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FIFTH EVALUATION ROUND

Preventing corruption and promoting integrity in
central governments (top executive functions) and
law enforcement agencies

COMPLIANCE REPORT

Sweden



Adopted by GRECO
at its 87th Plenary Meeting (Strasbourg, 22-25 Mars 2021)



Group of States against Corruption
Groupe d'États contre la corruption

COUNCIL OF EUROPE



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I. INTRODUCTION

1. GRECO's Fifth Evaluation Round deals with "Preventing corruption and promoting integrity in central governments (persons entrusted with top executive functions, PTEFs) and law enforcement agencies (LEA)".
2. This Compliance Report assesses the measures taken by the authorities of Sweden to implement the recommendations issued in the Fifth Round Evaluation Report on Sweden which was adopted at GRECO's 82nd Plenary Meeting (22 March 2019) and made public on 3 May 2019, following authorisation by Sweden.
3. As required by GRECO's Rules of Procedure¹, the authorities of Sweden submitted a Situation Report on measures taken to implement the recommendations contained in the Evaluation Report. This report was received on 15 January 2021 and served as a basis for the Compliance Report.
4. GRECO selected Finland (with respect to top executive functions in central governments) and Austria (with respect to law enforcement agencies) to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed were Mr Mikko HELKIÖ on behalf of Finland, and Ms Silvia THALLER on behalf of Austria. They were assisted by GRECO's Secretariat in drawing up the Compliance Report.
5. The Compliance Report examines the implementation of each individual recommendation contained in the Evaluation Report and establishes an overall appraisal of the level of the member's compliance with these recommendations. The implementation of any pending recommendation (partially or not implemented) will be assessed on the basis of a further Situation Report to be submitted by the authorities 18 months after the adoption of the present Compliance Report.

II. ANALYSIS

6. GRECO addressed 15 recommendations to Sweden in its Evaluation Report. Compliance with these recommendations is dealt with below.

Regarding central governments (top executive functions)

Recommendation i.

7. *GRECO recommended developing and implementing a strategy, based on a risk analysis, to promote integrity and improve the prevention and management of conflicts of interest and corruption among persons entrusted with top executive functions*
8. The authorities of Sweden report that on 10 December 2020, the government adopted an anti-corruption action plan for the public administration. It primarily targets preventive work of the central Government agencies, including the Government Offices.

¹ The Compliance procedure of GRECO's Fifth Evaluation Round is governed by its Rules of Procedure, as amended: Rule 31 revised bis and Rule 32 revised bis.

The action plan is targeted at agencies themselves and not their employees. However, to live up to the requirements laid down in the law, the agencies also need to ensure their employees adhere to the regulatory framework and ethical standards surrounding anti-corruption work. Moreover, as ministers, state secretaries and political advisers are operating in the Government Offices, one of the agencies covered by the action plan, they are indirectly targeted by it. The working methods and recommendations of the action plan are also relevant for the preventive work in municipalities, regions and municipal companies. The aim of the action plan is not to propose new legal measures but to provide these authorities with tools, working methods and best practice to enable them to pursue the preventive work against corruption in an efficient and structured manner.

