



Office for Democratic Institutions and Human Rights

REPUBLIC OF FINLAND

PRESIDENTIAL ELECTION

28 January 2024

ODIHR NEEDS ASSESSMENT MISSION REPORT

12-14 December 2023



Warsaw
21 December 2023

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ODIHR Needs Assessment Mission Report

I. INTRODUCTION

Following an invitation from the authorities of Finland to observe the 28 January 2024 presidential election and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 12 to 14 December 2023. The NAM included Ana Rusu, ODIHR Senior Election Adviser, and Hamadziripi Munyikwa, ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and preparations for the presidential election. Based on this assessment, the NAM recommends whether to deploy an ODIHR election-related activity for the forthcoming election, and if so, what type of activity best meets the identified needs. Meetings were held with officials from the Ministry of Foreign Affairs, Ministry of Justice, the National Audit Office, the Digital and Population Data Services Agency, and the Council for Mass Media, as well as with representatives of political parties, and civil society. A list of meetings is included as an annex to this report.

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

II. EXECUTIVE SUMMARY

Finland is a parliamentary republic in which the president serves as the head of state, leads Finland's foreign policy in co-operation with the Government, and is Supreme Commander of the Finnish Defense Forces. Legislative power is vested in a 200-member unicameral parliament (*Eduskunta*), with a prime minister serving as the head of the government. The parliament enacts laws, approves the state budget, supervises the activities of authorities subordinated to the government, and adopts international agreements. The parliament also elects the prime minister who is officially appointed by the president. The prime minister nominates other members of the government who are also appointed by the president.

The president is directly elected in a single, country-wide constituency upon receiving the majority of votes. If no candidate receives an absolute majority of valid votes in the first round, a second round is held two weeks later between the two candidates with the most votes. The constitution limits holding the presidency to two consecutive six-years terms.

The legal framework governing the presidential election primarily comprises the Constitution (2000) and the Election Act (1998). The Act on Candidates' Election Funding (2009) and the Act on Political Parties (1969) regulate party financing and the disclosure and reporting of campaign finances and also include provisions for equal coverage of political parties in the media. The Elections Act was last amended in 2022, however, none of the amendments directly impact the presidential election. All ODIHR NAM interlocutors expressed confidence in the effectiveness of legal framework and its application.

The Ministry of Justice (MoJ) oversees the organization of elections and is responsible for issuing regulations and guidance to subordinate levels of the election administration, maintaining the register of political parties and the Election Data System (EDS), determining the number of polling stations, the elections budget and overseeing the printing of election material. Election-related tasks are shared with 13 Constituency Election Commissions (CEC), 309 Municipal Election Committees and over 1,761 polling stations. Voting will also take place in 950 advance polling stations and at approximately 220 polling stations in Finnish embassies and consulates as well as by mail for voters abroad. All ODIHR NAM interlocutors expressed confidence in the capacity and integrity of the election administration.

Citizens over 18 years of age are entitled to vote. Voter registration is passive and voter information is extracted from the Population Information System (POIS) maintained by the Digital and Population Data Services Agency (DPDSA). The voter list is publicly available 51 days ahead of the election and individual voters can request corrections to their data up to 16 days before the election. Approximately 4.5 million citizens are registered to vote for this election. ODIHR NAM interlocutors expressed full confidence in the accuracy of the voter list and the population and voter registration systems.

Eligible voters who are not under guardianship have the right to stand as candidates. Eligible voters who are not under guardianship have the right to stand as candidates. The President shall be a native-born Finnish citizen. By the 12 December deadline for nominations the Helsinki CEC had received the names of ten potential candidates, three of whom are women. Candidates can be nominated either by parliamentary political parties or by a constituency association supported by signatures of at least 20,000 voters. Six candidates had been put forward by parties and four candidates will be standing as independents. All political parties and prospective candidates that the ODIHR NAM met with expressed confidence in the candidate registration process and some emphasized that digitalizing the process for collection of signatures for constituency associations would be more efficient.

