

Göteborg 2001

Betänkande av Göteborgskommittén (SOU 2002:122)

Summary

Summary

Assignment and execution

Our assignment has been to conduct a survey and analysis of the events that took place at the EU summit in Göteborg on 14–16 June 2001. On the basis of this analysis and experiences of similar events, it has been our task to consider and propose measures that without impinging on the freedom to demonstrate can contribute to preventing and combating serious public disturbances.

The events that took place in Göteborg cannot merely be regarded as public order issues to be dealt with by the police but also as political issues relating to democracy, influence, exclusion, etc. For this reason we have chosen to apply a wider perspective to our assignment.

We have also chosen to investigate the police activities that took place in a demonstration during the ECOFIN meeting in Malmö in April 2001. Early in our work both the police and demonstrators informed us that these activities played an important role in the course of events in Göteborg.

Another task has been to gather experiences of similar events. For this reason we have examined the demonstrations that took place at four international meetings: the World Trade Organization's ministerial meeting in Seattle in November–December 1999, the Annual Meeting of the International Monetary Fund and the World Bank in Prague in September 2000, the European Council meeting in Nice in December 2000 and the G8 Summit in Genova in July 2001.

In the course of our work we have conducted some two hundred interviews. We have taken part in two open meetings. We have travelled to Prague, Rome, Genova, Copenhagen and Oslo. In addition, we have examined extensive documentation and studied films, articles, books, etc. We have also participated in several seminars on themes related to the events in Göteborg.

Police operations in connection with the ECOFIN meeting in Malmö

The police operations during the demonstrations held in connection with the ECOFIN meeting in Malmö in the spring of 2001 in many ways influenced the attitude of both the police and the demonstrators towards the summit in Göteborg. The question regarding a ban on the use of masks during demonstrations was included on the agenda of a number of political organisations and a public debate on democracy and the safeguarding of the freedom to demonstrate followed in the spring. More specific subjects such as the numbering of police helmets were also discussed before the Göteborg summit. Our investigation of the events allows us to draw the following conclusions:

- There is no evidence to suggest that the police operation had been *decided on* in advance, as demonstrators and others have speculated.

- We have not been able to establish that the police's decision to cordon off one entire block was in proportion to the public disturbances that occurred at the start of the demonstration. In our view, the police actions severely restricted the freedom to demonstrate of some three hundred demonstrators.
- As regards the demonstrators who were taken into custody, there is much to indicate that the requisite individual examination did not take place. The use of force on the part of some police officers was, in our opinion, excessive. The abusive language reportedly used by some police officers, in particular with young women demonstrators, is unacceptable.
- Police information to the demonstration leaders and to others was clearly deficient. The lack of communication with demonstrators on the part of the police would appear to be responsible for the speculations that have arisen.

The events at the meeting of the European Council in Göteborg

The police deployment in Göteborg, under the direction of Police Commissioner Håkan Jaldung, was one of the largest and most complex that has taken place in Sweden. It involved 2 500 police officers. During this operation, the officers were confronted with difficult tasks and their skills and capabilities were put to an extraordinary test. Despite difficult conditions, the EU summit and the American President's visit proceeded without any severe disruptions. Furthermore, the right to demonstrate was safeguarded in that all the demonstrations that had been granted a permit were able to be held. Moreover, the guarding of the delegates' hotels, all escorts and transport functioned perfectly.

Our remarks must be seen in this light. Naturally, during such an extensive police operation some mistakes and slip-ups are virtually inevitable. The purpose of a subsequent attempt to evaluate the course of events and highlight the positive and negative aspects must be to enable the relevant authorities, and others, to learn from the conclusions we have drawn. This is how we have viewed our task.