9. The advice and recommendations on working methods are based on evaluations and recommendations from the Swedish National Audit Office, the Swedish National Council for Crime Prevention and those of GRECO. The action plan also recounts essential components in any effective preventive work, one of which is the systematic use of risk analyses to create risk-conscious organisations and to take effective measures to manage different existing corruption risks. In the action plan, the concept of corruption is defined as the use of public office to achieve an unfair advantage for oneself or others. It includes criminal acts as well as non-criminal acts. The plan focuses on preventive work, with integrity, conflicts of interest, ancillary activities, ethical standards and transparency being covered.
10. Based on audit reports and other evaluations, the government concludes in the action plan that some agencies already have structured working methods in place, whereas others need to develop their preventive work further. To this end, the Swedish Agency for Public Management is commissioned by the Government to promote the preventive work of government agencies. Its task covers four elements:
 - develop recommendations and advice to promote structured working methods against corruption;
 - develop a tool for analysing corruption risks;
 - set up a forum for collaboration between agencies and other organisations with special expertise in the area;
 - on two occasions (June 2021 and December 2023), collect data on how the preventive work of the government agencies is concluded. A summary report of the results should be submitted to the Agency of Public Management to the government by the end of 2023, as well as any recommendations for further measures.
11. GRECO welcomes the Anti-corruption action plan for the public administration adopted by the Government. It appears to take into account concerns that gave rise to the recommendation and it includes results of risk-based audit reports. GRECO also welcomes the support to the implementation of the action plan provided by the Agency of Public Management and wishes to follow the results of its work. However, GRECO also notes that the action plan applies to public administration in a wide meaning. Even if it also comprises persons entrusted with top executive functions (PTEFs) as defined by

GRECO as ministers, state secretaries, political advisers, the action plan appears at the moment not sufficiently precise in respect of PTEFs. GRECO would expect information on targeted measures directed at PTEFs to be identified and implemented, as requested by the recommendation. Therefore, based on the measures taken so far, the recommendation cannot be regarded as more than partially complied with.

12. GRECO concludes that recommendation i has been partly implemented.

Recommendation ii.

13. *GRECO has recommended (i) that persons entrusted with top executive functions be subject to enforceable rules of conduct and (ii) consolidating these rules into one code of conduct and making it easily accessible to the public*
14. The Swedish authorities indicate that the process of putting a code of conduct in place in the Government Offices has begun but is not yet completed.
15. Regarding the first part of the recommendation, they explain that the intention is that the new code shall be enforceable in the sense that it will consist of binding rules of conduct. While the existing ethical guidelines allow for exceptions from its rules in rare circumstances, the new consolidated code of conduct should not leave such room for discretion. A specific system of control and enforcement in situations where the rules are being violated is not foreseen. In many cases, however, an action which does not comply with the rules in the code of conduct will also be contrary to the law or to the terms and conditions of employment at the Government Offices. Therefore, it will often in fact be possible to take legal civil or criminal action against a breach of the code of conduct.
16. The authorities also point out that the high degree of transparency concerning the activities and economic transactions of PTEFs leading to the possibility of constant scrutiny by the media of all relevant documents, in connection with the strong informal social control, in itself constitutes “enforcement” of the rules – or perceived rules, as both media and public condemnation as well as the reactions and actions of the political opposition parties lead to different kinds of “sanctions”, be it decreased popularity or requests of a vote of no confidence in Parliament.
17. The intention is that the new code of conduct will apply to everyone employed by or commissioned to work for the Government Offices. However, its precise scope has not yet been decided.
18. As regards the second part of the recommendation, the Swedish authorities explain that there is a great number of rules, guidelines, memorandums and policies in place in the Government Offices. These rules apply to different categories of persons. If all were to be merged into one consolidated document, the new document would be very complex and cumbersome, and most employees would have difficulties using it as a source of information or understanding exactly which rules were applicable to them.

