



Office for Democratic Institutions and Human Rights

# SWEDEN

GENERAL ELECTIONS  
19 September 2010

OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT

9-11 June 2010



Warsaw  
28 July 2010

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**OSCE/ODIHR Needs Assessment Mission Report**

**I. INTRODUCTION**

The Ministry for Foreign Affairs of Sweden invited the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) to observe the 19 September 2010 general elections in line with OSCE commitments. The OSCE/ODIHR undertook a Needs Assessment Mission (NAM) to Sweden from 9 to 11 June 2010. The OSCE/ODIHR NAM comprised Beata Martin-Rozumilowicz, Deputy Head of the OSCE/ODIHR Election Department, and Igor Dolgih, OSCE/ODIHR Election Adviser.

The purpose of the OSCE/ODIHR NAM was to assess the pre-electoral environment and preparations for the general elections and to advise on the modalities for a possible OSCE/ODIHR election observation activity. The OSCE/ODIHR NAM met with representatives of the state authorities, the Election Authority, the Election Review Board, the Tax Agency, representatives of political parties, the media, and others. A full list of meetings is included as an annex to this report.

The OSCE/ODIHR would like to thank the Ministry for Foreign Affairs for its assistance and co-operation during the course of the NAM. The OSCE/ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM.

**II. EXECUTIVE SUMMARY**

The Kingdom of Sweden is a constitutional monarchy with a parliamentary system of government. The Swedish parliament (*Riksdag*) is a unicameral body composed of 349 deputies elected for a fixed four-year term. Of the 349 seats, 310 are permanent constituency seats, while the remaining 39 ‘adjustment seats’ are allocated to ensure greater proportionality to the national distribution of the fixed constituency seats.

The OSCE/ODIHR has not previously observed or assessed elections in Sweden, although it did visit the country in the context of the June 2009 elections to the European Parliament.

The constitution, the Elections Act and the Election Ordinance are the primary legal instruments regulating the conduct of parliamentary elections in the country. All citizens who have attained 18 years of age and who have, at some point in time, been residents in Sweden have the right to vote. There is no restriction to suffrage rights. The Elections Act provides the possibility to vote in advance of election day and to vote abroad. There are no legal requirements for party registration or candidate nomination, although parties can voluntarily register their party name and notify the election authorities about their candidates in order to ‘protect’ the party name.

The legal framework does not contain explicit provisions for the access of observers (either domestic or international). According to OSCE/ODIHR NAM interlocutors, voting, counting and tabulation processes are fully open to the public. However, the lack of legal basis for the access

of observers does not ensure the effective implementation of paragraph 8 of the OSCE Copenhagen Document and does not guarantee full access to all stages of the process. The legislation would benefit from the inclusion of explicit legal provisions to guarantee full access of domestic and international observers and to set out their rights and responsibilities.

There are three levels of election administration: the central Election Authority, regional County Administrative Boards and municipal Election Committees. There is no hierarchy among these levels as each has its own specific responsibilities. Complaints over certification of election results are considered by an Election Review Board, appointed by the parliament.

Political parties are eligible to receive public funding depending on past election results. There are no restrictions on the source, form or amount of private donations. Similarly, no restrictions apply to parties' campaign expenditures. Political parties are not legally required to publish their accounts, although a joint agreement among the parliamentary parties has resulted in all of these parties doing so. Not all individual contributions, however, are itemized. Some political parties expressed their criticism of the Swedish system of party/campaign finance and reporting. They argued that greater transparency is required, especially regarding the disclosure of individual donations.

Freedom of assembly and expression are respected in law and practice. Many OSCE/ODIHR NAM interlocutors stressed the non-adversarial nature of campaigning in Sweden. The political parties met by the OSCE/ODIHR NAM expect to use a wide variety of means to reach voters including door-to-door meetings, public rallies, televised debates and the Internet.

The media environment is open and pluralistic with a wide range of public and private media outlets. The coverage of election campaigns by media outlets is largely unregulated although the public broadcaster is bound to respect general principles of accuracy, impartiality and privacy. Paid political campaign advertising on commercial TV channels will be allowed in general elections for the first time.

Sweden enjoys the world's second highest percentage of female parliamentarians (46.4 per cent in the outgoing *Riksdag*). The legal framework does not regulate women's representation. Instead, internal gender equality quotas are established voluntarily by many political parties.

Foreign-born Swedish citizens represent a significant number of registered voters and are traditionally less politically active than the overall voting population. Despite government efforts to address this issue, rates of participation among this social group remain low. This was expressed as a concern to the OSCE/ODIHR NAM.

