

## FACTS ABOUT THE RIKSDAG

# Parliamentary control of the Government



PHOTO: MELKER DAHLSTRAND

Prime Minister Stefan Löfven (Social Democratic Party) is called to account. The Committee on the Constitution has the task of examining the work of the Government and government ministers. Have they complied with existing laws and regulations?

The Riksdag represents the people of Sweden and one of its tasks is to scrutinise the activities of the Government and the public agencies. This is known as parliamentary control and the aim is to protect citizens from the abuse of power. The Riksdag follows up decisions and monitors that the taxpayers' money is used correctly. The scrutiny also includes drawing attention to things that have not been done.

The ultimate form of parliamentary control is that the Riksdag can hold a vote and force individual ministers, or even the entire Government, to resign. This is known as voting on a declaration of no confidence.

The media also plays an important role in examining the work of the Government and the public agencies. Journalists can draw public attention to wrongdoings and shortcomings in society. The media is sometimes referred to as the third public power (cf. the "fourth estate") in relation to the Parliament and Government.

### The MPs ask the Government

The right to put questions is an important aspect of the Riksdag's scrutiny of Government activities. It is primarily the opposition parties in the Riksdag that exercise this right. The parties in government do not have the same interest in scrutinising the Government publicly, but members from the Govern-

ment parties do also ask critical questions occasionally. There are three ways of addressing questions: orally, by submitting an interpellation and in writing.

#### On-the-spot oral questions

Oral questions are addressed directly to Government ministers at Question Time in the Chamber. One minister answers general policy questions, while the others answer questions within their respective areas of responsibility.

Question Time is held, in principle, every Thursday, and lasts for approximately one hour. The Speaker presides over the meeting. Questions and answers should not exceed one minute. Sometimes, the Prime Minister answers questions at Question Time.

#### Interpellations with debate

An interpellation consists of one or several questions about what the Government or a minister has done – or chosen not to do. Interpellations can also concern the progress of a specific matter. However, they may not concern the activities or specific decisions of a public agency or court. Submitting an interpellation is also a way of drawing attention to an issue and of trying to influence a minister or sway public opinion.

Interpellations are to be submitted in writing and answered in writing by a minister within 14 days.

**Parliamentary scrutiny**  
**Questions and interpellations**  
**The Committee on the Constitution examines**  
**Declaration of no confidence**

**Economic scrutiny**  
**The National Audit Office**

**Legal scrutiny**  
**The Parliamentary Ombudsmen**

## The Committee on the Constitution examines



The Committee on the Constitution is one of the 15 parliamentary committees. One of its tasks is to examine the way in which the Government and the ministers perform their responsibilities. Its examination should not concern the Government's policies, but whether the Government has acted in compliance with existing laws and regulations. Has the Government done the right things – or was it right to choose not to do anything at all?

The Committee on the Constitution can examine some types of matter on its own initiative. In other cases, it is the members of the Riksdag who report the Government or a minister to the Committee. In connection with its examination, the Committee on the Constitution is entitled to consult Government documents, even if they contain classified information. The Committee can address written questions to the Government and summon ministers, officials and private individuals to hearings. These hearings are often open to the public and are broadcast live by the media.

A couple of times a year, the Committee on the Constitution presents what is known as a scrutiny report. In this report, the Committee presents its view of how the Government and ministers have dealt with various matters that the Committee has examined. In its report for 2016, for example, the Committee criticised the Government for not having been sufficiently clear about how the aid budget was affected by escalating costs for reception of asylum seekers (2015/16:KU20).

The Committee on the Constitution can criticise the Government, but not formally reprimand or decide that a minister must resign. However, its examination often leads to the Government revising its routines.

If, on the other hand, the Committee finds that a minister has committed an offence in the performance of his or her duties, it can consider whether criminal proceedings should be instituted in the Supreme Court. If the matter is taken further, it is the Parliamentary Ombudsmen that institute proceedings and take action in court. The Committee on the Constitution normally presents a scrutiny report every year, but criminal proceedings have not been instituted since the mid-19th century.

Just like the other parliamentary committees, the Committee on the Constitution has 17 members and deputy members. The parties are represented according to size, in the same way as they are in the Chamber of the Riksdag. The chair of the Committee on the Constitution is always chosen from one of the opposition parties.

They can also be answered orally in the Chamber and followed by a debate. Interpellation debates are held several times a week.

In addition to the member of the Riksdag who has submitted the question and the minister concerned, other MPs can also attend. There are strict rules about how long each participant may speak.

If the answer to an interpellation is delayed or does not come at all, the minister must explain why. Interpellations were introduced in 1866, and are the oldest form of parliamentary question. During the parliamentary year 2014/15, 765 interpellations were submitted.

### Written questions

Just like interpellations, written questions are about what a minister has said or done on a particular occasion. They can also concern the progress of a specific matter or how an issue is to be resolved.

Written questions can be submitted throughout the year and are to be answered in writing within four working days. In the 2001/02 parliamentary year, just over 1,600 written questions were submitted, and ten years later, just under half as many were submitted. In 2015/16, the level had risen to almost 1,600 again.



