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from:	Mr. Christian Danielsson, Permanent Representative, Permanent Representation of <u>Sweden</u> to the European Union
date of receipt:	<u>20 February 2009</u>
to:	Mr. Javier Solana, Secretary-General/High Representative, General Secretariat of the Council
Subject :	Council Framework Decision on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union - Declaration

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**Declaration by Sweden in accordance with Article 26(4) of the Framework Decision on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union**

In accordance with Article 26(2) of the Framework Decision, Member States may continue to apply bilateral or multilateral agreements or arrangements in force after 27 November 2008, in so far as they allow the objectives of the Framework Decision to be extended or enlarged and help to simplify or facilitate further the procedures for the enforcement of sentences. Under Article 26(4),

any Member State wishing to continue to apply existing agreements and arrangements referred to in Article 26(2) is to notify the Council and the Commission thereof by 5 March 2009. In approving the Framework Decision, the Swedish parliament also approved notification by Sweden, in accordance with Article 26(4), of its intention to continue to apply Nordic cooperation on transfer of custodial sentences.

Sweden hereby makes the following declaration in accordance with Article 26(4) of the Framework Decision on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union:

"In relation to Denmark and Finland, Sweden intends to continue to apply Nordic cooperation on enforcement of custodial sentences, as laid down for Sweden by the Act (1963:193) on cooperation with Denmark, Finland, Iceland and Norway in enforcement of sentences etc., in so far as such cooperation allows the objectives of the Framework Decision to be extended or enlarged and helps to simplify or facilitate further the procedures for the enforcement of custodial sentences.".

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