict. As such, it addresses the plight of victims of armed conflict in a proactive manner.

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4. Sweden has initiated its internal procedures for the ratification of the Second Protocol to The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. A Government bill with the legal amendments necessary for ratification has been presented, which is currently under judicial preview by the Council of Legislation (Lagrådet). It is expected to be reviewed by the Swedish Parliament before the end of 2016.

5. Sweden participated actively in the 32nd International Conference of the Red Cross and Red Crescent in 2015 and welcomed the four resolutions in IHL that were adopted at the conference. Sweden is engaged in the continuation of a State-driven intergovernmental process to find agreement on features and functions of a potential forum of States and to find ways to enhance the implementation of IHL using the potential of the Red Cross and Red Crescent Conference and other international fora. Strengthening compliance with IHL is a priority for Sweden.

The Ministry for Foreign Affairs has participated in a number of productive roundtable discussions and seminars organized by the Swedish Red Cross with the aim to promote Health Care in Danger and to disseminate the tools developed through the project, as well as to promote engagement among the concerned community.

Representatives from the Ministry for Foreign Affairs have participated at several seminars and workshops on the topic, e.g. a conference regarding the 150th year anniversary of the first Geneva Convention and future challenges of IHL held in Stockholm in December 2014 and organized by the Swedish Ministry for Foreign Affairs, and a seminar on the topic of air strikes against hospitals and other current challenges facing IHL held in Stockholm in June 2016 and organized by the International Committee of the Red Cross (ICRC), the Swedish Red Cross and the International Law Association.

In the context of Health Care in Danger, Sweden strongly supported the Security Council Resolution 2286 (2016), which condemns acts of violence, attacks and threats against the wounded and sick, medical and humanitarian personnel and hospitals and medical facilities.

All four resolutions mentioned above provide a basis for strengthening IHL, and Sweden will continue to be actively involved in the processes to follow-up on these resolutions in order to improve global implementation and compliance with IHL.

6. During the 31st International Conference of the Red Cross and Red Crescent in 2011, the Swedish Red Cross and the Swedish Government made a joint pledge on gender and IHL. The goal of the joint Swedish efforts is for a gender perspective to be applied on IHL – meaning that the situation for both women and men in relation to the rules of IHL should be addressed. This resulted in the book “IHL and Gender”, which consists of a number of contributions and experiences from a broad field of expertise related to armed conflict and military operations as well as gender and humanitarian assistance. It also presents findings from field studies in Uganda, Colombia and Lebanon, and introduces check lists on how to operationalize a gender perspective on IHL, answering the question what such a perspective mean—both in a theoretical and practical way. During the 32nd International Conference of the Red Cross and Red Crescent, the Swedish Government together with the Swedish Red Cross made a joint pledge to follow up and continue the work on IHL and gender. Representatives from both the Swedish government and the Ministry for Foreign Affairs have on various occasions presented it to a broader audience. For example, the Swedish Minister for Foreign Affairs introduced it at a seminar on the topic “Making IHL Work for Women & Girls”, a side event to the World Humanitarian Summit in May 2016. In this context, the Swedish Government commends the contribution made by the Swedish Red Cross to the revised commentary to the First Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, adding a gender perspective in e.g. articles 3 and 12.

7. Within the framework of civil-military relations, the Folke Bernadotte Academy (FBA) has participated in a number of exercises and trainings together with partners, such as VIKING 14 and Combined Joint Staff Exercise. In 2016, FBA together with the Swedish Armed Forces and the Swedish Police conducted a joint course on Integrated Course on Protection of Civilians.

8. In November 2013, the Government assigned the Swedish Armed Forces with the task of developing a Manual on IHL. The Manual should be modelled after the draft IHL Manual produced as an annex to the Committee report “International law in armed conflict – Swedish interpretation and practice” (Swedish Government Official Reports SOU 2010:72). The Manual has now been developed and put into use by the Swedish Armed Forces.

9. The Swedish International Development Cooperation Agency (Sida) is a strong proponent of respect for IHL and protection through targeted support to key partners, such as the ICRC, which has a specific mandate in relation to conflicts on the basis of the Geneva Conventions of 1949 and their Additional Protocols as well as UNHCR and UNICEF with their specific mandates.

In addition, Sida has, e.g. in Palestine, advocated strongly for humanitarian actors to focus more on protection and the implementation of IHL. Sida is exploring how to replicate this work in other places, such as Pakistan. Sida is also funding a partner to work at a regional level aiming to foster advanced professional exchange on key challenges and approaches to frontline humanitarian negotiation on the basis of humanitarian principles and IHL. Negotiations convene senior-level practitioners across agencies and across contexts, providing tools and frameworks for participants to enhance their own negotiation capacity and to discover new methods for operating in complex environments.

10. Humanitarian access and the need to respect and uphold humanitarian principles have repeatedly been advocated strongly by the Swedish Government in different fora and in diplomatic relations. To uphold and safeguard these norms Sweden made the following commitments at the World Humanitarian Summit in Istanbul May 2016:

- Promoting and enhancing respect for international humanitarian law, international human rights law, and refugee law, where applicable.
- Promoting and enhancing the protection of civilians and civilian objects, especially in the conduct of hostilities, for instance by working to prevent civilian harm resulting from the use of wide-area explosive weapons in populated areas, and by sparing civilian infrastructure from military use in the conduct of military operations.
- Ensuring all populations in need receive rapid and unimpeded humanitarian assistance.
- Promoting and enhancing efforts to respect and protect medical personnel, transports and facilities, as well as humanitarian relief personnel and assets against attacks, threats or other violent acts.

- Speaking out and systematically condemning serious violations of international humanitarian law and serious violations and abuses of international human rights law and to taking concrete steps to ensure accountability of perpetrators when these acts amount to crimes under international law.
- Promoting improved compliance with IHL in all contexts through support to organizations and professionals in the field working with strengthening respect for IHL and the humanitarian principles and increased focus on developing technical capacity, methods, practical tools and training for local use.
- Putting protection at the center of humanitarian action and providing protection for all according to need and without discrimination.
- Supporting international efforts that aim to track and collect data and report violations of IHL.
- Actively promoting compliance of IHL through dialogue with State Parties and experts and supporting the intergovernmental process as set out in Resolution 2 of the 32nd International Conference of the Red Cross and Red Crescent in 2015.
- Continuing to support joint efforts with international and national actors to strengthen responses at national level to investigate and prosecute sexual and gender-based crimes and to enhance access to justice for victims.
- Continuing cooperation with the International Criminal Court (ICC) e.g. through financial support to the ICC Trust Fund for Victims.
- Continuing to raise awareness on IHL and gender in order to improve dissemination and implementation of IHL and international human rights law. Supporting impartial humanitarian actors' efforts to engage in dialogue with, and operate according to the humanitarian principles in areas controlled by non-state armed groups.

The Permanent Mission of Sweden to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 27 July 2016

