



Office for Democratic Institutions and Human Rights

DENMARK

EARLY GENERAL ELECTIONS

18 June 2015

OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT

5-8 May 2015



Warsaw
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DENMARK
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2015

OSCE/ODIHR Needs Assessment Mission Report

I. INTRODUCTION

In anticipation of an official invitation to observe the upcoming early parliamentary elections to be held on 18 June 2015, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) undertook a Needs Assessment Mission (NAM) to Denmark from 5 to 8 May. The NAM included Steven Martin, OSCE/ODIHR Senior Adviser on New Voting Technologies, and Alexander Shlyk, OSCE/ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and the preparations for the early parliamentary elections. Based on this assessment, the NAM should recommend whether to deploy an OSCE/ODIHR election-related activity for the forthcoming elections, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions and the election administration, as well as with representatives of political parties, media, and civil society. A list of meetings is annexed to this report.

The OSCE/ODIHR would like to thank the Ministry of Foreign Affairs for its assistance and co-operation in organizing the visit. The OSCE/ODIHR would also like to thank all of its interlocutors for having taken the time to meet with the mission and sharing their views.

II. EXECUTIVE SUMMARY

On 18 June, Danish voters will elect 179 deputies of the *Folketing* (parliament) for a four-year term. The unicameral parliament is composed of 175 deputies elected from Denmark, and 2 each from the Faroe Islands and Greenland; constituent countries of the Kingdom of Denmark. This report focuses on the election of the deputies from Denmark.

For elections, Denmark is divided into 3 regions that are subdivided into 10 multi-member constituencies, which are further divided into 92 nomination districts. Multi-member constituencies return 135 of the 175 seats in the parliament, while the remaining 40 compensatory seats are distributed among regions and, subsequently among constituencies and nomination districts through a two-tier mandate allocation system.

The elections are regulated by the Constitution and the Parliamentary Election Act (election law). A limited number of amendments have been introduced to the election law since the last parliamentary elections, specifically to further facilitate advance voting and enable voters with disabilities to change their polling stations. All OSCE/ODIHR NAM interlocutors expressed full confidence in the legal framework as a sound basis for the conduct of democratic elections.

Elections are managed by three levels of administration: the election section of the Ministry of Economic Affairs and the Interior (MoEAI), 92 district election committees and some 1,650 polling district election committees. The administration of the elections at lower levels relies to a significant degree on the municipalities, with local branches of political parties recruiting members to lower-level committees. All OSCE/ODIHR NAM interlocutors expressed a very high level of

trust and confidence in the professionalism and integrity of the election administration at all levels.

All citizens over 18 years of age who permanently reside in Denmark, or are considered as such despite living abroad, are eligible to vote in the elections. Voter registration is passive and voter registers are extracted from the national civil registration system. Local councils can make corrections and additions to the voter register up to and including on election day. No OSCE/ODIHR NAM interlocutor voiced any concerns with regard to the quality of voter registers.

Candidates are nominated by political parties or can stand as independents. All political parties that gained representation in the previous parliament are eligible to nominate candidates in all nomination districts. Other parties can participate in the elections if they submit at least 20,260 declarations of support from eligible voters. OSCE/ODIHR NAM interlocutors noted that obtaining the declarations of support is a cumbersome process for voters and prospective contestants alike. The MoEAI informed the OSCE/ODIHR NAM that it soon expects to introduce a digital system to collect declarations in order to further facilitate the process, which was welcomed by a number of stakeholders as further stimulating the competitiveness of the elections. Some OSCE/ODIHR NAM interlocutors expressed concerns that voters are not permitted to support more than one prospective political party, which is not in line with the international good practice.

At least two extra-parliamentary parties will contest the early elections in addition to all eight parliamentary parties. While parties aim for inclusive lists, generally they did not have specific internal policies to promote women or minority candidates and, in most cases, gave local branches autonomy in the candidate nomination process.

The campaign is expected to focus on economic issues, immigration, and the welfare state. In addition to traditional means of campaigning such as outdoor advertising, coverage by the media, and paid advertisements in the press, parties noted the significant role of online campaigning and in particular via social media. Many also noted the important and active role played in the campaign by interest groups such as trade unions, businesses or associations of employers.

