Council of the European Union

Brussels, 26 July 2024
(OR. en)

12605/24
ADD 27

JAI 1253
FREMP 336
AG 148
POLGEN 123

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	26 July 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SWD(2024) 827 final
Subject:	COMMISSION STAFF WORKING DOCUMENT 2024 Rule of Law Report Country Chapter on the rule of law situation in Sweden Accompanying the document COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS 2024 Rule of Law Report The rule of law situation in the European Union

Delegations will find attached document SWD(2024) 827 final.

Encl.: SWD(2024) 827 final

EUROPEAN
COMMISSION

Brussels, 24.7.2024
SWD(2024) 827 final

COMMISSION STAFF WORKING DOCUMENT

2024 Rule of Law Report
Country Chapter on the rule of law situation in Sweden

Accompanying the document

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

2024 Rule of Law Report

The rule of law situation in the European Union

{COM(2024) 800 final} - {SWD(2024) 801 final} - {SWD(2024) 802 final} - {SWD(2024) 803 final} - {SWD(2024) 804 final} - {SWD(2024) 805 final} - {SWD(2024) 806 final} - {SWD(2024) 807 final} - {SWD(2024) 808 final} - {SWD(2024) 809 final} - {SWD(2024) 810 final} - {SWD(2024) 811 final} - {SWD(2024) 812 final} - {SWD(2024) 813 final} - {SWD(2024) 814 final} - {SWD(2024) 815 final} - {SWD(2024) 816 final} - {SWD(2024) 817 final} - {SWD(2024) 818 final} - {SWD(2024) 819 final} - {SWD(2024) 820 final} - {SWD(2024) 821 final} - {SWD(2024) 822 final} - {SWD(2024) 823 final} - {SWD(2024) 824 final} - {SWD(2024) 825 final} - {SWD(2024) 826 final} - {SWD(2024) 828 final} - {SWD(2024) 829 final} - {SWD(2024) 830 final} - {SWD(2024) 831 final}

ABSTRACT

The level of perceived judicial independence in Sweden is very high among the general public and high among companies. The Government is reflecting on the follow-up to proposals of a committee of inquiry to strengthen judicial independence, including on establishing a more independent court administration agency and has tasked an inquiry with the follow-up on strengthening the independence of the Judges Proposal Board and setting up a Disciplinary Board. While initial steps have been taken in relation to the independence of lay judges, there have been no measures yet as regards their nomination system. The courts were granted increased financial resources for the period 2023-2026, in view of increased challenges in tackling organised crime. A survey on the working conditions of Swedish judges highlights issues in attracting and retaining staff. The justice system continues to perform efficiently.

The perception among experts and business executives is that Sweden is one of the least corrupt countries in the world. Work on the first National Anti-Corruption plan was concluded, and the Government adopted a new, more extensive plan in July 2024. The Government also adopted a strategy on organised crime with anti-corruption elements and set up a committee of inquiry to review criminal law legislation in relation to corruption. While, as part of this review, the legal definitions of foreign bribery are being analysed, there is no improvement in the prosecution of foreign bribery cases. Addressing corruption risks related to infiltration by organised crime groups into the public service is an increasing priority for the authorities. Some gaps in ethics guidance for top-level officials remain, while ethical guidelines for all civil servants have not been updated yet. Some shortcomings exist in the asset disclosure requirements for ministers, as they do not include significant liabilities. An all-party committee of inquiry is discussing rules on lobbying and gaps in the political party financing framework. The evaluation of the rules on revolving doors was completed, recommending some legislative changes. Areas at high risk of corruption include the local government level and public procurement, as confirmed by a recent national survey.

The restructured national regulatory authority, the Swedish Agency for the Media, has received new tasks. The Government is examining possible rules on satellite broadcasting. The political independence of public service media has been strengthened and further efforts in this field are still being envisaged by the Government. Legislation on access to documents guarantees wide availability of information. An inquiry is looking into the review of the current constitutional protection of private sector search services. Swedish journalists continue to work mainly in favourable conditions.

The Government is examining the follow up to an all-party committee report on a possible amendment of the Constitution to deal with serious peacetime crises. The Government's handling of the legislative process has undergone parliamentary review as stakeholders and constitutional review bodies express concerns about the acceleration of the legislative preparatory work. The National Human Rights Institution has a secured funding for its activities and continues working towards an A-status accreditation. The civil society space remains open, though a combination of funding cuts and faster pace of consultations impacts some segments of civil society. Further steps were taken as regards the ongoing reforms to the legal framework for the funding and operation of civil society organisations, notably with a new proposal on the so-called 'democracy condition'

RECOMMENDATIONS

Overall, concerning the recommendations in the 2023 Rule of Law Report, Sweden has made:

- No progress on ensuring that the nomination system of lay judges safeguards their independence, taking into account European standards on judicial independence.
- Fully implemented the evaluation on the scope, impact and implementation of the rules relating to revolving doors that cover top executive functions in the Government.
- Some progress on strengthening the fight against foreign bribery by amending the existing legal definitions to improve on the prosecution of, and final judgments in foreign bribery cases.
- Some further progress on continuing efforts to ensure that the on-going reforms to the legal framework for the funding and operation of civil society organisations do not unduly affect civil society engagement.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Sweden to:

- Ensure that the nomination system of lay judges safeguards their independence, taking into account European standards on judicial independence.
- Ensure the appropriate follow-up to the evaluation of the rules on revolving doors.
- Strengthen the fight against foreign bribery, by amending the existing legal definitions to improve on the prosecution of, and final judgments in foreign bribery cases.
- Continue efforts to ensure that the reforms to the legal framework for the funding and operation of civil society organisations do not unduly affect civil society engagement.

I. JUSTICE SYSTEM

The Swedish justice system has two branches: the general courts, consisting of 48 district courts, six courts of appeal and the Supreme Court; and the administrative courts with 12 administrative courts, four administrative courts of appeal and the Supreme Administrative Court. There are also two special courts[1]. The National Courts Administration, an agency operating under the Ministry of Justice, is responsible for the overall management of the Courts, including allocation of resources, staffing levels and equipment. The independent Judges' Proposal Board[2] prepares proposals for all judicial appointments[3], based on which judges are appointed by the Government[4]. The Swedish Prosecution Service[5] is independent and separate from the Government. In July 2024, Sweden joined the European Public Prosecutor's Office (EPPO)[6]. The Swedish Bar Association is an independent and self-governing association established by law and is responsible for supervision of the professional activities of advocates and taking disciplinary measures against its members[7].

Independence

The level of perceived judicial independence in Sweden is very high among the general public and high among companies. Overall, 78% of the general population and 75% of companies perceive the level of independence of courts and judges to be 'fairly or very good' in 2024[8]. Nevertheless, the perceived judicial independence among the general public has increased in comparison with 2023 (75%), although it remains lower in comparison with 2020 (81%). The perceived judicial independence among companies has increased in comparison with 2023 (70%), although it remains lower in comparison with 2020 (80%).

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1 The Labour Court and the Defence Intelligence Court. Input from Sweden for the 2021 Rule of Law Report. For a description of the judicial structure, see CEPEJ (2021), Study on the functioning of judicial systems in the EU Member States. Sweden does not have a constitutional court.

2 The Judges' Proposal Board is composed of nine members: five current or former judges proposed by the courts, two law graduates working outside the court system (one lawyer proposed by the Bar Association, the other proposed by the Swedish Association of Local Authorities and Regions and the Swedish Agency for Government Employers) and two representatives of the public. The members of the public are appointed by Parliament (and are usually members of Parliament), while the seven other members are appointed by the Government.

3 The Judges' Proposal Board, following an assessment of the applicants' qualifications, submits a motivated proposal (ranked list, in general three candidates) to the Government, which appoints the judge. If the Government intends to select a candidate not included in the proposal of the Judges' Proposal Board, the Board is to have an opportunity to submit an opinion on the candidate. In practice, since 2011, when the current system came into force, the Government has always followed the proposal.

4 Act on the Appointment of Permanent Judges (2010:1390).

5 Instrument of Government, Chapter 12, Section 2.

6 On 29 May, Parliament adopted the Government's proposal for a new law on the EPPO and other legislative amendments required for Swedish participation in EPPO. The Government foresees that EPPO will start its activities in Sweden before the end of 2024. Input from Sweden for the 2023 Rule of Law Report, p. 2 and Swedish Government (2024) A decisive step towards Swedish participation in EPPO. On 16 July, the Commission adopted the decision confirming Sweden's participation in EPPO.

7 Code of Judicial Procedure, Chapter 8.

8 Figures 51 and 53, 2024 EU Justice Scoreboard and Figures 50 and 52, 2022 EU Justice Scoreboard. The level of perceived judicial independence is categorised as follows: very low (below 30% of respondents perceive judicial independence as fairly good and very good); low (between 30-39%), average (between 40-59%), high (between 60-75%), very high (above 75%).

The Government is reflecting on the follow-up to a proposal to establish a more independent court administration agency. As noted in the 2023 Rule of Law Report[9], on 17 March 2023, an all-party 'Committee of Inquiry on strengthening the protection of democracy and the independence of the judiciary' recommended the setting up of a new court administration agency that would be more independent from the Government compared to the current National Courts Administration, notably by being headed by a Board that would appoint the agency's director[10]. While most stakeholders have welcomed the thrust of the proposal towards greater independence of the court administration agency, some have called for its full independence from the Government[11]. The Committee of Inquiry's proposal envisages that the Board of the new agency would be composed of nine members, five of whom would be current or former permanent judges[12] from various levels of the Swedish courts[13]. The representatives of the judiciary on the Board (member and a deputy) would be appointed by the Government[14] based on a proposal from the judiciary; the Government

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9 See 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 4.

10 The new agency would have overall the same assignments as the National Courts Administration. The Board would appoint the Director of the new agency instead of the Government as is presently the case for the National Courts Administration. A decision to remove the Director from office would be made by the Board. The 2020 Committee of Inquiry on the Constitution (2023), Strengthening the protection of democracy and independence of the judiciary, p. 49.

11 The Swedish Judges Association welcomed the proposal for a more autonomous justice administration body, but argued for a constitutionally independent Council of the Judiciary. The Bar Association considered a Council for the Judiciary independent from the Government and the Parliament as essential. The National Courts Administration agreed that the new agency should be more independent, yet remain under the Government's authority. Swedish Government (2023) The public consultation on the report 'Strengthening the protection of democracy and independence of the judiciary'.

12 In accordance with European standards for Councils for the Judiciary, not less than half the members of such councils should be judges chosen by their peers from all levels of the judiciary and with respect for pluralism inside the judiciary; Recommendation CM/Rec(2010)12 of the Committee of Ministers of the Council of Europe, paragraph 27. To be noted that the European Networks of Councils for the Judiciary would not consider former permanent judges as representatives of the judiciary within a judicial council. Allowing for members who have been judges is presently used for the Judges Proposal Board and appears to reflect the preference to appoint experienced former judges or to allow retired judges to continue in their role. Information received from the Ministry of Justice and the Judges Association in the framework of the country visit. With regard to former judge members, see also the subsequent paragraph on the Judges Proposal Board and the Disciplinary Board. Written contribution received from the European Networks of Councils for the Judiciary in the framework of the country visit to Sweden.

13 An identical wording namely, that members must be, or must have been, judges is presently in the regulation governing the composition of the Judicial Proposal Board (see also footnote 2 above). According to the Government, the legislative history for this provision mentions, among other, the need for the Board members to have knowledge of the judge's role and that profession's requirements. This may be down to practical reasons, such as a judge member changing employment or retiring during their term of office, which should not prevent them from continuing as a member of the Judges Proposal Board. Written contribution received from the Ministry of Justice in the context of the country visit to Sweden.

14 The Government would receive nominations for the members and deputies representing the relevant bodies from: i) the presidents of the Supreme Court and the Supreme Administrative Court, ii) the presidents of the courts of appeal, iii) the presidents of the administrative courts of appeal, iv) the presidents of the district courts, v) the presidents of the administrative courts, vi) the Swedish Bar Association, and vii) the Swedish Agency for Government Employers. The 2020 Committee of Inquiry on the Constitution (2023), Strengthening the protection of democracy and independence of the judiciary, pp. 349 and 388-389. The Swedish Judges Association considers that the proposed composition and the nomination procedure lack predictability and underlined that all types of judges should be involved in the management of the courts (i.e. court managers, other permanent judges or judges in training). Swedish Government (2023) The public consultation on the report 'Strengthening the protection of democracy and independence of the judiciary'.

would only be able to appoint a person proposed for the role of member or a deputy[15]. The Government is assessing the proposals of the Committee of Inquiry and the stakeholder replies from the public consultation. It aims to adopt a proposal based on the report no later than November 2025[16].