Despite a recognition that issues such as party and campaign finance and lack of legal guarantees for election observers could be more fully addressed, the OSCE/ODIHR noted the profound confidence of interlocutors in the integrity of the electoral process and in the professionalism and impartiality of the election administration. No significant concerns were expressed related to the functioning of democratic institutions, the respect for fundamental freedoms, the transparency of the electoral process, candidate registration, the campaign environment, media access and election day proceedings.

Therefore, the OSCE/ODIHR NAM does not recommend an election-related activity for the 19 September 2010 general elections as such an activity would not add significant value to the electoral process. While in principle any electoral process can benefit from a thorough,

independent and impartial scrutiny, the present recommendation of the OSCE/ODIHR NAM also considers other important elections taking place in the same timeframe as well as the existing budgetary constraints. The OSCE/ODIHR NAM does, however, note that future follow-up activities could be carried out in the areas noted in this report and OSCE/ODIHR stands ready to assist the Swedish authorities in this regard.

### III. FINDINGS

#### A. BACKGROUND

The Kingdom of Sweden is a constitutional monarchy with a parliamentary system of government. The head of state is the King (or Queen) who has only ceremonial duties and functions, but no executive prerogative. Executive authority is exercised by the government, which is composed of the prime minister and the cabinet of ministers, and held accountable to parliament. The prime minister is approved by the parliament. The Parliament (*Riksdag*) is a unicameral body composed of 349 deputies, elected for four-year terms.

The incumbent Prime Minister Fredrik Reinfeldt (Moderate Party) presides over a coalition government formed by the centre-right Alliance for Sweden (*Allians för Sverige*). The Alliance includes the Moderate Party (*Moderaterna*) with 97 seats (26.2 per cent), the Centre Party (*Centerpartiet*) with 29 seats (7.9 per cent), the Liberal Party (*Folkpartiet liberalerna*) with 28 seats (7.5 per cent), and the Christian Democrats party (*Kristdemokraterna*) with 24 seats (6.6 per cent). Other political parties represented in parliament include the Social Democratic Party (*Socialdemokraterna*) with 130 seats (34.99 per cent), the Left Party (*Vänsterpartiet*) with 22 seats (5.85 per cent) and the Green Party (*Miljöpartiet de Gröna*) with 19 seats (5.24 per cent).

The OSCE/ODIHR has not previously observed or assessed elections in Sweden, although it did visit the country in the context of the June 2009 elections to the European Parliament.

#### B. ELECTION SYSTEM

Of the 349 parliamentary mandates, 310 are elected using an open-list proportional representation system within 29 multi-member electoral constituencies.<sup>1</sup> To be awarded a 'permanent' seat, a political party must either obtain 4 per cent of the votes cast nationwide or 12 per cent of the votes cast in one constituency. Votes are cast for open party lists in which voters may express a preference for individual candidates.<sup>2</sup>

The distribution of 310 'permanent' seats is accomplished using the adjusted odd-number method: first a comparative index is calculated for all the parties concerned by dividing the

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<sup>1</sup> Also called 'permanent seats'; constituencies generally correspond with counties, with Stockholm, Skåne, and Västra Götaland divided into smaller units due to population size. Each constituency has between 2 and 34 seats and the number of seats is revised prior to each election by the Election Authority, based on eligible voters.

<sup>2</sup> Voters can use three different ballots to indicate both party and candidate preference: (1) with the party name and its rank-ordered list of candidates printed. A voter can mark his/her preference next to a single candidate. (2) with the party name printed, in which a voter can write in the name of a preferred candidates (this option is rarely used). (3) blank ballot paper where a voter can write in the party and a candidate's name. To be elected on a basis of personalized votes in parliamentary elections (i.e., votes cast for a particular candidate in a particular constituency), a candidate must receive the number of such personalized votes corresponding to at least eight per cent of the party votes in the constituency.

number of votes received by each party in a given constituency by 1.4. The party with the highest comparative index gains the first seat in the constituency, whereupon its votes are divided by 3. The next time the party is allotted a seat, its votes are divided by 5, then by 7, 9 and so on. Each time a new comparative index is worked out, a seat goes to the party with the highest score, until all the 'permanent' seats have been allocated.

