

AGREEMENT
BETWEEN
THE REPUBLIC OF ESTONIA
AND
THE KINGDOM OF SWEDEN
ON THE ENFORCEMENT IN ESTONIA
OF SWEDISH SENTENCES OF IMPRISONMENT

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The Government of the Republic of Estonia and the Government of the Kingdom of Sweden (hereinafter referred to collectively as “the Parties” and individually as a “Party”);

Considering the close and longstanding cooperation and relationship between the Republic of Estonia and the Kingdom of Sweden;

Recognising the shared commitment to common fundamental values, and wishing to further develop cooperation;

Desiring to strengthen mutual ties and cooperation within the Nordic-Baltic cooperation formats and the North Atlantic Treaty Organization, as well as in the area of prison service and the promotion of rule of law, democracy and human rights;

Acknowledging that the Swedish Prison and Probation Service is facing challenges relating to available correctional infrastructure;

Noting that the principles of free consent, good faith and the *pacta sunt servanda* rule are universally recognised;

Stressing that this Agreement shall be implemented with full respect for human rights, as laid down in international human rights conventions to which the Parties are Contracting Parties;

Desiring to afford each other the widest measure of mutual assistance;

Have agreed as follows:

PART I GENERAL PROVISIONS

Article 1 *Use of terms*

For the purposes of this Agreement:

- a. “Sweden” means: the Kingdom of Sweden;
- b. “Estonia” means: the Republic of Estonia;
- c. “Prison” means: the Tartu prison located in Tartu, Estonia;
- d. “Swedish staff” means: staff appointed by the Swedish Prison and Probation Service;
- e. “Estonian staff” means: staff appointed by Estonian authorities;
- f. “Swedish sentence” means: a sentence of imprisonment imposed by a final and in Sweden enforceable decision of a Swedish court;
- g. “Prisoner” means: a person upon whom a Swedish sentence of imprisonment is imposed and who is transferred to Estonia;
- h. “Prison Health Unit” means: a health service provider located in the Prison;

- i. “Memorandum of Cooperation” means: an agreement within the scope of this Agreement between the Swedish Prison and Probation Service and the Estonian Ministry of Justice and Digital Affairs that sets forth further terms and conditions under which the Prison shall be used for the purpose of enforcement of Swedish sentences;
- j. “European Prison Rules” means: Recommendation Rec(2006)2-rev of the Committee of Ministers to member states on the European Prison Rules;
- k. “CPT Standards” means: the standards developed by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) that are relevant in the context of imprisonment.

Article 2

Purposes and scope

1. This Agreement sets forth the framework for cooperation between Sweden and Estonia on the enforcement of Swedish sentences in Estonia as well as the procedure, rights and duties of the Parties.
2. This Agreement constitutes a legally binding instrument under international law and is governed by the Vienna Convention on the Law of Treaties (1969).

Article 3

Compliance with other international instruments

1. All activities under this Agreement shall be conducted with full respect for the Parties’ rights and legal obligations under international law, including but not limited to:
 - a. European Union law;
 - b. the International Covenant on Civil and Political Rights;
 - c. the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol;
 - d. the European Convention on Human Rights and its Protocol No. 1; and
 - e. the Convention Relating to the Status of Refugees and its 1967 Protocol.
2. The processing of personal data under this Agreement shall be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free

movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) and in accordance with Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA.

Article 4

Memorandum of Cooperation

1. With a view to the implementation and practical application of this Agreement, the Swedish Prison and Probation Service and the Estonian Ministry of Justice and Digital Affairs shall draft a Memorandum of Cooperation regarding, for instance, the functioning of the Prison, the staff, the facilities, the transport of Prisoners and other tasks that may be carried out by the Swedish Prison and Probation Service or the Estonian Prison and Probation Service.
2. The Memorandum of Cooperation shall be agreed upon by the Swedish Prison and Probation Service and the Estonian Ministry of Justice and Digital Affairs.
3. The Swedish Prison and Probation Service and the Estonian Ministry of Justice and Digital Affairs may enter into additional implementing arrangements within the scope of this Agreement and the Memorandum of Cooperation to further facilitate the uninterrupted execution of this Agreement.