Legislation does not establish limits on campaign expenditure by political parties or any other entities, nor does it require political parties to report on campaign expenditure. A number of OSCE/ODIHR NAM interlocutors criticized the lack of transparency of political party and campaign finance, in particular with regard to limited disclosure requirements for donations as well as the role of in-kind contributions and third-party campaigning. All OSCE/ODIHR NAM interlocutors acknowledged the importance of continuing the ongoing process of improving the transparency of political and campaign finance after the elections.

A diverse and open media environment plays an important role to enable a vibrant political climate in the country. In addition to the active participation of the major broadcast media (DR, TV2) during the elections, print media also play a significant role in informing the public of political matters. Advertising of a range of public associations, including political parties, is prohibited on television, as is television advertising of 'political messages' during the campaign period. The Press Council, established by law, adjudicates media-related complaints. Its decisions are not subject to appeal. Parties met with by OSCE/ODIHR NAM raised no concern with access to or coverage by the media.

The process of election dispute resolution is primarily regulated by the election law. Immediately after the elections, a temporary election committee is established by parliament to receive and adjudicate electoral complaints before making a recommendation to the parliament regarding the validity of the elections. The election law does not provide for a judicial review of any

administrative decisions with regard to elections. Despite the absence of an opportunity to appeal such decisions, OSCE/ODIHR NAM interlocutors expressed trust in the election dispute resolution mechanism.

All interlocutors expressed a high level of confidence in all aspects of the electoral process. Since the last elections, no new issues have been identified pertaining to the conduct of elections that would benefit from an assessment by the OSCE/ODIHR. Only issues of party and campaign finance were noted by some OSCE/ODIHR interlocutors, which could benefit from an external review. Based on this, the OSCE/ODIHR NAM does not recommend deploying an election-related activity for the upcoming early parliamentary elections. However, the OSCE/ODIHR encourages the authorities of Denmark to consider the issues raised by interlocutors in discussions with the OSCE/ODIHR NAM, in particular the regulation of political and campaign finance and the electoral dispute resolution process. The OSCE/ODIHR stands ready to offer its assistance upon request in a post-election follow-up process.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

The Kingdom of Denmark is a constitutional monarchy, with a parliamentary system of government. The *Folketing* (parliament) is a unicameral body composed of 179 deputies – 175 elected from Denmark, and 2 from each the Faroe Islands and Greenland; constituent countries of the Kingdom of Denmark. Following the 15 September 2011 parliamentary elections, 8 parties gained representation among the 175 deputies elected from Denmark. The Liberal Party (*Venstre*) gained the largest number of seats (47), followed by the Social Democrats (*Socialdemokraterne*; 44), the Danish People's Party (*Dansk Folkeparti*; 22), the Social Liberal Party (*Det Radikale Venstre*; 17), the Socialist People's Party (*Socialistisk Folkeparti*; 16), the Red-Green Alliance (*Enhedslisten*; 12), the Liberal Alliance (*Liberal Alliance*, 9), and the Conservative People's Party (*Det Konservative Folkeparti*; 8). Subsequently, one member from the Social Liberal Party left to form a new party, the Alternative.

Following the last elections, the Social Democrats formed a minority coalition government with the Social Liberal Party and the Socialist People's Party. In January 2014, the Socialist People's Party left the governing coalition.

The OSCE/ODIHR has not previously observed parliamentary elections in Denmark, although it deployed a Needs Assessment Mission (NAM) prior to the 2011 general elections and visited the country in the context of the 2009 European Parliament elections.¹

B. ELECTION SYSTEM AND LEGAL FRAMEWORK

The elections are primarily regulated by the Constitution of 1953 and the 1987 Parliamentary Election Act (election law). Elections in the Faroe Islands and Greenland are administered on the basis of separate legislation. This report focuses on the election of the members of the parliament from Denmark.

The parliament is elected for a four-year term under a proportional regional representation system

¹ See the [OSCE/ODIHR NAM report on 2011 elections in Denmark](#) and the [OSCE/ODIHR Expert Group Report on 2009 elections to the European Parliament](#).

with open lists. For elections, the country is divided into 3 regions (Metropolitan Copenhagen, Sealand-Southern Denmark, and Northern and Central Jutland), subdivided into 10 multi-member constituencies and further into 92 nomination districts.² Of the 175 seats in the parliament, 135 constituency seats are returned by 10 multi-member constituencies. The remaining 40 compensatory seats are distributed among the 3 regions and, subsequently, among constituencies and nomination districts. A valid vote can be cast for a particular candidate or a party, or indicate both a candidate and the party that this candidate stands for. This forms the basis of a two-tier mandate allocation system. The distribution of seats among constituencies is reviewed every five years based on population data. Since the 2011 elections, one seat has been re-allocated to another constituency.

