

Statutes of the Swedish Academy

Attachments

ATTACHMENT ONE

CONCERNING SUSPECTED BIAS AND GIFTS

GUIDELINES FOR SWEDISH ACADEMY MEMBERS AND STAFF

1. Background and purpose

The Swedish Academy is an independent cultural institution founded by Gustaf III for the purpose of furthering the Swedish language and literature. According to its statutes, its prime task is to work for the ‘purity, vigour and majesty of the Swedish language’, i.e. its clarity, expressiveness and esteem. In order to attain this end, the Academy, among other measures, awards a large number of prizes and scholarships. Some of these prizes and scholarships are funded by the Academy itself; others come from donor funds allotted to the Academy.

One of the most well-known prizes where the Swedish Academy selects prize winners is the Nobel Prize in Literature. After the Academy assumed responsibility for the task of selecting these prize winners, close cooperation was established with the Nobel Foundation, which administers the fund from which the prize comes and which consists of funding bequeathed by Mr Alfred Nobel.

The trust placed in the Swedish Academy by the general public and by foundations administering donor funds requires us who are active at the Academy not to allow ourselves to be influenced by extraneous wishes or considerations in our work and never to abuse our position. It is easy to harm trust placed in an organisation, but a laborious and time-consuming process to establish such trust. A prerequisite in our work is therefore that we always act impeccably and in such a way that trust in the Academy is not shaken.

The purpose of these guidelines is to make it easier for Swedish Academy members and staff to identify situations that typically tend to diminish trust in a person’s objectivity or impartiality regarding any issue. A further purpose is to provide guidance for the framework within which members and staff can participate in representation or accept gifts or benefits from persons or businesses with which they come in contact via their commissions for the Academy.

2. Suspected bias and other conflicts of interests

Below is an account of regulations concerning suspected bias in connection with all kinds of issues at the Swedish Academy, especially in relation to the selection of recipients of various prizes or scholarships. These regulations apply to all those who in some way or other can influence the outcome of a particular issue (so-called decision makers).

The noting of any suspicion of bias shall be made in the minutes (even instances where such suspicion has been investigated but not considered to be present are to be recorded). In a

situation of suspected bias, the decision maker concerned is to leave the room while the issue is being discussed and not be permitted in any way to participate in the handling of the issue.

Conflict of interest

A decision maker is obliged to assess if a conflict of interest exists before the commencement of the handling of an issue and on his or her own accord to inform the Academy if any circumstance exists which might be assumed to constitute bias.

A decision maker is not allowed to participate in the preparation, deliberations or decisions relating to an issue if a conflict of interest – or noteworthy risk of such – exists.

A conflict of interest is considered to exist if:

- (i) the issue concerns the decision maker or any closely connected person,*
- (ii) the outcome of the issue can be expected to result in especial benefit or detriment to the decision maker personally, or to any closely connected person,*
- (iii) the issue concerns an individual or a business with which the decision maker or any closely connected person has a private relation, deputises for or is dependent on,*
- (iv) the decision maker is involved in the issue in such a way that suspicion can easily arise that the prerequisites for an impartial assessment are not fulfilled,*
or
- (v) any other particular circumstance exists that might possibly diminish trust in the objectivity or impartiality of the decision maker.*

Situations occasionally arise that are not unequivocal or simple to assess from the point of view of suspected bias. Circumstances may exist where things quite simply do not ‘feel right’ and therefore can be questioned. The personal responsibility and the personal ability to make ethical choices must frequently be activated. In such cases, a principle of caution can be adopted, implying that the best thing to do may be to refrain from taking part in the handling of the issue. Anyone who regards himself or herself as possibly being biased has always the right to refrain from taking part in the processing of and decision on an issue.

The expression ‘noteworthy risk’ means that the decision maker must also consider whether or not a conflict of interest can arise in the future. If, for example, the issue concerns an individual or a business on which the decision maker may possibly become financially dependent in the future, there is a risk that the decision maker already has such an interest at the time of the processing of the issue that his or her impartiality can be called into question.

The regulations apply not only to the person participating in the final handling of the issue but also to the person preparing the issue if this person can in any way be considered capable of influencing the outcome of the issue.

