



Ministry for Foreign Affairs
Director-General for Legal Affairs

The Special Rapporteurs
signatories to the Joint
Communication
AL SWE 2/2026

Office of the High Commissioner
for Human Rights
Palace of Nations
CH-1211 GENEVA 10
Switzerland

Joint Communication from Special Procedures

Reference: AL SWE 2/2026

Dear Special Rapporteurs,

1. I have the honour of referring to the Joint Communication of 20 February 2026 in which the Swedish Government is invited to submit observations regarding contamination of per- and polyfluoroalkyl substances (PFAS) in drinking water in Ronneby municipality, Sweden. On behalf of the Swedish Government, I have the privilege to submit the following in response to the invitation.

2. At the outset, the Government wishes to emphasise that it considers the severe contamination affecting the inhabitants in Ronneby municipality, as well as those affected in similar cases elsewhere, regrettable and finds it of utmost importance to avoid similar contamination in the future. Further, it also considers general PFAS contamination to be a matter of significant environmental and public concern. Addressing the presence and spread of PFAS constitutes to be an important and ongoing challenge that the Government attaches great importance to.

1. Additional information

3. According to the Swedish Constitution (the Instrument of Government, *Regeringsformen*), Swedish authorities, including courts of law, are independent and separate from the Government in decision-making and adjudication. This

principle of independence is fundamental to the Swedish form of government. The Government is thus prevented from influencing the decisions of Swedish authorities or others in the individual cases that appear before them.

4. Without prejudice to this principle, the Government nevertheless wishes to provide a brief clarification on certain aspects of the case between the PFAS Association and Ronneby Miljö och Teknik AB (Miljöteknik).

5. In its judgment, the Supreme Court established that Miljöteknik, a municipally owned company, was responsible for compensating the PFAS Association for personal injuries. The case concerned the question of whether there was liability per se, not the determination of the amount of the compensation, as the action brought by the PFAS Association was a claim for declaratory judgment, and not a claim for a specific performance. A judgment on a specific performance can be enforced, ultimately through the efforts of the Enforcement Authority (*Kronofogdemyndigheten*). In a declaratory action, the plaintiff does not seek an enforceable judgment but a declaration that a certain legal relationship exists.

6. Accordingly, any conclusion that the Chancellor of Justice's decision on 29 November 2024, to reject the PFAS Association claim of compensation due to statute of limitations, might entail a non-implementation of the Supreme Court's judgment is incorrect, given that the Court rendered a declaratory ruling on liability rather than an enforceable order regarding compensation. Neither is the Chancellor of Justice responsible for enforcement or implementation of a court ruling.

2. State responsibility and compensation

7. The Swedish Armed Forces has, for the past decade, financed a number of measures related to the water supply in the affected municipality. These expenditures include, inter alia, measures at the Brantafors water treatment facility, well sampling, drilling of a new water source, and the installation of new water pipelines. As of December 2025, the costs amounted to 34 million SEK, and claims for compensation for costs aimed at restoring the drinking water supply continue to be processed on an ongoing basis.

8. As to effective remedies available to the affected individuals, the Swedish legal system provides several different options for seeking compensation for PFAS contamination. The Product Liability Act (*produktansvarslagen* [1992:18]), for instance, places responsibility for injuries caused by a defective product on, among others, the supplier of the product. In its judgment mentioned above, the Supreme Court established that Miljöteknik was responsible pursuant to this Act for compensating the PFAS Association for personal injuries.

9. An alternative for non-pecuniary damages is the Tort Liability Act (*skadeståndslagen* [1972:207]), which formed the basis for the PFAS Association's claim for compensation from the Chancellor of Justice. In that the claim, it is argued that the state failed to fulfil its positive obligations under articles 2 and 8 of the European Convention on Human Rights, due to failure to prevent and avert personal injury resulting from the Swedish Armed Forces' contamination of drinking water, by omitting to enact legislation and to exercise adequate supervision, as well as failure, once the contamination was discovered, to assist the Association in the legal proceedings initiated as a result of the incident. Accordingly, the claim for damages before the Chancellor of Justice does not entail a renewed examination of liability for personal injuries. As the Special Rapporteurs are aware, the matter remains pending before the Chancellor of Justice, and the Government is therefore not in a position to provide any further comment (cf. para. 3).

