Country : Sweden

Committee : Disarmament & International Security Committee (DISEC)

Topic : Ethics of Surveillance Technology

Sweden is committed to protecting the citizens’ privacy as it believes that privacy is a basic function of liberty. Sweden, a model welfare state, has institutionalized ethical systems for protecting the research subject's right to privacy. To understand this situation and nuance the contemporary discussions about surveillance – not least in the highly digitalised context of the Nordic countries – we must adopt cultural and ethical perspectives in studying people’s attitudes, motives, and behaviours. Swedish intelligence services have a longstanding history of intercepting signals intelligence.

The legal authorisation for Sweden signals intelligence-gathering operations are issued by an intelligence court (Underrättelsedomstolen - UNDOM). However, according to the legislative framework governing the issuing of warrants – namely Act 2008:717 on signals intelligence within defence intelligence operations, Act 2009:966 on the Intelligence Court, and Decree 2009:968 with instructions for the Intelligence court – warrants can be sweeping and are not limited to a specific individual. The surveillance activities of the FRA are monitored by a national oversight body, the Inspection for Defence Intelligence Operations (Statens inspektion för försvarsunderrättelseverksamheten – SIUN) which is composed of representatives from the Government and Opposition parties.

Most recently, the Swedish data protection authority (*Datainspektionen*) helped polish our understanding of when the use of video surveillance is unlawful. A housing company, the data controller in the case, took major steps towards compliance, only to find in the end that the *Datainspektionen* considered the processing unlawful and issued a fine equaling EUR 30,000.

The housing company, Uppsalahem AB, used for nearly three months a video camera in one of its apartment buildings, to prevent or detect the disturbances and harassment which had been going on in the stairwell for a long time. The complainant in the case before the *Datainspektionen* was, in fact, the person responsible for the disruptive behavior of which other tenants complained. The shooting area of the camera included the hallway at the ground floor and the two apartment doors: that of the complainant and that of his neighbor, a victim of the complainant’s disturbances and harassment. The cameras could also record parts of the apartments’ interior when the doors opened. After the company installed the camera, the disorderly behavior immediately ended.

Monitoring as a form of general situational prevention, the congruent generalised distrust that affects the public and the Swedish requirement to inform citizens about cameras are viewed as elements of a governmental rationality based on the notion of the autonomous, free and self-responsible subject. Accordingly, the popular idea that camera surveillance is an indicator of an expanding security state must be modified.

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