The Government tasked an inquiry with the follow-up to proposals on strengthening the independence of the Judges Proposal Board and to establish a Disciplinary Board. As noted in the 2023 Rule of Law Report[17], the comprehensive report delivered by the 'Committee of Inquiry on strengthening the protection of democracy and the independence of the judiciary' on 17 March 2023 also included proposals on adjustments in the system of appointment of judges[18]. At present, all permanent judges are appointed by the Government, upon a recommendation by the Judges Proposals Board for an indefinite period of time. The Government is not bound by the Board's proposal but cannot appoint a person who has not first been heard by the Board[19]. The Committee of Inquiry[20] proposed that the Government should only appoint a person proposed by the Judges Proposals Board as a judge, while not being bound by the Board's ranking[21]. While the proposal would strengthen the independence of the judiciary in the appointment procedure[22], stakeholders have emphasised the need for the Government to provide reasons when departing from the Judges Proposal Board's ranking[23]. Furthermore, the Committee of Inquiry proposed that the disciplinary system for judges should not be linked to the executive and that instead, a Disciplinary Board for Judges

[15] A specific nomination procedure should ensure that the courts have a significant influence over the composition of the Board. A Board member or deputy on the Board could not simultaneously be a member of the Parliament, a Government minister, employed by the Parliament, employed in the Government Offices, employed at central level in a political party or hold another post or mandate rendering them ineligible. A decision to remove a Board member (other than at own request) would be taken by the Parliament. The 2020 Committee of Inquiry on the Constitution (2023), Strengthening the protection of democracy and independence of the judiciary, pp. 47-50, 331-336 and 341-345.

[16] Information received from the Ministry of Justice in the framework of the country visit to Sweden.

[17] See 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 4.

[18] The Committee proposed targeted changes to the current system of appointing judges, by providing in the Constitution that judges are appointed by the Government following the proposal of a specific body, a majority of whose members must be or have been judges. A provision would be inserted in the Constitution on the conditions under which a member or deputy member of the proposing body may be removed from office. Furthermore, the Government should only appoint a person proposed by the Judges Proposals Board as a judge. If the appointment proposal were to include a ranking with more than one candidate, the Government would not be bound by the ranking. The 2020 Committee of Inquiry on the Constitution (2023), Strengthening the protection of democracy and independence of the judiciary, pp. 50-51.

[19] If the Government intends to appoint a person not proposed by the Board, it has to refer the matter back to the Board. Input from Sweden for the 2020 Rule of Law Report, p. 4.

[20] The 2020 Committee of Inquiry on the Constitution (2023), Strengthening the protection of democracy and independence of the judiciary, pp. 50-51.

[21] In accordance with European standards, an independent and competent authority drawn in substantial part from the judiciary should be authorised to make recommendations or express opinions which the relevant appointing authority follows in practice. Recommendation CM/Rec(2010)12 of the Committee of Ministers of the Council of Europe, paragraph 47.

[22] In comparative terms, the appointment system for judges in Sweden is presently among those exhibiting the highest level of discretion for the executive or legislative branch. See EU Justice Scoreboard 2018, figure 62.

[23] Public consultation replies by the Swedish Bar Association, the Swedish Institute for Human Rights, and Civil Rights Defenders. Swedish Government (2023) The public consultation on the report Strengthening the protection of democracy and independence of the judiciary.

should be established and constitutionally protected[24]. Similarly, the Committee proposed that the Chancellor of Justice, who acts as the Government's Ombudsman, should no longer have any supervisory powers with regard to the judiciary, while the Parliamentary Ombudsmen's powers should remain unchanged in this respect[25]. The Committee's proposals on the disciplinary system have been generally welcomed by stakeholders and the bodies concerned[26]. As is the case for the proposed new court administration agency, the Committee of Inquiry proposed that both the Judges Proposal Board and the new Disciplinary Board would consist of a majority of members who are or have been judges[27]. On 19 April 2024, the Government appointed an inquiry[28] to report on, among other, proposals for a system to hold permanent judges accountable, to establish a Disciplinary Board and adjustments to the tasks and the organisational aspects of the Judges Proposal Board; the proposal should be submitted to Government by 13 May 2025[29].

While initial steps have been taken in relation to the independence of lay judges, there was no progress as regards their nomination system. The 2023 Rule of Law Report recommended to Sweden to 'ensure that the nomination system of lay judges safeguards their independence, taking into account European standards on judicial independence'[30]. As noted in the 2023 Report, in March 2023 a public debate on the role of political parties in the nomination process was triggered following a judgment in a criminal case on appeal, which had attracted significant media coverage; the political party having nominated two of the lay judges involved subsequently invited them to a 'coaching session', after which the two lay judges resigned[31]. Lay judges in Sweden are nominated exclusively by the political parties and elected by municipal councils or county council assemblies[32]. Ahead of the new intake of lay judges for the period 2024-2027, the Swedish National Courts Administration carried out an information campaign for prospective lay judges and nominating and selecting bodies in

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[24] Given that this proposal was outside of the Committee's mandate, the latter proposed that a separate inquiry be established. The 2020 Committee of Inquiry on the Constitution (2023), Strengthening the protection of democracy and independence of the judiciary, pp. 52-53.

[25] The Committee considered that the Chancellor of Justice's supervisory duties can be seen as a check on the part of the Government on the administration of justice of the courts and individual judges. The 2020 Committee of Inquiry on the Constitution (2023), Strengthening the protection of democracy and independence of the judiciary, pp. 51-52.

[26] The replies of the Chancellor of Justice and the Parliamentary Ombudsmen on the public consultation. The Swedish Judges' Association also does not have any objections on the Committee's proposal on a Disciplinary Board and is supportive of abolishing the disciplinary competence of the Justice Chancellor as regards permanent judges. Swedish Government (2023) The public consultation on the report 'Strengthening the protection of democracy and independence of the judiciary'.

[27] For the Judges Proposal Board, the nomination procedure would mirror that of the Board of the new court administration agency. The Disciplinary Board should be composed of five members, a majority of which should be or have been judges, nominated by the Board of the new court administration agency. The latter should submit two proposals to the Government, who cannot appoint any other persons as member and deputy than those proposed. The 2020 Committee of Inquiry on the Constitution (2023), Strengthening the protection of democracy and independence of the judiciary, p. 438-440.

[28] The Committee of Inquiry noted that separate inquiries would be needed to fully implement certain of its proposals, such as relating to questions on labour law and the procedure for rendering permanent judges accountable. The 2020 Committee of Inquiry on the Constitution (2023), Strengthening the protection of democracy and independence of the judiciary, p. 56.

[29] Swedish Government (2024) Strengthening the protection of the independence of courts and judges.

[30] 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 2.

[31] Ibidem, p. 6.

[32] Ibidem, pp. 5-7.

spring 2023[33]. The outcome of the campaign was reported in March 2024 and concluded that a significant majority of new lay judges continue to be members of political parties that nominated them[34]. The Government will take the findings of the campaign report into account[35], together with the findings of an inquiry report on public assistance in migration cases that was extended in scope and incidentally also touched upon the nomination of lay judges[36] and the replies to the public consultation[37]. Nevertheless, there are presently no specific initiatives envisaged to implement the recommendation of the 2023 Rule of Law Report and therefore no progress has been made.

Quality

The digitalisation of justice is at a good level overall. The use and availability of digital technology in Swedish courts continues to be at a good level overall. This is notably the case

[33] In July 2022, the Government assigned the Swedish National Courts Administration to carry out an information campaign for prospective lay judges and nominating and selecting bodies. Input from Sweden for the 2024 Rule of Law Report, p. 3.

[34] A survey among the new lay judges was carried out and answered by 6 147 lay judges (a response rate of 79 %). The survey showed that 6 % (347 persons) of lay judges were elected without belonging to a political party (5 % in previous intake), whereas 94 % were members of a political party. The report concluded that there are individuals who would like to become a lay judge but do not want to be associated with a political party and the National Courts Administration has received questions and comments about this. A willingness and a structured way of working within the political parties is needed to achieve a rejuvenation and broadening of the body of lay judges. Alternatively, there is a need for tighter control in law or a fundamental change in the system of nomination and election of lay judges. Swedish National Courts Administration (2024), Final report: Assignment to carry out communication activities ahead of the 2023 council elections, pp. 18-19.

[35] Information received from the Ministry of Justice in the context of the country visit to Sweden. In October 2023, the Minister of Justice invited representatives of the parties in the Parliament and the National Association of Lay Judges to discuss the nomination procedure for lay judges. According to the Government, the participants agreed on the importance of independent and impartial judges and on the need to continue the discussion. Input from Sweden for the 2024 Rule of Law Report, p. 3.

[36] The special inquiry officer was, in addition to the original assignment on public assistance in migration cases from July 2022, assigned in March 2023 to examine the need for further measures to make it clear that the assignment as a lay judge is non-political. The report, published on 1 June 2023, noted that the role of lay judges is sometimes perceived as being political due to the strong link with political parties and nothing prevented the political parties from proposing candidates without party membership. Another way to weaken the political link would be if the nominated person would abstain from political office during the mandate as lay judge. These options would not require changing the current rules. However, a clearer option would be to remove the power of nomination from political parties and develop a new recruitment model. It concluded that issues related to the nomination and appointment of lay judges are not part of the mandate. Therefore, there was no scope to further analyse a different layout of the lay system or to develop proposals on how lay judges are nominated and selected. It concluded that there was no need for further action to clarify that the mandate of lay judges is not political. Swedish Government (2023) 'A review of certain matters relating to public assistance', pp. 142-144.

[37] The Swedish Institute for Human Rights would have found it desirable for the investigation to also include analysing the recruitment model for lay judges; the need to investigate this aspect remains, notably how a new recruitment system for lay judges can be designed without the involvement of the political parties to ensure the independence and impartiality of the courts. A number of courts noted the limited scope of the inquiry and suggested the need to investigate the nomination of lay judges in a broader context (Stockholm Administrative Court of Appeal, Administrative Court in Malmö, Administrative Court in Uppsala, Svea Court of Appeal). Swedish Government (2023) The public consultation on 'A review of certain matters relating to public assistance'. The National Court Administration also took the view that the conditions for appointing lay judges should be examined. Swedish Government (2023) The public consultation on the report 'Strengthening the protection of democracy and independence of the judiciary'

in terms of procedural rules allowing digital technology in courts in civil, commercial, administrative, and criminal cases, or availability of online information about the judicial system for the general public[38]. Further efforts are underway to enable individuals' access to legal information[39]. Nevertheless, some gaps remain when it comes to digital solutions to conduct and follow criminal proceedings, notably concerning the possibility for victims and defendants to access their ongoing case electronically, accessing first instance court judgments online, or arrangements for machine readability of judgments[40]. In May 2024, the Parliamentary Ombudsmen closed an own investigation into issues concerning the National Courts Administration's implementation of the support for districts courts to issue judgments in criminal cases in a digital format and with the possibility of an electronic signature[41].

The courts were granted increased financial resources for the period of 2023-2026 in view of increased challenges in tackling organised crime. In September 2023, the Government proposed increases to the budget of the Swedish courts from approximately EUR 627.26 million (7 051 million SEK) in 2023 to approximately EUR 730 million (8 206 million SEK) by 2026[42]. This increase inserts itself into an overall greater spending on law enforcement including on the Police Authority, the Security Service and the Prosecution Service to strengthen and restore public security in the fight against organised crime[43]. In April 2024, the Government proposed in the spring amendment budget for 2024 an additional allocation for the Swedish courts of approximately EUR 8.59 million (SEK 100 million)[44]. The challenges related to infiltration and intimidation of the judiciary in view of organised crime have increasingly come into focus[45]. In this context, various initiatives have been taken

[38] Figure 40 and 41, 2024 EU Justice Scoreboard.

[39] The Government has entrusted the National Courts Administration to analyse how the public legal information system can be developed further, ensuring that legal information can be provided in a digital, uniform, secure and efficient manner based on the needs of users. The report should be submitted by 30 May 2025. Swedish Government (2023) Secure and efficient access to legal information.

[40] Figures 46, 47 and 48, 2024 EU Justice Scoreboard.

