

No. 7467

**ISRAEL
and
SWEDEN**

**Agreement for the reciprocal extradition of criminals.
Signed at Stockholm, on 10 September 1963**

Official texts: Hebrew, Swedish and English.

Registered by Israel on 18 November 1964.

**ISRAËL
et
SUÈDE**

**Accord relatif à l'extradition réciproque des délinquants.
Signé à Stockholm, le 10 septembre 1963**

Textes officiels hébreu, suédois et anglais.

Enregistré par Israël le 18 novembre 1964.

No. 7467. AGREEMENT¹ FOR THE RECIPROCAL EXTRADITION OF CRIMINALS BETWEEN SWEDEN AND ISRAEL. SIGNED AT STOCKHOLM, ON 10 SEPTEMBER 1963

The Royal Government of Sweden and the Government of Israel;
Desiring to make provision for the reciprocal extradition of criminals;
Have agreed as follows :'

Article 1

The Contracting Parties agree to extradite to each other, in the circumstances and subject to the conditions specified in the present Agreement, those persons, who, being accused or convicted of an offence committed within the territory of the one Party, shall be found in the territory of the other Party; Provided always that such offence is punishable in accordance with the laws of both Parties and is an extraditable offence in accordance with the laws of the requested Party.

For the purposes of establishing the place of commission of an offence under this Agreement, vessels and aircraft on or over the high seas and registered in the territory of one of the Contracting Parties shall be deemed to be that Party's territory.

Article 2

Either of the Contracting Parties may refuse to surrender a person claimed on the ground that he is a national of the requested Party.

For the purpose of this Agreement the term " national " includes in relation to Sweden : Swedish nationals and nationals of Denmark, Finland, Iceland and Norway.

Article 3

Each of the Contracting Parties may, subject to its laws and in its absolute discretion, surrender a person claimed even when the offence in respect of which extradition is requested has been committed within its territory; Provided always that in such a case the person claimed was at the time of the commission of the offence an officer or employee of the requesting Party and a national of that Party.

¹ Came into force on 2 September 1964, three months after the date of the exchange of the instruments of ratification which took place at Stockholm on 2 June 1964, in accordance with the provisions of article 23.

Article 4

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 Party or of a third State, for the offence for which his extradition is requested.

2. If the person claimed is being proceeded against 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.

However, the requested Party may, instead of postponing the extradition of the person claimed, temporarily surrender him to the requesting Party in accordance with conditions to be determined by mutual agreement between the Contracting Parties.

Article 5

Extradition may be refused :

1. When the requested Party has jurisdiction to prosecute the person claimed for the offence in regard to which the request is made;

2. When it is held by the competent authorities of the requested Party, taking account of the nature of the offence and the interests of the requesting Party, to be obviously incompatible with humane considerations to surrender the person claimed because of his tender age, state of health or any other such personal reasons;

3. When the person claimed has been sentenced in the territory of the requesting Party for the offence in respect of which his extradition is requested to imprisonment or some other form of deprivation of liberty for a term of less than six months.

Article 6

Extradition shall not take place if, subsequently to the commission of the offence or the institution of the prosecution or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of either the requesting or requested Party or if the person claimed has been pardoned or has had his punishment remitted by the authorities of the requesting Party in respect of the offence for which his extradition is requested.

Article 7

1. A person claimed shall not be extradited if the offence in respect of which his extradition is requested is regarded by the requested Party as one of a poli-

tical character or if he proves that the request for his extradition has, in fact, been made with a view to trying or punishing him for an offence of a political character.

2. Extradition shall likewise not be granted if the requested Party has substantial grounds for believing that the request for extradition has been made for the purpose of prosecuting or punishing the person claimed because of his race, religion, nationality or political opinion, or that that person's position may be prejudiced for any of the said reasons.

Article 8

1. A person claimed shall not be extradited if the offence in respect of which his extradition is requested is a military offence; Provided however, that extradition may be granted if such an offence also constitutes an offence under the criminal law of the requested Party and in respect of which extradition may otherwise be granted.

2. A person claimed shall likewise not be extradited if the requested Party has reason to believe that he would be proceeded against in the territory of the requesting Party before an extraordinary tribunal or court or serve a sentence passed against him by such extraordinary tribunal or court.

Article 9

When the offence for which the extradition is requested is punishable by death under the laws of the requesting Party and the laws of the requested Party do not permit such punishment, extradition shall be refused unless the requesting Party provides such assurances as the requested Party considers sufficient that the death penalty shall not be imposed, and if imposed, shall not be executed.

Article 10

A person extradited can in no case be kept in custody, or be proceeded against, in the territory of the requesting Party for any other offence committed prior to his surrender or on account of any other matters than those for which the extradition shall have taken place, nor shall he be extradited by that Party to a third State for such offence.

This stipulation shall not apply if the person surrendered has not left the territory of the requesting Party within sixty days after being given an opportunity of so doing or has returned to that territory after leaving it or if the requested Party has consented in writing to the taking of the aforesaid measures against the person claimed.

A request for such consent shall be made in the manner and form prescribed in Article 11 hereof as if it were a request for extradition of the person concerned.