19. Instead, it is intended for the new code of conduct to make all the other applicable rules more easily accessible and better known. The new code which is being drafted is to comprise, firstly, a set of binding rules and then a commentary where each rule is explained. Advice and tangible examples are to be included and references are made to other rules and documents in force. The code of conduct, once finalised and formally decided upon, will be accessible to the public upon request, which is a manifestation of the principle of public access to information. It has not yet been decided whether the code will be directly published online.
20. GRECO takes note of the information provided. As regards the first part of the recommendation, it welcomes that the intended new code will contain binding rules of conduct and that breaches of some of its rules may give rise to civil or criminal legal action. Provided such enforcement action actually takes place once the code is in force, it may satisfy the enforcement requirement of the recommendation. However, GRECO takes issue with the intended lack of supervision reported. While it agrees that the activities and economic transactions of PTEFs enjoy wide transparency in Sweden, GRECO has often underlined in its reports that media and civil society scrutiny was necessary but not sufficient. Therefore, it calls for the future code of conduct to be subject to some form of a mechanism for its supervision. Furthermore, it is not clear whether the future rules of conduct will apply to ministers, who are not formally employed by the Government Offices. It wishes to stress that the recommendation also applies to them and calls upon the authorities to ensure that ministers are also subject to the future code of conduct.
21. As regards the second part of the recommendation, GRECO welcomes the intention for the code to comprise a set of binding principles, complemented with explanations, advice, examples and reference to other applicable rules. This perfectly fits best practices regarding codes of conduct that GRECO has highlighted repeatedly in its reports. However, GRECO wishes to highlight that the recommendation also calls for the code to be made easily accessible to the public. A direct online publication seems, therefore, more appropriate than merely providing it to the public upon request.
22. Overall, while GRECO welcomes many of the reported intentions of the Government Offices regarding the future code of conduct, this work is still at a too early stage to warrant even a partial implementation of the recommendation.
23. GRECO concludes that recommendation ii has not been implemented.

Recommendation iii.

24. *GRECO recommended (i) systematically providing dedicated training on ethics, conflicts of interests and prevention of corruption to persons entrusted with top executive functions, at the start of their term and on a regular basis throughout their term of office; and (ii) establishing a mechanism for confidential counselling for such officials on integrity related issues*
25. The Swedish authorities report, as regards the first part of the recommendation, that there is on-going work within the Government Offices to develop a training session on

ethics, conflicts of interest and prevention of corruption especially dedicated to ministers, state secretaries and political experts. At this moment, the Government Offices are considering making it a one-occasion training session which will be compulsory for each minister, state secretary and political adviser at the start of their term. Making it an e-learning session, accessible via the intranet, is being considered, as well as various other training methods. An in-depth follow-up, a “part 2”, to the e-learning session, has been discussed, as well as the development of extensive live training programmes.

26. The training session under development consists in part of information about applicable rules, regulations, policies and recommended ways of acting and reasoning and partly of interactive training, mainly in the form of “dilemma exercises”. The Government Offices deem it of crucial importance that the persons participating in the training session feel that it is relevant and realistic and reflects situations which may appear in real life. Therefore, the training session has been created in cooperation with persons formerly holding top executive functions within the Government Offices. In-depth interviews with these politicians have been conducted, and all the dilemma exercises are based on real-life situations which they have, themselves, experienced.
27. GRECO welcomes the information provided as regards the on-going development of a training session for ministers, state secretaries and political advisers. It welcomes in particular that it will be of a compulsory nature, apply to all PTEFs and that real-life situations and dilemmas will be used, with the involvement of former PTEFs. However, it notes that there are no plans at present to repeat this exercise and it recalls that the recommendation calls for training on a regular basis throughout PTEFs’ term of office. Furthermore, nothing concrete as to the provision of training has yet materialised in reality, although the preparations appear well underway. Therefore, the first element of the recommendation cannot be considered as complied with, even partly.
28. No information is provided by the Swedish authorities on the second element of the recommendation, which, therefore, is not implemented.
29. GRECO concludes that recommendation iii has not been implemented.

Recommendation iv.

30. *GRECO recommended ensuring that the routines at the Government Offices for the registration and handling of public information provided in electronic form are adapted in order to fully comply with the general requirements for providing public access to information held by public authorities.*
31. The Swedish authorities recall that the Government Offices have routines for the registration and handling of information in electronic form that comply with the general requirements for providing public access to information held by public authorities. The Ministry of Foreign Affairs, in respect of which concerns had been expressed in the Evaluation Report, has taken extensive measures to ensure that the routines are followed as intended.