The National Police Board's planning coordination

Under Section 3 sub-section 2 of the Ordinance concerning instructions to the National Police Board (1989:773), the Board is responsible for the coordination of police planning for special events that particularly require coordinated operations. Our comments on the National Police Board's planning coordination of the EU summit are as follows:

- The National Police Board should have given the two coordination groups that were appointed in the planning phase a more prominent role and greater authority. Following the events in Nice, the National Police Board should at least have reacted by playing a much more active role.
- The committee finds it surprising that the question of whether personal protection was the responsibility of the Swedish Security Service or the police authority in Västra Götaland was not clarified with the National Police Commissioner during the operational planning stage. If this had been done at an early stage, the group's work could in all likelihood have been performed in a more constructive way.
- The fact that police authorities in Sweden are relatively independent does not relieve the National Police Board of its overall responsibility. Decentralised budget responsibility must not prevent issues such as joint training, equipment and employee conditions from being dealt with centrally when this would be logical and appropriate. The police officers involved in the Göteborg operation would probably have been in a

better position to carry out their duties under these conditions. In this context, it should be noted that the police authority in Västra Götaland did not receive any additional financial resources prior to the summit, which in turn may be due to the fact that the National Police Board was not allocated any extra funds for police operations at the Swedish EU meetings. In our view, it is vital that the Riksdag and the Government give consideration to these issues in good time.

- The National Police Board should have responded much more strongly to the issue of police reinforcements.
- In sum, we believe that the central level within the police, i.e., the National Police Board, must assume greater responsibility for coordinating the planning required for large international events involving several police authorities than it did in relation to the EU summit in Göteborg.

Planning and preparation by the Västra Götaland police authority

- In October 2000 the police authority set up a staff to be responsible for the overall planning. From the outset, the staff consisted of one full-time person. In January 2001 two more people joined the staff, one of whom left soon after to assume other tasks.

For such a special event as an EU summit, it is naturally important that the police begin its planning in good time and with adequate human resources at its disposal. This is a precondition if an extensive police operation is to be performed effectively.

- Experiences from Göteborg demonstrate the need for a coherent model for organising the planning and preparation work that precedes special events.
- The police authority's criminal intelligence appears to have worked well.
- Police officials have been criticised both by their own police officers and by the reinforcement officers for the excessive attempts to tone down the threat scenario. To be fair, criticism should not be directed at the police officials for their endeavours to prevent the police involved in the operation from becoming unduly anxious. However, it is just as important that police officers are given as realistic a picture as possible of what they can expect. Police officers must be given every opportunity to prepare themselves.
- The new tactical model for police management of demonstrations and other forms of protests that took shape during the spring of 2001 and that was based on dialogue and transparency must be considered constructive. Clearly, however, it was established at a late stage.
- Despite the increasing threat scenario during the spring, no coordinated overall contingency planning took place. Contingency planning refers to police planning of alternative courses of action at different places and in response to different developments. Contingency planning was lacking for the operations that took place at Hvitfeldtska and Schillerska, two centrally located schools. The contingency planning that was in place for any attempt at forced entry at the Swedish Exhibition and Congress Centre did not have the support of the operation heads. Deficient contingency planning can result in police officers resorting to ad hoc solutions, being mentally unprepared for what may happen and not knowing where to look for information. We are very critical of the way the police authorities handled the contingency planning for the EU summit.

Police authority's coordination with other authorities

- On the whole, the police authority's cooperation and coordination efforts with other authorities and county council organisations would appear to have functioned satisfactorily.
- With regard to cooperation and coordination between the police authority and the Swedish Security Service we have found a number of serious shortcomings particularly at the top decision-making level.
- Deficiencies were also found in the cooperation between the police authority and the National Criminal Investigation Department. We find it surprising that the police authority was not interested in the coordination and support that National Criminal Investigation Department's coordinating group, the Hydfors group, was willing to offer.

Police reinforcements

- We are critical of the way in which police reinforcements for the EU summit in Göteborg were handled.
- The National Criminal Investigation Department's first formal decision on police reinforcements for the EU summit operation was taken in May 2001, more than four months after the police authority's first request and two months after its second. In our view, it is essential that decisions concerning police reinforcements must be made as soon as possible in the context of a police operation such as this.
- In the light of the higher threat scenario following the EU summit in December 2000, we believe that the police authority should have requested at an earlier stage substantial reserve forces that could have been used in the event of an unforeseen event. When the police authority requested in May that reserve forces should be used, it should have, despite the late stage, also asked for further reserves to be available. Instead, the National Criminal Investigation Department was forced to find police reinforcements during the operation when the need became urgent.
- On June 15, the police authority wanted to send eighty reinforcement officers home. Since the operation at Hvitfeldtska Gymnasiet on Thursday had demanded extensive human resources and a higher threat scenario and violent protests were anticipated for Friday, the police authority's management of the reinforcement issues on the Friday morning is bewildering.

