

No. 7231

**UNITED STATES OF AMERICA
and
SWEDEN**

**Convention on Extradition (with Protocol). Signed at
Washington, on 24 October 1961**

Official texts : English and Swedish.

Registered by the United States of America on 28 April 1964.

**ÉTATS-UNIS D'AMÉRIQUE
et
SUÈDE**

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No. 7231. CONVENTION¹ ON EXTRADITION BETWEEN
THE UNITED STATES OF AMERICA AND SWEDEN.
SIGNED AT WASHINGTON, ON 24 OCTOBER 1961

The United States of America and the Kingdom of Sweden desiring to make more effective the cooperation of the two countries in the repression of crime, have resolved to conclude a convention on Extradition and for this purpose have appointed the following Plenipotentiaries :

The President of the United States of America :

Dean Rusk, Secretary of State of the United States of America, and

His Majesty the King of Sweden :

Gunnar Jarring, Ambassador Extraordinary and Plenipotentiary of Sweden
to the United States of America,

who, having communicated to each other their respective full powers, found to be in good and due form, agree as follows :

Article I

Each Contracting State undertakes to surrender to the other, subject to the provisions and conditions laid down in this Convention, those persons found in its territory who have been charged with or convicted of any of the offenses specified in Article II of this Convention committed within the territorial jurisdiction of the other, or outside thereof under the conditions specified in Article IV of this Convention; provided that such surrender shall take place only upon such evidence of criminality as, according to the laws of the place where the person sought shall be found, would justify his commitment for trial if the offense had been there committed.

Article II

Extradition shall be granted, subject to the provisions of this Convention, for the following offenses :

1. Murder, including infanticide; the killing of a human being, when such act is punishable in the United States as voluntary manslaughter, and in Sweden as manslaughter.

2. Malicious wounding; mayhem; willful assault resulting in grievous bodily harm.

¹ Came into force on 3 December 1963, the date of the exchange of the instruments of ratification at Stockholm, in accordance with the provisions of article XVI of the Convention.

3. Kidnapping; abduction.
4. Rape; abortion; carnal knowledge of a girl under the age specified by law in such cases in both the requesting and requested State.
5. Procuration, defined as the procuring or transporting of a woman or girl under age, even with her consent, for immoral purposes, or of a woman or girl over age, by fraud, threats, or compulsion, for such purposes with a view in either case to gratifying the passions of another person; profiting from the prostitution of another.
6. Bigamy.
7. Robbery; burglary, defined to be the breaking into or entering either in day or night time, a house, office, or other building of a government, corporation, or private person, with intent to commit a felony therein.
8. Arson.
9. The malicious and unlawful damaging of railways, trains, vessels, aircraft, bridges, vehicles, and other means of travel or of public or private buildings, or other structures, when the act committed shall endanger human life.
10. Piracy; mutiny on board a vessel or an aircraft for the purpose of rebelling against the authority of the Captain or Commander of such vessel or aircraft; or by fraud or violence taking possession of such vessel or aircraft.
11. Blackmail or extortion.
12. Forgery, or the utterance of forged papers; the forgery or falsification of official acts of government, of public authorities, or of courts of justice, or the utterance of the thing forged or falsified.
13. The counterfeiting, falsifying or altering of money, whether coin or paper, or of instruments of debt created by national, state, provincial, or municipal governments, or of coupons thereof, or of bank-notes, or the utterance or circulation of the same; or the counterfeiting, falsifying or altering of seals of state.
14. Embezzlement by public officers; embezzlement by persons hired or salaried, to the detriment of their employers; larceny; obtaining money, valuable securities or other by false pretenses, or by threats of injury; receiving money, valuable securities or other property knowing the same to have been embezzled, stolen or fraudulently obtained.
15. Making use of the mails or other means of communication in connection with schemes devised or intended to deceive or defraud the public or for the purpose of obtaining money under false pretenses.

16. Fraud or breach of trust by a bailee, banker, agent, factor, trustee or other person acting in a fiduciary capacity, or director or member or officer of any company.

17. Soliciting, receiving, or offering bribes.

18. Perjury; subornation of perjury.

19. Offenses against the laws for the suppression of slavery and slave trading.

20. Offenses against the bankruptcy laws.

21. Smuggling, defined to be the act of willfully and knowingly violating the customs laws with intent to defraud the revenue by international traffic in merchandise subject to duty.

22. Offenses against the laws relating to the traffic in, use of, or production or manufacture of, narcotic drugs or cannabis.

23. Offenses against the laws relating to the illicit manufacture of or traffic in poisonous chemicals or substances injurious to health.

24. The attempt to commit any of the above offenses when such attempt is made a separate offense by the laws of the Contracting States.

25. Participation in any of the above offenses.

Article III

1. The requested State shall, subject to the provisions of this Convention, extradite a person charged with or convicted of any offense enumerated in Article II only when both of the following conditions exist :

- (a) The law of the requesting State, in force when the offense was committed, provides a possible penalty of deprivation of liberty for a period of more than one year; and
- (b) The law in force in the requested State generally provides a possible penalty of deprivation of liberty for a period of more than one year which would be applicable if the offense were committed in the territory of the requested State.

2. When the person sought has been sentenced in the requesting State, the punishment awarded must have been for a period of at least four months.

Article IV

1. Extradition need not be granted for an offense which has been committed within the territorial jurisdiction of the requested State, but if the offense has been committed in the requested State by an officer or employee of the requesting State, who is a national of the requesting State, the executive authority of the requested State shall, subject to its laws, have the power to surrender the person sought if, in its discretion, it be deemed proper to do so.

2. When the offense has been committed outside the territorial jurisdiction of the requesting State, the request for extradition need not be honored unless the laws of the requesting State and those of the requested State authorize prosecution of such offense under corresponding circumstances.

3. The words "territorial jurisdiction" as used in this Article and in Article I of this Convention mean: territory, including territorial waters, and the airspace thereover, belonging to or under the control of one of the Contracting States; and vessels and aircraft belonging to one of the Contracting States or to a citizen or corporation thereof when such vessel is on the high seas or such aircraft is over the high seas.

Article V

Extradition shall not be granted in any of the following circumstances:

1. When the person sought has already been or is at the time of the request being proceeded against in the requested State in accordance with the criminal laws of that State for the offense for which his extradition is requested.

2. When the legal proceedings or the enforcement of the penalty for the offense has become barred by limitation according to the laws of either the requesting State or the requested State.

3. When the person sought has been or will be tried in the requesting State by an extraordinary tribunal or court.

4. When the offense is purely military.

5. If the offense is regarded by the requested State as a political offense or as an offense connected with a political offense.

6. If in the specific case it is found to be obviously incompatible with the requirements of humane treatment, because of, for example, the youth or health of the person sought, taking into account also the nature of the offense and the interests of the requesting State.

Article VI

When the person sought is being proceeded against in accordance with the criminal laws of the requested State or is serving a sentence in that State for an offense other than that for which extradition has been requested, his surrender may be deferred until such proceedings have been terminated or he is entitled to be set at liberty.

Article VII

There is no obligation upon the requested State to grant the extradition of a person who is a national of the requested State, but the executive authority of