10. In addition, a claim for damages arising from PFAS contamination constitutes environmental damage under the Environmental Code (*Miljöbalken* [1998:808]), pursuant to which liability may be placed on an owner of a property where a harmful activity has taken place or anyone who carries out a harmful activity on a property that is used, inter alia, in public activities (Chapter 32, Section 6).

11. As a general rule, the party that loses a civil court case must reimburse the opposing party for its litigation costs (Chapter 18, Section 1 of the Swedish Code of Judicial Procedure (*Rättegångsbalken* [1942:740])). Individuals with limited financial means may apply for legal aid under the Legal Aid Act (*rättshjälpslagen* [1996:1619]). The State will then cover parts of the costs for legal representation and evidence. A claim for compensation can also be brought as a group action under the Group Proceedings Act (*lagen* [2002:599] *om grupprättegång*). This limits the liability for litigation costs for group members.

12. In regard to healthcare, the responsibility rests with the regions, and not the Government. The responsibility includes health testing, medical prevention, investigation and treatment of diseases and injuries. Under the current regulatory framework, the regions determine, inter alia, which examinations and tests are to be carried out, as well as the fees to be charged for various services.

3. Environmental permits

13. According to the Environmental Code, anyone who pursues an activity or takes a measure, or intend to do so, must possess the knowledge that is necessary in view of the nature and scope of the activity or measure to protect human health and the environment against damage or detriment. An operator carrying out environmentally hazardous activities must comply with the provisions in the Code, in particular the general rules of consideration set out in Chapter 2. A governmental agency such as the Swedish Armed Forces is responsible for acquiring sufficient knowledge in accordance with the regulations in the Code.

14. The Swedish Armed Forces have assessed that activities at the Blekinge Wing (F 17) have been conducted in accordance with the environmental permits and regulations for Källinge Airforce base in effect at the relevant time, as the permits did not contain provisions relating to PFAS. Before state and societal awareness of the harmful effects of PFAS, the environmental permit for Källinge airbase as well as the implemented protective measures and other regulation were mainly focused on preventing other forms of contamination of water and groundwater sources. As the state of awareness of the harmful effects of PFAS has increased over time, measures have been taken by the Swedish Armed Forces to address these issues and adjust procedures in accordance with increased regulation of PFAS.

15. The fact that an operator complies with the terms of an environmental permit does not exempt it from liability for damages according to the Environmental Code (cf. para. 10). Generally, such liability is strict, i.e. regardless of negligence or intent, when a causal link between the activity and the damage is established.

4. Mitigating and preventative policies

16. In October 2015, the Government initiated an inquiry of the reasons behind the spread PFAS into drinking water sources. The analysis included a survey of

the actions of the licensing and supervisory authorities and the relevant operators (e.g. those responsible for airports, the municipal rescue service and the Swedish Armed Forces) in matters relating to the use of firefighting foam containing PFAS. The investigation also examined the exchange of information between the relevant authorities responsible for testing, supervision and environmental monitoring and central authorities responsible for chemical control and drinking water in matters relating to PFAS. The investigation proposed several measures which aimed to strengthen the supervision by and the cooperation between authorities, expanded clean-up measures and a continued inventory, risk assessment and analysis of all locations where firefighting foam has been used. A further recommendation was to set up a centre for substitution.

17. The Government has since then given high priority to take measures in line with the inquiry's recommendations. Cleanup of environmental toxins both on land and in water remains a priority, and efforts are being made to increase the pace of cleanup. Within the framework of a government assignment on PFAS-contaminated areas which runs from 2022 to 2027, several parallel activities and deliveries are being carried out with the Swedish Environmental Protection Agency as the main responsible authority. The main goal of the assignment is to develop and strengthen national coordination and guidance on the problems with PFAS-contaminated areas and to strengthen collaboration.

18. For 2026-2028, the Government will allocate 335 million SEK to enable continued work to reduce the spread of PFAS in the environment. The funds may be used, inter alia, for costs to prevent and mitigate major cleanup costs and risks with PFAS, as well as for contributions to other organisations for the same purpose.