Dialogue

- The police authority's efforts to establish cooperation and coordination through a dialogue with organisers and demonstrators and others participants were, we feel, well directed.
- Given that the contact group began its work at such a late stage, only about five weeks before the summit, the result of its efforts must be considered successful. Had the dialogue been initiated in good time, it may have produced even better results.
- The contact group's mandate was unclear both within the group itself and to the demonstration organisers. The unclear mandate resulted, for example, in mistrust among demonstrators and other people during police operations at Hvitfeldtska, and thus damaged the relationship between the parties.

Training and equipment

- We have found a number of serious deficiencies with regard to crowd management training for officers. We have also noted a number of other knowledge gaps amongst the officers involved in this operation. Many of them, for example, knew very little about the political and other groups that had gathered in Göteborg. Apart from insufficient knowledge, officers at different authorities were found to be using different tactical models, which resulted in coordination difficulties in Göteborg.
- The responsibility for ensuring that consistent and appropriate training takes place in preparation for a large-scale international event must be designated to the central authority, i.e., the National Police Board, as a part of its coordination function.
- The events in Göteborg call for a general reassessment of police equipment following the inadequacies that have been revealed.

The police authority's execution of operations

- Experiences from Göteborg demonstrate the need for a coherent national model for the leading and execution of police deployment in connection with special events.
- The police authority's criminal policing has, in our opinion, been conducted successfully.

Police operations at Hvitfeldtska Gymnasiet

- The prosecutor decided on the evening of 13 June that a thorough search of the school premises was to be carried out. In light of the information that was available, no reason has been found to question the prosecutor's decision. However, we are critical of how the decision was implemented. We will not comment on the purely legal judgements made by the police. The officer's actions are currently the subject of a preliminary investigation at the initiative of the Parliamentary Ombudsmen. In our assessment, the operation took on the character of shoddy workmanship, used an excessive amount of resources and disproportionately obstructed the freedom of movement of the people on the school premises. We are critical of the deficiencies in the planning and preparation of this operation.
- It is clear that for several hours the police officers made no active attempt to communicate information about the reason for the police cordons or about the conditions for being allowed to leave the cordoned area. A person who has been confined in this manner has the right to be informed about the reason for this action as well as the conditions under which he or she may leave the area. The police's shortcomings in this respect are significant.
- During the police operation at Hvitfeldtska Gymnasiet, 459 people were arrested on suspicion of inciting riots. The mass arrests are included in the Parliamentary Ombudsmen's preliminary investigation. However, it is evident that in connection with the treatment of those who were arrested, the police officers committed a number of violations of current statutes.
- Many demonstrators have testified that during the police intervention at Hvitfeldtska Gymnasiet the officers used abusive language against them. Inappropriate language by police officers is naturally never acceptable.
- The events at Hvitfeldtska Gymnasiet had a number of negative effects on the remainder of the summit.

- Police resources were seriously drained, which had serious consequences particularly on the Friday.
- Relations with the demonstrators were damaged.
- The police intervention prevented demonstrators from exercising their right of assembly since the anti-summit and other meetings were unable to be held as planned.
- A number of police officers came under extremely severe pressure, both physically and mentally.

Additional police operations

- We have also found a number of deficiencies in other police operations, particularly with regard to radio communications equipment, protective and other equipment, coordinated training and information to and treatment of individuals.

Overall responsibility

- Håkan Jaldung was appointed by Chief Commissioner Ann Charlotte Norrås to lead the deployment at the European Council meeting in Göteborg. His assignment remained uninterrupted during the entire course of this complex police operation.

Regardless of the organisation that has been put in place for the assignment, the Chief Commissioner has the overriding responsibility to ensure that police officers succeed in the effective execution of their duties.

Our conclusions and proposals

The protests in Göteborg cannot merely be viewed as a public order issue to be dealt with by the police. An analysis of the underlying causes reveals that the situation primarily concerned matters that can only be solved politically within our democratic structures. Changes in the forms for political involvement and the political arena also require new channels for dialogue and influence. The movements that are emerging today are characterised by a broad diversity of opinions, non-hierarchical networks, a lack of vision regarding broader social solutions, commitment to combating specific injustices in our world and a growing dependence on the media. Established channels, e.g., traditional popular movements and political parties do not always manage to respond to the forms of expression found in these new movements. Thus, two separate cultures have developed that have difficulty in finding suitable forms of dialogue with each other. This situation is further aggravated by the asymmetrical conditions between, on the one hand, the holders of political and financial power and, on the other hand the movements that question them.