[41] According to the Ombudsman, the introduction of the electronic system (DiBa) had been impacted by certain shortcomings related to reliability of the system, as well as readability, comprehensibility and confidentiality of a judgment drafted in DiBa. National Courts Administration noted that even if the majority of the issues highlighted by Ombudsman have meanwhile been remedied, it will continue to intensively work on improvements. Parliamentary Ombudsmen (2024) Ombudsman's review of the introduction of operational support Digital Criminal Case Decision (DiBa) and National Courts Administration (2024) The National Courts Administration comments on the Ombudsman's criticism.

[42] Input from Sweden for the 2024 Rule of Law Report, p. 5. The Judges Association has welcomed the increase for the next three-year period. It noted that in 2024 the main part of the increase is likely to be taken up by increased rents for court buildings and called for the increases in 2025 and 2026 to be used to a greater extent on strengthening the operational output, such as numbers of court staff and remuneration. Information received from the Judges Association in the context of the country visit to Sweden.

[43] Swedish Government (2023) Historic investment in the justice system to restore security in Sweden In March 2023, the National Courts Administration had asked for an increase of SEK 50 million from 2026 in addition to the estimated appropriation levels for 2024-2025. National Courts Administration (2024) Budgetary proposal 2024-2026, p. 7.

[44] According to the Government, the development of crime has increased the workload on the courts, among other, by means of more complex cases. The courts have thus recruited more staff, leading to increased costs. At the same time, costs for security have also increased. Swedish Government (2024) Government increases support for Swedish courts.

[45] In December 2023, a former court administrator at the Attunda district court was convicted to an imprisonment of one year and nine months for a serious breach of confidentiality, a serious data breach, three counts of breach of confidentiality and a data breach. The former court administrator handled documents that, among other things, involved secret coercive measures against people in a criminal network

to prevent infiltration and/or threats against public sector employees, including a committee report on measures to reduce the vulnerability of public sector employees to violence, threats and harassment[46]. However, while steps are being taken, such as considering to expand background checks for court staff[47], and to ensure safety of courts[48], prosecutors[49], police officers exposed to organised crime[50] and witnesses[51], risks remain in terms of protection of individuals involved in the judiciary (e.g. judges, lay judges), notably in view of the ease of access to personal data[52], such as private addresses of individuals, by organised crime to intimidate, retaliate and commit attacks[53]. On 11 April 2024, the Government mandated an inquiry[54] to propose measures to reinforce trust in public defence attorneys and strengthen the

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in Sollentuna. According to the prosecution, these are the documents that she handed over to a member of a criminal gang with whom she was in a relationship. National Courts Administration (2023) Judgement in case against accused court employee and Göteborgs Posten (2023) Court employee sentenced for leaking to a gang.

46 An inquiry report was published on 11 January 2024 and open for public consultation until 12 April 2024. Swedish Government (2024) Stronger protection for public employees against violence, threats and harassment.

47 On 4 March 2024, the Swedish Court Administration Agency sent a letter to that effect to the Government. National Courts Administration (2024) The National Courts Administration wants to see expanded possibilities for register checks and written contribution received from the National Courts Administration in the framework of the country visit to Sweden.

48 The National Courts Administration was tasked by the Government to examine the need for additional security-enhancing measures in the courts and show what measures it has taken and intends to take so that everyone employed or visiting the courts can feel safe. Swedish Government (2024) Assignment to strengthen the security work within Sweden's Court.

49 In November 2023, the Prosecution Service was tasked to report on measures taken and planned in the short term to strengthen security work, with regard to both employee protection and the service's protection against unauthorised influence. Swedish Government (2023) Assignment to strengthen the security work within the Prosecution Service.

50 The Police Authority may decide that an employee may use another name than his or her own in certain cases. This applies to cases involving a person who can be assumed to belong to or work for an organisation or group carrying out criminal activities of a serious or extensive nature. In addition, there must be a significant risk that the staff member or someone close to him/her will be killed. Swedish Government (2024) Strengthened protection for certain police employees.

51 An inquiry launched in October 2023 proposes that a system of anonymous witnesses be introduced in criminal cases. The opportunity to testify anonymously will be available both during the preliminary investigation and at the trial in cases involving serious crime and where there is a tangible risk that a witness or his or her relatives will be exposed to a serious crime if he or she testifies in the case. The new law is proposed to enter into force on 1 April 2025. Swedish Government (2023) Investigation proposes new law on anonymous witnesses.

52 In October 2023, the Government appointed an inquiry to review the constitutional protection on freedom of expression of search services that publish personal data on offenses and search services that publish personal data on address, telephone number, marital status and other information relating to individuals' personal circumstances. Under Sweden's openness principles, information on organised crime investigations can be requested; once public, it risks leading to retaliations. Svenska Dagbladet (2024) Strömmer: Risk of more acts of violence when investigations become public and Swedish Government (2023) A strengthened protection for personal data in the area of freedom of press and expression.

53 Against the background of recent serious violent crimes suspected of being acts of revenge against having been charged, the National Police Commissioner questioned whether police investigations should continue to be public when charges are brought and stated "*In the past, I've definitely thought the principle of public access to information was a good thing, but I've seen the downside and I think you have to come up with something*". Sveriges Radio (2024) National Police Commissioner: Keep investigations secret to a greater extent. See also Aftonbladet (2024) Police chief: the principle of openness is outdated, Sveriges Radio (2024) Prosecutor: "Gangs are avid consumers of the principle of openness".

54 Swedish Government (2024) Legal aid and the expenses for legal assistance.

resilience of the legal profession against criminals[55]. This inquiry will also examine specific questions related to the legal aid and limiting the expenses for legal assistance, and the inquiry report should be submitted by 1 August 2025[56].

A survey on the working conditions of permanent judges highlights issues in attracting and retaining staff. In 2023, the Judges Association commissioned a survey among permanent judges on the working conditions at district and administrative courts. The survey focuses on the working conditions of Swedish judges, which had increasingly become a subject of debate and it also touches upon the attractiveness of the profession[57]. In particular, this highlights the challenges of Swedish judges related to workload[58], attractiveness of the profession as a judge[59], and the salary system based on collective agreements and not based on a law[60]. The findings of the survey reflect the view of the National Courts Administration that the filling of vacant permanent judge positions continues to be a challenge[61].

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55 The Swedish Bar Association welcomed the investigation, while noting that "criminal lawyers" are an anomaly. The Bar Association has set up a special supervision unit to strengthen its proactive work and prevent lawyers from committing ethical offences. Some of the measures proposed in the inquiry mandate were already discussed within the Bar, such as mandatory qualification requirements for public defenders in criminal cases involving serious crime and updating of its deontological rules. Information and written contribution received from the Bar Association in the framework of the country visit to Sweden and Dagens Juridik (2024) Bar Association: Welcomes investigation - but 'criminal lawyers' are an anomaly.

56 Swedish Government (2024) Legal aid and the expenses for legal assistance.

57 The study recorded responses by 548 permanent judges. Information received from the Judges Association in the framework of the country visit to Sweden. See also 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 5 and 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 8.

58 A majority of 55,1% of respondents felt that their normal working time was insufficient to meet their duties. Swedish Judges Association (2024), Survey: Ordinary judges' working conditions at Sweden's district courts and administrative courts, p. 5.

59 A majority of respondents, 53,6%, indicated that they are not considering leaving the profession, while 23,5% of respondents consider leaving the profession of judge in the coming years to apply for other career options. From those considering leaving, the most common reasons given were the salary (68,2% of respondents), workload (66,7%), a lack of recovery opportunities, (46,5 %) or a lack of career prospects (41,1%). Swedish Judges Association (2024), Survey: Ordinary judges' working conditions at Sweden's district courts and administrative courts, pp. 9-10.

60 On the remuneration of permanent judges, a majority of 63,3% of respondents considered that wage setting should not continue to be based on the current regime of individually negotiated salaries. Out of those, 278 respondents chose options where the salary can be assessed on the basis of objective criteria. Swedish Judges Association (2024), Survey: Ordinary judges' working conditions at Sweden's district courts and administrative courts, pp. 12-13. There are no rules laid down in law regarding judges' salaries; they are based on a collective agreement between the National Courts Administration and the Trade Union representing judges. The agreement sets minimum levels of pay. When a new judge is appointed, the National Courts Administration and the judge agree on a salary. Every year salaries are revised, set in agreement between the judge and the responsible court president. According to the Council of Europe recommendations, the principal rules of the system of remuneration for professional judges should be laid down in law. 2021 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 8.

61 The National Court Administration noted that the number of vacant judges posts indicates that recruitment is a challenge in an increasing number of courts. It has identified the need to ensure that the profession of a judge is perceived as attractive in terms of the working environment, tasks and work situation. National Courts Administration (2024) Budgetary proposal 2024-2026, p. 7. This challenge was also noted in the previous Rule of Law Reports. See notably 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 5 and 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 8. National Courts Administration (2024), Annual report 2023, p. 80.

Efficiency

The justice system continues to perform efficiently. The number of incoming civil and commercial litigious cases has remained comparatively low in 2022[62]. The estimated time needed to resolve litigious civil and commercial cases at all court instances is comparatively short (in 2022, 152 days at first instance, 101 days at second instance and 124 at third instance), as in previous years[63]. The time needed to resolve administrative cases at first instance was 107 days in 2022 and is comparatively low among Member States[64]. The clearance rate has stayed positive at a stable level for both civil and commercial litigious cases (103% in 2021 and 102% in 2022) and administrative cases (103% in 2021 and 2022)[65]. The number of pending civil and commercial cases at first instance remains stable at a low level[66]. [On 16 April 2024, the Government presented a proposal allowing in certain cases for transfers of cases between administrative courts and between courts of appeal. The proposal aims to improve the efficiency of case-handling in administrative courts and should enter into force on 1 November 2024[67].

II. ANTI-CORRUPTION FRAMEWORK

Sweden has the legislative and institutional framework to combat and prevent corruption broadly in place. There is no independent anti-corruption authority or agency in Sweden, but the Agency for Public Management is responsible for the good administrative culture across Government. The National Council for Crime Prevention is a knowledge centre for the criminal justice system and its mandate includes developing crime prevention work at the national, regional, and local level. The National Anti-Corruption Unit (NACU) is the specialised prosecution agency within the Swedish Prosecution Authority responsible for all criminal investigations, related to corruption and bribery, including foreign bribery, in cooperation with the National Anti-Corruption Unit of the Swedish Police Authority (NACPU). As part of the Swedish Police Authority, the National Anti-Corruption Police Unit is tasked with investigating corruption crimes, asset recovery and preventing corruption by providing knowledge to different public authorities as well as business associations. The Special Investigation Department of the Police Authority handles internal investigations of police officers and prosecutors (including as regards corruption offences). The Swedish Economic Crime Authority organised under the Ministry of Justice has the mandate to investigate and prosecute serious financial crimes, including the recovery of proceeds of

[62] Figure 3, 2024 EU Justice Scoreboard. According to the National Courts Administration data, in 2023 the general and the administrative courts, at all levels, received 400 424 cases (excluding migration cases), an increase of 4% compared to 2022; in the same period, the same processed 404 978 cases, an increase of 3% compared to 2022. National Courts Administration (2024), Annual report 2023, pp. 14-15.

[63] Figure 7, 2024 EU Justice Scoreboard and Figure 7, 2023 EU Justice Scoreboard.

[64] Figure 7, 2024 EU Justice Scoreboard. In terms of competition cases, the average length of judicial review in 2022 at first instance was among lowest at 251 days. Figure 16, 2024 EU Justice Scoreboard.

[65] Figures 11 and 12, 2024 EU Justice Scoreboard. The Parliamentary Ombudsmen considered that the activities of the administrative courts generally function well, but that many courts have problems with long processing times, such as noted in complaints against administrative courts (case numbers 7263-2022 migration cases, Malmö, 7504-2022 migration cases, Gothenburg, 1568-2022 general cases, Uppsala, 4332-2022 LOU cases, Växjö, 5220-2022 social insurance cases, Falun, and 1197-2023 weapons cases, Gothenburg). Parliamentary Ombudsmen (2024) Annual Report 2023, p. 15.

[66] Figure 13, 2024 EU Justice Scoreboard.

[67] Swedish Government (2024), Proposal for increased opportunities to transfer cases between general administrative courts.

crime. Other agencies, such as the National Audit Office, the National Competition Authority, and the Financial Intelligence Unit of the Swedish Police Authority, are in charge of the prevention and investigation of corruption, and of forensics and auditing.