Following the allocation of the 310 'permanent' seats, the 39 'adjustment' seats are distributed applying a different method: first a calculation is made of how many votes the parties have gained in the whole country, and how the 349 total seats would have been distributed in a single, nationwide constituency. The difference between the number of 'permanent' seats already distributed and the notional number (how many seats a party would receive if the 349 seats were distributed in a single nationwide constituency) constitutes each party's allocation of the 39 'adjustment' seats. The constituencies to which these seats are allotted will depend on where the party scores its highest comparative index following allocation of the 'permanent' seats. For parties with no 'permanent' seats in one constituency, the number of votes gained will be the comparative index.

Sweden does not have by-elections. If a seat becomes vacant during the course of a parliamentary term, the next candidate on the list is installed; if a list is exhausted, the seat remains open until the next general elections. This was pointed out to the OSCE/ODIHR NAM by some interlocutors as an element that might benefit from amendment.

### C. LEGAL FRAMEWORK

The constitution, the 2005 Elections Act (2005:837) and the Election Ordinance are the primary legal instruments regulating the conduct of parliamentary elections. The constitution is composed of four fundamental laws:<sup>3</sup> (1) the 1974 Instrument of Government (*Regeringsformen*) that provides for the basic features of the system of government, (2) the 1810 Act of Succession (*Successionsordningen*) that provides the rules on succession to the throne, (3) the 1949 Freedom of the Press Act (*Tryckfrihetsförordningen*), and (4) the 1991 Fundamental Law on Freedom of Expression (*Ytrandefrihetsgrundlagen*).<sup>4</sup> The constitution outlines general principles of equal and universal suffrage,<sup>5</sup> free, secret and direct elections of the Parliament,<sup>6</sup> and the electoral system.<sup>7</sup>

The 2005 Elections Act sets out detailed provisions for elections. It specifies the division of tasks between the local, regional and central election authorities, polling station staff and the Election Review Board. The Elections Act also contains provisions relating to electoral districts and boundary delimitation, design and production of ballot papers, procedures for voting, vote counting and the allocation of seats, and appeals against election results.

The Ordinance with Instructions for the Election Authority regulates the Election Authority, which has central administrative authority for elections. The Ordinance provides details concerning decision-making procedures and the organizational structure of the Authority.

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<sup>3</sup> Fundamental laws are more difficult to amend than other laws; they may only be amended or abolished if two convocations of the parliament have adopted identically formulated decisions.

<sup>4</sup> The law contains provisions on free dissemination of information and prohibits censorship.

<sup>5</sup> Chapter 1, Art. 1 of the Instrument of Government.

<sup>6</sup> Chapter 3, Art. 1 of the Instrument of Government.

<sup>7</sup> Chapter 3, Art. 6-9 of the Instrument of Government.

The legal framework does not contain explicit provisions for the access of observers (either domestic or international), except that the 2005 Elections Act prescribes that the vote counting process is public.<sup>8</sup> The OSCE/ODIHR NAM interlocutors confirmed that voting, counting and tabulation processes are fully open to the public. However, the lack of legal basis for the access of observers does not ensure the effective implementation of paragraph 8 of the OSCE Copenhagen Document and does not guarantee full access to all stages of the process. The legislation would benefit from the inclusion of explicit legal provisions to guarantee full access of domestic and international observers and to set out their rights and responsibilities.

#### D. ELECTION ADMINISTRATION

The Election Authority (*Valmyndigheten*) is responsible for administering elections in the country. It employs some 14 full-time staff, as well as consultants, and is overseen by a 5-member, government-appointed Electoral Board. The board provides the Election Authority with advice, but is not involved in day-to-day issues. The administrative director of the Election Authority is appointed by the government. Responsibilities include the voluntary registration of party names and candidates, preparation and sending of voter cards to eligible voters, production and design of ballot papers, and constituency districting. The Election Authority produces handbooks and guidelines for regional and local election authorities. These handbooks contain advice and guidelines on how to put the 2005 Elections Act into practice. The Election Authority also declares the results of parliamentary elections.

At the sub-national level, there are 21 County Administrative Boards (*Länsstyrelsen*) and 290 municipal Election Committees. County Administrative Boards take all decisions concerning their electoral districts and are responsible for the final counts of votes in all elections,<sup>9</sup> establishing the results of municipal and county council elections. The municipal Election Committees are responsible for recruiting and training of polling station officials, setting up and equipping polling stations in their municipality and bear full responsibility for advance voting there. These Committees are also responsible for the first count taking place in polling stations.<sup>10</sup>

There is no hierarchy among the three levels of election administration, since each level has its own specific responsibilities. The Swedish Election Authority has no control or oversight power over the activities of the county and municipal election authorities; rather, its role is to provide guidelines and assistance in their performances of the electoral duties stipulated in the law.