We want to underline how important it is that our democratic processes are characterised by openness and transparency. In connection with the EU summit in Göteborg the Swedish Government – at the initiative of those involved in the organisation of the demonstrations – tried to break the tradition of non-communication at this kind of meeting. This was an important step in the desired direction. Sweden should continue to promote increased openness at future international meetings.

An underlying problem is the sense of exclusion and powerlessness that many people – young people in particular – feel today. We want to stress the importance of political dialogue in the form of discussion and through other channels of influence and participation in democratic decision-making processes – at the international, national and local levels. It is crucial to find forms for such discussion between decision-makers and

today's opinion movements. We would like to see further active efforts to find such forms, as well as channels to reduce the political exclusion that many people feel in Sweden today.

Police planning, preparations and organisation in connection with international events

The division of responsibilities and duties in the regular police forces

With regard to the division of responsibilities and duties in the regular police forces, we consider that it almost goes without saying that the central level, i.e., the National Police Board, should be responsible for the coordination, planning and preparation of major international events. Entrusting the National Police Board with responsibility for coordination gives optimal opportunities for developing and maintaining the necessary skills for good planning and preparation. Another reason is that the central level is best equipped to have an overview of police resources in Sweden. Practically all major international events are likely to require considerable police reinforcements. We also consider that the central level must work to ensure that participating police officers are trained for the task, that they have a coherent model around which to cooperate with common tactics, a common language and equipment that is appropriate and standardised.

According to its current instructions, and as mentioned, the National Police Board is already responsible for the coordination of police planning for special events that particularly require coordinated operations. In our opinion, a major international event must always be regarded as a special event that particularly requires coordinated police operations. Therefore, we do not consider any statutory changes to be necessary. The National Police Board should thus, in accordance with existing regulations, be responsible for the coordination of police planning at major international events in the future. However, in the light of experiences from Göteborg we would like to emphasise the following. Coordination, according to the principles we have recommended, justifies the allocation to the National Police Board of extra funds in each individual case.

The division of responsibilities and duties between the regular police forces and the Swedish Security Service

With regard to the division of responsibilities between the regular police forces and the Security Service we have, as mentioned, highlighted serious shortcomings, primarily as regards cooperation at the top decision-making levels. Coordination between the regular police forces and the Security Service must be considerably improved. Unless these two services are amalgamated, changes must be achieved in other ways. There is clearly a great need to clarify the roles of the various authorities and to ensure that all affected members of staff are well acquainted with this division of responsibilities.

Police skills and preparedness for the management of serious public disturbances

The National Police Board has recently undertaken a tactics project. The project highlights a number of shortcomings in the Swedish Police, among other things in the field of crowd management, and proposes the establishment of a national police tactics centre, with tactics-related tasks.

In view of the experiences gained from events in Göteborg, we find strong reason to support the principles of the tactics project's proposals. In similarity with the project, we consider that the basis for police tactics should be non-confrontation, and that police officers should aim to achieve a de-escalation of a potentially violent situation. Ultimately, the basic values of our society should steer the choice of tactics. A coherent model needs to be drawn up as regards crowd management, and as a precondition if Sweden is to organise such events as the EU summit in the future. This national model should include violence prevention strategies in connection with major meetings and demonstrations. It should also – so as to avoid mass arrests and the taking of people into temporary custody en masse in as far as it is possible – give priority to interventions against individuals.

Participating police officers should receive common training predicated on a national model with clearly defined tactics and a common language. This requires officers with a sound knowledge of social issues (e.g. knowledge of opinion movements and new forms of protest) but also of communication skills and conflict management with the purpose of preventing violence. It is also essential that those who lead police activities in difficult conditions are offered adequate education and training. The project's proposals about research and development activities and the establishment and maintenance of international contacts are also of great importance.

Several examples of the police having used abusive language against demonstrators and individuals during operations in Göteborg and Malmö have emerged. Police officials must vigorously combat such attitudes.

