

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
SWEDEN**

**Extradition Treaty. Signed at London, on 26 April 1963, and
Protocol amending the above-mentioned Treaty. Signed at
London, on 6 December 1965**

**Exchanges of notes (each with annex) constituting agreements
extending the application of the above-mentioned Treaty,
as amended, to certain territories for the international
relations of which the United Kingdom Government are
responsible. London, 6 June 1966**

Official texts of the Extradition Treaty and Protocol: English and Swedish.

Official text of the notes: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 27 February 1967.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
SUÈDE**

**Traité d'extradition. Signé à Londres, le 26 avril 1963, et
Protocole modifiant le Traité susmentionné. Signé à Londres,
le 6 décembre 1965**

**Échanges de notes (chacun avec annexe) constituant des
accords étendant l'application du Traité susmentionné,
sous sa forme modifiée, à certains territoires dont le
Gouvernement du Royaume-Uni assure les relations
internationales. Londres, 6 juin 1966**

Textes officiels du Traité d'extradition et du Protocole: anglais et suédois.

Texte officiel des notes: anglais.

Enregistrés par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 27 février 1967.

No. 8551. EXTRADITION TREATY¹ BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE KINGDOM OF SWEDEN. SIGNED AT LONDON, ON 26 APRIL 1963

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, and His Majesty The King of Sweden :

Desiring to make provision for the reciprocal extradition of offenders ;

Have resolved to conclude a Treaty for that purpose, and to that end have appointed as their Plenipotentiaries :

Her Britannic Majesty :

For the United Kingdom of Great Britain and Northern Ireland :

The Right Honourable the Earl of Home, K.T., Her Majesty's Principal Secretary of State for Foreign Affairs ;

His Majesty The King of Sweden :

His Excellency Monsieur Bo Gunnar Richardsson Hägglöf, G.C.V.O., His Majesty's Ambassador Extraordinary and Plenipotentiary in London ;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed as follows :

Article 1

The High Contracting Parties agree to extradite to each other, in the circumstances and subject to the conditions specified in the present Treaty, those persons who, being accused or convicted of any of the offences enumerated in Article 3 and committed within the territory of the requesting Party, or on the high seas on board a vessel registered in the territory of that Party, shall be found within the territory of the requested Party.

Article 2

For the purposes of the present Treaty the territory of Her Britannic Majesty shall be deemed to be :

¹ Came into force on 29 March 1966, three months after the exchange of the instruments of ratification of the Treaty which took place at Stockholm on 29 December 1965, in accordance with article 21 (1) of the Treaty and article 2 of the Protocol (see p. 134 of this volume).

- (a) the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the United Kingdom"), The Channel Islands and the Isle of Man ;
- (b) the following territories (and their dependencies) for the international relations of which Her Britannic Majesty's Government in the United Kingdom are responsible, that is to say :
- the Federation of Rhodesia and Nyasaland (consisting of Southern Rhodesia, Northern Rhodesia and Nyasaland), Aden, Antigua, Bahamas, Barbados, Basutoland, Bechuanaland, Bermuda, British Antarctic Territory, British Guiana, British Honduras, British Solomon Islands Protectorate, Brunei, Cayman Islands, Dominica, Falkland Islands, Fiji, Gambia (Colony and Protectorate), Gibraltar, Gilbert and Ellice Islands, Grenada, Hong Kong, Kenya (Colony and Protectorate), Malta, Mauritius, Montserrat, North Borneo, Pitcairn, St. Christopher, Nevis and Anguilla, St. Helena, St. Lucia, St. Vincent, Sarawak, Seychelles, the State of Singapore, the Sovereign Base Areas of Akrotiri and Dhekelia in the island of Cyprus, Swaziland, Turks and Caicos Islands, Virgin Islands and Zanzibar Protectorate ;
- (c) any other territory for the international relations of which Her Britannic Majesty's Government in the United Kingdom are responsible and to which the application of the present Treaty may be extended by common agreement between the Governments of the High Contracting Parties embodied in an Exchange of Notes.