Campaigning is allowed up to and on election day, apart from within the vicinity of polling stations. The representatives of potential candidates that the ODIHR NAM met with noted their intention to focus on campaigning online and in the media with limited in-person campaign events. Given the president's purview over international relations and security, ODIHR NAM interlocutors noted that the campaign would focus on foreign policy issues with an emphasis Finland's role in peace processes and its membership in the North Atlantic Treaty Organization (NATO).

There are no legal limits for donations or on campaign expenditures for presidential candidates, despite a previous related ODIHR recommendation. The law provides that all parties or constituency associations that nominate candidates submit a campaign finance report to the National Audit Office (NAO). Most ODIHR NAM interlocutors were satisfied with the transparency of the campaign finance system, although some of them noted that further steps, such as opening dedicated bank accounts and strengthening the NAO's oversight capacity, should be considered.

The media environment is pluralistic, and a variety of public and private television channels and radio stations, as well as a range of daily and weekly newspapers, offer diverse views. There are no legal regulations on the media coverage of the campaign and media are largely self-regulated. All ODIHR NAM interlocutors expressed satisfaction with the media environment and the election coverage.

The right to appeal and avenues for legal redress for presidential election results are limited. Nevertheless, all ODIHR NAM interlocutors noted confidence in the judiciary and dispute resolution process, notwithstanding previous ODIHR recommendations related to the framework for election dispute resolution.

All ODIHR NAM interlocutors expressed a high level of confidence in all aspects of the electoral process. The ODIHR NAM did not identify any new issues pertaining to the conduct of elections that would benefit from a review by an election observation activity. Based on this assessment, the ODIHR NAM does not recommend deploying an election-related activity for the 28 January 2024 presidential election. ODIHR stands ready to engage in a follow-up process after the election to address previous ODIHR recommendations, and encourages the authorities to also consider issues raised by interlocutors during the course of the ODIHR NAM, including with regard to improving the oversight of campaign finance.

III. FINDINGS

A. POLITICAL BACKGROUND

Finland is a parliamentary republic in which the president serves as the head of state. Under the Constitution, executive power is vested in the President of the Republic and the Government, who must have the confidence of Parliament. Finland's foreign policy is led by the President of the Republic in co-operation with the Government. The President of the Republic is Supreme Commander of the Finnish Defense Forces.¹ Legislative power is vested in a 200-member unicameral parliament (Eduskunta), with a prime minister serving as the head of the government. The parliament enacts laws, approves the state budget, supervises the activities of authorities subordinated to the government, and adopts international agreements. The parliament also elects the prime minister who is officially appointed by the president. The prime minister nominates other members of the government who are appointed by the president.

The presidential election will be held on 28 January 2024 with a potential second round to be held on 11 February. The most recent elections were parliamentary elections held on 02 April 2023, in which ten political parties garnered seats parliament.² A government was formed with Petteri Orpo of the National Coalition Party (NCP) serving as Prime Minister in coalition with the Finns Party, the Swedish People's Party, and the Christian Democrats. Women have historically been well represented in politics in Finland. A total of 92 out of the 200 (47 per cent) of the members of the current parliament are women and 12 out of 19 ministerial positions in the government are held by women.³

ODIHR deployed a Needs Assessment Mission ahead of the 2 April 2023 parliamentary elections. The NAM found that most interlocutors expressed a high level of confidence in all aspects of the electoral process. The ODIHR NAM did not identify any new issues pertaining to the conduct of elections that would benefit from a review by an election observation activity. Based on this assessment, the ODIHR NAM did not recommend deploying an election-related activity for the 2 April parliamentary elections.⁴

¹ The outgoing President, Mr. Sauli Niinistö, served the constitutionally allowed term in office, limited to two mandates, having been first elected in 2012 as an NCP candidate and re-elected following the 2018 election which he contested as an independent candidate.

² National Coalition Party (48), Finns Party (46 seats), Social Democratic Party (43 seats), Centre Party (23 seats), Left Alliance (11 seats), Green League (13 seats), Swedish People's Party (9 seats), Christian Democrats (5 seats), Movement Now (1 seat) and Åland Coalition (1 seat).

