

Sweden: Governmental in Form, Independent in Practice: A Decentralized Election Management System

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The Institutional Structure of Electoral Management

The Swedish EMB is best described as a decentralized institution divided into three levels that are separate from each other – central, regional and local. The structure of electoral administration corresponds to the structure of institutions of governance in Sweden in general.

The local authority (the *kommun*) is the local EMB, responsible for recruiting and training polling station officials, for setting up and equipping polling stations and for the first count of votes which takes place in the polling stations. The regional EMB, the County Administrative Board (Länsstyrelsen), is responsible for the second and final count of votes from the whole region, which takes place at counting centres, and the declaration of the results of elections to the county councils and municipal assemblies. The central EMB, the Election Authority (Valmyndigheten), has a range of responsibilities, including the (voluntary) registration of political parties' names and the names of the parties' official candidates, voter education, the production and design of ballot papers, and deciding the number of parliamentary seats allocated to each electoral district. The central EMB declares the results of elections for the national Parliament (the Riskdag) and the European Parliament.

The tasks carried out by the local or regional EMBs are not directed by the central EMB, but are laid down in the laws and documents that establish them as electoral authorities – the Elections Act and its associated regulations.

The central EMB is not fully institutionally independent from the executive branch of government: it is expected to report to, and in some cases consult with, the Ministry of Justice. The public administration in Sweden is structured so that all statutory authorities fall within the area of work of a government ministry, even though they may not be subject to direct supervision. The major channel of the relationship with the ministry lies in the submission of the annual report, which in turn forms the basis of financial review by the State Auditors (Riksrevisionen). The central EMB has full responsibility for implementation of the Elections Act, but does not establish government policy.

The local EMB is accountable to the management and board of the municipality, which is an elected body. Local and regional EMBs that have received additional funding from the central EMB for tasks relating to voting at 'special institutions' (such as hospitals and prisons) have to report on this specifically to the central EMB.

The administrative director of the central EMB, the Election Authority, is appointed by the government. The central EMB is a small organization with not more than 13 full-time employees. Consultants are used mainly for work on technical and Web communication issues. The central EMB works under the supervision of the Board of the Election Authority, a five-member body which provides the EMB with advice but is not involved in day-to-day practicalities. There are 21 regional EMBs (one within each of the 21 county administrative boards) and 290 local EMBs (one within each of the 290 local municipalities).

An eight-member board, the Election Review Board, is appointed by the Parliament immediately after an election. Electoral disputes are managed by this board, and there is no appeal against its decisions.

The indigenous people of Sweden, the Sami, elect members to their own regional parliament. These elections are managed by one of the regional EMBs, together with the central EMB and the staff of the Sami authority, as specified in the law governing the Sami Parliament.

Historical Background

During the first half of the 20th century, elections were administered by local and regional authorities under the supervision of the Ministry for Internal Affairs. Very few staff worked with electoral administration, and most of them also had other responsibilities. The civil register, which still provides the basis of the electoral register, was produced by the Board for Civil Registration and Tax Collection (Centrala Folkbokföring och Uppbördsnämnden). When the National Tax Agency (Skatteverket) was set up and took over responsibility for the civil register in 1971, it was practical to centralize electoral management at the same time. This was reinforced by a change in the electoral system, creating a single national district for the allocation of some of the parliamentary seats, and therefore making it difficult for regional authorities to perform the allocation of seats for the national Parliament.

After almost 30 years as a small office incorporated within the National Tax Agency, at the end of the 1990s the staff of the Electoral Office initiated discussions aiming at changing the electoral management structure. Three main reasons for the proposed change were cited. First, the Electoral Office was working under the rules of the National Tax Agency, and was not able to work with the freedom, speed and versatility that its work demanded. Second, with the development and increased use of new and Web-based technology, the Electoral Office identified the need to establish its own lines of communication. Third, it was argued that the issues involved in managing elections are of such a different and particular character that they should be managed by a separate body.

The electoral management system of Sweden was changed by the Swedish Parliament in January 2001, following a long process of deliberation, consultation and formal consideration by relevant bodies. The new central EMB was in place and fully functional by July 2001, and the first election to take place under the new EMB structure was the parliamentary election of 2002. In short, the structure of electoral management has moved from being a decentralized system in the early 20th century, to a centralized system as part of a larger authority, to being an effectively independent body while still falling under the remit of a government ministry.

The Election Authority believes that the changes since 2001 have made its work much easier, and that the regional and local EMBs have become more visible. However, there were initial disadvantages associated with the change, as services and expertise that were available within the National Tax Agency were lost when the separate central EMB was established. The

new EMB has been forced to invest in building up and recruiting its own expertise and capacity in relation to public procurement and computer technology.

The Legislative Framework

There are no provisions for EMBs in the constitution. They are, however, mentioned in the Elections Act (Vallag 1997:157, chapter 1, sections 15, 16 and 17), which specifies that there shall be a central EMB, regional EMBs and local EMBs. It does not specify whether these bodies should be independent, or affiliated to any other authority or institution. It simply provides that the government decides which body should form the central EMB. The Parliament, by the decision of 2001 to establish a separate central EMB, has already done so. (Since the inception of the Election Authority, powers relating to the establishment of new authorities have changed. It is today the power of the government to establish new authorities.)