The mandates are first allocated among parties and independent candidates at the level of each multi-member constituency using the *d'Hondt* method. Secondly, parties that cross at least one of the three thresholds become eligible for the allocation of the compensatory seats that are devised to bring the total of party mandates nationwide in line with the party's share of the votes cast nationwide.³ This determines how many seats each party is entitled to in each constituency.

The candidates who fill the allocated seats are determined on the basis of the total number of votes they receive. For each one, this total is determined as a sum of the personal votes (cast for a specific candidate, or a candidate and the party that s/he stands for) and a corresponding share of the party votes (cast for a party). The party votes are distributed to the candidates at the level of the nomination district either proportionately to the number of their personal votes received (if no distinction is made between candidates in the district) or are allocated in full to one candidate who had been registered as 'standing in the district' for a specific party.

The election law provides for the possibility for the public to be present during voting, counting and the mandatory recounting, although the number of people present during voting may be limited by polling staff to ensure public order. The election law does not explicitly provide for citizen or international observation of the elections as called for in paragraph 8 of the 1990 OSCE Copenhagen Document. However, the OSCE/ODIHR NAM was assured full access to all stages of the election process in the event that an election observation activity would be undertaken.

A limited number of amendments have been introduced to the election law since the last elections, which focused upon improving voter access. All voters are now eligible to cast their ballot in an advance poll three weeks before election day, municipalities can establish polling locations at their discretion, and voters with disabilities can request to change their assigned polling station. In addition, as voters are not required to present identification documents during voting, the verbal verification of a voter's date of birth was introduced as a measure to verify identity. Authorities indicated that some small-scale amendments, principally aimed to further facilitate voting will also be considered by the next parliament. All OSCE/ODIHR NAM interlocutors expressed full confidence in the legal framework as a sound basis for the conduct of democratic elections.

C. ELECTION ADMINISTRATION

Elections are managed by three levels of administration: the election section (ES) of the Ministry of Economic Affairs and the Interior (MoEAI), 92 district election committees (DECs) and some

² There are 98 municipalities in Denmark; a nomination district can consist of a part of a municipality, as well as of a number of municipalities and parts thereof.

³ The three thresholds are (i) winning a seat directly in one of the constituencies, (ii) obtaining in two out of the three provinces a number of votes that corresponds at least to the vote per seat ratio (excluding the compensatory seats), and (iii) obtaining two percent of votes nationwide.

1,650 polling district election committees (PDECs).

The ES is a permanent body that has the responsibility for organizing elections. Some ES staff are appointed by the MoEAI to a separate entity, the election board, that performs specific tasks such as registering non-parliamentary political parties that want to contest the elections and maintaining a list of party names, as well as deciding on the eligibility of voters who have resided abroad for more than four years.

Each DEC and PDEC is appointed by the corresponding local council on the basis of proportional representation of political parties represented in it. The administration of elections at lower levels relies to a significant degree on the municipalities with local branches of political parties recruiting DEC and PDEC members.

DECs are formed in nomination districts, which can consist of either a part or a whole of one municipality, or of a number of municipalities or their parts. For each nomination district that consists of more than one municipality, the election law determines a constituency municipality that performs the common functions. DECs comprise from five to nine members and are appointed from each of the municipalities or their parts in proportions prescribed by the election law. The mayor of a constituency municipality serves as the DEC chairperson, with the deputy chairperson also elected by the local council of this municipality. The law allows the Minister of Economic Affairs and the Interior to make “minor adjustments” to the list of election districts by executive order.

PDECs are composed of between five and nine polling supervisors and are assisted by a number of appointed electors. It was noted that many citizens volunteer to serve as polling supervisors, while they are also obliged to join the PDECs if appointed by the local council. Although candidates standing for elections can serve as polling supervisors or appointed electors, there are certain restrictions regarding their participation in the counting of votes.⁴

All OSCE/ODIHR NAM interlocutors expressed a very high level of trust and confidence in the professionalism and integrity of the election administration at all levels.