19. In order to prevent similar incidents, the Government has established a maximum permissible limit for PFAS in drinking water at as stringent a level as currently feasible, namely 4 ng/l, thereby requiring water treatment facilities to conduct more rigorous testing and purification processes. This threshold is lower than the level set by the EU (5 ng/l).¹ The municipalities, which are independent from the Government, have the responsibility to ensure implementation, while the

¹ Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption.

governmental Swedish Food Agency is the central regulatory agency for drinking water and provides the municipalities with regulatory guidance.

20. Moreover, as a member of the European Union, Sweden will abide by the ban on the use of PFAS in firefighting foams adopted by the European Commission recently. The Swedish Chemicals Inspectorate has, in cooperation with relevant authorities in four other member states, gone even further by submitting a proposal for a universal restriction on the use of PFAS to the EU Chemicals Agency in January 2023. The result is pending.

21. The Swedish Armed Forces has for the past decade been engaged in extensive efforts to investigate and implement appropriate measures at locations where the agency has conducted activities that have resulted in PFAS contamination. A recent example is that in 2025, the Swedish Armed Forces carried out sampling of drinking water in approximately 600 private wells located near current and former operational sites. In addition, it has performed remedial actions as part of monitoring programs, as well as work on stormwater treatment facilities. Preparatory investigations for further measures in 2026 have also been conducted, including laboratory bench scale tests on the stabilisation of PFAS contaminated soil and the treatment of surface water and groundwater.

22. Furthermore, the Swedish Armed Forces initiated proposals for mitigation measures aimed at reducing the spread of PFAS pending final remediation at several prioritised sites. In 2025, the costs for the investigation, management, and remediation of contaminated areas amounted to approximately 135 million SEK.

5. Legislative and policy initiatives

23. On 9 December 2026, new EU legislation² enters into force, introducing a modernised fully harmonising framework for product liability within the European Union. It retains the general rule on statute of limitation, that the right to compensation expires ten years after the product was placed on the market or put into service, unless legal proceedings have been initiated within that timeframe. In cases where the injured party has not been able to initiate proceedings in time due to the latency of a personal injury, the limitation period is extended to twenty-five years. Injured persons have three years from the day they became aware, or should

² Directive (EU) 2024/2853 of the European Parliament and of the Council of 23 October 2024 on liability for defective products and repealing Council Directive 85/374/EEC.

reasonably have become aware, of the damage, defectiveness and liable party to bring the claim for compensation before a national court. These rules aim to ensure legal certainty while preserving the injured person's ability to seek compensation within a reasonable timeframe.

24. In Sweden, a Government Inquiry has proposed a new act, drafted close in form and content to the EU Directive, which is suggested to enter into force on 9 December 2026. The Inquiry's proposal and comments submitted by consultative bodies are currently being analysed by the Government.

6. Research

25. *Testbed PFAS* is a collaborative research project between the Research Institutes of Sweden (RISE), The Swedish Defence Materiel Administration, Swedish Fortifications Agency and the Swedish Armed Forces. The project has conducted and evaluated remediation technologies for contaminated water and soil, as well as PFAS-free extinguishing agents. This work has resulted in scientifically validated methods for water purification, as well as generated new knowledge regarding PFAS-free extinguishing agents, which are required to replace firefighting foams containing PFAS. This research has increased the overall knowledge concerning PFAS.

7. Protection of children

26. Since there is currently no well-established method for eliminating PFAS from the human body, preventive efforts aimed at protecting future generations must focus on reducing the risk of exposure to PFAS. For the Government's efforts in this part, a general reference is made to the content above.

8. Updated protocol

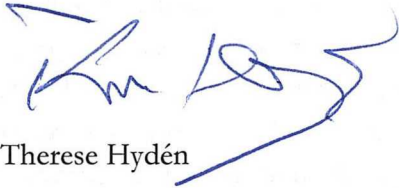
27. The Swedish Armed Forces have replaced the previously used vehicles with new fire trucks to enable the use of PFAS-free extinguishing agents. Naturally, measures have been taken to phase out the use of PFAS in firefighting foam to adhere by the forthcoming ban on the sale of PFAS based fire extinguishers entering into force in 2026.

9. Final remarks

28. The Government has, and continuously are, taking measures to mitigate the effects of the regrettable contamination in Ronneby municipality, and to prevent similar incidents in future.

29. The Government remains at the disposal of the Special Rapporteurs, should any further information be requested.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Therese Hydén', with a long horizontal stroke extending to the right.

Therese Hydén

Director-General for Legal Affairs