³ The previous parliament included 54 per cent women and the prime minister, all the leaders of the coalition parties and 12 of the 19 outgoing members of cabinet were women. At the county level 53 per cent of representatives are women, as are 40 per cent of municipal level representatives and 37 per cent of chairs of municipal governments.

⁴ See [all previous ODIHR reports on Finland](#).

The election takes place in the context of Finland's accession to the North Atlantic Treaty Organization (NATO) in April 2023. As the president's responsibilities are largely focused on international relations and security, other political issues are not expected to be particularly salient to the campaign.

B. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The president is directly elected in a single, country-wide constituency upon receiving the majority of votes, for a six-year period. If no candidate receives an absolute majority of valid votes in the first round, a second round is held two weeks later between the two candidates with the most votes. The constitution sets a two-term limit on the presidency.

Presidential elections are regulated by the Constitution (2000) and the Election Act (1998). The Act on Candidate's Election Funding (2009) and the Act on Political Parties (1969) regulate party financing and the disclosure and reporting of campaign finances and also include provisions for equal coverage of political parties in the media. Provisions of the Criminal Code include sanctions for election-related violations such as fraudulent voting or the falsification of election results. The Elections Act was last amended in 2022, however, none of the amendments directly impact the presidential election. The Ministry of Justice (MoJ) issues guidelines, decisions and instructions to further regulate the conduct of the elections. Finland is a party to major international and regional instruments related to democratic elections.⁵ All ODIHR NAM interlocutors expressed confidence in the legal framework for elections and its application.

A few previous ODIHR recommendations remain unaddressed, including those related to the legal standing and timelines for lodging and adjudicating election related complaints, as well as strengthening campaign finance regulation and oversight.

C. ELECTION ADMINISTRATION

The MoJ oversees the organization of elections. Among its responsibilities is the issuing of regulations and guidance to subordinate levels of the election administration, maintaining the register of political parties and the Election Data System (EDS), determining the number of polling stations, the elections budget and overseeing the printing of election material. The MoJ is also responsible for informing voters about important election dates and procedures, which it does via social media, videos on television, and by distributing brochures.

The 13 Constituency Electoral Committees (CECs), and 309 Municipal Central Election Committees (MCECs) are respectively composed of a chairperson, a deputy chair, and three members representing the political parties with the most seats in the corresponding electoral constituencies and county or municipal councils. For presidential elections the Helsinki Constituency Electoral Committee is responsible for candidate registration and for confirming the election results in the entire country based on preliminary counts of CECs. MCECs are permanent bodies serving four-year terms and are responsible for most of the logistical preparations for all elections. In all, voting will take place over 1700 polling stations on election day and 950 polling stations for advance voting with the possibility to vote at home in specifically defined situations, as well as in military garrisons, prisons, medical

⁵ Including the 1950 European Convention on Human Rights, 1966 International Covenant on Civil and Political Rights, 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 1979 Convention on the Elimination of All Forms of Discrimination against Women, 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 1995 EU Framework Convention for the Protection of National Minorities, 2003 UN Convention against Corruption, and 2006 Convention on the Rights of Persons with Disabilities. Finland is also a member of the Council of Europe's Venice Commission and Group of States against Corruption (GRECO).

institutions and care houses. Voters abroad can also vote at approximately 220 polling stations in Finnish embassies and consulates in 89 different locations as well as by post. All ODIHR NAM interlocutors expressed full trust in the integrity and impartiality in the work of the election administration at all levels.

Voters could request postal ballots starting from 28 October 2023 with the deadline for receipt of postal vote by the CEC on 26 January and 9 February for the second round. Advance voting for the first round will take place between 17 and 23 January in Finland and 17 to 20 January at embassies and consulates abroad and for the second round between 31 January and 6 February in Finland and 31 January and 3 February abroad.

The election legislation provides for special provisions to support the participation of voters with disabilities, including the provision of transportation and specially designed polling stations. To facilitate the access and participation of different groups of voters including persons with disabilities, the MoJ plans to implement targeted voter education projects ahead of this election. Some ODIHR interlocutors noted that although measures were taken to ensure the accessibility for voters with disabilities, some impediments to access persist.⁶

D. VOTER REGISTRATION

Citizens who have reached 18 years of age by the date of the first round of the election day have the right to vote. Approximately 4.5 million citizens are eligible to vote for this election.⁷ Voter registration is passive and voter information is extracted from the Population Information System (POIS) 46 days ahead of the election.