Complaints against the certification of election results are submitted to the eight-member *Valprövningsnämnden* (Election Review Board - ERB), appointed by the parliament immediately after the election. The chairperson of this board must be a qualified judge and may not be a member of parliament. Decisions made by the Election Review Board are final and cannot be appealed.

Appeals may be made to the Election Review Board regarding the decisions of the county administrative board or the Election Authority on rectification of a voter list,<sup>11</sup> division into

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<sup>8</sup> According to the 2005 Elections Act, public access is granted to a preliminary counting of votes at a polling station (Section 1 of Chapter 11), counting of votes by election committee (Section 1 of Chapter 12), and final counting of votes by county administrative board (Section 1 of Chapter 13).

<sup>9</sup> Parliamentary, county and municipal council elections.

<sup>10</sup> There are about 6,000 polling stations in Sweden with 800 to 2,000 voters assigned to each polling station.

<sup>11</sup> Not later than on Wednesday prior to the election day (Chapter 15, section 6.2 of the 2005 Elections Act).

electoral districts,<sup>12</sup> number of constituency seats for elections,<sup>13</sup> registration of party denomination,<sup>14</sup> and others. Decisions of the Election Authority determining the outcome of the election can be appealed by (i) any person who, according to the voter list, was entitled to vote in the election or (ii) a political party that contested the election.<sup>15</sup> If the appeal relates to the parliamentary election, a public notice about the appeal should be published in the Swedish Official Gazette (*Post-och Inrikes Tidningar*). The public notice should specify a period of time within which those who wish to express their views on the appeal can do so to the ERB.

According to the 2005 Elections Act, election authorities and other bodies which are involved in the preparation and conduct of elections should provide the ERB with information and statements upon its request.<sup>16</sup> The Board can order a witness hearing at a district court if it considers questioning a witness necessary.<sup>17</sup> However, a witness hearing has not been used so far.

Since the establishment of the Election Review Board in 1975,<sup>18</sup> it has considered some 70 cases concerning legislative elections. In about ten of these cases, the board found legal deviations, mostly regarding improper conduct of polling procedures or mistakes in the voter list. None of these cases had an effect on the final outcome of elections.

Throughout the OSCE/ODIHR NAM, interlocutors underscored that there is a profound public confidence in the impartiality and professionalism of the administration of elections.

#### **E. VOTER AND CANDIDATE REGISTRATION**

Voter registration is based on a continuously updated civil register compiled by the Tax Agency (*Skatteverket*), which includes the data of every person born in Sweden or who takes Swedish citizenship. The register data includes a person's name, address, citizenship, place of birth, marital status, names of parents, children and spouse, along with immigration and emigration information, if applicable. Each person is assigned a unique personal identity number.

Citizens 18 years or older who are or have been registered Swedish residents are entitled to vote. To exercise this right, they must be on the voter list. Citizens living abroad are kept on the list for ten years after their departure. Thereafter, they must notify the Tax Agency no later than thirty days prior to an election to be included. After this deadline, the Tax Agency extracts a list of all qualified voters from the register and provides it to the Election Authority that produces voter lists for each polling station on this basis.

No later than 18 days before an election, the Election Authority sends out a voting card to each voter. The card contains the voter's name and their number on the voter list, sets out the elections

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<sup>12</sup> Not later than within three weeks from the date on which public notice of the decision was given (Chapter 15, section 6.1 of the 2005 Elections Act).

<sup>13</sup> *Ibid* footnote 12.

<sup>14</sup> Not later than within three weeks from the date when the appellant received the decision (Chapter 15, section 6.3 of the 2005 Elections Act).

<sup>15</sup> Not earlier than on the day after election day and not later than ten days after the election results have been certified (Chapter 15, section 6.4 of the 2005 Elections Act).

<sup>16</sup> Chapter 15, section 12 of the 2005 Elections Act.

<sup>17</sup> *Ibid* footnote 16.

