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I. INTRODUCTION

Following an invitation from the Permanent Delegation of Finland to the OSCE to observe the 14 April 2019 parliamentary elections and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 23 to 25 January. The NAM included Lusine Badalyan, ODIHR Senior Election Adviser, and Vladimir Misev, ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and preparations for the parliamentary elections. Based on this assessment, the NAM should recommend whether to deploy an 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 the Ministry of Foreign Affairs, Ministry of Justice, the Supreme Administrative Court, the National Audit Office, the Population Register Centre, and the Council for Mass Media, as well as with representatives of political parties, media, and civil society. A list of meetings is included as an annex to this report.

ODIHR would like to thank the Ministry of Foreign Affairs for its assistance and co-operation in organizing the NAM. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and to share their views.

II. EXECUTIVE SUMMARY

Finland is a parliamentary republic with legislative powers vested in a unicameral parliament (Eduskunta) and with the president as the head of state. On 14 April, voters will elect 200 members of parliament for a 4-year term from 13 electoral districts. There is no legal threshold for entry into the parliament. Some ODIHR NAM interlocutors raised concerns regarding the significant differences between the number of mandates in different districts, resulting in disproportionate natural thresholds to enter the parliament that may undermine the equality of the vote.

The election legislation has remained essentially unchanged since the last parliamentary elections. The most recent changes introduced postal voting for Finnish citizens permanently living abroad. While the authorities took measures to implement some prior ODIHR recommendations, others such as ensuring more effective mechanisms for election dispute resolution as well as removing the restriction on the right to stand in elections for individuals holding military office remain to be addressed. All ODIHR NAM interlocutors expressed confidence in the electoral legal framework and its implementation.

The Ministry of Justice (MoJ) is the main election authority, which oversees the organization of elections and has overall responsibility for their conduct. Election-related tasks are shared with 13 District Electoral Committees, 317 Municipal Central Election Committees and 1,943 polling stations. The MOJ informed of efforts to facilitate voting for persons with disabilities by producing materials with voter information in Braille, sign language and easy-to-understand
language. All ODIHR NAM interlocutors expressed a high level of confidence in the integrity and impartiality of the election administration.

Citizens over 18 years of age are entitled to vote. Voter registration is passive and voter information is extracted from the Population Information System maintained by the Population Register Centre. The voter list is publicly available prior to elections and each voter can request corrections. There are some 4.4 million registered voters. ODIHR NAM interlocutors expressed full confidence in the voter list and the population and voter registration systems.

Candidates are nominated by political parties, registered with the MoJ, and by constituency associations formed by a minimum of 100 voters. Parties generally apply internal party policies to promote women and minority candidates. All political parties met with by the ODIHR NAM expressed full confidence in the inclusiveness of the candidate registration process.

The legislation does not envisage official campaign period. All political parties met with by the ODIHR NAM intend to campaign actively, including through online and social media, as well as to participate in debates organized by the public broadcaster. The campaign will likely focus on environmental and climate change topics, the ongoing social and healthcare reform, economic issues and migration policies.

Political parties are eligible for public funding proportionate to the number of seats in the parliament. In addition to the funding provided by the parties, election campaign activities can be funded from candidates’ own resources, as well as loans and contributions received from individuals and legal entities. While there are no mandatory requirements for interim reporting, electoral contestants may choose to voluntarily report, a practice that is gradually implemented by many candidates. Some ODIHR NAM interlocutors noted that the introduction of a requirement to open separate bank account for campaign purposes might increase the transparency of the process. Elected contestants have to submit reports on campaign income and expenditure to the National Audit Office, which is tasked with oversight of political party and campaign finance. Most of the ODIHR NAM interlocutors were supportive of the current campaign finance legislation and opined that the transparency was ensured.

The media landscape is pluralistic and offers diverse range of views through a variety of outlets. Internet popularity is growing and most of media outlets present their information online. The public broadcaster, YLE (Yleisradio) plays an important role in providing political information to all voters. YLE plans to organize a number of electoral programmes to give all contestants equitable conditions for campaigning as well as various television debates with the participation of parliamentary and non-parliamentary parties. The Council for Mass Media considers complaints on breaches of professional ethics and promotes good professional practice and freedom of speech. All ODIHR NAM interlocutors expressed overall confidence in the impartiality of the public broadcaster, as well as the overall professionalism of private media.