Article 5

Obligations of the Parties

1. Estonia consents to the use of the Prison and Estonian staff to enforce Swedish sentences on Estonian territory.
2. Sweden shall pay the costs for the enforcement of Swedish sentences in accordance with Part XI of this Agreement. Enforcement of Swedish sentences in the Prison shall be based on conditions set out in this Agreement.

3. Estonia shall make the necessary adjustments, as to be further specified in the Memorandum of Cooperation, to the Prison to ensure that the Prison meets the requirements set out in this Agreement. Estonia shall ensure that the Prison continuously meets these requirements.

Article 6 *Applicable law*

1. The law and regulations of Estonia with respect to this Agreement and the Memorandum of Cooperation shall be applicable to the enforcement of Swedish sentences in the Prison, including the rights and duties of the Prisoners.

2. Parts of the Estonian legislation on enforcement of prison sentences shall not apply to the enforcement of Swedish sentences in the Prison. This applies to the scope of the following provisions: § 11 (1) and (3); § 14 (3) and (4); § 16; § 18 (1), (4), (5) and (8) regarding DNA samples; §§ 19–22; § 31 (3); § 46 (1) last sentence; § 50 (3) last sentence; § 53 (4); Subchapter 6; § 63 (1) 1¹–4), (2); § 64 (4¹); § 65¹; § 67¹ (3); Subchapter 9; and Chapter 3 of the Estonian Imprisonment Act, including amendments until RT I, 31.12.2024.

3. Parts of the Estonian legislation on enforcement of prison sentences shall be replaced by provisions in this Agreement. This applies to the scope of the following provisions of the Estonian Imprisonment Act, including amendments until RT I, 31.12.2024:

- a. Article 41.2 of this Agreement shall be applied instead of § 14 (1), last sentence;
- b. Article 28.3 of this Agreement shall be applied instead of § 28 (2);
- c. Article 29 of this Agreement shall be applied instead of § 28¹;
- d. Part VII of this Agreement shall be applied instead of §§ 32–33;
- e. Article 26 and Part VI of this Agreement shall be applied instead of §§ 34–44;
- f. Article 17 of this Agreement shall be applied instead of § 47;
- g. Article 27 of this Agreement shall be applied instead of § 55; and
- h. Article 42 of this Agreement shall be applied instead of § 56.

4. Complaints and legal matters concerning the enforcement of Swedish sentences shall be handled by the Estonian authorities, including Estonian courts. However, complaints and legal matters concerning a decision by the Swedish Prison and Probation Service to request enforcement of a Swedish sentence in Estonia in accordance with Article 19 of this Agreement, to come to a different conclusion than the Estonian Prison and Probation Service in accordance

with Article 35.2.b of this Agreement or to deny permission in accordance with Article 47.6 of this Agreement, shall be handled by Swedish authorities, including Swedish courts.

5. The law and regulations of Sweden regarding employment and working environment shall apply to the Swedish staff.

6. The law and regulations of Estonia regarding employment and working environment, shall apply to the Estonian staff.

7. The law and regulations of Estonia regarding working conditions, including working environment, and insurance, shall apply to the Prisoners during occupational activities.

Article 7

Competences and responsibilities of the Swedish Prison and Probation Service

1. The Swedish Prison and Probation Service shall:

- a. have the right to monitor the implementation of this Agreement;
- b. carry out the tasks and duties assigned to it in this Agreement;
- c. provide training to the Estonian staff as agreed upon in the Memorandum of Cooperation; and
- d. retain its responsibilities as employer for the Swedish staff.

2. The Swedish Prison and Probation Service shall have the right to make remarks about Estonia's compliance with this Agreement.