32. As stated in the Evaluation Report, a report on the work to improve the handling of official documents within the Foreign Service was presented to the minister concerned in December 2018. The report concluded that while significant progress had been made, extended efforts were called for to ensure a continued positive development.
33. Among the measures taken by the Ministry of Foreign Affairs in 2019 and 2020 to improve its handling of public documents are enhanced guidelines and routines and enhanced software support for the registration of documents, as well as educational efforts and an increased focus on managerial responsibility. These measures encompass all kinds of public documents but have been tailored with regard to the specific traits of different categories of documents, including those in electronic form. The authorities indicate that these measures have greatly enhanced the Ministry's ability to find and provide information in response to requests for public access within a reasonable time.
34. A review of the handling of requests for access to public documents at the Ministry was requested by the Parliamentary Ombudsman on 10 April 2019. The Ministry reported to the Ombudsman on 1 October 2019. The Ombudsman decided on 25 October 2019 that in light of what had been reported there was no reason at present to take any further measure or make any statement on the issue, but that the Ombudsman would continue to follow the matter. The ombudsman did not repeat his previous criticism of the ministry.
35. GRECO takes note of the measures taken by the Ministry of Foreign Affairs to address criticism in the handling of access requests to public information addressed by the Parliamentary Ombudsman and by GRECO in its Evaluation Report. It is satisfied that the Ombudsman did not reiterate previous criticism of the Ministry and that it will continue to follow this matter to ensure that the requirements for providing public access to information held by public authorities will be complied with. GRECO is pleased with the measures taken and is confident that this process continues within the current system of checks and balances.
36. GRECO concludes that recommendation iv has been dealt with in a satisfactory manner.

Recommendation v.

37. *GRECO recommended (i) introducing rules and guidance on how persons entrusted with top executive functions engage in contacts with lobbyists and other third parties seeking to influence governmental processes and decisions; and (ii) that sufficient information about the purpose of these contacts be disclosed, such as the identity of the person(s) with whom (or on whose behalf) the meeting(s) took place and the specific subject matter(s) of the discussion*
38. The Swedish authorities report that discussion on the implementation of this recommendation is on-going but that no measure has been taken to date.
39. GRECO concludes that recommendation v has not been implemented.

Recommendation vi.

40. *GRECO recommended that an independent assessment of the implementation of the “Act concerning restrictions when ministers and state secretaries transition to non-state activities” be conducted (regarding in particular the persons covered and the length of the restriction period) and that the Act be amended, if necessary, in view of its results*
41. The Swedish authorities recall that the “Act concerning restrictions when ministers and state secretaries transition to non-state activities” entered into force in June 2018. For examinations under the Act, a special examination body was established – the Board for the Examination of Ministers’ and State Secretaries’ Transitions, an independent body under the Swedish Parliament.
42. In its annual report for 2019, the Board states that it started its duty in July 2018 and that 2019 was its first entire year of operation. The Board received 9 applications in 2019 and did not decide to restrict a minister’s or state secretary’s transition to non-state activities in any of these cases.
43. As already expressed in the Evaluation Report, the Swedish authorities are of the view that the issue of an independent assessment is too early to discuss at this stage. The law is still recent and very few cases have been handled by the Board until now. Next parliamentary elections will take place in the autumn of 2022 and it is unlikely that even by then there will be enough applications by PTEFs and decisions by the Board to form a solid basis for an independent assessment. The value of such an assessment must also be seen in the light of other political priorities of the current government and budgetary considerations.
44. GRECO understands that, as the law is still recent, there are not yet sufficient cases and decisions by the Board to feed an independent assessment. That said, GRECO underlines that such an assessment should be a priority down the line, given the doubts about the scope, content and effectiveness of the act expressed at the time of the evaluation. As highlighted in the evaluation report, “revolving doors” has been an issue for public debate in Sweden for several years and it appears unlikely that the Act will be enough to close this debate. An independent assessment of its effectiveness would bring an important element to it.
45. GRECO concludes that recommendation vi has not been implemented.