As regards the riot police and the national task force, i.e., Sweden's special task forces, we find it remarkable that there is no coordinated national approach. It should, to some extent, be possible to regard these forces as a national resource, since they are only four in number. They must be able to back up the police all over the country in the case of serious incidences. Even if these forces are organisationally answerable to specific authorities, they must be able to cooperate efficiently. Cooperation of this kind requires some common form of training, coordinated training and standardised equipment.

Police equipment

When intervening in riots today, the police normally only have access to batons and firearms. When police officers are subjected to stone-throwing or similar attacks, more or less all they can do is to seek the protection of helmets and shields. It was in connection with stone-throwing that a large number of police officers were hurt in Göteborg.

We have discussed certain protective devices for responding to violence – primarily weapons ranging from batons to pistols, tear gas and water cannons – as well as other equipment that may be considered of particular relevance when examining possible responses to serious public disturbances in connection with large-scale events.

As mentioned, a national model for the prevention and management of serious public disturbances should be drawn up. It would then primarily be up to the police to decide what equipment to use in such situations in the future.

Weapons ranging from batons to pistols

The leap from batons to firearms is considerable. In the present circumstances a police officer – in a hard-pressed situation – may resort to using a firearm although a less harmful weapon would have been sufficient to put someone out of action or to divert a dangerous situation.

In other countries the police have access to a broader range of weapons in these situations. In our opinion, the lack of such a range in Sweden constitutes a problem. We

therefore consider it important that the National Police Board continues its current development efforts in this area.

Tear gas

Tear gas was used at the meetings we have studied in Seattle, Prague, Nice and Genova. In view of the experiences from these meetings, we do not consider it suitable or effective for the police to use tear gas as a common measure in riot management.

The tactics project has proposed that the use of tear gas in connection with riots could be limited to emergency situations. This is how it is used in Denmark today. Once a national model has been drawn up, the decision whether to use tear gas in emergency situations in connection with riots should be left to the police.

Water cannons

Water cannons were used in Prague, Nice and Genova. In our opinion, experiences from these demonstrations argue against the use by Swedish police forces of mobile water cannons, i.e., vehicles equipped with water cannons in connection with riots.

They do, however, show that stationary water cannons, i.e., water cannons with fixed positions, may be an effective tool in preventing demonstrators and others from pushing past police cordons, for example, around a meeting venue. Using water cannons in this way would hopefully enable a more efficient use of police resources, which is especially important in Sweden, where we have a relatively small number of police officers. Water cannons in fixed positions at meeting venues and other cordoned areas may help us to be better equipped to deal with maintaining public order at major events in the future.

Protected vehicles

In other countries the use of protected vehicles is common. The experiences show several advantages. They make it easier and safer for the police to intervene against individuals who disturb the public order in a crowd. The vehicles can remain in the background to make a quick intervention and then retreat again. This is perceived by demonstrators and others in a crowd as less provocative than a large number of police officers with protective equipment. It is, furthermore, significantly safer for individual police officers to have protected vehicles when they need to get from one place to another. In view of this, we find strong reason in favour of providing the Swedish Police with access to secure vehicles as soon as possible.

Radio communications equipment

Radio communications are a precondition for the management of operational police activities and for the safety of the staff.

The existing radio communications systems are old. One is out of production and it is no longer possible to obtain spare parts or other equipment for this system. The systems are not compatible, are not handled in the same way, are not encrypted and are relatively easy to disrupt.

During the summit in Göteborg, there were serious disturbances to the radio communications system, and on the evening of 15 June during operations at Vasaplatsen the system was more or less out of order. For long periods, the head of operations at Vasaplatsen was unable to reach the 700 officers in the surrounding area via his police radio. According to several of the officers we have interviewed, the violence that occurred

and eventually culminated in a number of shots being fired could probably have been avoided had the radio system worked.

In our opinion the Swedish Police needs to be provided with a new, modern radio system as soon as possible, and preferably in cooperation with other authorities and actors. This is a precondition if Sweden is to be able to organise events such as the summit in Göteborg in the future.