<sup>18</sup> Before 1975 the Supreme Administrative Court decided on complaints concerning general elections.



in which the voter may vote,<sup>19</sup> and gives the voter's polling station and its opening hours. The voting card does not have any integrity features,<sup>20</sup> and a voter who is not known to polling station officials must present either a voting card<sup>21</sup> or a proof of identity at the time of voting.<sup>22</sup>

Citizens who have not received voting cards at least 18 days before the election and believe they were incorrectly omitted from the voter list should submit a written request to the county administrative board to be added no later than 12 days before election day.<sup>23</sup> If the county administrative board establishes that a person is eligible to vote, it will order a correction of the voter list and the respective municipal election committee will receive updated information.<sup>24</sup>

A voter may vote (i) in person at the polling station where s/he is registered, (ii) in person and in advance by tendered ballot at any advance polling place no earlier than 18 days before election day, (iii) voters abroad can vote either in person at Swedish diplomatic missions from 24 days before election day or by mail not earlier than 45 days before election day.<sup>25</sup> A voter who voted in advance may still vote in person on election day. In such cases, the tendered advance vote is annulled and the in-person vote is considered valid. Certain categories of voters<sup>26</sup> can also vote via messenger by submitting their ballot in a special, sealed envelope via a messenger appointed by the election committee.

There is no party registration requirement in Sweden, but there is a voluntary possibility to register the party name to 'protect' it.<sup>27</sup> Applications to register a party name should be submitted to the Election Authority by the last day of February of the election year.

There is no possibility of limiting suffrage rights in Sweden and the last limitation on the grounds of mental incapacity was lifted in 1991. However, all candidates must espouse a party – even if it is a party of one. Political parties nominate candidates without any state administrative procedures. Parties may choose, but are not required, to provide candidate names in advance to the Election Authority. If a party chooses not to do so, voters are able to write in their own candidate choices on the ballot.

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<sup>19</sup> Legislative, county councils or municipal assemblies' elections are held concurrently, and an individual may be eligible to vote in local but not in parliamentary elections.

<sup>20</sup> Such as a voter's photograph or signature.

<sup>21</sup> Voting cards do not contain a photograph. To prevent impersonation, a voter should either be known to the polling station officials or produce an ID document to verify his/her identity (Chapter 8, section 6 of the 2005 Elections Act).

<sup>22</sup> Voting card is not required to be able to vote if (i) voting takes place at the Swedish foreign representation abroad or (ii) a voter identity could be verified by alternative means (e.g. a voter is known to the polling station officials or can produce an ID document to verify his/her identity) (Chapter 10, section 3 of the 2005 Elections Act). Polling station officials must make a note of how they have checked the voter's identity (Chapter 9, section 7 of the 2005 Elections Act).

<sup>23</sup> Every citizen receives an annual statement containing his/her data in the civil registry. Citizens may check data in the registry through the local tax office. Public access to the register is regulated by the Freedom of the Press Act, Notification Register Act, Personal Information Act and the Secrecy Act. The public is generally allowed access to the population register database unless the person to whom the information applies will suffer a disadvantage as a result of divulging the information.

<sup>24</sup> Since the Election Authority extracts its voter list directly from the civil register, all updates to the voter list are based on updates reported to the Tax Agency.

<sup>25</sup> All votes received at diplomatic missions abroad are sent to the Swedish Election Authority, where they are sorted and forwarded to the relevant election committee.

<sup>26</sup> Such as voters with disabilities and home-bound voters.

<sup>27</sup> This is to prevent another party from using the same name at a later stage. 1,500 signatures collected nationwide are required for parties competing in parliamentary elections in case the party wants to 'protect' its name (Chapter 2, section 3 of the 2005 Elections Act).

## F. PARTY AND CAMPAIGN FINANCING

Political parties receive direct and indirect public funding both from the state<sup>28</sup> and from the parliament,<sup>29</sup> which represent a significant source of their income.<sup>30</sup> The direct funds are paid in the form of ‘party assistance’ and ‘office assistance’. A party is eligible for party assistance if it has received at least one seat in the parliament or more than 2.5 per cent of the votes nationwide at either of the two last elections.<sup>31</sup> Party assistance funds are allocated in direct proportion to the number of seats won in the parliament during the last two elections.<sup>32</sup> Office assistance is allocated to all parliamentary parties; basic and supplementary contributions to government parties<sup>33</sup> and only supplementary contributions to opposition parties.<sup>34</sup> In addition to state support to parties’ national organizations, parliamentary parties receive financial support for the activities of deputies and party groups. These funds are allocated in the form of basic support,<sup>35</sup> support for political advisers,<sup>36</sup> travel and other costs. Furthermore, parties that received one per cent of the vote in one of the two last legislative elections have the right to print their ballots at the expense of the state.<sup>37</sup>

Parties’ applications for state financial support are examined by the Commission on Financial Support to Political Parties. Furthermore, the party must produce an annual financial report which has to be examined by an authorized public accountant. Approved funding is given unconditionally to the national party and funds can be used at the party’s discretion.