The perception among experts and business executives is that Sweden is one of the least corrupt countries in the world. In the 2023 Corruption Perception Index by Transparency International, Sweden scores 82/100 and ranks third in the European Union and sixth globally[68]. This perception has been relatively stable over the past five years[69]. The 2024 Special Eurobarometer on Corruption shows that 49% of respondents consider corruption widespread in their country (EU average 68%) and 12% of respondents feel personally affected by corruption in their daily lives (EU average 27%)[70]. As regards businesses, 42% of companies consider that corruption is widespread (EU average 65%) and 13% consider that corruption is a problem when doing business (EU average 36%)[71]. Furthermore, 33% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 32%)[72], while 43% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 31%)[73].

Work on the first National Anti-Corruption plan was concluded and the Government adopted a new, more extensive plan. As noted in previous Rule of Law Reports, the aim of the Anti-Corruption Plan, adopted at the end of 2020, was to provide public agencies with tools and best practices on the prevention of corruption[74]. In December 2023, the Agency for Public Mangement published its final report, which examines agencies'[75] work in preventing corruption. It shows that overall, the agencies' work progressed, although it considers that steps taken between 2021-2023 are relatively limited and challenges remain in addressing corruption in a structured and more conscious manner[76]. The report issues a number of recommendations to the Government, including expectations for continous support for the agencies' work against corruption as well as regular follow-up on their activities[77]. The

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68 Transparency International, Corruption Perceptions Index 2022, pp. 2-3. The level of perceived corruption is categorised as follows: low (the perception among experts and business executives of public sector corruption scores above 79); relatively low (scores between 79-60), relatively high (scores between 59-50), high (scores below 50).

69 In 2019 the score was 85, while, in 2023, the score is 82. The score significantly increases/decreases when it changes more than five points; improves/deteriorates (changes between 4-5 points); is relatively stable (changes from 1-3 points) in the last five years.

70 Special Eurobarometer 584 on Citizens' attitudes towards corruption in the EU (2024). The Eurobarometer data on citizens' corruption perception and experience is updated every year. The previous data set is the Special Eurobarometer 534 (2023).

71 Flash Eurobarometer 543 on Businesses' attitudes towards corruption in the EU (2024). The Eurobarometer data on businesses' attitudes towards corruption as is updated every year. The previous data set is the Flash Eurobarometer 524 (2023).

72 Special Eurobarometer 584 on Citizens' attitudes towards corruption in the EU (2024).

73 Flash Eurobarometer 543 on Businesses' attitudes towards corruption in the EU (2024).

74 2021 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 6, 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 8 and 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 11.

75 In this context, "agency" refers to agencies under the Government, mostly carrying out different executive tasks, and not those under the Parliament or others.

76 Input from Sweden for the 2024 Rule of Law Report, p. 8 and information received in the framework of the country visit to Sweden from the Agency for Public Management.

77 This concerns in particular the way the Government and its agencies address the prevention of and fight against corruption, and is not related to the cooperation of law enforcement and judicial bodies. Agency for

agencies themselves are encouraged to further strengthen their work on anti-corruption, including by carrying out awareness-raising activities and ensuring that anti-corruption work is sufficiently prioritised[78]. On 4 July 2024, the Government adopted a new 'Action Plan against corruption and unauthorised influence 2024-2027' taking into account these recommendations[79]. The Action Plan has an expanded scope compared to the previous one, focusing on corruption but also on unauthorised influence and links with organised crime. The plan summarises ongoing measures in several areas, such as the review of criminal legislation on corruption, as well as measures on conflicts of interests, undue influence and public procurement, and provides for a new Anti-Corruption Forum and a role of the Agency for Public Management in awareness raising[80]. Notably, the plan focuses primarily on the public sector (both national and local level) but does not address private sector corruption[81].

The Government set up a committee of inquiry to review criminal law legislation in relation to corruption and work is ongoing on draft legislation to extend statute of limitations for serious bribery. On 1 February 2024, the Government established a committee of inquiry with a broad mandate to review criminal law legislation on corruption, including as regards compliance with international obligations and future EU legislation[82]. Main topics under investigation include a broad assessment of whether the criminal law legislation on corruption is effective and up to date or whether amendments are needed, as well as specific elements on criminal liability in relation to bribery, foreign bribery and the crime of 'breach of trust'. The committee shall present its report no later than 25 July 2025, after which the report will be referred for consideration to relevant bodies whereafter the Government will consider the committee's recommendations in the form of possible legislative changes[83]. As noted in previous Rule of Law Reports[84], a separate committee of inquiry was tasked with reviewing the statute of limitations of all crimes and it proposed to extend the statute of limitations as applied to serious crimes – including the offences of

Public Management (2023), Step by step – the authorities' work against corruption is under development. Final report.

78 Agency for Public Management (2023), Step by step – the authorities' work against corruption is under development. Final report.

79 Swedish Government (2024), Action Plan against corruption and unauthorised influence 2024-2027, p. 2 and pp. 28-30.

80 Swedish Government (2024), Action Plan against corruption and unauthorised influence 2024-2027, pp. 2-23.

81 Swedish Government (2024), Action Plan against corruption and unauthorised influence 2024-2027, p. 2-4.

82 This includes obligations and recommendations from OECD and GRECO, but also, the proposal for an EU Directive on combating corruption. The committee of inquiry replaces a past committee of inquiry on corruption, with a more limited mandate, that was established under a previous government and subsequently cancelled. 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 12.

83 Swedish Government (2024), Inquiry terms of reference, Measures under criminal law against corruption and official misconduct (2024:14), 1 February 2024 and Information received in the framework of the country visit to Sweden from the Ministry of Justice.

84 2020 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 5 and 2021 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 6 and 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 8.

serious active and passive bribery – from 10 to 15 years[85]. Work on this draft legislation is currently ongoing at the Government level[86].

There has been some further progress as regards the fight against foreign bribery, while, as part of the abovementioned review, the legal definitions of foreign bribery are being analysed, but there is no improvement in the prosecution of foreign bribery cases. The 2023 Rule of Law Report recommended to Sweden to 'strengthen the fight against foreign bribery, including through amending existing legal definitions and improving on prosecution and final judgments of cases'[87]. Amending the applicable legislation in relation to foreign bribery is one of the objectives of the committee of inquiry that will examine all legislation in the fight against corruption – an independent evaluation that is a first step in all law-making processes in Sweden – which will present its results in 2025[88]. The authorities have adequate resources and collaborate with international counterparts to investigate and prosecute foreign bribery[89]. However, similarly to past years[90], the few notable high profile foreign bribery cases did not result in convictions. This is mostly due to legal limitations and difficulties to gather the necessary evidence[91], while mutual legal assistance requests with some countries remain difficult[92]. The Government's new strategy on foreign trade includes preventing corruption risks as one of its points[93]. The OECD has urged Sweden to reform its laws to ensure that companies bribing foreign public officials to obtain advantages in international business are properly investigated and prosecuted[94]. Therefore, as the committee of inquiry has started its work and although the legal definitions of foreign bribery remain limited and there is no improvement in the prosecution of foreign bribery cases, there has been some further progress on the recommendation made in the 2023 Rule of Law Report.

Law enforcement agencies responsible for investigating and prosecuting corruption cooperate well, have an appropriate level of resources and continue to present results. The Prosecution Authority and the Police Authority have a sufficient level of resources[95],

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85 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 8.

86 Input from Sweden for the 2024 Rule of Law Report, p. 12 and written contribution received in the framework of the country visit to Sweden from the Ministry of Justice.

87 2022 Rule of Law Report, Chapter on the rule of law situation in Sweden, pp. 9-10. In 2023 the Commission concluded that 'some progress' had been made on the recommendation addressed in the 2022 Rule of Law Report.

88 Swedish Government, Inquiry terms of reference, Measures under criminal law against corruption and official misconduct (2024:14), 1 February 2024; Input from Sweden for the 2024 Rule of Law Report, p. 1 and Information received in the context of the country visit to Sweden from the Ministry of Justice.

89 2023 Rule of Law Report, Chapter on the rule of law situation in Sweden, pp. 13-14.

90 Ibidem, pp. 13-14.

91 The most high-profile judgement in this context is the acquittal in the so-called "Ericsson case" over the alleged bribery of the Ericsson company in Djibouti. See Judgement of 10 January 2024, Case No B 8546-22. Information received in the context of the country visit by the Prosecution Service.

92 Information received in the context of country to Sweden from the Prosecution Service and Police and 2023 Rule of Law Report, Chapter on the rule of law situation in Sweden, pp. 13-14.

93 Input from Sweden for the 2024 Rule of Law Report, pp. 1 and 7.

94 In the context of its country specific monitoring in relation to the OECD Anti-Bribery Convention, the OECD has called on Sweden multiple times since 2014 to address issues with its framework on foreign bribery, including as regards corporate criminal liability, dual criminality and others. See also OECD (2019), Sweden must urgently implement reforms to boost the fight against bribery and information received in the context of the country visit to Sweden.

95 Information received in the context of the country visit to Sweden from the Prosecution Service and the Police Authority. The National Anti-Corruption unit of the Police Authority consists of 28 persons, which

although some issues on staffing and performance of the Police Authority's intelligence unit in corruption cases were noted[96]. Good cooperation exists between the law enforcement agencies involved in the investigation and prosecution of corruption, although some overlaps in their responsibilities can at times lead to uncertainty as to the service in charge of investigation[97]. These authorities continue to present results in the fight against corruption. Data from the National Council for Crime Prevention indicates that, following a decrease in reported bribery cases in 2022, reports have risen again to 115 cases for passive bribery and 146 cases for active bribery in 2023[98]. In 2023, prosecutions were initiated for 166 bribery-related offences and 50 convictions were obtained in bribery-related cases, of which one resulted in imprisonment[99]. Some civil society actors have expressed concerns over inadequate reporting of corruption and other financial crimes, in particular in the private sector[100]. Following some shortcomings identified by the Swedish National Audit Office regarding the functioning of the Economic Crime Authority[101], the latter followed-up in line with the auditors' recommendations[102]. The Government has announced an initiative to join the European Public Prosecutor's Office and presented a legislative proposal to Parliament[103]. Prosecutors report good cooperation with EPPO on ongoing cases[104].

Addressing corruption risks related to infiltration by organised crime into the public service is an increasing priority for the authorities and this is highlighted in the Government National Strategy against organised crime. According to the authorities, there have been several cases of organised crime actors trying to infiltrate public services at local level, often in areas where criminal networks are more influential[105]. Despite these concerns, corruption related to infiltration of organised crime is not accurately reflected in the number of investigations and prosecutions[106], also as reporting is hampered by threats and

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includes police officers, civil investigators and forensic accountants. Within the Public Prosecution there are 11 senior public prosecutors working on economic crime, alongside specialised support staff.

96 Information received in the context of the country visit to Sweden from the Prosecution Service.

97 Information received in the framework of the country visit to Sweden from the Prosecution Service and Economic Crime Authority.

98 In 2021, there were 309 reports on passive bribery, whereas in 2022 the number of reports on passive bribery was 80. For active bribery, there were 82 reports in 2021 and 90 in 2022.Written contribution from the National Council for Crime Prevention in the context of the country visit to Sweden.

99 Overall, there were 138 convictions and 18 cases that resulted in imprisonment for all corruption offences including bribery, trading in influence and abuse of office. Ibid.

100 Dagens Juridik (2024), All crimes must be reported, it is the only way to get the correct picture of the situation.

101 National Audit Office (2021), Swedish Economic Crime Authority 'Combating organised economic crime', pp. 5-7, and 2022 Rule of Law Report, Country Chapter on the Rule of law situation in Sweden, pp, 8-9.

102 Swedish Economic Crime Authority (2023), 'Annual Report, 2023', pp. 42-44. The National Audit Office noted, for example, that the Economic Crime Authority was failing in its internal control and recommended that it better structures its overall planning and distribution of resources more effectively. By way of addressing this recommendation, the Economic Crime Authority has, for instance, amended its management structure linked to local public prosecution offices.

103 EPPO (2024), More effective law enforcement through Sweden's participation in EPPO and Swedish Government (2024), The Government submits a bill on Swedish participation in the European Public Prosecutor's Office (EPPO).

104 Information received in the framework of the country visit to Sweden from the Prosecution Service and Economic Crime Authority.

105 Information received in the framework of the country visit to Sweden by the Prosecution Service and 2023 Rule of Law Report, Country Chapter on the Rule of law situation in Sweden, pp. 12-13.