Article 3

(1) Extradition shall be reciprocally granted, subject to the provisions of this Treaty, for the following offences, provided that the offence charged constitutes an extradition offence according to the laws of both High Contracting Parties :

1. Murder or attempt or conspiracy to murder.
2. Manslaughter.
3. Administering drugs or using instruments with intent to procure the miscarriage of women.
4. Rape.
5. Unlawful sexual intercourse, or any attempt to have unlawful sexual intercourse, with a girl under fifteen years of age.
6. Indecent assault.
7. Kidnapping, abduction, or false imprisonment.
8. Stealing, abandoning, exposing or unlawfully detaining a child.
9. Procuration.
10. Bigamy.
11. Maliciously wounding or inflicting grievous bodily harm.
12. Assault occasioning actual bodily harm.
13. Threats with intent to extort money or other things of value.
14. Perjury or subornation of perjury.

15. Bribery.
16. Arson.
17. Burglary or housebreaking, robbery or robbery with violence, larceny or embezzlement.
18. Fraud by a bailee, banker, agent, factor or trustee, or by a director, member or public officer of any company, or fraudulent conversion.
19. Obtaining money, valuable security or goods by false pretences ; receiving any money, valuable security or goods, knowing it to have been stolen or unlawfully obtained.
20. (a) Counterfeiting or altering money, or uttering counterfeited or altered money ;
(b) Knowingly and without lawful authority making or having in possession any instrument, tool or engine adapted and intended for the counterfeiting of money ;
(c) Attempting to commit any offence mentioned in (a) or (b) above.
21. Forgery, or uttering what is forged.
22. Any unlawful act done with intent to endanger the safety of any persons travelling upon a railway.
23. Offences against bankruptcy law.
24. Offences, or attempted offences, in connexion with the traffic in dangerous drugs.
25. Malicious damage to property.
26. Piracy by the law of nations.
27. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
28. Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.
29. Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.
30. Dealing in slaves.

(2) Extradition is also to be granted for participation in any of the aforesaid offences, provided that the participation is punishable by the laws of both High Contracting Parties.

(3) Extradition may also be granted at the discretion of the requested Party in respect of any other offences for which it can be granted according to the laws of both Parties.

(4) Extradition may be refused if, under the law of the requesting Party, the person claimed is liable to the death penalty for the offence on which the request for his extradition is based, but the law of the requested Party does not provide for the death penalty in a similar case.

Article 4

The extradition of a person convicted of any of the offences enumerated in Article 3 may be requested only if the punishment awarded consists of deprivation of liberty for a period of at least four months.

Article 5

Each High Contracting Party reserves the right to refuse or grant the surrender of its own subjects to the other Party.

Article 6

(1) Extradition shall not be granted if the person claimed has already been or is at the time of the request being proceeded against, in the territory of the requested High Contracting Party, for the offence for which his extradition is requested.

(2) If the person claimed is under examination or under punishment in the territory of the requested Party for any other offence, his extradition shall be deferred until the conclusion of the trial and the full execution of any punishment awarded to him.

Article 7

Extradition shall not be granted if the person claimed has, according to the law of either the requesting or the requested High Contracting Party, become immune by lapse of time from prosecution or punishment for the offence for which extradition is requested.

Article 8

(1) A person claimed shall not be extradited if the offence for which his extradition is requested is regarded by the requested High Contracting Party as one of a political character, or if he satisfies the requested Party that the request for his extradition has in fact been made with a view to try or punish him for an offence of a political character.

(2) A requested Party may refuse extradition on any other ground which is specified by the law of that Party.

Article 9

A person extradited shall in no case be kept in custody or proceeded against in the territory of the requesting High Contracting Party for any offence committed prior to his surrender other than an extraditable offence established by the facts in respect of which his extradition has been granted, or on account of any other matters

arising prior to his surrender, nor shall he be extradited by that Party to a third State, until he has been restored, or until the expiration of 45 days after he has had an opportunity of returning, to the territory of the requested Party.

Article 10

(1) Subject to the provisions of Article 19, the request for extradition shall be made through the diplomatic channel.

(2) The request shall be accompanied by :

- (a) as accurate a description as possible of the person claimed together with any other information which would help to establish his identity and nationality :
- (b) a statement and particulars of the offence for which his extradition is requested ;
- (c) the text of the enactment, if any, creating the offence and a statement of the punishment which can be imposed therefor ;
- (d) a statement of the legal provisions which establish the extraditable character of the offence according to the law of the requesting High Contracting Party.