The register is made available for inspection on 8 December 2023, 51 days ahead of the election. Each voter receives a notification, either by post or electronically that includes their registration information and their designated polling station, by 4 January 2024, 24 days before election day. Voters can check their information with their MCECs and can request corrections, which must be received at least 16 days prior to the election (12 January). Decisions can be appealed to provincial administrative courts and the Supreme Administrative Court; its decisions are final. The voter register becomes legally valid 12 days before election day, and amendments after this deadline are only permissible based on a Supreme Administrative Court decision with the DPDSA notified of any such decision in order to ensure timely updates in the system. All ODIHR NAM interlocutors expressed full confidence in the voter list and trust in the accuracy of the voter register.

E. CANDIDATE REGISTRATION

Eligible voters who are not under guardianship and have held Finnish citizenship from birth have the right to stand as a candidate. Parties with representation in the parliament may nominate a candidate for the election. Candidates who wish to stand independently are required to be nominated by constituency association established by at least 20,000 voters. Constituency Associations can start collecting voters' signatures one year ahead of the legal deadline for submitting candidate applications, which must be

⁶ A survey of the membership of the Finnish Association of People with Disabilities found that 78 percent of respondents chose to vote during the advance voting during the 2023 parliamentary elections and that one third noted issues with access to the polling stations. A press release [Parliamentary Ombudsman 2023](#) noted that, during inspections carried during the 2023 parliamentary elections, deficiencies in arrangements for advance voting and voting at special advance voting facilities found in unannounced inspections conducted during the 2023 parliamentary elections.

⁷ Citizens who turn 18 between the first and second rounds are not permitted to vote due to the fact that the registry is officially locked with no amendments possible between the rounds.

done on individual paper forms. Candidate applications were to be made to the Helsinki CEC by 12 December. Ten candidates, three of whom are women applied by the deadline. The Helsinki CEC was met on 18 December to check the applications requested missing information to be provided by 20 December. The final list of nine candidates, six men and three women, was officially confirmed on 21 December, with five candidates have been put forward by parties, three by constituency associations and one candidate by both a party and by a constituency association.⁸

All ODIHR NAM interlocutors, including political parties, prospective candidates and their representatives, expressed confidence in the candidate registration system, some noted that the requirement to collect 20,000 signatures on individual paper forms could be reviewed in favour of an electronic system.

F. CAMPAIGN

There is no official campaign period and the legislation does not contain detailed provisions on the election campaign. Campaigning is allowed up to and on election day, apart from within the vicinity of polling stations. The representatives of potential candidates that the ODIHR NAM met with noted their intention to focus on campaigning online and in the media with limited in-person campaign events.

Given the president's purview over international relations and security ODIHR NAM interlocutors noted that the campaign would focus on foreign policy issues with an emphasis Finland's role in peace processes and its membership in the North Atlantic Treaty Organization (NATO). All ODIHR NAM interlocutors expected the campaigns to be less confrontational than parliamentary elections and remarked on the collegiality and respect between the candidates. Still some ODIHR NAM interlocutors mentioned that women candidates are at higher risk of receiving comments on their appearance and personal life compared to their male counterparts.⁹

G. CAMPAIGN FINANCE

The Act on Candidate's Election Funding and the Act on Political Parties regulate campaign financing. Campaigns for presidential elections are funded via the political parties for those nominated by parties, or through the constituency associations for other candidates.¹⁰

There are no legal limits on donations to presidential campaigns. Campaigns can also be funded from candidates' own resources, loans and contributions received from individuals, including cash donations, and legal entities. Contributions from foreign companies are prohibited but not from foreign individuals. Anonymous donations are prohibited but there are no obligations to disclose the source of contributions under EUR 1,500. Political parties and constituency associations may take out loans anonymously and are not obliged to make their conditions or the identity of the lender public. Campaign finance legislation does not envisage limits on campaign spending, nor does it impose an obligation on contestants to open a dedicated bank account for all campaign incomes and expenditures. Campaigning by third parties is