3. Gifts

The Swedish Academy has been entrusted with the extremely important task of furthering Swedish language and literature. In carrying out our work we risk being exposed to inappropriate influence from outside. This applies first and foremost with regard to the selection of recipients of prizes and scholarships, and especially with regard to the Nobel Prize in Literature. Guidelines are listed below which indicate the norm which ought to apply for entertainment, congratulatory

calls, gifts and other fringe benefits. The point of departure is that all forms of rewarding that can be linked to the Academy's activities are to be characterised by moderation.

Inappropriate gifts

A decision maker may not receive, allow himself or herself to be promised or demand an inappropriate reward or remuneration for voting in any particular way or abstaining from voting on any issue.

Nor may a decision maker otherwise receive an inappropriate reward or remuneration if this can be suspected to influence his or her commission for the Academy.

The occurrence of inappropriate gifts, bribes or the suspicion of such involves a risk of seriously damaging the reputation and brand name of the Swedish Academy. The occurrence of inappropriate gifts and bribes is thus a threat to the trust enjoyed by the Academy and it is therefore strictly forbidden for any member or employee of the Swedish Academy to accept them.

Measures to enhance relations exist in various forms within business life as well as between private individuals and can be fully justified. Fringe benefits that cannot be suspected of influencing the actions of a decision maker are usually permitted, for example:

- Occasional justifiable working meals of an everyday character
- Unassuming decorative objects and souvenirs
- Unpretentious congratulatory calls on birthdays or other personal special days, or calls in the event of illness.

The borderline between an 'appropriate' and 'inappropriate' gift or benefit is fluid and can vary from one occasion to another. A gift can be inappropriate even if it is not given in order to induce the receiver to act in a particular way. Persons working at the Swedish Academy ought to consider any fringe benefit as being inappropriate if it can be suspected to be given in order to influence the way they carry out their work. This applies in particular in relation to issues where the risk of inappropriate influencing can be said to be large, as for example in the case of the Nobel Prize in Literature. Even concealed fringe benefits, such as being able to purchase items at 'cost price' as well as gifts of no financial value, may be inappropriate if they are so attractive to the recipient that they risk influencing the way in which that person carries out his or her work. The attitude adopted must ultimately always be the result of considering the particular case involved. Normally, caution should be exercised in doubtful situations, which means that it can be best to decline to receive a gift.

Regulations regarding all forms of bribery are to be found in the penal code. They apply to all employees, no matter whether they are employed in public or private service and irrespective of position or nature of employment.

Bribery is committed when an employee or assigned person on his or her own or somebody else's account receives a bribe or other form of inappropriate reward for carrying out his or her duties. To demand a bribe or allow oneself to be promised a bribe also constitutes a bribery crime. No causal connection need necessarily exist between the fringe benefit and the way in which a person performs his or her tasks.

Bribery or the giving of bribes is when one presents, promises or offers an inappropriate reward to an employee or assigned person. To accede to a demand from an employee for an inappropriate fringe benefit also constitutes bribery.

Possible infringements of these guidelines can be subjected to sanctions in accordance with the regulations in the penal code and other relevant labour-law related sanctions. For all forms of bribery one can be sentenced according to the penal code to fines or imprisonment for a maximum of two years.

Following the decision taken in the Swedish Academy on 31 May 2012.

ATTACHMENT TWO

Conflict of interest – Approved by the Swedish Academy on 16 May 2013

A member is not allowed to participate in the preparation of, or decision taken regarding, an issue if a clear conflict of interest exists, which is the case if:

- (i) *the outcome of the issue can be expected to result in financial benefit for the member or any closely connected person,*
- (ii) *the outcome of the issue can be expected to result in financial benefit for an individual, an institution or a business to which the member or any closely connected person has a private relation, works for, is a representative of or is dependent of,*
- (iii) *the issue concerns an individual to whom the member or any closely connected person has such a relation that it gives rise to serious doubts about impartiality.*