Recommendation vii.

46. *GRECO recommended (i) enshrining in legislation the obligation for ministers, state secretaries (as well as political experts, as appropriate) to declare significant liabilities, previous positions, agreements with previous employers, agreements with current or future employers or clients and (ii) considering providing information on their spouses and dependent family members (it being understood that such information would not necessarily need to be made public)*

47. The Swedish authorities report that discussion on the implementation of this recommendation is on-going but that no measure has been taken to date.
48. GRECO concludes that recommendation vii has not been implemented.

Recommendation viii.

49. *GRECO recommended that declarations submitted by persons entrusted with top executive functions be subject to substantive control*
50. The Swedish authorities explain that the Government Offices amended its guidelines regarding the obligation to report holdings of financial instruments. In order to facilitate a review of the accuracy of the information declared by ministers and certain officials, the amended guidelines stipulate that those who report holdings of financial instruments are now required to provide a statement from their bank, stockbroker, etc. The amended guidelines were published on the Government Offices internal website on 7 January 2021.
51. Written declarations and statements from banks, stockbrokers etc. are compared by the Government Offices. The Prime Ministers' Office's Director General for Legal Affairs also compiles lists of the holdings of cabinet ministers and state secretaries, based on their bank/stockbroker statements. These lists are provided to the public upon request.
52. GRECO welcomes the arrangements taken by the Swedish authorities to ensure a more substantive control of declarations. The request that persons subject to the duty of declaring holding of financial instruments now have to produce documents supporting their declaration, such as a bank or stockbroker statement, is a positive one, that should facilitate the exercise of substantive control. GRECO also welcomes that the accuracy of the information contained in the declarations is now subject to control by the Government Offices. Moreover, GRECO welcomes the fact that the declarations and supporting documents are public and subject to media scrutiny and that the Parliament's Committee on the Constitution exercises a review. That said, GRECO takes the view that substantive control should also cover the additional elements to be included in the broader declaration system to be introduced as per recommendation vii.
53. GRECO concludes that recommendation viii has been partly implemented.

Recommendation ix.

54. *GRECO recommended that a mechanism of supervision and enforcement be instituted in respect of compliance by persons entrusted with top executive functions with rules of conduct*
55. The Swedish authorities report that discussion on the implementation of this recommendation is on-going but that no measure has been taken to date.
56. GRECO concludes that recommendation ix has not been implemented.

Regarding law enforcement agencies

57. The Swedish authorities indicate by way of introduction that in its annual appropriation directions for 2019 and 2020, the Ministry of Justice directed the Swedish Police Authority to take measures in order to implement GRECO's recommendations and to report on the progress of their implementation.
58. In June 2019, the National Police Commissioner decided that a working group, composed of different departments of the Police Authority, be formed with the express purpose of implementing the recommendations. The Commissioner's decision identified several key areas to be addressed, namely: the need for a uniform policy on ethics, education on ethics, core values and the prevention of corruption for all employees and the publication of information on investigations carried out by the Special Investigation Department (SU). Other areas mentioned included guidelines and a uniform follow up system for secondary activities, the creation of a system for informing employees how to detect and report serious incidents within the force and training relating to the rules and regulations regarding whistle-blowers.
59. The main task of coordinating the effort of implementing the recommendations within the National Police Authority was given to the Human Resources Department, in cooperation with the Communication, Financial and Legal divisions. Police employees from different regions and departments were also involved in order to have a broad representation and legitimacy for the measures taken.

Recommendation x.