(3) If the request relates to a person accused, it must also be accompanied by a warrant of arrest issued by a judge, magistrate or other competent authority in the territory of the requesting Party and by such evidence as, according to the law of the requested Party, would justify his committal for trial if the offence had been committed in the territory of the requested Party.

(4) If the request relates to a person already convicted, it must be accompanied by evidence of the conviction and sentence and by a statement showing how much of the sentence has not yet been carried out.

(5) The documents in support of the request for extradition shall be accompanied by a translation thereof into the language of the requested Party.

Article 11

(1) In case of urgency either High Contracting Party may apply for the provisional arrest of the person claimed, pending the presentation of the request for extradition. Such application shall contain an indication of intention to request the extradition of the person claimed and a statement of the existence of a warrant of arrest or a judgment of conviction against that person, and such further information, if any, as may be necessary to justify the issue of a warrant of arrest had the offence been committed, or the person claimed been convicted, in the territory of the requested High Contracting Party.

(2) A person arrested upon such an application shall be set at liberty upon the expiration of thirty days from the date of his arrest if a request for his extradition

shall not have been received. However, this stipulation shall not prevent the institution of proceedings with a view to extraditing the person claimed if the request is subsequently received.

Article 12

(1) Extradition shall be granted only if the evidence be found sufficient, according to the law of the requested High Contracting Party, either to justify the committal for trial of the person claimed if the offence of which he is accused had been committed in the territory of the requested Party, or to prove that he is the identical person convicted by the courts of the requesting Party.

(2) If the requested Party considers that the evidence produced or information supplied is not sufficient in order to enable a decision to be taken as to the request, additional evidence or information shall be submitted within such time as that Party shall require.

Article 13

The authorities of the requested High Contracting Party shall admit as evidence, in any proceedings for extradition, a sworn deposition or affirmation taken in the territory of the requesting Party, any certificate of, or judicial document stating the fact of, a conviction, any warrant, and any copy of any of the foregoing documents, if it is authenticated—

(a) in the case of a warrant by being signed, or in the case of any other original document by being certified, by a judge, magistrate or officer of the requesting Party or, in the case of a copy, by being so certified to be a true copy of the original, and

(b) either by the oath of some witness or by being sealed with the official seal of the appropriate Minister of the requesting Party ;

or in such other manner as may be permitted by the law of the requested Party.

Article 14

If the extradition of a person is requested concurrently by one of the High Contracting Parties and by another State or States, either for the same offence or for different offences, the requested Party shall make its decision, in so far as its law allows, having regard to all the circumstances, including the provisions in this regard in any agreements subsisting between the requested Party and the requesting States, the relative seriousness and place of commission of the offences, the respective dates of the requests, the nationality of the person claimed and the possibility of subsequent extradition to another State.

Article 15

A person claimed shall not be extradited by Her Britannic Majesty's Government in the United Kingdom until the expiration of fifteen days from the date on which he has been held judicially to be liable to extradition or, if an appeal has been lodged or proceedings for a writ of *habeas corpus* brought, until after the final decision of the competent court has been given.

Article 16

(1) If extradition is granted, the person claimed shall be sent by the authorities of the requested High Contracting Party to the frontier or port of embarkation in the territory of that Party which the requesting Party shall indicate.

(2) The requesting Party shall remove the person claimed from the territory of the requested Party within such reasonable period as the latter may specify. If he is not so removed within such a period, the requested Party may refuse to extradite him for the same offence.

Article 17

(1) When a request for extradition is granted, the requested High Contracting Party shall, so far as its law allows, hand over to the requesting Party, if required, all articles and sums of money—

- (a) which may serve as proof of the offence ;
- (b) which have been acquired as a result of the offence and which are in the possession of the person claimed.

(2) If the articles and sums of money in question are liable to seizure or confiscation in the territory of the requested Party, the latter may, in connexion with pending proceedings, temporarily retain them or hand them over on condition that they are returned.

(3) These provisions shall not prejudice the rights of the requested Party or of any persons, other than the person claimed. When these rights exist, the articles and sums of money shall on request be returned to the requested Party without charge as soon as possible after the end of the proceedings.

Article 18

Expenses incurred in the territory of the requested High Contracting Party by reason of extradition shall be borne by that Party. However, the requesting Party shall bear any expenses occasioned by being legally represented before the courts of the requested Party.