The constitution outlines general principles of equal and universal suffrage, of periodic elections, electoral districts, the Election Review Board and the electoral system. The Elections Act specifies the tasks of:

- the local, regional and central EMBs;
- the polling station staff; and
- the Election Review Board.

It also specifies in detail the division of tasks between the EMBs, and defines provisions relating to:

- electoral districts and boundary delimitation;
- procedures regarding the registration of political parties and candidates;
- the production and design of ballot papers;
- procedures for voting, including advance voting, absentee voting or voting from special institutions (such as prisons or hospitals);
- vote counting and the allocation of seats;
- the identification of replacement candidates or elected members in the event of resignations or deaths;
- how to appeal against election results;
- voting rights; and
- special rules applicable for elections to the European Parliament (Sweden has incorporated those rules and regulations laid down for elections to the European Parliament in European Union legal instruments into its Elections Act).

Financing

The central EMB requests its annual budget from the Ministry of Justice. The Ministry of Justice then receives these funds from the Ministry of Finance, in accordance with a parliamentary decision on the budget proposal by the government. The central EMB has normally received the amount it requested.

The regional EMB receives its funding from two sources: its own general budget as the County Administrative Board, which covers permanent costs such as staff and premises, and the budget of the central EMB, which covers the additional costs that relate to elections. On

average, the regional EMB receives about 0.30 euros (EUR) from the central EMB for each registered voter in its region, depending on the type of election. This funding from the central EMB is only given to the regional EMBs during an election year.

The funding of the local EMBs is separate from that of the other two levels, as municipalities receive funding from the government for their whole area of work, which includes the work of the local EMB. The Municipal Assembly determines the overall municipal budget annually. Expenditures for general elections and referendums are included in that budget. The one exception is the cost involved in voting that takes place at 'special institutions'; funding for this is requested from the budget of the central EMB. Some local municipalities have disliked having to cover the cost of elections other than those for representatives for the local electoral districts – for example, national referendums or elections to the European Parliament – since their budgets are 'local' and not supposed to cover 'national' events. However, as of 2006 the municipalities have greatly increased responsibilities for advance voting for all types of general elections and national referendums, which will add to the election costs they are responsible for covering.

The cost of meeting high technical standards is reflected in EMB budgets. The local and regional EMBs form part of existing administrations, the central EMB is established with the status of a separate authority, and adequate resources appear to be assured.

The Professionalism of Electoral Officers

There are no official education programmes or courses in electoral administration in Sweden. The training provided to staff members is designed internally. The central EMB has taken part in general training in issues relating to public procurement, as it manages the production of high-cost material such as ballot papers, advertisements and public information on elections. The central EMB has conducted in-depth training for the staff of the regional EMBs since the 1970s and for the staff of the Sami Parliament during recent years.

The staff of the Election Authority can be divided into three main groups – technical staff, subject experts and support staff. While institutional memory was maintained when nearly all the staff associated with elections transferred to the new central EMB in 2001, the central EMB faces problems common to small institutions, such as dealing with the near-simultaneous retirement of several key personnel or keeping up with constant developments in new technology.

Although all vacancies must be publicly advertised, in practice the staff of the central EMB are mainly recruited from election officials at the regional or local level. As local EMBs are responsible for recruiting officials for the polling stations, they undertake major recruitment and training processes before each election. The recruitment process varies between municipalities: some recruit mainly from political parties, trying to ensure political balance, some seek officials from outside the political process, and some use a combination of both.

At regional level, between one and three members of staff are responsible for managing elections, and have other tasks within the county administrative boards during other times. As the regional EMBs are responsible for the final counting of votes, they recruit additional temporary staff for this purpose.

Relations with Other Institutions and Agencies

Relations and cooperation with other institutions are key to the work of the central EMB.

Since the National Tax Agency is responsible for both civil and electoral registration, these two institutions cooperate continuously. The central statistical office (Statistics Sweden, Statistiska Centralbyrån) supplies survey data for electoral purposes, while the Election Authority provides the election results data to Statistics Sweden for publication. The authority responsible for issues relating to real estate assists in the work of boundary delimitation. Sweden's diplomatic missions abroad are also partners in the electoral process, as external voting is part of their function. The Ministry of Justice remains an important partner of the central EMB, and desk officers of both institutions have close and regular contact.

Electoral Reform Management

The political environment in Sweden is comparatively stable. Election results and the work done by the EMBs are not often criticized or disputed, and EMB recommendations are usually treated with respect.

The central EMB is, however, able to suggest changes and improvement to electoral legislation or practices through the Ministry of Justice, and regularly does so. There have been cases when the central EMB has been the catalyst for change, while at other times it simply acts as a participant, or makes suggestions to the Ministry of Justice, on issues that need consideration. If a decision involves controversy, committees, politicians and officials from the EMB and the government seek to reach agreement through consultation, not through voting.