60. *GRECO recommended (i) that a code of conduct for the Police Authority be adopted and published, with concrete examples and explanations regarding the conduct expected of police officers and (ii) that it be accompanied by effective oversight and enforcement*
61. The Swedish authorities indicate that in June 2019, the National Police Authority proposed an internal governing document stating a policy on ethics. The document includes a set of principles on ethics, core values, internal employee policies and the guiding values for all civil servants. The aim of the policy is to guide employees to reflect on their role as police employees and to detect and prevent irregularities, unlawful behaviour and corruption, as well as to create a sound culture where transparency is a natural part of working in law enforcement. The policy also provides practical tools for employees to handle and report suspected irregularities and misconduct.
62. All police regions, as well as the labour organisations, were consulted and a formal decision to adopt the policy was taken by the National Police Commissioner on 18 December 2020 and it enters into force on 1 March 2021². In 2021, work will begin on providing practical tools on how to apply the policy in practice.

² <https://polisen.se/om-polisen/jobba-hos-polisen/polisen-som-arbetsplats>

63. GRECO welcomes the entry into force of the internal governing document adopted by the National Police Commissioner on 18 December 2020. This document, which deals with issues such as legality, objectivity, efficiency of service, equal treatment, conflicts of interest, side activities, corruption and other irregularities and protection against reprisals, provides appropriate guidance to employees regarding the conduct expected of them. Accordingly, the first element of the recommendation is fully implemented. GRECO understands that work regarding the implementation of the second element of the recommendation is to commence in 2021. In the meantime, this element of the recommendation is not implemented.
64. GRECO concludes that recommendation x has been partly implemented.

Recommendation xi.

65. *GRECO recommended (i) enhancing the induction and in-service training of the police in the areas of integrity, conflicts of interest and corruption prevention and (ii) that a mechanism be introduced for providing confidential advice to police officers on ethical and integrity matters*
66. The Swedish authorities report that, based on the first part of the recommendation, the National Police Authority decided to provide training for all police employees, on all levels, on the rules and regulations governing the protection of employees from reprisals when reporting on irregularities. A specific training module on the prevention of corruption, ethics and core values will be part of the basic and in-service training for police employees. To this end, an e-learning tool has been developed and will be available to all police employees.
67. The overall aim is to create a safe and trusting work environment by encouraging sound and ethical behaviour. The training module also aims to raise the awareness of police employees as to what constitutes irregularities and how to prevent them. It also teaches participants on how to act when detecting irregularities.
68. In order to highlight issues on ethics, transparency and prevention of corruption, the Police Authority has decided to create a designated page on its internal website where all related information is available. The page will contain information on rules, regulations and internal documents dealing with irregularities and misconduct. Furthermore, it contains information on how the internal system for preventing, detecting and reporting irregularities is set up, as well as on to whom employees can turn in order to receive advice on questions relating to ethics and integrity.
69. The launch of the e-learning tool is closely connected to the adoption of the policy on ethics and it has therefore not yet been implemented. Both the launching of the e-learning tool and the internal web page are planned to take place at the beginning of 2021.
70. As regards the second part of the recommendation, the authorities report that the National Police Commissioner decided in October 2020 to establish a special function

for confidential counselling within the Police Authority. Its main task will be to provide guidance on issues relating to ethics and integrity, with the view of strengthening integrity and preventing irregularities and unethical behaviour. It will function as a complement to the existing channels for such matters within the police force. In addition to addressing individual cases, the function will also engage in more general discussions on matters relating to ethics and integrity within the organisation to increase awareness in this respect.

71. The authorities also submit that the working group tasked with establishing this function is conducting a more detailed analysis of legal aspects, processing of personal data and other practical aspects before this mechanism can be put into place. This function is also closely connected to the possible establishment of a whistle-blower function (see further below). Therefore, the establishment of confidential counselling is put on hold until at least the end of September 2021.
72. As regards the first part of the recommendation, GRECO welcomes the development of the training module and the e-learning tool on the prevention of corruption, ethics and core values that will be available for all employees as soon as the ethics policy has been established, as well as the decision to create a dedicated webpage on the Police Authority's internal website. These tools appear to satisfy the requirements of the first part of the recommendation, which is for now partly implemented pending their becoming operational.
73. As regards the second part of the recommendation, GRECO commends the decision by the National Police Commissioner to establish a special function for confidential counselling within the Police Authority. This also goes in the right direction but has still to materialise in practice. As measures towards its establishment are well under way, the second part of the recommendation is also partially complied with.
74. GRECO concludes that recommendation xi has been partly implemented.

