**General principles and judicial remedies – background regarding the Swedish administrative judicial system**

The administrative authorities are independent from the Government. They are the counterparts to the private party since the year 1996 when a two-party system was introduced in the administrative judicial procedure.

A case is normally started by an appeal or an application being sent to the administrative court in first instance.

The court is then responsible for the counterparty being presented with the appeal or application. The counterparty´s position should then respond if it, he or she contests or accedes to the claims or oppose a particular measure.

The court can modify a decision by a public authority, not only decide on upheaval.

A determination of the court may not go beyond what is claimed in the case. Nor could the court decide on other matters than those decided on in the administrative decision. Reformatio in pejus is not allowed.

According to the Swedish Constitution any judge at any court instance – or any civil servant at an administrative authority – has the right to refrain from applying an act of law or other regulation which they find to be contrary to the Constitution, to the ECHR or a superior regulation. This happens very seldom, though. It is much more frequent that courts refrain from applying Swedish law which is contrary to EU law.