

JHA K4
34.11(c)

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NOTE

from : Council General Secretariat

to : K.4 Committee

Subject : Accession of Sweden to the Agreement on the Simplification and Modernization of Methods of Transmitting Extradition Requests (San Sebastian Agreement)

– **Swedish version of the text**

1. Sweden intends to accede to the Agreement between the Member States on the Simplification and Modernization of Methods of Transmitting Extradition Requests. The purpose of this note is to inform the K.4 Committee of the procedure which will be followed in order to ensure that the Swedish version of the text of the Agreement is authentic under the same conditions as the other language versions.
2. The aim of the Agreement is to speed up the procedures for transmitting extradition requests and accompanying documents by using facsimile machines. It was signed in Donostia – San Sebastian, Spain, on 26 May 1989. Proceedings took place in the framework of European Political Cooperation (EPC).

The act was signed by almost all the Member States of the European Union. A progress report on signatures and ratifications is set out in the Annex. The text was drawn up in the nine languages of the Union of the time and all these language versions were authentic under the same conditions.

3. Article 6(1) of the Agreement provides that it "shall be open to accession by any State which becomes a member of the European Communities. The instruments of accession shall be deposited with the Spanish Foreign Ministry".

To enable Sweden to accede to the Agreement, the Swedish text must be authentic under the same conditions as the other existing texts of the 1989 Agreement.

4. Accordingly, it was agreed with the depositary to apply the following procedure:
- the text of the Agreement, in Swedish, shall be finalized by the legal/linguistic experts of the Council General Secretariat;
 - Sweden, as a State wishing to accede to the Agreement, shall transmit to Spain, the depositary State of the Agreement, the text in Swedish as finalized by the legal/linguistic experts;
 - the depositary shall forward the text of the Agreement in Swedish to the Signatory States so that they can record their agreement;
 - at the end of the deadline set (for example, 30 days), the depositary will inform the Signatory States that the text is authentic under the same conditions as the other texts of the Agreement and shall give details, where appropriate, of the linguistic adjustments to be made in Swedish;
 - the depositary will inform Sweden that it may deposit its instruments of accession with the Spanish Foreign Ministry.
5. It is anticipated that the same procedure will be followed for the Finnish version should Finland intend to accede to the Agreement (the Agreement does not yet exist in Finnish).

PROGRESS REPORT ON SIGNATURES AND RATIFICATIONS

MEMBER STATES	Agreement on the Simplification and Modernization of Methods of Transmitting Extradition Requests (*) 26/05/1989 (Donostia-San Sebastian) (Dep.: Spain)				
	(1)	(2)	(3)	(4)	(5)
Germany	23-12-92	08-06-95	D		
Austria					
Belgium	26-05-89				
Denmark	26-05-89		D/T		
Spain	26-05-89	23-12-91	D		
Finland					
France	26-05-89				
Greece	26-05-89	,			
Ireland					
Italy	26-05-89	03-07-96	D		
Luxembourg	26-05-89	22-04-94	D		
Netherlands	26-05-89	18-05-94	D/T		
Portugal	26-05-89				
United Kingdom	08-11-95				
Sweden					

- (1) Date of signature
 (2) Date of ratification or accession
 (3) R : Reservations
 D : Declarations
 T : Territorial Declaration
 A : Advance application
 (4) Intends signing
 (5) Intends ratifying
 (*) Provisional data