All ODIHR NAM interlocutors expressed a high level of confidence in all of the aspects of the electoral process. Some measures aimed at addressing earlier ODIHR recommendations have been introduced ahead of the 2015 parliamentary elections and the authorities have given careful consideration and followed-up on findings in previous ODIHR reports. No new issues pertaining to the conduct of elections that would benefit from a review by ODIHR have been identified since the last observation activity. Based on this, the ODIHR NAM does not recommend deploying an election-related activity for the 14 April parliamentary elections. ODIHR stands ready to engage in a follow-up process after the elections, and encourages the authorities to also
consider issues raised by interlocutors during the course of the ODIHR NAM, including with regard to campaign finance and the participation of persons with disabilities in elections.

III. FINDINGS

A. POLITICAL BACKGROUND

Finland is a parliamentary republic with legislative powers vested in a 200-member unicameral parliament (Eduskunta) and with the president as the head of state. The parliament enacts laws, decides on the state budget, supervises the activities of authorities subordinated to the government, and adopts international agreements. The parliament also elects the prime minister who is officially appointed by the president. The prime minister nominates the other members of the government who are appointed by the president. The president exercises powers in foreign affairs, national defense and appointing judges.

The last parliamentary elections were held on 19 April 2015 and nine political parties entered the parliament. The Centre Party won 49 seats, the Finns Party – 38, the National Coalition Party - 37, the Social Democratic Party – 34, the Green League – 15, the Left Alliance – 12, the Swedish People's Party – 9, the Christian Democrats – 5 and the Åland Coalition - 1. A total of 83 women (some 40 per cent) are members of the outgoing parliament.

A coalition government was subsequently formed comprising the Centre Party, the Finns Party and the National Coalition Party. Following the election of a new Finns Party leader in June 2017, the leaders of the two other coalition parties in the government ceased their co-operation with the Finns Party. This led to a split in the Finns Party itself with 17 members of the parliament forming a new parliamentary group, Blue Reform, which later joined the governing coalition.

ODIHR deployed an Election Assessment Mission for the 17 April 2011 parliamentary elections, which found that elections “were professionally administered, commanding high levels of stakeholder confidence”.¹ Most recently, ODIHR undertook Needs Assessment Mission for the 2018 presidential election, but did not recommend any election-related activity.

B. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The parliament is elected for a four-year term under a regional proportional representation system with no legal threshold to enter the parliament. The country is divided into 12 multi-member regional districts, each returning a different number of elected members using the d’Hondt method, and one single-member regional district.² Before each election, the State Council determines the number of seats in each district in proportion to the number of voters, based on the data obtained from the Population Information System (POIS), administered by the Population Register Center (PRC).³ While the number of members of parliament coming from each district can change for each election, the district of Åland always elects one representative.⁴

¹ See all previous ODIHR reports on Finland.
³ State Council decision from 8 November 2018.
⁴ The Åland Islands have special constitutional status, regulated by the Act on the Autonomy of the Åland Islands.
No concern was raised regarding the seat distribution process. However, some ODIHR NAM interlocutors raised concerns regarding the significant differences between the number of mandates in different districts resulting in the disproportionate natural thresholds that may undermine the equality of the vote. Some ODIHR NAM interlocutors also commented on the workload of the lower-level election administration in larger constituencies required for registration of candidates and processing the election results.

The parliamentary elections are primarily regulated by the Constitution and the Election Act. The Act on Candidate’s Election Funding and the Act on Political Parties contain provisions to the party and campaign finances as well as general regulations for equal coverage of all political parties in the media. Certain provisions of the Criminal Code include sanctions for election-related violations, such as fraudulent voting or falsification of election results. The Ministry of Justice (MoJ) may issue guidelines, decisions and instructions to further regulate the conduct of the elections. In addition, Finland is a party to major international and regional instruments related to democratic elections.