The mere fact that a member has had contact with a person who is a potential candidate for a prize cannot be regarded as a conflict of interest; on the contrary, since the Academy is dependent on members cultivating their networks of contacts. Nor can it be considered a conflict of interests if a member nominates or votes for candidates who are published by a firm which also publishes books by the member concerned, provided that the member in question is not involved in reading or marketing for the publishing firm, or something similar. Nor are co-authorship, preface-writing or similar activities disqualifying by definition, provided that this collaboration has not been initiated during a period in which the person one collaborates with is being considered as a potential recipient of a prize or scholarship. Similarly, the fact that a member has translated a potential prize winner does not in itself constitute a conflict of interest, provided that the regulation concerning financial gain is observed. (When works are translated as Academy assignments and at its expense, publishing rights are transferred to the Academy.) Nor do academic supervision, project management and the like necessarily result in a conflict of interest. If, however, the regulations are otherwise adhered to, a member is always free to nominate a recipient of a prize or scholarship and also state his or her reasons for doing so.

A member is to personally state if any circumstance exists which can possibly constitute a conflict of interest. This is to be recorded in the minutes, and in special instances it can even be suitable for the member involved to leave the room.

On account of what has been said above, it must be stated that it is almost impossible to create a framework of rules that covers all possible situations. For this reason, a principle of caution should be observed. The common sense and good judgment of the individual member are and will remain the most important barrier to the emergence of problematic situations.

ATTACHMENT THREE

Extract from the minutes, 3 March 1977

11.

Continued discussions were instituted concerning the Academy's news service, where it was determined and decided:

1. that the Academy's secrecy regulations relate to all its affairs,
2. that prior to the treatment of business where such regulations are of especial importance, such as election to the Academy and the Nobel Prize, the Academy's director or chancellor shall read aloud these regulations, emphasizing that the members' confidentiality also applies to their private lives and must be observed towards anyone who does not belong to the Academy,
3. that any member who feels unable to accept such conditions must state this to be the case, after which the Academy is to decide whether or not its Statutes are to be applied according to which he or she 'shall be expelled',
4. that any member who, although not dissociating himself or herself from these regulations, believes he or she will have difficulty in fulfilling them must also state this and, under such preconditions, will not be allowed to be present during discussions of the issue or take part in decisions.

Karl Ragnar Gierow

ATTACHMENT FOUR

Proposal for the alteration of IT policy regarding Nobel secrecy

Background:

Communication via e-mail has been secure as long as it has taken place from one of the Academy's e-mail addresses to another one. The user has logged in to the web-mail on his or her computer and read through what has been sent, but since this has been done via the web-mail, nothing has been stored locally on the user's computer. Everything has remained on the Academy server, secure behind its firewall.

Smartphones and tablets, however, have partly changed the picture. Both of these aids can be used to read e-mail messages. Unlike the web-mail on the computer, however, the e-mail messages are downloaded and stored locally on the user's smartphone or tablet. If such a phone or tablet goes astray, there is a considerable risk that outsiders can gain access to this e-mail.

Proposal for tightening security regulations:

1. Nothing that has to do with the Nobel Prize is ever to be communicated via e-mail. Everything must be done in an analog form or via telephone.
2. No Nobel-related material is to be saved onto a non-encrypted hard disk. (The Academy will provide all members who feel it necessary with a self-encrypting USB memory stick.)
3. Before a smartphone or tablet is handed in for servicing, those in charge of the Academy's IT section must be contacted.

Approved 20.IX.12
Peter Englund

ATTACHMENT FIVE

Increased level of secrecy for Nobel

1. Work on the bio-bibliographical texts is entering its final phase once the five-list exists after the last spring meeting. The texts dealing with the five must be completed and ready for printing when the Academy meets again for the first time in mid-September. No changes may, in principle, be made after this date.
2. The Academicians themselves translate the winner's bio-bibliographical text into English, where appropriate also into other languages. The same also applies to the prize citation. Translators are not brought in until in connection with the actual announcement, and the uploading of their various versions takes place as they are completed after the announcement.
3. The bio-bibliographical presentation and the prize citation (in one or more languages) is only made available electronically. We are, then, doing away with the version on paper.
4. The principle that people are only provided with information when, and to the extent, they need it for their work is applied rigorously and without exception.

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