106 In particular, the Police Authority reports that it is rare to see a stand-alone corruption case that is obviously linked to organised crime. However, indications of corruption are sometimes found during organised crime-

harassment[107]. However, a slight increase of cases linked to infiltration within the public service has been observed[108]. A study of the National Council for Crime Prevention on the role and function of enablers in public institutions conducting criminal activities linked to criminal networks was published in March 2024. It concluded that, while the number of enablers is presumed to be limited in Sweden, they have been found in all sectors surveyed. Such enablers are heavily sought after by criminal networks. In particular, the National Council for Crime Prevention calls on employers being granted increased possibilities to screen or investigate employees[109]. In a further work strand, the National Council is preparing a report on how system-threatening actors use illicit influence against politically elected representatives; a final report with concrete recommendations is due by 1 April 2025[110]. An interim report, based on a trust survey of politicians, showed that every year at least one in ten elected representatives is exposed to such a system-threatening actor, while 3% of respondents reported coming into contact with some form of corruption[111]. An additional study on how organised crime uses shell companies to obtain public funds in an illicit manner, was also commissioned from the Council for Crime Prevention. The study is to be completed by October 2025[112]. The Government has also adopted its first ever National Strategy against organised crime which includes specific measures related to corruption, infiltration in the public sector and the tackling of undue influence. The strategy stresses the importance of awareness-raising[113].

Some gaps in ethics guidance for top-level officials remain while ethical guidelines for all civil servants are still being updated. Sweden relies on a strong culture of transparency in dealing with potential conflicts of interests and ethical breaches. The updated handbook continues to provide guidance for top-level officials on topics such as rules regarding conflict of interest, restrictions when leaving office, or rules on travel[114]. Although it is not legally binding nor does it include supervision[115], according to GRECO the handbook provides

related investigations. Information received in the framework of country to Sweden from the Prosecution Service and Police Authority.

[107] Information received in the framework of the country visit to Sweden by the Prosecution Service and 2023 Rule of Law Report, Country Chapter on the Rule of law situation in Sweden, pp. 12-13.

[108] This includes cases of employees within the Police Authority or other state bodies that, for various reasons, pass information to organised crime groups. In particular, it is reported that the relatively recent addition of the crime "gross dereliction of duty" proves useful in prosecuting these cases. Information received in the context of country to Sweden from the Department of Special Investigations. Additionally, recent academic work suggests the corruption risk in Sweden is to some extent being underestimated, in particular as regards forms such as nepotism. Wittberg, E. (2023), Corruption risks in a mature democracy.

[109] Tasks of the enablers range from passing insider information to manipulating procurement procedures, while the enablers themselves can range from pressured family members to "professional" enablers that are on the payroll of multiple criminal groups. National Council on Crime Prevention (2024), Enablers of Criminal Networks – on local, state and private sector enablers.

[110] National Council on Crime Prevention (2024), Unauthorized influence exerted by actors and groups threatening the system and input from Sweden for the 2024 Rule of Law Report, p. 10.

[111] The data was based on a trust survey carried out in 2022. National Council on Crime Prevention (2023), Vulnerability of elected representatives - Interim Report: Unauthorised interference by system-threatening actors.

[112] Swedish Government (2024), Assignment to study how companies are used as criminal tools by criminals.

[113] This includes cross-references to the future anti-corruption plan. Swedish Government (2024), Resilience and action - a national strategy against organised crime.

[114] GRECO Fifth evaluation round – second compliance report, recommendation ii, paragraphs 14-22 and input from Sweden for the 2024 Rule of Law Report, p. 9.

[115] GRECO Fifth evaluation round – second compliance report, recommendation ii, paragraphs 14-22 and 2023 Rule of Law Report, Country chapter on the rule of law situation in Sweden, p. 14.

sufficient ethical guidance to high-level officials[116]. The ethical guidelines for all civil servants, however, remain under revision. Both ethics training and an integrity advice function for ministers remain in place, although there is no central independent integrity adviser or committee[117]. Training on integrity includes an introductory course for all Government employees, available online since July 2023[118].

Asset declaration requirements for ministers do not include significant liabilities. Ministers and state-secretaries are required to declare their financial interests; the declaration needs to be supported by statements from banks and/or stockbrokers. These are checked by the Government Offices and may be provided to the public upon request[119]. As also noted in previous Rule of Law Reports[120], the declaration does not include information on significant liabilities or information on their spouses and some dependent family members. There is no systemic verification of the declaration, and various categories of officials, such as senior law enforcement officials, do not need to declare assets[121]. The Government has no plans to further amend the asset declaration regime[122], despite the pending recommendation of GRECO[123].

Debate on the regulation of lobbying continues, with the topic under discussion in an all-party committee of inquiry. There still are no rules on how to engage with lobbyists and on disclosure of lobbying contacts, as also signalled by GRECO[124]. An all-party inquiry committee reviewing the regulation on transparency in the financing of political parties is also mandated to consider whether there is a need to strengthen transparency regarding contacts between political decision-makers and lobbyists. The inquiry has a broad mandate to consider this question and to report on its work by 15 February 2025 at the latest[125].

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[116] While stating the document is quite different from a regular, consolidated code of conduct covering high-level civil servants and political office holders, GRECO considers it nonetheless sufficient to fulfill a recommendation aiming at providing ethical guidance to high-level officials. GRECO Fifth evaluation round – second compliance report, recommendation ii, paragraphs 14-22 and 2023 Rule of Law Report, Country chapter on the rule of law situation in Sweden, p. 14.

[117] 2023 Rule of Law Report, Country chapter on the rule of law situation in Sweden, p. 14.

[118] Input received from Sweden for the 2024 Rule of Law Report, p. 8 and 2023 Rule of Law Report, Country chapter on the rule of law situation in Sweden, p. 14-15.

[119] GRECO Fifth evaluation round – compliance report, recommendation viii, paragraphs50-52.

[120] 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 11 and 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 14.

[121] As regards senior public officials, if it is necessary with regard to the existence of inside information within an authority, the Government may decide that those who are part of the authority's management shall be obliged to report their holdings of financial instruments. In such cases senior public officials at central level such as heads of central executive authorities, Secretaries-General, Directors-General, etc are covered by the reporting obligation. The authority may, in turn, decide that other employees and contractors that have access to inside information as a part of their employment must be covered by the same reporting obligations. See also 2024 Justice Scoreboard, Figures 60, 61, and 62.

[122] Information received in the framework of country to Sweden from the Ministry of Justice.

[123] GRECO Fifth evaluation round –Second Compliance report, recommendation vii, paras 40-45.

[124] GRECO Fifth evaluation Round – Evaluation Report, recommendation v, paras. 51-52 and GRECO Fifth Evaluation Round – Compliance Report, recommendation v, para. 37.

[125] Swedish Government (2023), Enhanced transparency in the financing of political parties (2023:88); Input received from Sweden for the 2024 Rule of Law Report, p. 9 and information received in the context of the country visit to Sweden from the Ministry of Justice. See also 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 15.

The evaluation of the rules on revolving doors was completed, fully implementing the relevant recommendation from the 2023 Rule of Law Report. The 2023 Rule of Law Report recommended to Sweden to ''evaluate the scope, impact and implementation of the rules relating to revolving doors that cover top executive functions in the Government''[126]. A committee of inquiry, appointed by the Government in 2022 to evaluate the existing framework on revolving doors, completed its work in August 2023[127]. The Committee's evaluation concluded that the rules[128], while relatively limited, have served their purpose, in particular as they have also created a self-regulatory effect and raised awareness among those with top executive functions. The committee has recommended to keep unchanged the 12-month period during which restrictions can be imposed (as it is purposeful and balanced). It also did not consider it necessary to introduce sanctions as any decision on restrictions by the Board for the Examination of Transitionary Restrictions was generally complied with. Additionally, mass media scrutiny and the self-regulatory effect are considered sufficient deterrents. The Committee has proposed to extend the transitionary restrictions, by means of a new law, to a wider scope of individuals – namely, heads of Government agencies such as Directors-General, and to allow for the possibility to widen the scope to lower-level employees executing critical functions[129]. The Government is considering the results of the inquiry and has not yet taken any position on future legislative (or other) changes to the rules on revolving doors[130]. During 2023, the Board for the Examination of Transitionary Restrictions received a total of 43 reports – a significant increase from past years due to the change of governments that took place in this period. In nine of these cases, the Board imposed restrictions concerning the content of the future employment[131]. Given that the evaluation was completed, and the Government is examining the follow-up to its conclusions, the recommendation from the 2023 Rule of Law Report is considered to have been fully implemented.

An all-party committee of inquiry is reviewing transparency gaps in the framework for political party financing. As noted in the 2023 Rule of Law Report[132], an all-party inquiry committee continues to review the transparency of financing of political parties. Results are expected by 15 February 2025[133]. The main topics discussed include clarifications as regards anonymous donations, whether parties' accounting should also cover expenses, assets and debts (and not only income), the rules on auditing, and a possible ban on foreign

[126] 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, pp. 15-16.
[127] Swedish Government (2023), Transitionary restrictions - increased trust in public activities. Report of the Inquiry into transitionary restrictions in public activities.
[128] According to the current Act on post-employment for ministers and state secretaries, ministers and state secretaries have to notify the Board for the Examination of Transitionary Restrictions for Ministers and State Secretaries before accepting any new assignment in the private sector for a period of 12 months after the end of their term in office. See also 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, pp. 15-16.
[129] Swedish Government (2023), Transitionary restrictions - increased trust in public activities. Report of the Inquiry into transitionary restrictions in public activities.
[130] Information received in the framework of the country visit to Sweden from the Ministry of Justice and Ministry of Finance.
[131] Board for the Examination of Transitionary Restrictions for Ministers and State Secretaries (2024) Report on the activities of the Board for reviewing the transfer restrictions of ministers and certain other officials in 2023.
[132] 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 16.
[133] Input received from Sweden for the 2024 Rule of Law Report, p. 9.

contributions[134]. The Legal, Financial and Administrative Services Agency (*Kammarkollegiet*), responsible for the oversight of political party financing, opened a total of eight enforcement cases in 2023[135]. The political party financing disclosures remain publicly available on the website of the Agency.

The Whistleblowers Act is being implemented. The Act that entered into force in December 2021 aims to transpose the EU Whistleblower Protection Directive[136] and applies to private and public organisations[137]. The Police Authority indicates that only few reports were received from whistleblowers in relation to corruption allegations, although detailed disaggregated data on this topic is not available[138].

Municipalities and regions are considered at higher risk of corruption, while various initiatives seek to address corruption risks in the field of public procurement. Businesses' attitudes towards corruption in the EU show that 27% of companies in Sweden (EU average 27%) think that corruption has prevented them from winning a public tender or a public procurement contract in practice in the last three years[139]. Public procurement remains one of the main corruption risk areas, with civil society advocating for more transparency[140]. The Police Authority also noted several cases linked to procurement and in the construction sector[141]. A committee of inquiry[142] recommended the Government to introduce a joint database to allow better due diligence and implementation of exclusion criteria to prevent unsuitable suppliers from being awarded public funds[143]. Aside from this, the Agency for Public Management conducted a survey on the overall risk of corruption in Swedish regions and municipalities[144]. The survey outcome suggested that local government institutions need to strengthen their efforts to fight corruption so as to effectively manage both new and old risks. In particular, according to the survey, local authorities hold an overly narrow view of what constitutes corruption, and it consequently appears to be underreported at local and regional levels[145].

[134] Information received in the framework of the country visit to Sweden from the Swedish Government.
[135] The number of cases dropped from an exceptional high point of 18 in 2022. The Legal, Financial and Administrative Services Agency (2024) Annual Report 2023, pp. 36-37
[136] Directive (EU) 2019/1937 on the protection of persons who report breaches of Union law.
[137] Act on Protection of Persons who Report Wrongdoings, 2021:890.
[138] Agency for Public Management (2023), Step by step – the authorities' work against corruption is under development. Final report, p. 61 and information received in the framework of the country visit to Sweden from the Police Authority and Special Investigations Department.
[139] Flash Eurobarometer 543 on Businesses' attitudes towards corruption in the EU (2024). This is the same as the EU average.
[140] Information received from Transparency International in the framework of the country visit to Sweden.
[141] Information received in the framework of the country visit to Sweden from the Police Authority.
[142] As mentioned in the 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 17.
[143] Swedish Government (2023), A coordinated registry check for procuring authorities and units and Input from Sweden for the 2024 Rule of Law Report, p. 10.
[144] 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 16.
[145] Some local authorities do not signal or pursue certain conduct that is generally considered corruption. Agency for Public Management (2023), New challenges and old problems – Corruption in municipalities and regions.