The election legislation has remained essentially unchanged since the last parliamentary elections. However, several changes were adopted, such as the 2017 amendments to the Election Act that introduced postal voting for those permanently living abroad and being abroad during the advance voting. In addition, the 2016 amendments introduced provisions to strengthen the impartiality of the election bodies by prohibiting membership of candidates and their close relatives in the election administration. The most recent amendments were adopted in 2018, which, among others, provide the possibility for voters to obtain information polling cards electronically. All ODIHR NAM interlocutors expressed confidence in the legal framework and its implementation.

The authorities have given careful consideration and adopted some measures aimed at addressing ODIHR prior recommendations, such as introducing explicit provisions for election observers and adjusting the deadlines for the advance voting, and counting and tabulation procedures. However, other recommendations remain to be addressed. These include ensuring more effective mechanisms for resolution of election-related complaints by specifying limited time periods for their lodging and adjudication, as well as removing the restriction on the right to stand in elections for individuals holding military office. ODIHR NAM interlocutors noted that a change in respect of this latter provision necessitates amendment of the Constitution, a process that requires a vote by two consecutive parliaments.

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5. The electoral system has no legal threshold and the disparity in the size of constituencies results in wide variation in the natural threshold required to win a seat in different parts of the country. For instance, in the Lapland constituency that has 7 allocated seats, the natural threshold was about 11 per cent in the 2015 parliamentary elections. However, in the Uusimaa constituency which has 36 seats, it was some 2.5 per cent.


7. The MoJ produced video and other online information material explaining the method of postal voting and the required safeguards to protect the secrecy of the vote. According to the MoJ some 250,000 Finish citizens permanently reside abroad.

8. Other amendments were minor technical changes related to the European Parliament elections.
The Election Act contains provisions for complaints related to the registration of voters, election results and decisions on the voting districts. Other election-related complaints are dealt with under the Administrative Judicial Procedure Act, which does not contain strict deadlines for certain parts of the electoral process, such as candidate registration or composition of the election administration, and thus may not provide timely and effective remedy before the end of an electoral process. However, according to the law, an administrative decision that has become final may be subject to extraordinary appeal by means of a procedural complaint. ODIHR NAM interlocutors noted that, traditionally, there are very few election-related complaints submitted to courts. The right to appeal against the final results of parliamentary and local elections is granted to each eligible voter and can be submitted to the regional administrative courts no later than 14 days after the publication of the results. The decisions of the provincial administrative courts can be appealed to the Supreme Administrative Court.

C. ELECTION ADMINISTRATION

The MoJ is the supreme electoral authority, which oversees the organization of elections and has overall responsibility for their conduct. In addition to administering elections on the central level, the MoJ issues instructions to lower-level administration on various aspects of the electoral process and implements a number of voter education projects. This includes advertisements in social media, videos on television and distribution of brochures. The MoJ organizes trainings for the lower-level election administration and for political parties on some specific election-related issues.

The MoJ supervises 13 District Electoral Committees (DECs) established in each of the 13 electoral districts, and 317 Municipal Central Election Committees (MECs) in each municipal council. These are permanent bodies composed of representatives of political parties and appointed for a four-year term by provincial offices and local councils in each of the electoral districts and municipal councils, respectively. The DECs are mainly in charge of candidate registration, while MECs are responsible for most of the logistical preparations for elections. In addition, 1,943 polling stations will operating on election day, including 900 for advance voting, as well as 219 in 86 different locations abroad.

Electoral bodies at all levels consist of a chairperson, deputy, three members and their substitutes. Electoral contestants are entitled to have one representative and a deputy in each electoral district. While there are no specific legal requirements for gender representation in the election administration, gender balance is observed in the framework of the 1986 Act on Equality between Women and Men, which requires at least 40 per cent of each gender in all public institutions. All ODIHR NAM interlocutors expressed full trust in the integrity and impartiality in the work of the election administration at all levels.