Parties can also solicit private funding and no restrictions apply either to its source or amount. Financing can be provided by membership fees, donations, publications, income from property, and others. Some political parties receive income by organizing lotteries. There are no restrictions on receiving donations from interest groups or from abroad.

Political parties are not legally required to publicize their accounts. However, all seven parliamentary parties have subscribed to a voluntary Joint Agreement to make the accounting of parties’ income as open as possible. Particularly, the parties agreed that (i) contributions from legal entities should be specified in the accounts by providing the name of the donor and the amount, (ii) the number of private contributions and the total amount should be disclosed,<sup>38</sup> (iii) parties’ final reports should be publicly available, and (iv) parties’ treasurers are to develop common forms of accounting. The Joint Agreement does not envision any sanctions for breaching its provisions.

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<sup>28</sup> As set in the Act of State Financial Support to Political Parties (1972:625).

<sup>29</sup> As set in the Act concerning Support for the Parliamentary Work of Members of the Riksdag and Parliamentary Party Groups (1999:1209).

<sup>30</sup> In 2009, financial support to parliamentary parties amounted to about SEK 250 million (EUR 27.3 million). Source: [http://www.riksdagen.se/templates/R\\_Page\\_11040.aspx](http://www.riksdagen.se/templates/R_Page_11040.aspx).

<sup>31</sup> The Swedish Democrats party (*Sverigedemokraterna*) received 2.93 per cent of the votes in the 2006 elections and, thereby, is currently the only party without seats in the parliament to receive public funding.

<sup>32</sup> The contribution amounts to SEK 333,300 (EUR 30,100) per parliamentary seat.

<sup>33</sup> SEK 5.8 million (EUR 523,800) as a basic contribution, and SEK 16,350 (EUR 1,470) per parliamentary seat as supplementary contribution.

<sup>34</sup> SEK 24,300 (EUR 2,200) per parliamentary seat as supplementary contribution.

<sup>35</sup> Basic support consists of (i) fixed amount of SEK 1.7 million (EUR 153,000) per year for a party group representing the government, and SEK 3.4 million (EUR 306,000) per year for other party groups, and (ii) supplement of SEK 57,000 (EUR 5,100) per parliamentary seat per year.

<sup>36</sup> SEK 48,800 (EUR 4,407) per political advisor per month for each parliamentarian.

<sup>37</sup> Parties not entitled to free ballot printing must order them from the County Administrative Board.

<sup>38</sup> Five of seven parties announced that they will itemize all private donations above SEK 20,000 (EUR 1,800).

Similarly to party financing, regulation of campaign spending is minimal in Sweden and there is no campaign spending limit. Some political parties expressed their criticism to the OSCE/ODIHR NAM with regard to the Swedish system of party/campaign finance and reporting. They argued that greater transparency is required, especially regarding the disclosure of individual donations.

## G. THE ELECTION CAMPAIGN

The 2010 election campaign will feature new approaches to reaching voters. Increasingly popular social media, such as Facebook and Twitter, Internet blogs and other new technologies present alternatives to traditional mass media.<sup>39</sup> Many political parties intend to utilize Internet in reaching voters. Freedom of expression and assembly is assured both through the legal framework and in practice; political parties use a wide range of options to reach voters including door-to-door campaigning, public rallies, debates in media and others. Many OSCE/ODIHR NAM interlocutors stressed the non-adversarial nature of campaigning in Sweden, where most political parties are willing to discuss and co-ordinate their outreach activities with each other and even assist other parties in lending campaign equipment (e.g. loudspeakers, etc).

## H. THE MEDIA

Press freedom has a long tradition in Sweden and is guaranteed by the 1949 Freedom of the Press Act (with its origins dating back to 1766). Such rights are further enshrined in the Freedom of Expression Act, with further details being set out in the Radio and Television Act. The Internet is treated similarly to other media, meaning that there is full freedom to establish Internet sites and no restriction on their content.

The coverage of election campaigns by media outlets is largely unregulated while voluntarily rules<sup>40</sup> initiated by independent media organizations<sup>41</sup> guide the ethical and professional conduct of media.