III. MEDIA PLURALISM AND MEDIA FREEDOM

The Swedish legal framework concerning media pluralism is established by the Constitution[146] and secondary law[147]. Freedom of expression is guaranteed by the Instrument of Government, the Fundamental Law on Freedom of Expression and the Freedom of the Press Act, which also safeguards access to information. The Swedish media regulator, the Swedish Agency for the Media, formed by a merger between the Swedish Press and Broadcasting Authority and the Swedish Media Council, functions according to the Constitution[148]. The Radio and Television Act guarantees the availability of information on media ownership of audiovisual media and radio service providers[149].

The restructured national regulatory authority, the Swedish Agency for the Media, has received new tasks. Following an assessment commissioned by the Government[150], the independent media regulator the Swedish Press and Broadcasting Authority[151] officially merged with the Swedish Media Council on 1 January 2024[152]. The merged entity, now called the Swedish Agency for the Media, carries on with the previously separate media regulatory tasks and some specialist functions concerning, for example, media use by children and young people[153]. The aim is to provide more effective services under the same structure in a coordinated manner[154]. The budget and human resources of the Swedish Agency for the Media have been slightly increased to deal with new tasks independent of the merger, such as monitoring journalists' safety in addition to a new initiative related to media and information literacy and under the Digital Services Act[155]. The Agency also receives and processes applications for financial support made pursuant to the recently adopted Media Subsidies Act. The aid is administered by the Swedish Media Subsidy Council, an independent body within the Swedish Agency for the Media[156]. The Media Subsidies Act encompasses a more technology neutral support scheme compared to the previous financial support scheme[157] but journalists have criticised it for not sufficiently guaranteeing media

[146] The Swedish Constitution consists of four fundamental laws: the Instrument of Government, the Act of Succession, the Freedom of the Press Act and, the Fundamental Law on Freedom of Expression.
[147] Radio and Television Act.
[148] Relevant parts of the Constitution: the Instrument of Government and the Fundamental Law on Freedom of Expression.
[149] Sweden ranks third in the 2024 Reporters without Borders World Press Freedom Index, which is one position up from the previous year.
[150] Swedish Government (2022) Subordination of the Swedish Media Council to the Swedish Press and Broadcasting Authority, Ds 2022:17; 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 18.
[151] The independence of the Swedish media regulator is stemming from the Constitution (IG Chapter 12, Section 2).
[152] Swedish Agency for the Media (2024) Welcome to our new website, European Platform of Regulatory Authorities (2024) The Swedish Agency for the Media: merger of the MPRT and the SMC.
[153] Regulation with instructions for the Swedish Agency for the Media (2023) SFS 2023:844.
[154] There were no lay-offs, as reported in the written information provided by the Ministry of Culture in the framework of the 2024 country visit.
[155] Information provided by the Ministry of Culture the Press and the Swedish Agency for the Media (previously Swedish Press and Broadcasting Authority) in the framework of the 2024 country visit; Swedish Government (2024) The Swedish Agency for the Media is tasked with implementing a national initiative to strengthen media and information literacy in AI-driven disinformation; Swedish Government (2024) Strengthened protection for journalists against threats and hatred.
[156] Input from Sweden for the 2024 Rule of Law Report, p. 13.
[157] Swedish Agency for the Media (2024) 218 applications – new media subsidies.

pluralism[158]. A proposal for a temporary support scheme helping current affairs and news journals to adapt to new digital market conditions is being prepared by the Government Offices[159]. The MPM 2024 continues to maintain a very low risk regarding the independence and effectiveness of the media authority[160].

The Government is examining possible rules on satellite broadcasting. Following previous amendments of the Radio and Television Act concerning licensing periods[161], the Government is looking into rules on broadcasting licenses where there is a risk to national security[162]. A Government-appointed inquiry submitted its proposals in a report to the Minister for Culture in October 2023. It suggested introducing a requirement for licensing all television and radio broadcasting via satellite, except for public service. These licences could be revoked under certain conditions[163]. The report has been subject to a public consultation and the Government offices expect to prepare a proposal in autumn 2024[164]. While the national regulatory authority broadly agrees with the proposed requirements in their response, stakeholders in the media sector suggest exploring other solutions, as they consider the envisaged authorisation requirements would restrict the freedom of expression[165]. In terms of media concentration, Sweden has no sector-specific legislation[166] and the market is characterised by a high level of concentration both in the newspaper and broadcast media markets[167]. The MPM 2024 continues to give a high-risk score for the plurality of media providers in Sweden[168].

The political independence of public service media has been strengthened and further efforts in this field are still being envisaged by the Government. A dedicated parliamentary committee appointed by the Government has issued a report in May 2024, suggesting ways to strengthen and supplement the already solid safeguards against governmental or political interference in public service media[169]. The Government will consider them when preparing a new proposal for the next year[170]. Meanwhile, the Swedish public service media's articles of association have been revised, prohibiting members of their boards of directors from having any assignments related to political parties. The change

[158] Swedish Union of Journalists (2023) Risks in the regulation on new media subsidies.
[159] Swedish Government (2024) Investigators propose time-limited development support for journals.
[160] 2024 Media Pluralism Monitor, country report for Sweden, p. 11.
[161] As reported in the 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 19.
[162] Swedish Government (2022) Withdrawal of broadcasting licenses in the interests of Sweden's security, Ds 2022:20.
[163] Swedish Government (2023) Swedish National Security for Broadcasts on the Air, 2023:63.
[164] Input from Sweden for the 2024 Rule of Law Report, p. 14; information received from the Prime Minister's Office as a follow-up to the 2024 country visit.
[165] See responses by the Swedish Agency for the Media, the Swedish Union of Journalists, the Swedish Media Publishers' association and The Publicist Club at Swedish Government (2024) Referral of the report Sweden's security in the ether (SOU 2023:63). are
[166] General competition rules apply to media concentration and mergers.
[167] Euromedia Ownership Monitor (2022) Country report by Jonas Ohlsson, Tobias Lindberg and Ulrika Facht.
[168] 2024 Media Pluralism Monitor, country report for Sweden, pp. 12-13.
[169] As anticipated in 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 19. According to European Parliament's Flash Eurobarometer: News & Media Survey 2023, Sweden is among top 3 Member States where citizens demonstrate the highest trust in public TV and radio stations (incl. online), although the level of trust has slightly decreased between 2022 and 2023.
[170] Swedish Government (2024) The Minister of Culture received the Public Service Committee's report.

reflects an already established practice regarding their appointments[171]. To further strengthen the independence of public service media from political influence, another change concerning the Ordinance on the pre-assessment of services provided by the public service media companies has entered into force[172]. This relates to the approval procedure of potential new services to be provided by the Swedish public service media. The final decision of a pre-assessment is now made by the Swedish Agency for the Media instead of the Government[173]. The public service media companies have decided on cost reductions[174]. For the moment, however, the MPM 2024 continues to report a very low risk concerning the independence of public service media[175].

Legislation on access to documents guarantees wide availability of information, and an inquiry is looking into the review of the current constitutional protection of private sector search services. The Swedish Freedom of the Press Act, which forms part of the Swedish Constitution, has recently been acknowledged by UNESCO's Memory of the World Register as the world's first legislation guaranteeing free communication of information. It has been deemed to work well overall[176], even though journalists have noted that access to digital as opposed to paper documents continues to be sometimes difficult[177]. At the same time, the potential misuse of another constitutional instrument – the Fundamental Law on Freedom of Expression – in making information publicly available has recently come into focus[178]. A special investigator was appointed by the Ministry of Justice in October 2023 to review the current constitutional protection in the context of the private sector search services that publish personal data, including individuals' addresses, telephone numbers, marital status and other data relating to individuals' personal circumstances[179]. The concern is that such information could be used by criminals to select and map victims of crime[180]. The MPM 2024 maintains a low risk in the field of protection of the right to information[181].

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171 Swedish Government (2023) Government ensures the independence of public service broadcasters from party politics; Input from Sweden for the 2024 Rule of Law Report, p. 14.

172 Ordinance (2019:1256) on Prior Examination of Public Services Companies.

173 The Government had launched an inquiry in March 2021 to review the system, as reported in the 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 14. The new procedure has not yet been used in practice.

174 Information provided by Swedish Television (SVT), Swedish Radio (SR) and the Swedish Educational Radio (UR) in the context of the 2024 country visit; Swedish Union of Journalists (2024) "Shocking news" – 180 positions disappear at SR.

175 2024 Media Pluralism Monitor, country report for Sweden, p. 16.

176 As reported in the 2022ule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 14.

177 Information received from the Swedish Union of Journalists in the context of the 2024 country visit; 2021 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 11.

178 SR (2024) Prosecutor: "The gangs are diligent consumers of the principle of public access to official documents", Aftonbladet (2024) Police chief: The principle of public access to official records is outdated.

179 Swedish Government (2023) Strengthening the protection of personal data in the area of freedom of the press and freedom of expression. Pending the finalisation of the review, the Administrative Court of Appeal in Stockholm issued a judgment, on 13 March 2024, in which it held that a balance must be made between the interest in privacy protection and the constitutionally protected rights that apply to holders of voluntary issuance certificates. The Administrative Court of Appeal in Stockholm (2024), Press release on case 6027-23.

180 Swedish Government (2024) Enhanced protection of personal data in the area of freedom of the press and freedom of expression, Dir 2023:145, p. 9.

181 2024 Media Pluralism Monitor, country report for Sweden, p. 10; 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 10.

Swedish journalists continue to work mainly in favourable conditions. The MPM 2024 regards the Swedish media system to boast a longstanding regulatory tradition promoting media freedom with a low risk score regarding the protection of freedom of expression. There have not been any observable violations of freedom of the press and the freedom of expression because of the constitutional amendment criminalising 'foreign espionage' reported in the 2023 Rule of Law Report[182]. Furthermore, since the 2023 Rule of Law Report, no new alerts have been recorded on the Council of Europe's Platform to promote the protection of journalism and safety of journalists[183]. The Mapping Media Freedom platform has identified four alerts[184]. Among stakeholders, concerns have been raised about a specific 'Defamation Ombudsman' project led by a Swedish activist, which is promoting lawsuits and could be seen as an attempt to silence journalists[185]. In August 2023, amendments to criminal law entered into force[186], making it an aggravated circumstance if a crime has been committed against a person because they or someone close to them has professionally engaged in news distribution or other journalism[187]. This has been largely welcomed by media stakeholders[188]. To support journalists, the Government has allocated SEK 1 million to Victim Support Sweden build up a national contact point for journalists who need protection[189]. Finally, the Police and media publishers have successfully continued their cooperation[190] to prevent crimes against journalists[191]. The Police's final report regarding its task from the Government to combat hate crimes that threaten democracy, involving also journalists, explains that a number of meetings and a pilot project have been held at regional and local levels to create robust long-term cooperation between the Police and newsrooms[192].

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

Sweden has a unicameral, parliamentary system of governance, in which a Council of Legislation ensures *ex ante* constitutional review, while courts can carry out an *ex post* constitutional review in concrete cases. Legislative proposals can be submitted by Parliament or the Government, with the latter submitting the majority of proposals in practice. The

[182] 2024 Media Pluralism Monitor, country report for Sweden, p. 10; 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 20.
[183] Council of Europe, Platform to promote the protection of journalism and safety of journalists, Sweden.
[184] These alerts include a civil lawsuit filed against a Swedish consumer publication, a warning of 'unsafe content' issued to a Swedish media outlet on social media and an online threat addressed to a TV newsroom. European Centre for Press and Media Freedom, Mapping Media Freedom.
[185] Contribution from the Civil Liberties Union for Europe for the 2024 Rule of Law Report, p. 9 and information received from the Media Ombudsman and the Swedish Union of Journalists in the context of the 2024 country visit. In this context, the Swedish Union of Journalists provided support to one journalist in judicial proceedings in October 2023 - Journalisten (2023) Calm when the lawsuit against Expo reporter was brought up in the district court.
[186] Mentioned as planned in the 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 20.
[187] Swedish Government (2023) Stricter view of crimes against journalists and certain other functions useful to society.
[188] Information received from the Swedish Media Publishers' association and the Swedish Union of Journalists in the framework of the 2024 country visit; Swedish Union of Journalists (2023) Good news about increased criminal law protection for journalists.
[189] Swedish Government (2024) Strengthened protection for journalists against threats and hatred.
[190] As reported in the 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 20.
[191] Information received from the Swedish Media Publishers' association in the framework of the 2024 country visit.
[192] Police (2023) Hate crimes and other crimes threatening democracy – final accounts, pp. 14-15.