3. The Swedish Prison and Probation Service may request the Estonian Prison and Probation Service to reassign the duties of a member of the Estonian staff. The Estonian Prison and Probation Service shall give effect to such a request without delay in accordance with the relevant law and regulations of Estonia.

4. The Swedish staff shall have access to the Prison and all information regarding the enforcement of Swedish sentences. The Swedish staff shall also have the right to attend the staff meetings of the Prison.

Article 8

Competences and responsibilities of the Estonian Prison and Probation Service

1. The Estonian Prison and Probation Service is responsible for the following:

- a. within the Prison, the enforcement of Swedish sentences, maintaining order and security and the treatment of Prisoners;
 - b. in accordance with point a, the authorisation and use of direct force against Prisoners, including the use of measures of restraint in accordance with this Agreement and the relevant law and regulations of Estonia, with a view to maintain order and security in the Prison;
 - c. providing for the overall security arrangements in the Prison;
 - d. overseeing the Estonian staff for the purposes of this Agreement;
 - e. keeping a record for each Prisoner that documents the enforcement of a Swedish sentence and which includes the time of, and member of Estonian staff responsible for, each entry;
 - f. facilitating the communication between the Swedish Prison and Probation Service, the Swedish staff, and relevant Estonian authorities; and
 - g. implementing the law and procedures of the Estonian staff related to the enforcement of Swedish sentences.
2. Estonia guarantees that the treatment of prisoners and other measures undertaken under this Article to maintain order and security meet the standards set out in the European Prison Rules and the CPT Standards.
3. The Estonian Prison and Probation Service shall, without prejudice to Article 7.3, take immediate measures and initiate disciplinary procedures in the event of violations by the Estonian staff.
4. The Estonian Prison and Probation Service shall review and decide on complaints from Prisoners in matters concerning the Estonian staff. The Estonian Prison and Probation Service shall consult the Swedish Prison and Probation Service when such cases are being decided.

PART II JURISDICTION

Article 9 *Prosecution of criminal offences*

If a criminal offence is committed by a Prisoner or a member of the Swedish staff in Estonia and the criminal offence falls within the jurisdiction of both Sweden and Estonia, Swedish and Estonian authorities shall cooperate to determine which State is to bring criminal proceedings.

The matter shall, where appropriate, be referred to Eurojust in accordance with Article 12(2) of Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings.

Article 10

Responsibility to report alleged criminal offences

1. If required by the relevant law or regulations of Estonia, the Estonian Prison and Probation Service is responsible for reporting alleged criminal offences within the Prison to the relevant Swedish authorities.
2. If required by the relevant law or regulations of Sweden, the Swedish Prison and Probation Service is responsible for reporting the alleged criminal offences within the Prison to the relevant Swedish authorities.

Article 11

Investigation by Estonia of alleged criminal offences

1. If requested by Sweden or the Swedish authorities, Estonia shall provide information on ongoing investigations and the outcome of the criminal proceedings.
2. Interrogations of Prisoners as suspects, victims or witnesses and other investigative acts that affect them shall, where the interests of the investigation allow it, take place within the Prison as far as possible.
3. This Article is without prejudice to the rights and duties set out in Article 47.

Article 12

Hearings and participation through audio and video transmission

1. Swedish authorities and courts shall have the possibility to hear a Prisoner or ensure a Prisoner's participation in proceedings before the authority or court through audio transmission or audio and video transmission in accordance with applicable Swedish legislation. The Estonian Prison and Probation Service shall facilitate the hearing and participation of the Prisoner.
2. This Article is without prejudice to legal instruments in force between the Parties.