Recommendation xii.

75. *GRECO recommended developing a streamlined system for authorisation of secondary activities within the Police Authority, which is coupled with effective follow-up*
76. The Swedish authorities indicate that following GRECO's findings in the Evaluation Report, the Police authority has conducted a review and an overhaul of the whole system in order to ensure that the assessment of secondary activities is uniform throughout the whole organisation and that there is a system for effective follow-up. The measures based on the findings of the review will be implemented by June 2021.
77. A centralised system will be introduced for notification and assessment of secondary activity. It will include clearer information to managers and employees about the rules governing secondary activities, in which circumstances they are deemed unauthorised and how an employee should proceed in order to have a secondary activity examined. Heads of unit will receive specific information about their responsibility for dialogue and

follow-up regarding secondary activity. The question of secondary activities will also be included in the employees' annual evaluation.

78. GRECO welcomes the review and overhaul of the system of authorisation of secondary activities that is currently under way in the Police Authority. Its aims to ensure the uniformity of decisions and follow-up of their implementation are consistent with the objectives of the recommendation. However, the new measures decided are not yet in place.
79. GRECO concludes that recommendation xii has been partly implemented.

Recommendation xiii.

80. *GRECO recommended publishing information on complaints received, action taken and sanctions applied against police employees, including possible dissemination of the relevant case-law, while respecting the anonymity of the persons concerned*
81. The Swedish authorities indicate that the National Police Commissioner decided in June 2019 to publish information on complaints received and on investigations carried out by the Special Investigations Department (SU). The SU intends to publish that information on a specially designated portal on the Police Authority's external website. Relevant case law and statistics on investigated cases have been gathered throughout the autumn of 2020 and the portal will be launched and made public in the beginning of 2021, at the latest on 31 March.
82. Meanwhile, the SU has already started to increase transparency by publishing selected case law in the internal monthly publication "*Svensk Polis*", available to all police employees.
83. GRECO welcomes the decision of the National Police Commissioner to publish information on complaints received and investigations carried out by the SU, as well as the on-going work towards establishing a designated portal containing this information on the Police Authority's external website. The publication of selected case law in the internal monthly publication that is available to all police employees is a positive measure as well.
84. GRECO concludes that recommendation xiii has been partly implemented.

Recommendation xiv.

85. *GRECO recommended ensuring that police employees have to report any integrity related misconduct they come across in the service*
86. The authorities of Sweden report that the Police Authority's ethical policy, which entered into force on 1 March 2021, contains a section on reporting criminal offences and other irregularities. It requires employees to report any irregularities they become aware of to their superior. This includes integrity-related misconduct which is not criminalised.

87. GRECO welcomes the section of the Police Authority's ethical policy requiring employees to report any integrity related misconduct they become aware of. As the policy has now entered into force, the recommendation is fully complied with.

88. GRECO concludes that recommendation xiv has been implemented satisfactorily.

Recommendation xv.

89. *GRECO recommended providing dedicated guidance and training on whistleblower protection for all levels of hierarchy and chains of command in the Police Authority*

90. The Swedish authorities indicate that the Internal Audit conducted a study on the culture of the Swedish police service. The report presented in February 2019 concluded that cultural issues, irregularities and misconduct are not sufficiently discussed within the service. It recommended that the Police Authority investigate whether it should establish a whistleblower function. Based on these findings and recommendations, the National Police Commissioner decided that such a function be established. The Internal Audit's recommendations were well in line with the findings of GRECO.