Chancellor of Justice, the Parliamentary Ombudsmen, the Equality Ombudsman, and the Swedish Institute for Human Rights (which is the national human rights institution) play an important role in the system of checks and balances and for upholding fundamental rights.

The Government is examining the follow up to an all-party committee report on a possible amendment of the Constitution to deal with serious peacetime crises. In November 2023, an all-party parliamentary committee of inquiry presented its report on whether there is a need to extend the Government's competence to adopt measures with legal force outside the normal legislative procedures in severe peacetime crises[193]. The committee proposed specific rules on adopting measures in serious peacetime crises to be introduced in the Constitution, which would allow the Parliament, if needed, to grant the Government specific powers to adopt such measures[194]. The rules should be set up so that they can only be applied when there is broad support within Parliament. According to the proposal, an activation decision by Parliament would be required for the Government to have specific powers[195]; in exceptional cases, the activation decision could be taken by the Government[196]. The activation decision would allow, firstly, the Parliament to delegate regulatory power to the Government[197] and, secondly, the Government, in exceptional cases, to be able to adopt time-limited legal provisions without legislative authorisation, which could be amended or repealed by Parliament[198]. Nevertheless, some stakeholders considered that stronger safeguards were needed, in relation to the Government's powers to act alone, a clearer definition of a severe peacetime crisis, and ensuring the adequate protection of fundamental rights in a severe peacetime crisis[199].

The Government's handling of the legislative process has undergone parliamentary review as stakeholders and constitutional review bodies express concerns about the acceleration of the legislative preparatory work. In December 2023, the Constitution Committee of Parliament published a report on the scrutiny of the performance of ministerial

[193] Swedish Government (2023), Strengthened Constitutional Preparedness.
[194] Swedish Government (2023), Strengthened Constitutional Preparedness, pp. 34-35.
[195] For the Government to have specific powers under the proposal, an activation decision may be taken by the Parliament if this is required due to a serious peacetime crisis. The activation decision should be taken with at least three quarters of those voting. Ibidem.
[196] The Government could take an activation decision only if it is not possible to await a decision from the Parliament, for example if new legislative provisions are needed before the end of the day or in a situation where the Parliament is temporarily unable to perform its duties. The Government's decision must be submitted to the Parliament for examination as soon as possible. Swedish Government (2023), Strengthened Constitutional Preparedness, pp. 34-35.
[197] The Parliament would be able to delegate regulatory power to the Government as under conditions of war, thereby passing acts authorising the Government to adopt provisions on, for example, purchases, employment, restrictions of freedom of movement and other matters falling within the scope of the mandatory area of legislation. Ibidem.
[198] This would be intended for the most acute stages of a crisis, when there is an urgent need for new legal provisions and waiting for Parliament's consideration of a legislative proposal would have serious consequences. The Government's legal provisions must apply for a maximum of three months and must be submitted for Parliament's examination as soon as possible. The Parliament should be able to decide at any time that the Government should no longer have the specific powers to adopt provisions. Moreover, it would not lose any of its regulatory power and may always amend or repeal the Government's provisions. Swedish Government (2023), Strengthened Constitutional Preparedness, pp. 34-35.
[199] See in particular the public consultation contributions by the Swedish National Human Rights Institute, Sweden Section of the International Commission of Jurists and the Civil Rights Defenders. Swedish Government (2023) Consultation of inquiry 2023:75 Strengthening constitutional preparedness.

duties and the handling of government business, which, among others, reviewed the Government's planning of the legislative process[200]. The stages reviewed concerned the formal consultation period, the time for review by the Council on Legislation, the time between the Council of Legislation's opinion and the Government's decision on a proposal, and the time between the Government's decision on the proposal and its entry into force[201]. Already in September 2023, the Government announced the intention to shorten inquiry[202] times for certain urgent legislative initiatives by establishing a process for appointing such prioritised inquiries led by experienced investigators. The accelerated pace of legislative initiatives and the risks it entails for well-considered and balanced legislative proposals was raised by a number of stakeholders[203], the Swedish Institute on Human Rights[204] as well as the Council on Legislation[205]. In terms of constitutional scrutiny of legislative proposals, in

[200] In Sweden, only 6% of the surveyed companies perceive the quality of law-making and the frequent changes in legislation as a reason for the lack of confidence in investment protection. Figure 56, 2024 EU Justice Scoreboard.

[201] The Constitution Committee had carried out a similar review in 2007 and 2015. The report shows that public consultations of a few days did not occur at all in 2007 and 2015, but in a few isolated cases in 2023. The public consultations of around three months increased from 33% in spring 2007 to almost 50% in spring 2023, while consultations of less than three months decreased from 48% in spring 2007 to 35% in spring 2023. There was no public consultation in 2007 and 2015 lasting a few days, but there were three in 2023. The average length for the Council on Legislation's review has varied without any clear trend; period of less than one month between the Council on Legislation's opinion and the Government's decisions on a proposal have become less common. A slight increase in cases with a shorter than normal period between the decision on a Government's proposal and the entry into force of the law was observed. Swedish Parliament (2023) The scrutiny of the performance of ministerial duties and the handling of Government business pp. 2-3, 61-63 and information received from the Constitution Committee in the framework of the country visit to Sweden.

[202] The process of preparation of laws starts with the inquiry stage, where the matter in question must first be analysed and evaluated, normally by officials from the responsible ministry, a commission of inquiry, operating independently of the Government, or an inquiry chair (one-person inquiry). The inquiry draws up a draft legislative proposal. 2020 Rule of Law Report, Country Chapter on the rule of law situation in Sweden p. 10.

[203] The stakeholders pointed out that short consultation periods tend to often apply to proposals touching upon migration and fundamental rights. In this context, they also referred to a recent example of a consultation period of five weeks on the proposal concerning the security zones over the Christmas break was raised. Information received from the Civil Rights Defenders, the International Commission of Jurists and the National Forum of Voluntary Organisations in the framework of the country visit. The Confederation of Swedish Industries also highlighted the faster legislative pace that had an impact on the preparatory phase and the quality of the legislative proposals. Information received from the Confederation of Swedish Industries in the framework of the country visit.

[204] The Swedish National Human Rights Institute is concerned about the high pace of legislation, especially in criminal policy, despite the fact that it concerns complex legislation that could potentially be in conflict with Sweden's international commitments. The Institute finds it important that such legislation is carefully investigated and considered. Contribution from the Swedish National Human Rights Institute as part of ENNHRI for the 2024 Rule of Law Report, p. 30.

[205] In the opinion on the proposal on security zones, on 15 February 2024, the Council on Legislation pointed out that its review is mandatory in legislative matters and must not be made illusory by making the time between its opinion and the submission of the proposal to the Parliament so short that the Government cannot be assumed to have had any real opportunities to consider its opinion. In that case, the legislative amendment was submitted to the Council on Legislation on Thursday, 8 February 2024, the Council on Legislation convened a hearing on Monday, 12 February, and the Government announced the intention to submit the proposal to Parliament on 20 February so that it would enter into force on 28 March 2024. In those circumstances, the Council on Legislation noted that its opinion appears to be a mere formality. Council on Legislation (2024) Extract from the minutes of the meeting of 2024-02-15, pp. 2-3. In response to the statement of the Council on Legislation, the Government submitted the proposal to Parliament on 5

2023, the Government submitted 87 legislative proposals to the Council on Legislation[206], which gave a negative opinion or seriously questioned seven proposals[207]. In three of those cases, the Government decided to nevertheless submit the proposals to Parliament and submitted arguments to the Parliament in support of the Government's position[208].

The National Human Rights Institution has a secured funding for its activities and continues working towards an A-status accreditation. Following a period of uncertainty concerning resources for its continued operation[209], the Swedish National Human Rights Institute now has clarity on its funding for the coming years[210]. The Institute is in the process of seeking an A-status accreditation by the Global Alliance of National Human Rights Institutions (GANHRI) and its application is expected to be reviewed and assessed in autumn 2024[211]. In January 2024, the Institute informed the Government of the need to further enhance the implementation of the UN Paris Principles in view of a legal opinion from the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Institute's application for international accreditation and membership in GANHRI[212]. The Parliamentary Ombudsmen consider having adequate resources and do not experience any obstacles in the cooperation with the public authorities within their remit or any general issues in the follow-up on their recommendations[213].

March and moved the expected entry into force to 25 April 2024. Swedish Government (2024) Proposals for security zones are submitted to the Parliament.

206 The Council of Legislation consists of members from the Supreme Court and the Supreme Administrative Court. Its examination constitutes an important ex-ante constitutionality check of draft legislation. The Government and the Parliament may choose not to follow its opinion, but courts may take this into account when subsequently assessing the norm in question.

207 Information received from the Prime Minister's Office in the framework of the country visit to Sweden. The Confederation of Swedish Industries findings of its study on all Council of Legislation opinions issued between 2006 and 2022, namely that almost every fourth opinion contained criticism, and in a fifth of these criticisms were sufficiently serious that all or parts of the proposal must have been considered rejected. Confederation of Swedish Industries (2023) 'The Legislative Council – counterweight or rounding mark? A review of the Legislative Council's opinions 2006-2022'.

208 In the four remaining cases, the Government submitted a proposal to the Parliament where the proposals had been adjusted in accordance with the views of the Council on Legislation. Written contribution received from the Prime Minister's Office in the framework of the country visit to Sweden.

209 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, pp. 23-24.

210 Following the Governments budget proposal, the allocation to the Institute for 2024 is at similar levels as in previous years, with a forecast of a slight increase in 2025 and 2026. The Institute notes that the Government does not exempt it from the condition that applies to other Government authorities, namely the Government determining how many and which legislative proposals they should provide opinions on. In the Institute's view this could potentially lead to an indirect control of resources and operations of the Institute, especially during the high legislative pace that currently prevails in Sweden. Contribution from the Swedish National Human Rights Institute as part of ENNHRI for the 2024 Rule of Law Report input, pp. 7 and 14.

211 Ibidem, p. 5 and information received from the Institute in the framework of the country visit to Sweden.

212 The Swedish Institute for Human Rights called on the Government to strengthen the implementation of the UN Paris Principles to increase the prospects of the Institute's application for accreditation and membership in GANHRI, notably to: i) assign the Parliament's 2023 Freedom and Rights Committee to draw up proposals for a constitutional protection of the Institute's mission, independence and anchoring in the UN Paris Principles, ii) ensure Institute's long-term funding in accordance with the Paris Principles on budgetary management, and iii) clarify the rules for appointing and dismissing the Institute's board members. Swedish Institute for Human Rights (2024) The need to strengthen the implementation of the Paris Principles.

213 Information received from the Parliamentary Ombudsmen's Office in the framework of the country visit to Sweden. As noted in the 2023 Rule of Law Report, the rules on the functioning and voting of the Parliamentary Ombudsman were reviewed. After the vote in Parliament in June 2023, the amendments of

On 1 January 2024, Sweden had one leading judgment of the European Court of Human Rights pending implementation, a decrease of one compared to the previous year[214]. At that time, Sweden's rate of leading judgments from the past 10 years that remained pending was at 10% (compared to 17% in 2023), and the average time that the judgments had been pending implementation was 2 years and 8 months (compared to 4 years and 1 month in 2023)[215]. The leading judgment is pending implementation for 6 years and concerns the failure of Swedish courts to exercise jurisdiction in respect of defamation proceedings concerning insufficient safeguards in bulk signals-intelligence gathering[216]. As regards the respect of payment deadlines, on 31 December 2023 there were no cases awaiting confirmation of payments (the same as in 2022)[217]. On 1 July2024, the number of leading judgments pending implementation had remained one[218].

The civil society space remains open, though the combined effect of funding cuts and faster pace of consultations affects some segments of civil society. Sweden is considered to have an open civic space[219]. However, several stakeholders[220] have expressed concerns related to the increasing uncertainty in funding, notably in view of the defunding of certain organisations[221] and funding cuts to organisations involved in development cooperation[222],

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legislative nature took effect in September 2023 and it is expected that the amended constitutional rules on the work of the Parliamentary Ombudsmen will take effect in January 2027. While the stakeholders consulted were broadly supportive of the proposed modifications, including introducing a qualified majority for Parliament's decisions to remove an ombudsman from office, some criticised that the new provisions deviate from the Venice Principles because they do not provide for an exhaustive list of conditions for a removal, and extend the mandate period from four years to six years (with possibility of re-election for three years), instead of a preferably single seven-year mandate. 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 22 and Swedish Parliament (2023) Review of the Parliamentary Ombudsman's office.