The media environment is open and pluralistic, which is reflected in the variety of media outlets operating in the country. Newspaper readership is one of the highest in the world; some 90 per cent of adults read at least one newspaper a day. There are about 160 papers in Sweden with a total circulation of some four million. Top newspapers include *Aftonbladet* (major national evening newspaper), *Dagens Nyheter* (major national morning newspaper), *Expressen* and *Svenska Dagbladet*. The print market is characterized by several features: (i) newspapers are mainly locally or regionally based, (ii) a majority of the morning papers are sold by subscription, (iii) free dailies are common, particularly in metropolitan areas and, (iv) state subsidies are provided to economically weak newspapers to maintain a diversity of opinions in society.<sup>42</sup>

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<sup>39</sup> According to the Swedish blog portal Knuff.se, about 24 of the 50 most linked to blogs in Sweden are commenting regularly on political topics (<http://knuff.se/topp50/laenkandebloggar/>).

<sup>40</sup> Such rules include: (1) publicity rules (rules of good journalistic practice) regarding fairness of reporting, respect of privacy, the rights of interviewees, the right to reply, etc.; (2) rules of professional journalism concerning the integrity of journalists, humiliating assignments, acquisition of material, relations with news sources, etc.; and (3) guidelines of editorial advertising covering the relationship between advertising and editorial content.

<sup>41</sup> Such as a professional code of conduct adopted by the Swedish Union of Journalists (*Svenska Journalistförbundet* - SJF) in 1968.

<sup>42</sup> State subsidies to such economically weak papers were introduced in the early 1970s. Today, they represent some three per cent of total press revenues, but subsidies can be very important for individual papers. There

Radio and television penetration rates are equally high. Radio reaches over 70 per cent of the population, and television over 80 per cent. The public service Swedish Radio (*Sveriges Radio - SR*) is the dominant actor in this area, with some 60 per cent audience share. Public service Swedish Television (*Sveriges Television - SVT*) is owned by an independent foundation, *Förvaltningsstiftelsen för Sveriges Radio AB*, and is funded through a special licensing fee allocated by the parliament, and by regular government taxes. SVT's board and chairperson are appointed by the Swedish government. The main commercial broadcaster is TV4, which competes with satellite channels TV3, Kanal 5, ZTV, TV6 and TV8.

During the campaign period, SVT intends to broadcast the *Valet 2010* (Elections 2010) program featuring live debates, analysis and commentary, and general information about the forthcoming elections. The program will provide live broadcast of all major campaign events, including *Almedalsveckan* – a week of intensive political debates, seminars, etc. Another important feature of *Valet 2010* is a live debate between the prime minister and the leader of the largest opposition party. The live debate – called *Duellen* (the Duel) – will last one hour and aims to clarify policy differences between the government and the opposition. This debate is a long-standing tradition in Sweden. Another live two-hour long debate – *Slutdebatten* (the Final Debate) – will be organized by SVT for leaders of the seven parliamentary parties who will debate the main issues in the campaign and highlight differences in their platforms to help undecided voters make their choice.

During the upcoming campaign, political parties will also be permitted to purchase airtime on private TV channels for the first time in general elections. According to some of the OSCE/ODIHR NAM interlocutors, this new provision will have a minimal effect in a short-run, although they feel that political advertising on TV may change the approach to campaigning in future elections.

All radio and television broadcasts are formally overseen by the Swedish Broadcasting Commission (*Granskningsnämnden för radio och TV - GRN*). The Commission consists of seven commissioners and two deputies, appointed by the government for three years. The chairperson and vice-chairperson are high-standing presiding judges. Other members come from a wide range of backgrounds in the social, cultural and media fields. GRN is headed by a director with legal experience who is appointed by the government. GRN reviews are based on complaints filed by the general public or by GRN's director and it determines whether a broadcast has complied with provisions of the Radio and Television Act and with licensing conditions.<sup>43</sup> More comprehensive and strict regulations apply to the public service broadcasters, including requirements of impartiality, accuracy and privacy, and prohibitions on discrimination.

## I. PARTICIPATION OF WOMEN AND MINORITIES

Sweden enjoys the world's second highest percentage of female parliamentarians in a national parliament.<sup>44</sup> In the outgoing *Riksdag*, 46.4 per cent of deputies are women. The legal framework does not regulate women's representation. Instead, internal gender equality quotas are established voluntarily by many political parties and set forth in party statutes. The Green Party and the Left Party both set such internal party list quotas to ensure women's representation,

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are also indirect benefits for all newspapers (e.g., reduced VAT, 6 rather than 25 per cent, and a distribution subsidy).

<sup>43</sup> GRN only reviews programs already broadcast. The review of programs prior to broadcast is not allowed.

<sup>44</sup> Inter-Parliamentary Union, <http://www.ipu.org/wmn-e/classif.htm>.

while the Moderates Party and the Center Party do not use quotas, but rather opt for recommendations and target numbers of female candidates. The Social Democratic Party uses a so-called ‘zipper’ system, meaning that every other position in their list is reserved for the alternate gender.