The legislation contains provisions facilitating universal suffrage through various methods of voting. Voters can cast their ballot on election day, in advance, at home, in prisons, by postal voting and out-of-country. Postal voting will take place from 3 to 6 April and advance voting

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9 Such possibility does not exist for presidential election.
10 Ahead of the 2019 parliamentary elections the MoJ organized training on cybersecurity for political parties during the campaign period.
11 For the purpose of counting and sorting of ballots, additional staff may be appointed.
12 A recent feasibility study conducted by a working group and coordinated by the MoJ concluded that “Online voting should not be introduced in general elections as its risks are greater than its benefits.” According to the conclusions of the working group “an online voting system is technically feasible, but technology is not yet at a sufficiently high level to meet all the requirements. There are problems for example in the reconciliation of verifiability and election secrecy.”
from 3 to 9 April.\textsuperscript{13} The election legislation provides for special provisions to support the participation of voters with disabilities, such as transportation and specially designed polling stations. The MOJ informed of efforts to facilitate voting for persons with visual impairments, intellectual disabilities, and physical disabilities. In co-operation with civil society organizations, the MoJ produced information on candidates for persons with disabilities. In addition, the MoJ produced materials with voter information in Braille, sign language and easy-to-understand language, targeting voters unfamiliar with elections or those with intellectual disabilities. Notwithstanding these steps, several ODIHR interlocutors noted that further measures are needed to facilitate access of voters with disabilities.\textsuperscript{14} Some ODIHR NAM interlocutors also noted that current arrangements for voting in prisons could be improved, particularly with access to electoral and campaign information.

D. VOTER REGISTRATION

The Constitution guarantees the voting right of every citizen who has reached 18 years of age by election day. Approximately 4.4 million citizens are eligible to vote. Voter registration is passive and voter information is extracted prior to each elections from the POIS. The voter list is made public 41 days prior to elections. Each voter can obtain voter information from the local register offices either by phone or in the form of extracts, and request corrections. Each voter receives a notification on voting arrangements including information on the polling station where they are entitled to vote. The notifications are sent by post or, if the voter requests, electronically, 24 days before election day.

Complaints regarding the voter register can be submitted to the public administration and appealed to provincial administrative courts and the Supreme Administrative Court whose decision remains final. The voter list is closed for any amendments 12 days before election day, and amendments after this deadline are only permissible based on court decisions with the PRC notified of any such decision in order to ensure timely updates in the system. ODIHR NAM interlocutors expressed full confidence in the voter list and expressed trust in the population and voter registration systems.

E. CANDIDATE REGISTRATION

Every citizen with a voting right can stand for parliamentary elections, with the exception of those who are under guardianship and those who hold military office. Several categories of officials also cannot run for elections without first resigning from their office.\textsuperscript{15}

Candidates are nominated by political parties or by constituency associations, established by at least 100 voters.\textsuperscript{16} Political parties are allowed to form coalitions. While candidates are not required to reside in their constituencies, they can be nominated in only one electoral district. Most political parties met with by the ODIHR NAM informed that despite the lack of legal

\textsuperscript{13} During the 2015 parliamentary elections some 46 per cent of the voters voted in advance. According to Statistics Finland, during the advance voting women participation is higher. For the most recent 2018 presidential election, 52.5 per cent of the voters voted in advance.

\textsuperscript{14} See the 2018 Parliamentary Ombudsman report, which noted continued instances of challenges with accessibility in some polling station and “deficiencies are still found in securing the secrecy of the vote”.

\textsuperscript{15} This includes the Chancellor of Justice of the Government, the Parliamentary Ombudsman, a Justice of the Supreme Court or the Supreme Administrative Court, and the Prosecutor-General.

\textsuperscript{16} Political parties are registered by the MoJ upon submission of at least 5,000 support signatures from eligible voters. A party failing to win seats in two consecutive parliamentary elections or gaining less than two per cent of the votes countrywide is de-registered but may re-apply for registration at any time. Currently there are 19 registered parties.
requirements for gender representation on candidate lists, parties apply internal policies to promote women candidates.

Political parties and constituency associations are required to submit their candidate lists to the respective DEC 40 days before the elections. After reviewing the lists, each DEC confirms them and randomly assigns numbers to candidates 31 days before the elections. All parliamentary political parties expressed full confidence in the inclusiveness of the candidate registration process.

F. CAMPAIGN AND CAMPAIGN FINANCE

The legislation does not envisage an official campaign period and does not contain detailed provisions on the election campaign. All ODIHR NAM interlocutors from the political parties intend to campaign online and through social media, and to participate in the debates organized by the public broadcaster. Campaign advertisements in print media, as well as leaflets, posters and billboards will be used by some of the political parties. According to ODIHR NAM interlocutors, the campaign will likely focus on environmental and more specifically climate change topics, the ongoing social and healthcare reform, economic issues and migration policies. In addition it was indicated, that the debate might focus on the possible figure for the post of the next prime minister.