214 The adoption of necessary execution measures for a judgment by the European Court of Human Rights is supervised by the Committee of Ministers of the Council of Europe. It is the Committee's practice to group cases against a State requiring similar execution measures, particularly general measures, and examine them jointly. The first case in the group is designated as the leading case as regards the supervision of the general measures and repetitive cases within the group can be closed when it is assessed that all possible individual measures needed to provide redress to the applicant have been taken.

215 All figures are calculated by the European Implementation Network and are based on the number of cases that are considered pending at the annual cut-off date of 1 January 2024. See the Contribution from the European Implementation Network for the 2024 Rule of Law Report, p. 8.

216 Judgment of the European Court of Human Rights of 25 May 2021, *Centrum for Rattvisa v. Sweden*, 35252/08, pending implementation since 2021.

217 Council of Europe (2024), Supervision of the execution of judgments decisions of the European Court of Human Rights – 17th Annual Report of the Committee of Ministers – 2023, p. 138.

218 Data according to the online database of the Council of Europe (HUDOC).

219 According to the rating by CIVICUS. Ratings are on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

220 Information received from the Swedish Institute for Human Rights, the National Forum of Voluntary Organisations, and Civil Rights Defenders in the framework of the country visit to Sweden.

221 Ethnic organisations have been eligible for targeted state funding since the 1990s. Stakeholders referred to a Minister's statement that "[s]ociety should not encourage ethnic segregation, but rather integration", which they considered as implying that ethnic organisations are a tool for social exclusion. Contribution from the Civil Liberties Union for Europe for the 2024 Rule of Law Report, p. 16. According to the Government, public funds set aside for integration measures must be used more efficiently and have a clearer integration objective. The Government thus proposed the phasing out the special support to ethnically based organisations. As a result, the approximately EUR 1.6 million (SEK 18.9 million) annually set aside for state subsidy will be redistributed as of 2024. With the exception of the special conditions that apply to the five national minorities, the Government sees no reason why funds should be allocated to organisations based on

student associations[223], or consumer associations[224]. The uncertainties about funding come about in a wider context of a faster legislative pace, where particularly smaller civil society organisations with fewer resources find it increasingly difficult to participate in public consultations and discourse[225]. In an open letter published on 12 April 2024, nine organisations – including civil society umbrella organisations and platforms, an employers' organisation and trade unions – called on the Government to refrain from limiting civil society's operating conditions[226]. Some stakeholders noted that this combined effect of accelerated consultations and limited resources manifests itself clearly with regard to organisations most affected by legislative initiatives touching upon crime prevention and fundamental rights[227]. A further concern expressed by the Swedish Institute for Human Rights and some stakeholders relates to the perception of measures limiting a space for the freedom of expression and civil disobedience protest[228]. In terms of safety of the civic space, stakeholders[229] referred to an attack on an anti-fascist event in April 2024[230], which led to a

their member's ethnicity. Swedish Government (2023) Labour market and integration reforms – Budget Bill for 2024.

222 In December 2023, the Government outlined its intention to strengthen support for civil society and human rights and democracy defenders through development aid. However, civil society organisations considered that certain aspects would have the opposite effect. This concern was expressed in an open letter sent by 40 Swedish civil society organisations to the Minister for International Development Cooperation. It referred to the Government's plan to increase the self-financing contribution, which they considered would have severe repercussions for civil society organisations involved in development work. They had not been directly consulted on that aspect and noted an absence of a comprehensive analysis of the proposal's consequences. Contribution from the Civil Liberties Union for Europe for the 2024 Rule of Law Report, p. 21. Information received from Forum in the framework of the country visit to Sweden, Aftonbladet (2023) Government cuts support to peace organisations, Forumciv (2024) "Open letter to the Government: Don't jeopardise civil society's ability to operate". Swedish Government (2023) Aid for a new era - Freedom, empowerment and sustainable growth.

223 SVT (2023) Government cuts funding to study associations: "Prioritising".

224 According to the Swedish Consumer Association, in 2023, the Swedish Consumer Agency distributed Government grants to 22 organisations that promote consumers' interests just over SEK 14 million in operating grants. For 2024, this allocation is reduced to SEK 7 million. to SEK 1.5 million in 2025 and SEK 0 in 2026. Swedish Consumer Association (2023) Swedish Consumers' Association: "The budget is a blow to the consumer movement.

225 Information received from the Swedish Institute for Human Rights, the National Forum of Voluntary Organisations, and Civil Rights Defenders in the framework of the country visit to Sweden.

226 The open letter was signed by LSU, Swedish Trade Union Confederation, the National Forum of Voluntary Organisations, Concord Sweden, Give Sweden, Civos, Fremia, Forumciv, and Swedish Confederation of Professional Employees. The signatories called on the Government to i) refrain from carrying out inquiries in increasingly short period and to prioritise debate on legislative initiatives, ii) continue the dialogue with civil society, and iii) provide it with reasonable conditions to operate. Altinget (2024), 'You erode civil society, decision after decision, Ulf Kristersson'.

227 Information received from the National Forum of Voluntary Organisations, Civil Rights Defenders and Swedish Section of the International Commission of Jurists in the framework of the country visit to Sweden. Contribution from the Civil Liberties Union for Europe for the 2024 Rule of Law Report, pp. 10 and 26.

228 Stakeholders have referred to the stricter prosecution of climate protesters for instances of protest through civil disobedience. Information received from the Swedish Institute for Human Rights, the National Forum of Voluntary Organisations, and Civil Rights Defenders in the framework of the country visit to Sweden. The Civil Rights Defenders and International Commission of Jurists also referred to the civil society engagement demonstrations related to the situation in the Middle East, held across Sweden and the potential negative repercussions stemming from, for example, the extension of anti-terrorism legislation that took effect in May 2023. Contribution from the Civil Liberties Union for Europe for the 2024 Rule of Law Report, p. 22.

229 Written contribution from Civil Rights Defenders and National Forum of Voluntary Organisations (2024) Forum: "The attack on a political meeting in Gubbängen must not be considered an isolated incident".

national political debate[231] and the Centre against Violent Extremism qualifying it as an attack against democracy[232].

There was some further progress on the on-going reforms to the legal framework for the funding and operation of civil society organisations. The 2023 Rule of Law Report recommended to Sweden ‘‘continue efforts to ensure that the on-going reforms to the legal framework for the funding and operation of civil society organisations do not unduly affect civil society engagement’’[233]. On 3 April 2024, the Government submitted a revised[234] proposal to Parliament on a so-called ‘democracy condition’[235], which is planned to enter into force on 1 January 2025. The proposal, foresees, among others, that ‘democracy condition’ should apply to support from the General Inheritance Fund and support for religious communities, and in general to other government grants for civil society[236]. Some stakeholders[237] have welcomed that the Government, after dialogue with civil society, has clarified that individual violations or actions of individual members and participants should not trigger a liability for an entire organisation[238], but they consider that the key uncertainties remain on the implementation of the law, notably the transparency of an organisation’s assessment and an independent review[239]. The Swedish Institute for Human Rights has highlighted the risks inherent in the implementation of the law, such as arbitrariness and discrimination of certain stakeholders[240]. In parallel, on 14 March 2024, the Government has

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[230] Masked individuals broke into a theatre room and threw a smoke bomb during the event organised by the Left Party and the Green Party, with participation of an anti-fascist civil society organisation. Several individuals were taken to hospital by ambulance for checks after inhaling smoke. SVT (2024)

[231] Swedish Government (2024) Government gathers parliamentary parties after attack on political meeting in Stockholm.

[232] After the attack, the head of the Centre against Violent Extremism, which operates within the National Council for Crime Prevention, considered the incident as a modus operandi to disrupt the democratic order. SVT (2024) Expert on the attack in Gubbängen: "Creates anxiety and spreads fear".

[233] 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, pp. 2 and 24-25. In the 2023 Rule of Law Report, the Commission concluded that some progress had been made on the recommendation.

[234] In November 2022, the Government withdrew the previous legislative proposal. 2023 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 24.

[235] The democracy condition would aim to prevent distributing public funding to activities which are not compatible with society's fundamental values. Ibidem.

[236] Swedish Government (2024), State support to religious communities and civil society - uniform and legally certain conditions.

[237] National Forum of Voluntary Organisations, Fremia and Sweden’s Christian Council have set out their views in a debate article. Altinget (2024) ‘Significant risks also in the new proposal for democratic conditions’.

[238] Civil society organisations had cautioned on the previous version of the proposal against potential risks for civil society engagement, such as a lack of clarity on responsibility for action of organisations’ representatives and the need to preserve the organisations’ ability to engage in civil disobedience. 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 19.

[239] Altinget (2024) ‘Significant risks also in the new proposal for democratic conditions’ and written contribution received from the National Forum of Voluntary Organisations in the framework of the country visit to Sweden

[240] In this context, the Swedish Institute for Human Rights considered that there were significant risks of discrimination against Muslim communities and associations. The Institute also referred to the assessment carried out by a civil society organisation, which noted improvements, among other, related to the clarity of the applicable provisions and a more proportionate approach (such as, actions taken by the organisation to distance itself from certain conduct or taking measures to prevent the conduct from repeating). However, it was also noted that support to a civil society organisation could be affected based on the actions of one of its partner organisations, or a representative of the partner organisation. Written contribution from the Swedish

tasked the National Council for Crime Prevention to prepare for the establishment of a central support function[241] at its Centre against Violent Extremism. The purpose of the support function is to prevent public funds from being allocated to violent extremism and other anti-democratic environments[242]. As for the pre-legislative proposal to ban racist organisations through new criminal legislation[243], the follow-up to the public consultation replies remains under assessment[244]. Against the above background, there was some further progress on the recommendation made in the 2023 Rule of Law Report.

Institute of Human Rights in the framework of the country visit to Sweden and SMR (2024) Analysing the future conditions of democracy.

[241] An earlier report had already proposed a new support function within the Swedish Centre for Prevention of Violent Extremism to assist decision-making bodies that provide public funding. The support function would assist decision-making bodies (e.g. agencies) that distribute public funds or otherwise review publicly funded activities with in-depth reviews of how activities relate to violent extremism and other anti-democratic environments. 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 19.

[242] Swedish Government (2024), Mandate to prepare for the establishment of a support function at the Centre against Violent Extremism.

[243] 2022 Rule of Law Report, Country Chapter on the rule of law situation in Sweden, p. 20.

[244] Information received from the Ministry of Justice in the framework of the country visit to Sweden.

Annex I: List of sources in alphabetical order*

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Annex II: Country visit to Sweden

The Commission services held virtual meetings in February 2024 with:

- Agency for Public Management
- Civil Rights Defenders
- Confederation of Swedish Industries
- Economic Crime Authority
- Media Ombudsman
- Ministry of Culture
- Ministry of Finance
- Ministry of Justice
- National Council for Crime Prevention
- National Forum for Voluntary Organisations
- Office of the Parliamentary Ombudsmen
- Office of the Prime Minister
- Swedish Agency for the Media (previously Press and Broadcasting Authority)
- Prosecution Service
- Radio Sweden (SR)
- Secretariat of the Constitution Committee
- Supreme Administrative Court
- Supreme Court
- Swedish Association of Judges
- Swedish Bar Association
- Swedish Educational Broadcasting Company (UR)
- Swedish Institute for Human Rights
- Swedish Journalists' Association
- Swedish Media Publishers' Association
- Swedish National Courts Administration
- Swedish Police
- Sveriges Television (SVT)
- Swedish Section of the International Commission of Jurists
- Transparency International Sweden

* The Commission also met the following organisations in a number of horizontal meetings:

- Amnesty International EU
- Centre for Democracy and Technology Europe
- Centre for European Volunteering
- Civil Liberties Union for Europe
- Civil Rights Defenders
- Civil Society Europe
- Culture Action Europe
- Democracy Reporting International
- European Centre for Non-Profit Law
- European Civic Forum

- European Federation of Journalists
- European Partnership for Democracy
- European Youth Forum
- Free Press Unlimited
- International Federation for Human Rights
- International Planned Parenthood Federation
- International Press Institute
- Irish Council for Civil Liberties
- JEF Europe
- Open Society Foundations
- Philanthropy Europe Association
- PICUM
- Reporters Without Borders
- SOLIDAR
- Transparency International EU