⁸ Mika Aaltola (Constituency Association); Li Andersson (Left Alliance); Sari Essayah (Christian Democrats); Pekka Haavisto (The Greens, Constituency Association); Jussi Halla-aho (Finns Party); Hjallis Harkimo (Movement Now); Olli Rehn (Constituency Association); Alexander Stubb (Coalition); Jutta Urpilainen (Social Democrats). One proposed candidate, Paavo Väyrynen, put forward by a constituency association, did not have the requisite 20,000 signatures by the application deadline and was requested to submit the missing number of signatures by Wednesday 20 December but was unable to do so.

⁹ See also an [article](#) in the Finnish media.

¹⁰ Political parties that have at least one representative in the parliament receive public funding in proportion to the number of seats they hold. Parties are reimbursed for campaign expenses during the parliamentary elections but not for presidential elections.

not regulated and some ODIHR NAM interlocutors expressed the need to improve the regulation on donations by third parties.

Contestants are not obliged to disclose financing ahead of the elections, though most candidates and parties indicated their intention to do so voluntarily, and the information is published on the website of the National Audit Office (NAO). The law provides that all parties or constituency associations that nominate candidates must submit a campaign finance report to the NAO two months following confirmation of the election result.¹¹

The NAO is vested with sanctioning powers when the necessary documents or information are not submitted, corrected or completed, but it does not have the right to request statements or additional information from third parties and there are not specific graduated sanctions specified in the law. The NAO publishes all financial reports online and reports to the parliament on the audits of the campaign reports within eight months and on the reports for the regular financial activities of the parties annually.

Most ODIHR NAM interlocutors expressed confidence in campaign finance system and its transparency, although some noted that further steps, such as opening dedicated bank accounts and strengthening the NAO's oversight capacity should be considered.

H. MEDIA

The media landscape is pluralistic with many public as well as private broadcast and print media providing access to a diverse range of views. The circulation of print media has been in decline but most media outlets have their own online platforms.¹² The public broadcaster, YLE (*Yleisradio*), with its four national television channels and regional network of channels broadcasting in Finnish, Swedish and Sami languages, plays an important role in providing political information to all voters. The traditional media landscape is also dominated by a number of private nationwide television channels.

There are no legal regulations on the media coverage during the election campaign and media are largely self-regulated. The YLE's operations are governed by the Act on the Public Broadcaster which requires the public broadcaster to "support democracy and everyone's opportunity to participate by providing a wide variety of information, opinions and debates as well as opportunities to interact" and the Act on Political Parties. When applying provisions on equal treatment to election programmes, YLE may also take into account journalistic aspects. YLE plans to organize a number of electoral programmes including two debates with all candidates and another ahead of the second round with the relevant contestants as well as discussion shows in a number of languages.¹³ All ODIHR NAM interlocutors expressed overall confidence in the impartiality of the public broadcaster as well as the overall professionalism of private media.

The Council for Mass Media is a self-regulating independent body, which promotes good journalistic practice and considers complaints on breaches of professional ethics. It is comprised of a chairperson and 13 members appointed for a three-year term. The Council is tasked with interpreting and promoting good professional practices and defending freedom of speech. It also develops guidelines for journalists

¹¹ The reporting period in the campaign finance reports covers the six months before election day until two weeks after election day. For presidential election, financial reports are submitted in hard-copy and must itemize costs for media advertising and printed material, outdoor advertising, purchasing of election newsletters, leaflets and other printed material, as well costs arising from the planning of advertising and election campaign rallies.

¹² See 2021 [statistics for the relative size](#) of various segments of the media market

¹³ According to YLE some 45 hours of election-related programs will be broadcast during the campaign. The YLE also takes into consideration special interests of minority groups including in English, Russian, Sami and Arabic languages.

with the aim of supporting the responsible use of freedom of speech in mass communication, including online outlets. The Council's decisions are published on its website, including the complete decision if a complaint is upheld.