D. VOTER REGISTRATION AND METHODS OF VOTING

Citizens over 18 years of age who permanently reside in Denmark are eligible to vote. Those deemed legally incapacitated by a court decision automatically lose the right to vote, which is contrary to the international good practice.⁵ The election law also specifies which categories of citizens temporarily residing abroad are considered as permanent residents and are eligible to vote.⁶

Voter registration is passive and voter registers are extracted from the national civil registration system (CPR) by staff of the MoEAI once the elections are announced. A separate voter register is prepared for each polling district and includes voters who have been registered with the local municipality no later than 15 days prior to elections.⁷ Based on the voter register, the local council prepares polling cards with the name and address of the voter, as well as information of the day and

⁴ They are, for example, not allowed to participate in the counting of votes for themselves.

⁵ In its judgment in *Kiss v. Hungary* (No.38832/06) from 20 May 2010, the European Court of Human Rights noted that “an indiscriminate removal of voting rights, without an individualised judicial evaluation ... cannot be considered compatible with the legitimate grounds for restricting the right to vote.”

⁶ See Section 2 of the election law for a list of eligible voters temporarily residing abroad and Section 16 of the election law for provisions on the mode of their inclusion in the voter registers.

⁷ This deadline is 18 days prior to elections for registering a move from/to the Faroe Islands and Greenland, and 7 days prior to elections for a move from abroad.

time of voting and the address of the polling station. After polling cards are issued, complaints can be addressed to local councils. Additions and corrections to voter registers can be made up to and including on election day. No OSCE/ODIHR NAM interlocutor voiced any concerns with regard to the quality of voter registers.

Voting on election day at the polling stations remains the predominant way of casting ballots. Voters who are not able to visit a polling station can vote in advance in a controlled environment before a municipal officer. A ballot cast in advance is sent to the voter's home municipality using a double envelope system. Voters residing in Denmark can vote in advance within three weeks of election day but no later than two weekdays before. Advance voting is envisaged for voters at places set-up by the municipalities, as well as for voters in hospitals and nursing homes or for inmates. Homebound voters should file a request to cast a ballot at home at least 12 days before the elections. Voters temporarily residing abroad can cast a ballot in advance at any Danish diplomatic or consular mission. All OSCE/ODIHR NAM interlocutors expressed full confidence in the effectiveness and transparency of the advance voting procedures.

The OSCE/ODIHR NAM was informed that authorities had previously considered exploring the option of electronic voting, but it was not pursued due to a lack of political support and concerns with regard to security and transparency of new voting technologies.

E. CANDIDATE REGISTRATION

Any eligible voter can stand as a candidate in the elections. Candidates are nominated by political parties or can stand as independents. Party lists are formed at the level of a nomination district. All political parties that gained representation in the previous parliament and continue to be represented therein are eligible to nominate candidates in all nomination districts. All parliamentary parties are all expected to contest the early elections, as well as at least two non-parliamentary parties.

Non-parliamentary parties can participate in the elections if they submit at least 20,260 declarations of support from eligible voters to the MoEAI and choose a unique party name.⁸ Declarations of support must be accompanied by a certificate of eligibility to vote that can be obtained from local national registration office. The declarations are returned by the municipality to the voters who then forward them to the political party that seeks registration. Upon request for registration, the party submits the declarations to the MoEAI. OSCE/ODIHR NAM interlocutors noted that obtaining the declarations of support is cumbersome for voters and prospective contestants alike. The MoEAI informed the OSCE/ODIHR NAM that it soon expects to introduce a digital system to collect declarations in order to further facilitate the process. A number of electoral stakeholders welcomed this innovation and underscored that it will further stimulate competition in the elections. Although 'the Alternative' is represented in parliament, the party still needed to collect declarations as its member was originally elected through another party.

Some OSCE/ODIHR NAM interlocutors expressed concerns that voters are not permitted to support more than one prospective political party, which is not in line with the international good practice.⁹ The ES explained that if a voter supports more than one prospective party, only the first declaration of support for a party that has applied for registration will be valid.

⁸ The election law requires submission of signatures of voters in the amount that corresponds as a minimum to 1/175 of the total number of valid votes cast in the previous elections. No declarations of support are necessary for registering the party of the German minority.