Campaign finance is regulated by the Act on Candidate’s Election Funding and the Act on Political Parties, both last amended in 2010. All parties represented in the parliament are eligible for public funding in proportion to the number of seats held. In addition to the funding provided by the parties, election campaign activities can be funded from candidates’ own resources, as well as loans and contributions received from individuals and legal entities. For in-kind donations, contestants are obliged to give a voluntary estimate of the donations they include in the financial reports. Some ODIHR NAM interlocutors noted that this and campaigning by third-parties is insufficiently regulated. All contributions received from the same donor should not exceed EUR 6,000 for a candidate and EUR 30,000 for a political party. In addition, each individual campaign contribution and its donor must be disclosed separately, if the value of such a contribution exceeds EUR 1,500.

The legislation does not envisage limits on campaign spending, nor does it impose an obligation on contestants to open a dedicated bank account for all campaign incomes and expenditures. This may potentially allow for cash donations which are not accounted for. Some ODIHR NAM interlocutors noted that opening a separate bank account for campaign purposes might increase the transparency of the process, however most parties see it as an additional burden. Most of the ODIHR NAM interlocutors were supportive of the current campaign finance legislation and opined that the transparency was ensured.

The National Audit office (NAO) is tasked with oversight of political party and campaign financing. The legislation lacks mandatory requirements for interim reporting, however electoral contestants may choose to voluntarily report. The ODIHR NAM was informed that political

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17 Vote is given by writing on the ballot the assigned number of the candidate.

18 These changes include the introduction of reporting on campaign contributions and expenditures and the ban on anonymous donations. Council of Europe’s Group of States against Corruption (GRECO)’ Evaluation Report notes that “Finland has shown remarkable progress…it has now in place a new legal framework which aims at providing transparency of financing of election candidates, political parties as well as other entities linked to political parties.” See GRECO Reports on Finland.

19 Consent for disclosure is required for donations below EUR 1,500.
parties rarely submit interim reports, however the candidates increasingly are disclosing their campaign incomes and expenditures before election day. All political parties and candidates elected to parliament are obliged to submit detailed financial reports to the NAO two months after the elections and annually on their regular financial activities. The NAO is vested with sanctioning powers in situations where required documents or information are not submitted, corrected or completed. The NAO publishes all financial reports online and reports to the parliament on the audits of the campaign reports within eight months and on the reports for the regular financial activities of the parties annually.20

G. MEDIA

The media landscape is pluralistic and characterized by a variety of public and private radio and television channels, as well as a range of newspapers. Internet popularity is growing and most media outlets present their information online.21 While the print media are playing an important role in the dissemination of political information, their circulation continues to decline.22 The public broadcaster, YLE (Yleisradio), with its four national television channels and regional network of channels presented in Finnish, Swedish and Sami languages, plays an important role in providing political information to all voters. The traditional media landscape is also dominated by a number of private nationwide television channels.

There are no legal regulations on the media coverage during the election campaign and media are largely self-regulated. The YLE’s operations are governed by the Act on the Public Broadcaster which requires the public broadcaster to “support democracy and everyone’s opportunity to participate by providing a wide variety of information, opinions and debates as well as opportunities to interact” and specifically concerning the parliamentary elections by the Act on Political Parties, according to which “state institutions should treat all parties equally.” YLE plans to organize a number of electoral programmes to give all contestants equitable conditions for campaigning as well as various television debates with the participation of parliamentary and non-parliamentary parties.23 All ODIHR NAM interlocutors expressed overall confidence in the impartiality of the public broadcaster as well as the overall professionalism of private media.

The Council for Mass Media is a self-regulating independent body, which promotes good journalistic practice and considers complaints on breaches of professional ethics.24 It is comprised of a chairperson and 13 members appointed for a three-year term. The Council is tasked to interpret and promote professional practice and defend the freedom of speech. It developed guidelines for journalists with the aim of supporting the responsible use of freedom of speech in mass communication, including online outlets.25 The Council’s decisions are published on its website, including the complete decision if the complaint is upheld.