Article 19

A request on the part of the Government of the Kingdom of Sweden for the extradition of an offender who is found in any of the territories mentioned in sub-paragraphs (b) and (c) of Article 2 may be made to the Governor or other competent authority of that territory, who may, if he thinks fit, refer the matter to Her Britannic Majesty's Government in the United Kingdom.

Article 20

The present Treaty shall apply to offences committed, or convictions which have taken place, before or after the coming into force of this Treaty.

Article 21

(1) The present Treaty shall be ratified, and the instruments of ratification shall be exchanged at Stockholm as soon as possible. It shall come into force three months after the date of the exchange of instruments of ratification.

(2) Either of the High Contracting Parties may terminate the present Treaty at any time by giving six months' notice to the other through the diplomatic channel.

IN WITNESS WHEREOF the above-named Plenipotentiaries have signed the present Treaty and affixed thereto their seals.

DONE in duplicate at London, this 26th day of April, 1963 in the English and Swedish languages, both texts being equally authoritative.

For Her Britannic Majesty :

HOME

For His Majesty The King of Sweden :

Gunnar HÄGGLÖF

PROTOCOL¹ AMENDING THE EXTRADITION TREATY
BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND AND THE KINGDOM OF
SWEDEN SIGNED AT LONDON ON 26 APRIL, 1963.²
SIGNED AT LONDON, ON 6 DECEMBER 1965

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth (hereinafter referred to as "Her Britannic Majesty"), and His Majesty The King of Sweden ;

Desiring to amend the Extradition Treaty between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Sweden signed by the High Contracting Parties at London on the 26th of April, 1963 (hereinafter referred to as "the Treaty") ;

Have resolved to conclude a Protocol for that purpose, and to that end have appointed as their Plenipotentiaries :

Her Britannic Majesty :

For the United Kingdom of Great Britain and Northern Ireland :

The Right Honourable Michael Stewart, M.P., Her Britannic Majesty's Principal Secretary of State for Foreign Affairs ;

His Majesty The King of Sweden :

His Excellency Monsieur Bo Gunnar Richardsson Hägglöf, G.C.V.O., His Majesty's Ambassador Extraordinary and Plenipotentiary in London ;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed as follows :

Article 1

Article 2 of the Treaty shall be amended to read as follows :

"Article 2

"(1) For the purposes of the present Treaty the territory of Her Britannic Majesty shall be deemed to be :

¹ Came into force on 29 March 1966, three months after the exchange of the instruments of ratification of the Treaty which took place at Stockholm on 29 December 1965, in accordance with article 21 (1) of the Treaty and article 2 of the Protocol.

² See p. 118 of this volume.

- “(a) the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as “the United Kingdom”), The Channel Islands and the Isle of Man ;
- “(b) any other territory for the international relations of which Her Britannic Majesty’s Government in the United Kingdom are responsible and to which the application of the present Treaty may be extended by agreement between the Governments of the High Contracting Parties embodied in an Exchange of Notes.

“(2) Modifications of the territorial extent of the present Treaty may be made by agreement between the Governments of the High Contracting Parties embodied in an Exchange of Notes.”

Article 2

The present Protocol shall enter into force on the same date as the Treaty and shall have the same duration as the Treaty.

IN WITNESS WHEREOF the above-named Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

DONE in duplicate at London, this 6th day of December, 1965, in the English and Swedish languages, both texts being equally authoritative.

For Her Britannic Majesty :

Michael STEWART

For His Majesty The King of Sweden :

Gunnar HÄGGLÖF

- i) EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ EXTENDING THE APPLICATION OF THE EXTRADITION TREATY BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE KINGDOM OF SWEDEN, SIGNED AT LONDON ON 26 APRIL 1963, AS AMENDED,² TO CERTAIN TERRITORIES FOR THE INTERNATIONAL RELATIONS OF WHICH THE UNITED KINGDOM GOVERNMENT ARE RESPONSIBLE. LONDON, 6 JUNE 1966

I

The Secretary of State for Foreign Affairs to the Swedish Ambassador

FOREIGN OFFICE, S.W. 1

6 June, 1966

Your Excellency,

I have the honour to refer to the Extradition Treaty between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and His Majesty The King of Sweden signed at London on the 26th of April, 1963 as amended by the Protocol signed at London on the 6th of December, 1965.