Dialogue between the Swedish Police, political organisations and other opinion-shaping groups prior to major events

We are convinced that dialogue between the police and political organisations, as well as other opinion-shaping groups, is of great importance in preventing serious disturbances to public order in connection with demonstrations and other forms of protest. Dialogue can enable the police and organisers to discuss and find common solutions to practical matters. In our opinion, the police should develop dialogue as a working method. However, since each event and constellation of actors is unique, we do not believe it is possible to use the same dialogue model for every case. There are, nevertheless, certain basic principles that should be observed. Experience from Göteborg shows that it is important that dialogue is initiated well in advance of the event. It takes time to break down mutual suspicion, and this requires good communication skills from all parties. The police officers who are assigned to conduct the dialogue should have adequate training and be suited for and familiar with the task. The police should take active measures to ensure that dialogue is incorporated as a natural working method in their organisation. It would also be constructive for the police to deepen their understanding and knowledge of society outside their own organisation. The mandate of the parties and the purpose of the dialogue need to be clarified. It is also important that agreements that are reached are clear and unambiguous so as to avoid misunderstandings and mistrust, and so as to enable the parties to live up to these agreements.

Ban on the wearing of masks

We propose the introduction of a prohibition on the wearing of masks. We are convinced that a ban of this kind will have positive effects as regards the avoidance of acts of violence in connection with demonstrations and similar gatherings. In all likelihood individuals who participate in a demonstration, and during or in connection with this, cause damage, provoke or use violence, will restrain themselves if they are unable to conceal their identity. Even if a ban will naturally not be able to avert all serious offences in this context, we are convinced that it will have a preventive effect, i.e., crime-reducing effect with less serious disturbances to the public order as a result. Another important consideration is that a ban will probably mean that more citizens will dare and want to make greater use of the freedom to demonstrate. Another expected effect is that a ban may help to increase the legal security of individual citizens. Many people feel afraid of or deeply unsettled by masked demonstrators.

We have considered whether a prohibition on the wearing of masks will require amendments to the Instrument of Government. Our conclusion is that amendments are not necessary since a prohibition on the wearing of masks falls within the framework of what constitutes a permitted restriction on the freedom of assembly and freedom to demonstrate.

We therefore propose the introduction to the Swedish Penal Code of provisions relating to a new classification of crime, *unlawful wearing of a mask*. With certain exceptions, an individual who fully or partially covers his or her face in a way that renders identification difficult in or in connection with an assembly in a public place will be

sentenced for *unlawful wearing of a mask*. Individuals who, under the circumstances outlined above possess items of clothing or other objects that are especially designed to be used in this way will also be sentenced for this offence. There should be certain exceptions to the prohibition on the wearing of masks. The ban should not apply to individuals who cover their faces or possess items of clothing or other objects that are specially designed to cover the face: (1) in order to protect themselves from the weather; (2) for religious reasons; or (3) during participation in a parade, carnival or similar event. Neither should the ban apply to individuals taking part in a general meeting or public event, whose participants have been granted permission to wear masks. A person who is sentenced for the unlawful wearing of a mask shall be fined or sentenced to imprisonment for at most six months.

We also propose the introduction to the Public Order Act of provisions that enable an organiser of a general meeting or public event to request permission for the participants in the meeting or event to wear a mask. Decisions relating to these permits will be communicated by the police authority, provided the reasons given for the request are worthy of attention and the risk of public disturbances is insignificant.

Other conclusions

We have also considered other issues such as international police cooperation, border controls in the Schengen area, police regulations on the taking into temporary custody etc, and police reserves. We have, however, found no reason to propose any amendments to existing provisions.

During the course of our work we have been able to establish that the shortcomings we have highlighted in connection with police operations to prevent and combat serious public disturbances also seem to exist within the police force as a whole.

Several situations that have arisen, not only in recent years – the assassination of the Swedish Prime Minister Olof Palme, the escape of convicted spy Stig Bergling, the fatal shootings at Stureplan in Stockholm, the death of inmate Osmo Vallo, the police killings in Malexander – point to the possibility of fundamental structural problems within the Swedish Police.

Many of the people we have interviewed at different authorities and in different organisations confirm this and state reasons such as the lack of a coordinated approach, poor leadership and management and shortcomings in the police training system. However, it is beyond the scope of this assignment to deal with these issues in a broader perspective. At the same time it is, in our opinion, important that these matters are given further consideration.