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20 According to the NAO some 40 to 50 political entities are audited annually.
21 As per the official state statistics published on 4 December 2018, 89 per cent of the population uses the Internet and 76 per cent uses it several times a day.
22 According to Statistics Finland from 23 November 2018 the publishing industry “is still clearly the biggest sector by its volume in the Finnish media market. However, the sales of daily newspapers and periodicals continued their nearly decade-long fall in 2017.”
23 According to YLE some 45 hours of election-related programs will be broadcast during the campaign.
24 In 2018, the Council for Mass Media has received 318 complaints. Most of the complaints were related to the right to reply or lack of action to correct mistakes in published articles.
IV. CONCLUSIONS AND RECOMMENDATIONS

All ODIHR NAM interlocutors expressed a high level of confidence in all of the aspects of the electoral process. Some measures aimed at addressing earlier ODIHR recommendations have been introduced ahead of the 2015 parliamentary elections and the authorities have given careful consideration and followed-up on findings in previous ODIHR reports. No new issues pertaining to the conduct of elections that would benefit from a review by ODIHR have been identified since the last observation activity. Based on this, the ODIHR NAM does not recommend deploying an election-related activity for the 14 April parliamentary elections. ODIHR stands ready to engage in a follow-up process after the elections, and encourages the authorities to also consider issues raised by interlocutors during the course of the ODIHR NAM, including with regard to campaign finance and the participation of persons with disabilities in elections.
ANNEX: LIST OF MEETINGS

**Ministry for Foreign Affairs**
Sari Rautio, Director, Unit for Security Policy and Crisis Management
Leena Ritola, Director, Passport Unit, Department for Consular Services
Iiris Strandman, Administrative Attaché, Unit for Security Policy and Crisis Management
Jaakko Koivusaari, Attaché, Council of Europe and the OSCE's human dimension, Unit for Human Rights Policy

**Ministry of Justice**
Johanna Suurpää, Director of the Unit for Democracy, Language Affairs and Fundamental Rights
Arto Jääskeläinen, Director of Electoral Administration
Heini Huotarinen, Ministerial Adviser

**The Supreme Administrative Court**
Kari Kuusiniemi, President of the Supreme Administrative Court
Anne E. Niemi, Justice

**National Audit Office**
Jaakko Eskola, Director of Financial Audit

**Population Registration Centre**
Timo Salovaara, Director, Population Information Services
Pauli Pekkanen, Development Manager
Otto Palmu, Product Manager

**Political Parties**
Aila Paloniemi, Chairperson of the OSCE PA Delegation of Finland, Member of Parliament, the Centre Party of Finland
Pia Kauma, Member of Parliament, deputy member of the OSCE PA Delegation of Finland, the National Coalition Party
Ilkka Kantola, Member of Parliament, deputy member of the OSCE PA Delegation of Finland, Social Democratic Party
Joonas Leppänen, Party Secretary, Left Alliance
Fredrik Guseff, Party Secretary, Swedish People's Party of Finland
Maria Grundström, Campaign Manager, Swedish People’s Party of Finland
Mika Raatikainen, Member of Parliament, Finns Party
Sakari Puisto, Political Planner, Finns Party
Matias Turkkila, Managing Editor, Finns Party
Lasse Miettinen, Party Secretary, the Greens in Finland
Antti Vesala, Programme Coordinator, the National Coalition Party
Tuomas Meriniemi, International Officer, the Centre Party of Finland
Antton Rönnholm, Party Secretary, Social Democratic Party
Pekka Sinisalo, Campaign Manager, Blue Reform
Marja Nousiainen, Communications Manager, Blue Reform

**Council for Mass Media**
Elina Grundström, Chairperson

**The Finnish Broadcasting Company YLE (Yleisradio)**
Petri Kejonen, Head Producer, Elections
Pia Johansson, Election Producer
Ville Seuri, Producer of Elections Online Content
Ville Mättö, Producer of Elections Results
Timo Huovinen, Ethics Chief

The Finnish League for Human Rights
Heli Markkula, Head of Advocacy
Matti Jutila, Human Rights Adviser