

INTERNATIONAL CRIMINAL
LAW FROM A SWEDISH
PERSPECTIVE

Iain CAMERON
Malin THUNBERG SCHUNKE
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Cambridge – Antwerp – Portland

Distribution for the UK:

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Distribution for the USA and Canada:

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Distribution for Austria:

Neuer Wissenschaftlicher Verlag
Argentinierstraße 42/6
1040 Wien
Austria
Tel.: +43 1 535 61 03 24
Email: office@nwv.at

Distribution for other countries:

Intersentia Publishers
Groenstraat 31
2640 Mortsel
Belgium
Tel.: +32 3 680 15 50
Email: mail@intersentia.be

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Iain Cameron, Malin Thunberg Schunke, Karin Pålle-Bartes, Christoffer Wong
and Petter Asp

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Cambridge – Antwerp – Portland
www.intersentia.com

Cover illustration: Francisco de Goya (1746–1828), Etching, Plate 4 from ‘Los
desastres de la guerra’

ISBN 978-90-5095-981-0
D/2011/7849/5
NUR 828

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PREFACE

There are many people who have helped us in different ways, large and small, in writing this book. Some have sent us material or answered questions, others have commented on parts of the work and others have assisted in practical ways. Some people have done all three. We extend our thanks to all of them. We are very grateful to Nils Jareborg and Per-Ole Tråskman for their advice, support and encouragement. Magnus Ulvång has also helped us all in a number of important practical ways. We would also particularly like to thank the following people for commenting upon parts of the manuscript and/or answering questions relating to the practice of international criminal law in Sweden: Thomas Bull, Håkan Friman, Per Hedvall, Katarina Johansson-Welin, Ola Löfgren, Peter Lundkvist, Jonatan Meyer, Lena Moore, Cecilia Riddselius, Nils Rekke, Annette von Sydow, Ulf Wallentheim, Elin Zetterlund and Josef Zila. None of these people is responsible for any errors in the book.

The present book can be seen as a joint project of the authors. However, different authors have had the primary responsibility for different chapters. Iain Cameron has written chapters 1–3 and sections 4.6 and 6.6. He has also edited the other chapters. Malin Thunberg Schunke has been responsible for chapter 4, Karin Pålé-Bartes for chapter 5 and Christoffer Wong for chapter 6. Petter Asp has contributed to all the chapters, particularly chapter 4, and exercised a general function of “quality control”.

Regarding financial assistance, we are grateful to the Swedish Social Science Research Council (Vetenskapsrådet) which funded part of the research for the book. The Emil Heijnes Foundation generously provided the necessary publication funding. We are very grateful to these institutions.

Lastly, we should say that we have tried to state the law and practice as it is on 1 May 2010. In some cases we have been able to take account of subsequent changes.

The authors

Uppsala, Hannover, Stockholm and Lund, September 2010

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ABBREVIATIONS

AC	Appeal Cases (United Kingdom)
Act on Freezing Decisions	The Act (2005:500) on Recognition and Execution of European Union Freezing Decisions
CCTV	Closed circuit television
CEPS	Centre for European Policy Studies
CFI	Court of First Instance
CJP	Rättegångsbalken (1942:740)
Code of Judicial Procedure Cooperation Act	The Act (2003:1174) on Certain Forms of International Cooperation in Criminal Investigations
Dir.	Utredningsdirektiv
Dnr.	diarienummer
Ds.	Departementsserien
EAW	European Arrest Warrant
ECE	European Committee on Crime Problems, Select Committee of Experts on Extraterritorial Jurisdiction
ECHR	The European Convention for the Protection of Human Rights and Fundamental Freedoms
ECJ	European Court of Justice
ECMLA	European Convention (1959) on Mutual Assistance in Criminal Matters
ECR	European Court Reports
ECtHR	European Court of Human Rights
ed.	editor
EEW	European Evidence Warrant
EJN	European Judicial Network
ECST	European Convention on the Suppression of Terrorism
ETS	European Treaty Series
EU	European Union
EUCMLA	The EU Convention (2000) on Mutual Assistance in Criminal Matters

eucrim	The European Criminal Law Associations' Forum
Eur.J.Crime Crim.L.&Crim.Just.	European Journal of Crime, Criminal Law and Criminal Justice
Framework Decision on Freezing Orders	Framework Decision on the Execution in the European Union of Orders Freezing Property or Evidence
ICC	International Criminal Court
ICJ	International Court of Justice
ICLQ	The International and Comparative Law Quarterly
ICTY	International Criminal Tribunal for the Former Yugoslavia
ILA Act	The International Legal Assistance in Criminal Matters Act (2000:562).
JIT	Joint Investigation Team
JK	Justitiekanslern/Chancellor of Justice
JO	Justitieombudsmannen
JuU	Justitieutskott
MLR	Modern Law Review
NAW	Nordic Arrest Warrant
NJA	Nytt juridiskt arkiv, Avd. I
No.	Number
NSK	Nordiska straffrättskommitté
OJ	Official Journal of the European Union
p.	Page
para.	Paragraph
PCIJ	Permanent Court of International Justice
prop.	Proposition
RåR	Riksåklagarens riktlinjer
RB	Rättegångsbalken (1942:740)
Report on Freezing	Report from the Commission based on Article 14 of the Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence, COM (2008) 885 final.
Report on JITs	Report from the Commission on national measures taken to comply with the Council Framework Decision of 13 June 2002 on Joint Investigation Teams, COM (2004) 858 final.

RH	Rättsfall från hovrätterna
RIDP	Revue Internationale de Droit Pénal
Rskr.	Riksdagsskrivelse (parliamentary papers)
SFS	Svensk författningssamling
SÖ	Sveriges internationella överenskommelser
SOU	Statens offentliga utredningar
SvJT	Svensk juristtidning
SvJT rf	Svensk Juristtidning rättsfallsavdelning
UK	United Kingdom
UN	United Nations
UNTS	United Nations Treaty Series
Utrecht L. Rev.	Utrecht Law Review
v.	versus
Vol.	volume
ZIS	Zeitschrift für Internationale Strafrechtsdogmatik
ZStW	Zeitschrift für die gesamte Strafrechtswissenschaft
ÅFS	Åklagarmyndighetens författningssamling