## The Riksdag can bring down the Government

The members of the Riksdag can force a minister who no longer has their confidence to resign. Such a decision must be based on a vote in the Chamber, where more than half of the 349 members of the Riksdag vote in favour of a declaration of no confidence. If the Prime Minister is brought down, the whole Government must resign. The Government can prevent this by announcing an extraordinary general election within one week.

A demand for a vote of no confidence is to be submitted in writing and a minimum of 35 members must support the demand for a vote to be held.

### Seven votes of no confidence

Since the opportunity to hold a vote of no confidence was introduced in 1971, seven votes of no confidence have been held. One or more opposition parties have supported the proposal on each occasion.

None of these seven votes of no confidence led to a minister being forced to resign. However, the very threat of a declaration of no confidence had consequences on two occasions. In 1981, the whole Government resigned and in 1988 the Minister for Justice resigned. The reason was that they thought that a demand that they should resign would win a majority in a vote.

## Scrutiny of the public administration



There are two public authorities under the Riksdag with the task of examining the public administration: the Parliamentary Ombudsmen and the National Audit Office.

### The Parliamentary Ombudsmen

The Parliamentary Ombudsmen examine whether the public authorities, courts and individual officials comply with existing laws and ordinances in the exercise of their official duties. They carry out inspections at the authorities and conduct inquiries on their own initiative. Most importantly, perhaps, individuals can lodge complaints with the Parliamentary Ombudsmen when they consider that a court or an authority has treated them unfairly. The obligations of the public authorities towards the people are set out in the Swedish Constitution.

It is not necessary to be a Swedish citizen or to live in Sweden to lodge a complaint with the Parliamen-

tary Ombudsmen. Neither is there any age limit, and complaints can be made on behalf of someone else. Over 7,000 new complaints were registered with the Parliamentary Ombudsmen in 2014/15.

It is up to the Parliamentary Ombudsmen to decide whether or not to consider incoming reports. In many cases, they will conclude that there is no reason to criticise the handling of a matter. If, however, their examination shows that an error has been made, the Parliamentary Ombudsmen deliver a statement containing criticism to the authority concerned, and suggest how the matter could have been dealt with instead. As the Parliamentary Ombudsmen have no judicial powers, their decisions take the form of recommendations.

If the Parliamentary Ombudsmen consider that an official has committed a serious violation in his or her handling of a matter, they may bring charges against the individual. If they suspect that a minor breach has been committed, they may issue a warning to the person in question. The Parliamentary Ombudsmen can also propose to the Riksdag or Government that a law be amended.

### The National Audit Office



The National Audit Office is an authority under the Riksdag which examines the way in which the Government and public agencies use central government funds. The goal of the National Audit Office is to help to ensure that central government finances are well managed and that the public administration is efficiently run.

### Four Parliamentary Ombudsmen

There are four Parliamentary Ombudsmen who are appointed by the Riksdag. The Office of the Parliamentary Ombudsmen is a politically neutral and independent authority. Each year, the Parliamentary Ombudsmen submit an account of their work to the Riksdag, which is considered by the Committee on the Constitution.

Sweden was the first country in the world to establish an Office of the Parliamentary Ombudsmen. Today there are similar institutions in hundreds of countries. They are also referred to using the Swedish word "ombudsman" in English and several other languages. Sweden receives visits from democracies wishing to establish their own Parliamentary Ombudsmen.

FOTO: MELKER DAHLSTRAND



MP Maria Abrahamsson (Moderate Party), right, raises the matter of threats against Christian refugees at asylum centres with Minister for Culture and Democracy Alice Bah Kuhnke (Green Party) in the spring of 2016. Three Social Democratic ministers also participate in Question Time: from the right Anders Ygeman, Ylva Johansson and Ardalan Shekarabi.

### Ministerial rule prohibited in Sweden

The public agencies such as the police, the Swedish Migration Board and the Swedish Tax Agency all come under the Government. The public agencies must apply the laws and carry out the activities decided by the Riksdag and the Government.

The Swedish Government has quite substantial scope for steering the operations of the public agencies. However, it may not steer how an agency applies the law in a specific case. Ministerial rule is the interference of a Government minister in the way a public agency carries out its activities and this is prohibited in Sweden. If the Government considers that an agency is applying a law incorrectly, the Government should instead propose amendments to the law.

In many other countries, however, it is accepted that individual ministers take decisions that directly affect the day-to-day activities of the public agencies.

The National Audit Office has an independent status. The three Auditors General determine what to examine themselves, how to carry out their audit and what conclusions can be drawn.

The National Audit Office examines the annual reports of all public agencies, but also conducts spot checks of the Government, Riksdag and agencies' administrations. These may, for example, concern the way in which public agencies follow current rules on official entertainment. The National Audit Office can submit proposals, but it is ultimately the Government or the Riksdag that decides.

The Auditors General are appointed by the Riksdag, just like the Parliamentary Ombudsmen. Every year the National Audit Office summarises the audits it has performed during the year in an annual report. In addition, it submits an annual report to the Riksdag, which is primarily considered by the Committee on Finance, and is audited by an external audit agency.

### Read more

- [www.riksdagen.se](http://www.riksdagen.se)