Five minorities are officially recognized in Sweden (Roma, Jewish, Sami, Swedish Finns, and Tornedalers). There are also a proportion of foreign-born Swedish citizens who may add up to more than ten per cent of registered voters and among whom voter turnout had traditionally been lower.<sup>45</sup> The government allocates special funding to parliamentary parties to disseminate information in minority languages and in ‘simple Swedish’ to voters with foreign backgrounds prior to general elections to encourage their more active participation in political life.<sup>46</sup> However, a report carried out at the government’s request by Göteborg University stated that such measures had no short-term effect on people’s propensity to vote. The report also noted that in some cases, funding was spent on regular campaign activities rather than for its original purpose.

#### IV. CONCLUSION

Despite a recognition that issues such as party and campaign finance and the lack of legal guarantees for election observers could be more fully addressed, the OSCE/ODIHR noted the profound confidence of political parties in the integrity of the electoral process and in the professionalism and impartiality of the election administration. No significant concerns were expressed related to the functioning of democratic institutions, the respect for fundamental freedoms, the transparency of the electoral process, candidate registration, the campaign environment, media access and election day proceedings.

Therefore, the OSCE/ODIHR NAM does not recommend an election-related activity for the 19 September 2010 general elections as such an activity would not add significant value to the electoral process. While in principle any electoral process can benefit from a thorough, independent and impartial scrutiny, the present recommendation of the OSCE/ODIHR NAM also considers other important elections taking place in the same timeframe as well as the existing financial constraints. The OSCE/ODIHR NAM does, however, note that future follow-up activities could be carried out in the areas noted in this report and OSCE/ODIHR stands ready to assist the Swedish authorities in this regard.

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<sup>45</sup> In the 2002 general elections, voter turnout among foreign-born citizens was 67 per cent, whereas overall voter turnout was 80.11 per cent. See Government Communication No. 2003/04:110, para. 5.4.1.

<sup>46</sup> As part of a broader government initiative aimed at promoting democracy and participation in Swedish society, the government allocated a budget of SEK 30 million (EUR 3.3 million) to political parties in 2010 to address needs of marginalized voters (e.g., producing campaign materials in foreign languages).

## **ANNEX: LIST OF MEETINGS**

### **STATE AND ELECTION AUTHORITIES**

#### **Election Review Board (*Valprövningsnämnden*)**

Bengt-Åke Nilsson, Justice of the Supreme Administrative Court  
Annika Sandström, Senior Judge, Stockholm County Administrative Court  
Jan Hult, Director, Stockholm City Election Committee

#### **Ministry for Foreign Affairs**

Signe Burgstaller, Deputy Head of Department, Security Policy Department  
Magnus Andersson, Deputy Director, Section for Policy and Analysis, Security Policy Department

#### **Ministry of Integration and Gender Equality**

Paula Blomqvist, Special Advisor, Division for Democratic Issues

#### **Ministry of Justice**

Mathias Säfsten, Legal Advisor, Division for Constitutional Law  
Feryal Mentès, Legal Advisor, Division for Constitutional Law

#### **Swedish Tax Agency (*Skatteverket*)**

Ingegerd Widell, Business Development Officer

#### **Swedish Election Authority (*Valmyndigheten*)**

Kerstin Andersson, Director  
Vivan Nilsson, Special Adviser, Information Officer  
Tor Lundberg, Senior Administrative Officer

### **POLITICAL PARTIES**

#### **Liberal Party (*Folkpartiet liberalerna*)**

Carl B. Hamilton, Member of Parliament

#### **Moderates Party (*Moderaterna*)**

Hans Birger Ekström, Head of Parliamentary Office

#### **Social Democratic Party (*Socialdemokraterna*)**

Ann Linde, International Secretary

#### **Swedish Green Party (*Miljöpartiet*)**

Agneta Börjesson, Party Secretary

### **MEDIA**

#### **Expressen (newspaper)**

Thomas Mattson, Editor-in-Chief

#### **Swedish Broadcasting Commission**

Christoffer Lärkner, Advisor  
Lottie-Ann Lindström, Senior Legal Advisor

#### **Swedish Televison (SVT)**

Kent Wännström, Project Manager, Elections

### **INTERNATIONAL ORGANIZATIONS**

#### **International Institute for Democracy and Electoral Assistance**

Stina Larsrud, Programme Officer, Electoral Processes  
Markus Böckenförde, Programme Officer, Constitution Building Processes