⁹ The [2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation](#) state that "in order to enhance pluralism and freedom of association, legislation should not limit a citizen to signing a supporting list for only one party."

Political parties forming lists of candidates for the nomination districts can choose to nominate a candidate as ‘standing in the district.’ In that case, the candidate’s name is placed first in the section of this party and all the votes cast for that party in the district (including the votes cast for other candidates) would be attributed to this candidate during the process of allocating seats. Alternatively, party candidates can stand ‘in parallel’ with their names listed in alphabetical order and the party votes are distributed among them in proportion to the personal votes they received. While parties aim for inclusive lists, generally they did not have specific internal policies to promote women or minority candidates and, in most cases, gave local branches autonomy in the candidate nomination process.

Candidates wishing to contest elections independently need to submit signatures, addresses and the CPR numbers of between 150 and 200 supporters from a corresponding nomination district. A candidate would need to satisfy the signature requirement in each district where s/he wishes to stand for elections. The names and addresses of the supporters are open to the public.

F. ELECTION CAMPAIGN

The official campaign period commences when the elections are announced by the prime minister and can be as short as three weeks; these early elections were called on 27 May. Campaigning can continue up to and on election day, except in the vicinity of polling stations.

The campaign is expected to focus on economic issues, immigration, and the welfare state. In addition to traditional means of campaigning such as outdoor advertising, coverage by the media, and paid advertisements in the press, parties noted the significant role of online campaigning and in particular via social media. Many also noted the important role played in the campaign by interest groups such as trade unions, businesses or associations of employers.

G. POLITICAL AND CAMPAIGN FINANCE

Legislation does not establish limits on campaign expenditure by political parties or any other entities, nor does it require political parties to report the expenses incurred in relation to their campaign. Representatives of political parties informed the OSCE/ODIHR NAM that campaigns of individual candidates are funded by a combination of political party support at the national and regional levels and contributions raised by the candidates themselves.

Political parties receive contributions from membership fees, state support and donations. State support is provided for all parties and independent candidates that received at least 1,000 votes in the last parliamentary elections (30.50 DKK in 2015 for each vote received).¹⁰ State support is to be used by political parties for political activities and is disbursed on the basis of an application accompanied, when applicable, by a declaration that the expenditure on political activities at least matched the previous grant. Political parties can also receive unlimited contributions from Danish and foreign physical and legal entities.

The legal framework establishes reporting mechanisms through two separate laws.¹¹ According to these regulations, receiving a government subvention is conditional on submitting an audited report of incurred expenses and the amount of prospective expenses on political activities. Additionally,

¹⁰ 1 EUR is approximately 7.5 DKK.

¹¹ See the Grants to Political Parties (Consolidation) Act, and the Private Contributions to Political Parties and Publication of Political Parties Accounts Act. The former also provides for government grants at the regional and local levels.

political parties are obliged to publish accounts of private donations within 12 months after the end of the financial year.¹² The identities of donors who contribute more than 20,000 DKK need to be published. However, the exact amounts of the donations can remain undisclosed. Moreover, anonymous donations are permitted, although it is an offence to report a donation as anonymous in case the party is aware of the donor's identity. Legislation vests the Auditor General with the power to review political party accounts in detail.

Most OSCE/ODIHR NAM interlocutors criticized the lack of transparency of political party and campaign finance and noted that this has been a long-standing concern. In particular, they noted the need to have parties disclose sources and amounts of private funding, including in-kind contributions, as well as the disclosure of third-party campaigning as the most necessary adjustments within a broader legislative reform process. These issues have also been raised by the Council of Europe's Group of States against Corruption (GRECO).¹³

During 2014-2015, an expert committee was convened by the MoEAI and the Ministry of Justice to discuss possible steps to improve transparency and clarity of political and campaign finance, which included reviewing GRECO's recommendations. The report of this committee was shared with the political parties and the civil society. Among its recommendations, the expert committee proposed to amend the legislation to ensure that both monetary and in-kind private contributions to political parties, as well as to shorten the deadlines for parties to publish their accounts. The committee also proposed to publish the names, addresses, and total value of donations from those who give more than 20,000 DKK in the course of a year.