91. At the same time, a Committee of Inquiry (SOU 2020:38) had been set up by the Government in order to implement the EU Directive on the protection of whistleblowers into national legislation. It delivered its final report in June 2020. The report has been circulated among relevant consultation bodies and the comments and proposals received are now being considered in the Government Offices. The Directive requires the public sectors to establish specific internal reporting functions. Both the committee and the working group within the Police Authority (see under recommendation xii above) have concluded that changes in national legislation are required in order to protect whistleblowers sufficiently. Therefore, the establishment of a whistleblower function in the Police Authority is put on hold until relevant legislation on the matter has been put in place. The directive must be transposed in national legislation by 17 December 2021.

92. GRECO welcomes the decision by the National Police Commissioner to establish a whistleblower function in the Police Authority. It also takes note of the findings of the Internal Audit that irregularities and misconduct are not sufficiently discussed within the police, as well as the conclusions by the Committee of Inquiry and the working group within the Police Authority according to which legislative changes are necessary to improve the protection of whistleblowers. These decisions and findings are likely to help maintain a healthy working culture within the police and to give a signal that fighting corruption and misconduct is taken seriously.

93. Once the whistleblower function is established within the Police Authority, GRECO recalls the need to provide dedicated guidance and training on this function at all levels of the hierarchy, as the recommendation calls for. No measure has yet been taken to this end and the recommendation, therefore, remains not implemented.

94. GRECO concludes that recommendation xv has not been implemented.

III. CONCLUSIONS

95. **In view of the foregoing, GRECO concludes that Sweden has implemented satisfactorily or dealt with in a satisfactory manner two of the fifteen recommendations contained in the Fifth Round Evaluation Report.** Of the remaining recommendations, six have been partly implemented and seven have not been implemented.
96. More specifically, recommendation xiv has been fully implemented, recommendation iv has been dealt with in a satisfactory manner, recommendations i, viii, x, xi, xii and xiii have been partly implemented and recommendations ii, iii, v, vi, vii, ix and xv have not been implemented.
97. With respect to top executive functions, GRECO welcomes the adoption of the anti-corruption action plan for the public administration and the measures taken by the Ministry of Foreign Affairs to address criticism in the handling of requests to access public information. It is also satisfied that the Government Offices now control the accuracy of financial declarations submitted by persons entrusted with top executive functions (PTEFs). Positive work is also on-going towards a code of conduct comprised of binding principles and the development of a training session on ethical issues for ministers, state secretaries and political experts.
98. However, much work remains to be done on a wide range of issues, such as supervision of PTEFs' compliance with rules of conduct, the establishment of confidential counselling mechanism on ethical issues, rules and transparency as regards PTEFs' contacts with lobbyists, as well as the widening of declaration duties for PTEFs and substantive control of these broader declarations.
99. As far as law enforcement agencies are concerned, most of GRECO's recommendations have been tackled and their implementation is overall more advanced. GRECO welcomes the internal document on ethics adopted by the National Police Commissioner and his decisions to establish a special function for confidential counselling and a special whistleblower function within the Police Authority. GRECO also welcomes on-going work as regards the development of training activities on ethics and the prevention of corruption, the review and overhaul of the system for the authorisation of secondary activities and the publication of information on complaints received and investigations carried out by the Special Investigative Department (SU).
100. It encourages the Police Authority to finalise and implement these initiatives in the near future and to tackle other pending issues, notably proper oversight and enforcement of compliance with the rules of conduct.
101. In view of the above, GRECO notes that further progress is necessary to demonstrate an acceptable level of compliance with the recommendations within the next 18 months. Pursuant to Rule 31 revised bis, paragraph 8.2 of its Rules of Procedure, GRECO invites the Head of delegation of Sweden to submit additional information regarding the implementation of the pending recommendations i to iii, v to xiii and xv by 30 September 2022.

102. GRECO invites the authorities of Sweden to authorise as soon as possible the publication of the present report and to make a translation of it into the national language available to the public.