

## SCHEDULE 8

### RESERVATIONS, DECLARATIONS AND STATEMENTS MADE BY THE PARTIES TO THE 1996 CONVENTION

#### ANNEX TO THE 1996 CONVENTION

##### SWEDEN

#### **Article 3**

Sweden will not apply Article 3(1).

#### **Article 7**

A Swedish national may be extradited, for the purposes of prosecution and enforcement of sentence, in accordance with the conditions set out below. In all cases, however, Sweden reserves the right to refuse to extradite a Swedish national. (a) In order for a Swedish national to be extradited for the purpose of prosecution, the person whose extradition is requested must have been permanently resident in the requesting State for at least two years at the time of the offence, or the offence for which extradition is requested must constitute a criminal offence punishable under Swedish law by imprisonment for more than four years. If the offence has been committed entirely within Sweden, extradition for the purpose of prosecution may be granted only if the offence involves complicity in a criminal offence committed outside the country or if extradition is granted for an offence committed outside the country as well. If extradition is granted, Sweden may impose a condition that the person extradited be returned to Sweden to serve any sentence involving deprivation of liberty or other form of detention order on account of the offence. Such return will be governed by the provisions of Swedish law relating to transfer of the enforcement of criminal judgements. (b) In order for a Swedish national to be extradited for the purpose of enforcement of sentence, the person whose extradition is requested must have been permanently resident in the requesting State for at least two years at the time of the offence or must have consented to extradition, in the presence of a Swedish prosecutor. (c) In the case of extradition of a Swedish national, Articles 5, 8 and 10 to 12 will not apply. (d) In the case of extradition of a Swedish national, in accordance with the Convention on simplified extradition procedure between the Member States of the European Union, Article 9 of that Convention will not apply. (e) Sweden's declaration, under Article 6(1) of the European Convention on Extradition, that non-Nordic nationals resident in Sweden, Denmark or Finland will be treated by Sweden in the same way as Swedish nationals will not be invoked by Sweden in relation to Member States which ensure equal treatment.

#### **Article 12**

Article 15 of the European Convention on Extradition will continue to apply, except in cases under the simplified extradition procedure in which the person extradited expressly waives protection from re-extradition or where anyone otherwise extradited expressly waives protection from re-extradition.

#### **Article 13**

The Ministry of Justice is to be the central authority in extradition cases.

#### **Article 14**

The Prosecutor-General or any other prosecutors dealing with extradition cases are empowered to communicate directly with their counterparts in other countries.

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Extradition Regulations 2002 No. 419

## **Article 18**

Sweden will apply the Convention, even before it enters into force, in relation to other Member States which have made a similar declaration.