No amendments have yet been made to the framework of party and campaign finance – any changes will only be introduced and discussed in the next parliament. In general, however, OSCE/ODIHR NAM interlocutors, including representatives of political parties and civil society, acknowledged that transparency of the political finance remains an important topic and stressed the need to continue with discussions and ways to increase transparency and accountability.

H. MEDIA

A diverse and open media environment plays an important role to enable a vibrant political climate in the country. The national broadcasting corporation DR includes 6 TV channels (DR1, DR2, DR K, DR *Ramasjang*, and DR *Ultra*) and a number of radio channels, including 11 regional ones. Apart from that, the commercial broadcaster TV2, with its six national channels (TV2 *Denmark*, TV2 *Zulu*, TV2 *Charlie*, TV2 *News*, TV2 *Film*, TV2 *Fri*, and TV2 *Sport*) and nine regional channels, has the greatest audience in Denmark. DR and the regional channels of TV2 are financed by license fees, while TV2 national channels are financed through advertising.¹⁴

The OSCE/ODIHR NAM was informed that both DR and TV2 are planning extensive coverage of the election campaign, including online, and will facilitate a series of debates among the leaders of all parties contesting the elections and one-on-one debates between leaders of the two largest parties. DR expects to make their debates accessible for viewers with disabilities, including using sign language and subtitles.

¹² See Section 7b of the Grants to Political Parties (Consolidation) Act, as well as Section 3 of the Private Contributions to Political Parties and Publication of Political Parties Accounts Act.

¹³ See the [GRECO Third Evaluation Round 2008 Evaluation Report on Denmark](#), which contained nine recommendations pertaining to political party finance. The [GRECO Third Evaluation Round 2011 Compliance Report on Denmark](#) notes that none of the recommendations regarding transparency of party funding have yet been implemented.

¹⁴ See details of license fees in the [Executive Order on License Fees](#).

All Danish broadcasters are subject to the Radio and Television Broadcasting Act. At the same time, DR, TV2 *Danmark* and TV2 regional channels have public service obligations determined by a political agreement in the parliament and are embodied in public service contracts that outline principles of their programming. The main opposition party is not part of the current this political agreement. Parties met with by OSCE/ODIHR NAM noted that the public broadcaster fully meets its obligations for coverage and raised no concern with access to or coverage by the media.

In accordance with the Radio and Television Broadcasting Act, advertising by a range of public associations, including political parties, is prohibited on television. Additionally, television advertising of 'political messages' is prohibited in the period between the announcement of elections and election day. The OSCE/ODIHR NAM was informed that the term 'political messages' is interpreted broadly and includes messages that aim to promote public opinion on political matters. It is understood that this prohibition extends to advertising by organizations and unions, in which they express political views.¹⁵ Additionally, the law expressly prohibits sponsorship of all programs by political parties or other public associations, as well as any sponsorship of the news and current affairs programs on television and on the radio.

Newspapers, especially major dailies with large circulation, such as *Politiken*, *Berlingske Tidende* and *Morgenavisen Jyllands-Posten*, form a significant part of the media landscape. Newspapers have planned extensive coverage of the elections, and will also publish paid political advertising.

All print and broadcast media are regulated by the Media Liability Act of 1998. This law specifies that the "content and conduct of mass media shall be in conformity with sound press ethics." The OSCE/ODIHR NAM was informed that although major media outlets have internal codes of conduct, they participate in formulating the overarching rules of ethics for media under the auspices of the Press Council.

The Press Council is established by the Media Liability Act to adjudicate media-related complaints. It is composed of eight members, representing editors, journalists and the public, and is chaired by a Supreme Court judge. The Press Council receives some 200 complaints yearly, a number of which are deemed inadmissible. Where possible, complainants are informed of deficiencies in their claims and advised to correct them.

In admissible cases, after the parties to the dispute are asked for comments, the Press Council may order a correction to be published. Adjudication of media-related complaints may take up to two months. Decisions of the Press Council are final and binding and cannot be appealed, although they are made public. It was noted to the OSCE/ODIHR NAM that complaints related to coverage of political actors in the media are rare, especially as social media provide ample and timelier opportunities to react to possible issues.

Internet resources, including on-line editions of newspapers or broadcasters, are not regulated. They can, however, voluntarily register with the Press Council and become subject to the Media Liability Act. The OSCE/ODIHR NAM was informed that online editions of all newspapers did so.