I. ELECTION DISPUTE RESOLUTION

The Election Act provides expedited recourse for complaints related to the registration of voters. Although the right to appeal against election results for parliamentary and local elections was extended to each eligible voter, this possibility does not exist for presidential election which may limit the right of legal redress.¹⁴ Further, there are no legal avenues for appealing the registration of a presidential candidate.

Other election-related complaints are dealt with under the Administrative Judicial Procedure Act which does not stipulate strict deadlines for certain parts of the electoral process, or the composition of electoral commissions, and thus may not provide timely and effective remedy before the end of an electoral process. According to the law, an administrative decision may be appealed to the Administrative Court and further to Supreme Administrative Court whose decisions are final. All ODIHR NAM interlocutors were satisfied with the available mechanisms for election dispute resolution and noted that there are generally very few complaints related to voter registration submitted to courts, and there had never been any disputes related to the outcome of a presidential election.

IV. CONCLUSIONS AND RECOMMENDATIONS

All ODIHR NAM interlocutors expressed a high level of confidence in all aspects of the electoral process. The ODIHR NAM did not identify any new issues pertaining to the conduct of elections that would benefit from a review by an election observation activity. Based on this assessment, the ODIHR NAM does not recommend deploying an election-related activity for the 28 January 2024 presidential election. ODIHR stands ready to engage in a follow-up process after the election to address previous ODIHR recommendations, and encourages the authorities to also consider issues raised by interlocutors during the course of the ODIHR NAM, including with regard to improving the oversight of campaign finance.

¹⁴ Paragraph 5.10 of the 1990 OSCE Copenhagen Document requires everyone to “have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity.” The United Nations International Covenant on Civil and Political Rights (ICCPR) article 2 requires that “any person whose rights or freedoms are herein recognized as violated shall have an effective remedy” and the 2004 Human Rights Committee General Comment 31 refers to the “obligation to investigate allegations of violations promptly, thoroughly and effectively through independent and impartial bodies.” The Constitution of Finland states that “everyone has the right to have his or her case dealt with appropriately and without undue delay by a legally competent court of law or other authority.”

ANNEXE: LIST OF MEETINGS

Ministry for Foreign Affairs

Riitta Puukka, Desk Officer, Passport and Notarial Services Unit
Milla Leino, Assistant, Passport and Notarial Services Unit
Anu Kynkäänniemi, Attaché & Desk Officer, Passport and Notarial Services Unit
Elina Remes, Trainee, Unit for Security Policy and Crisis Management

Ministry of Justice

Arto Jääskeläinen, Director of Electoral Administration
Laura Nurminen, Senior Specialist
Elina Siljamäki, Senior Specialist
Tuomas Rekola, Specialist

National Audit Office

Jonna Carlson, Oversight Manager
Pontus Londen, Principal Financial Auditor

Population Registration Centre

Otto Palmu, Chief Specialist, Election Manager

Candidates and Representatives of Candidates and Political Parties

Pia Kauma, Member of Parliament, OSCE Parliament Assembly President
Maria Fagerholm, the First Secretary of the Finnish Delegation to the OSCE Parliamentary Assembly
Satu Mäki-Lassila, Campaign Manager, Center Party of Finland
Antti Siika-Aho, Party Secretary, Center Party of Finland
Anna-Mari Vimpari, Secretary General, Center Party of Finland
Kristiina Kokko, Campaign Manager, National Coalition Party
Mikko Rekimies, Party Secretary and Campaign Manager Christian Democrats
Anna Moring, Party Secretary, The Greens
Jarno Lappalainen, Campaign Manager, The Greens
Ville Hulkkonen, Campaign Manager, The Greens
Li Andersson, Presidential Candidate & Member of Parliament, Left Alliance
Anna Mäkipää, Party Secretary & Campaign Manager, Left Alliance
Fredrik Guseff, Party Secretary, Swedish People's Party of Finland

Council for Mass Media

Eero Hyvönen, Chairperson

The Finnish Broadcasting Company YLE (Yleisradio)

Ville Laakso, Executive Online Producer
Anna Back, Political producer, Svenska Yle
Timo Huovinen, Head of Journalistic Standards and Ethics

The Coalition of Finnish Women's Associations

Silla Kakkola, Secretary General