In accordance with Article 2 (1) (b) of the said Treaty, as amended, I have the honour to propose that the application of the Treaty should be extended with effect from the 1st of August, 1966 to those territories, listed in the Annex to this Note, for the international relations of which Her Britannic Majesty's Government in the United Kingdom are responsible.

If the foregoing proposal is acceptable to the Royal Swedish Government, I have the honour to propose that this Note together with Your Excellency's reply in that sense should constitute an Agreement between Her Britannic Majesty's Government and the Royal Swedish Government.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

For the Secretary of State :

H. V. RICHARDSON

¹ Came into force on 6 June 1966, by the exchange of the said notes, and took effect on 1 August 1966, in accordance with their provisions.

² See p. 134 of this volume.

A N N E X

Aden (and Perim and the Kuria Muria Islands)	Grenada
Antigua	Hong Kong
Bahamas	Mauritius
Barbados	Montserrat
Basutoland	Pitcairn
Bermuda	St. Christopher, Nevis and Anguilla
British Antarctic Territory	St. Helena
British Honduras	St. Lucia
British Indian Ocean Territory	St. Vincent
Cayman Islands	Seychelles
Dominica	Southern Rhodesia
Falkland Islands	The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus
Fiji	Turks and Caicos Islands
Gibraltar	Virgin Islands
Gilbert and Ellice Islands	

II

The Swedish Ambassador to the Secretary of State for Foreign Affairs

ROYAL SWEDISH EMBASSY

London, 6th June, 1966

Your Excellency,

I have the honour to acknowledge the receipt of your Note of to-day's date, which reads as follows :

[See note I]

2. In reply, I have the honour to inform you that the foregoing proposal is acceptable to the Royal Swedish Government, who therefore agree that your Note, together with its Annex and the present reply, shall constitute an Agreement between the Royal Swedish Government and Her Britannic Majesty's Government.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

Gunnar HÄGGLÖF

A N N E X

[See above]

- ii) EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ EXTENDING THE APPLICATION OF THE EXTRADITION TREATY BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE KINGDOM OF SWEDEN, SIGNED AT LONDON ON 26 APRIL 1963, AS AMENDED, TO CERTAIN TERRITORIES FOR THE INTERNATIONAL RELATIONS OF WHICH THE UNITED KINGDOM GOVERNMENT ARE RESPONSIBLE. LONDON, 6 JUNE 1966

I

The Secretary of State for Foreign Affairs to the Swedish Ambassador

FOREIGN OFFICE, S.W. 1

6 June, 1966

Your Excellency,

I have the honour to refer to the Extradition Treaty between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and His Majesty The King of Sweden signed at London on the 26th of April, 1963 as amended by the Protocol signed at London on the 6th of December, 1965.

In accordance with Article 2 (1) (b) of the said Treaty, as amended, I have the honour to propose that the application of the Treaty should be extended with effect from the 1st of August, 1966 to those territories, listed in the Annex of this Note, for the international relations of which Her Britannic Majesty's Government in the United Kingdom are responsible.

If the foregoing proposal is acceptable to the Royal Swedish Government, I have the honour to propose that this Note together with Your Excellency's reply in that sense should constitute an Agreement between Her Britannic Majesty's Government and the Royal Swedish Government.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

For the Secretary of State :

H. V. RICHARDSON

¹ Came into force on 6 June 1966, by the exchange of the said notes, and took effect on 1 August 1966, in accordance with their provisions.

A N N E X

Bechuanaland
British Solomon Islands Protectorate

Brunei
Swaziland

II

The Swedish Ambassador to the Secretary of State for Foreign Affairs

ROYAL SWEDISH EMBASSY

London, 6th June, 1966

Your Excellency,

I have the honour to acknowledge the receipt of your Note of to-day's date, which reads as follows :

[*See note I*]

2. In reply, I have the honour to inform you that the foregoing proposal is acceptable to the Royal Swedish Government, who therefore agree that your Note, together with its Annex and the present reply, shall constitute an Agreement between the Royal Swedish Government and Her Britannic Majesty's Government.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

Gunnar HÄGGLÖF

A N N E X

[*See above*]