Although cases of defamation or libel can be submitted for adjudication to the court, political actors do not do so, according to OSCE/ODIHR NAM interlocutors. Instead, they tend to settle complaints directly with the media outlets that often have internal ombudspersons. All OSCE/ODIHR interlocutors expressed overall confidence in the professionalism and impartiality of

¹⁵ See the [review of the prohibition of political advertising](#) on the website of the Ministry of Culture.

media outlets, including with regard to considering any complaints.

I. COMPLAINTS AND APPEALS

The process of electoral dispute resolution is primarily regulated by the election law. Immediately after the elections, a temporary election committee is established by parliament to receive and adjudicate electoral complaints before making a recommendation to the parliament regarding the validity of the elections. Once the new parliament is inaugurated, a permanent election committee is established. Customarily, a representative of the opposition chairs this committee.

Voters can submit complaints within one week after election day to the MoEAI (addressed to the parliament). The OSCE/ODIHR NAM was informed that the election committee receives a limited number of complaints (a total of 33 after the 2011 elections) and manages to adjudicate them within a short period of time based on information collected and prepared by the ES, all of which are publicly available. Rulings of the committee on particular complaints or of the parliament regarding the validity of elections are not subject to appeal.

The election law does not provide for a judicial review of any administrative decisions with regard to elections. For instance, decisions of the election board with regard to eligibility of voters who stayed abroad for more than four years or concerning registration of political parties to contest elections are not subject to appeal. Despite the absence of appeal to such decisions, which conflicts with the commitments contained in paragraph 5.10 of the 1990 OSCE Copenhagen Document and paragraph 18.4 of the 1991 OSCE Moscow Document, OSCE/ODIHR NAM interlocutors expressed trust in the election dispute resolution mechanism.

IV. CONCLUSIONS AND RECOMMENDATION

All interlocutors expressed a high level of confidence in all aspects of the electoral process. Since the last elections, no new issues have been identified pertaining to the conduct of elections that would benefit from an assessment by the OSCE/ODIHR. Only issues of campaign and party finance were noted by some OSCE/ODIHR interlocutors, which could benefit from an external review. Based on this, the OSCE/ODIHR NAM does not recommend deploying an election-related activity for the upcoming early parliamentary elections. However, the OSCE/ODIHR encourages the authorities of Denmark to consider the issues raised by interlocutors in discussions with the OSCE/ODIHR NAM, in particular the regulation of political and campaign finance and the electoral dispute resolution process. The OSCE/ODIHR stands ready to offer its assistance upon request in a post-election follow-up process.

ANNEX: LIST OF MEETINGS

Officials

Ministry of Foreign Affairs

Søren Rinder, Senior Advisor
Cennet Ünver, Head of OSCE Section

Ministry of Economic Affairs and the Interior

Christine Boeskov, Chief Election Officer
Christina Løtzsch Hansen, Head of Section
Søren Stauning, Special Consultant

Statistics Denmark

Helle Stender, Chief Consultant
Annemette Lindhardt Olsen, Head of Section

***Folketing* Standing Orders Committee**

Mogens Lykketoft, MP, Chairperson, Speaker of the *Folketing*

***Folketing* Committee for Elections**

Peter Juel Jensen, MP, Chairperson
Julie Skovsby, MP, Deputy Chairperson
Anton Høj Jakobsen, Legal Adviser, Legal Services Office of the *Folketing*

Political Party Representatives

The Alternative

Daniel Hauberg, Party Secretary

Danish People's Party

Steen Thomsen, Consultant

Liberal Alliance

Simon Emil Ammitzbøll, MP

Liberal Party

Claus Richter, Secretary General

Red-Green Alliance

Stine Brix, MP

Social Democratic Party

Lars Midtby, Head of Unit for Analysis and Information

Social Liberal Party

Nadeem Farooq, MP

Socialist People's Party

Turid Leirvoll, Party Secretary

Media Representatives

Press Council

Ditte Marie Nørgård, Secretariat Director
Stine T. Bach, Head of Section

DR

Niels Ammitzbøll, Finance Director
Marianne Juul, Project Manager, Election Coverage

***Politiken* Newspaper**

Michael Jarlner, Editor in Chief

Civil Society Representatives

Transparency International Denmark

Knut Gotfredsen, Chairperson of the Board
Natascha Linn Felix, Deputy Chairperson of the Board