PART III

THE PRISON

Article 13

Prison capacity and conditions

1. Estonia shall make 400 cells available with capacity to house up to 600 Prisoners in the Prison. The capacity shall be in the form of single occupancy cells or multi-occupancy cells for no more than two Prisoners.
2. Estonia guarantees that the conditions in the Prison meet the standards set out in the European Prison Rules and the CPT Standards.
3. A Prisoner's cell shall be equipped with at least a chair, a table, a cabinet or a shelf, a bed, appropriate bedding, a mirror, a bulletin board, a cell terminal for communication with members of the Estonian staff, a mug, an alarm clock, a radio, a television, and a device that allows the Prisoner to regulate the inflow of daylight.
4. By way of derogation from paragraph 3, a Prisoner's cell may be equipped differently if there is a risk that the Prisoner will seriously harm himself or others or commit vandalism, or if he is isolated for body inspection. In that case, the Prisoner's room shall, as far as possible and based on order and security considerations, be equipped with the items described in paragraph 3.
5. The use of tobacco and nicotine products for Prisoners and members of the Swedish staff shall be further regulated in the Memorandum of Cooperation.
6. In the event of significant changes in the law and regulations of Estonia concerning prison conditions or the rights and duties of the Prisoners, the Parties agree to hold consultations in accordance with Article 58.

Article 14

Language and the right to information

1. The working language of the Prison shall be English. Another language may be used when a member of the Estonian staff communicates with another member of the Estonian staff or when a member of the Swedish staff communicates with another member of the Swedish staff or with a Prisoner.
2. All official documents and other documentation shall be drafted in or translated into English.
3. Prisoners shall have the right to an interpreter and to have documents translated if this is necessary for the Prisoner to exercise his rights, including but not limited to submitting and

pursuing complaints in matters where the law and regulations of Estonia is applicable according to Article 6.1 and when exercising the right to medical care in accordance with Article 41. This shall be provided for by the Estonian Prison and Probation Service.

4. Prisoners shall have the right to be fully informed of their rights and obligations during the enforcement of a Swedish sentence in Estonia.

Article 15

Staff

1. Estonia shall provide the staff necessary to implement this Agreement and the Memorandum of Cooperation according to Article 8 and to the needs specified by the Swedish Prison and Probation Service. The composition of the Estonian staff shall be further specified in the Memorandum of Cooperation. The Estonian staff shall receive education and training as to be further specified in the Memorandum of Cooperation.

2. Sweden shall provide the staff necessary to implement this Agreement and the Memorandum of Cooperation in accordance with Article 7.

Article 16

Security of the Prison

1. Estonia is responsible for enforcing public order and safety outside the Prison. Estonia shall take the necessary measures for the undisturbed operation of the Prison and to prevent the disturbance of public order in the immediate vicinity of the Prison.

2. The security in the Prison shall be the responsibility of the Estonian Prison and Probation Service in accordance with Article 8.1.a.

Article 17

Food in the Prison

1. Prisoners shall be provided food in the Prison in accordance with the Nordic Counsel of Ministers' Nordic Nutrition Recommendations.

2. A Prisoner is entitled to food that is adapted to his medical needs. To the extent possible, consideration shall also be given to the Prisoner's religion. A Prisoner has the right to receive vegetarian food.

3. A Prisoner is entitled to receive meals at customary mealtimes. The Prisoner shall be given the opportunity to eat at times adapted to his medical needs or religion.
4. During Prisoners' leisure time, a Prisoner has the right to prepare or receive hot beverages, unless this would jeopardise order or security.

Article 18

Evacuation of the Prison in the event of an emergency

1. If the Prison must be evacuated in the event of an emergency, the Prisoners shall be transferred to another location designated by the Estonian Prison and Probation Service, with a view to their immediate transfer to Sweden if necessary due to the reason for the evacuation.
2. The Swedish Prison and Probation Service and the Estonian Prison and Probation Service shall carry out exercises in a format of their choice to practice the procedures for evacuating Prisoners in the Prison under special circumstances (such as a state of emergency, a crisis situation, heightened defence readiness or war).

PART IV PROCEDURES

Article 19

Request for enforcement

1. Before the commencement of an enforcement of a Swedish sentence in Estonia, the Swedish Prison and Probation Service shall make a request for enforcement to the Estonian Ministry of Justice and Digital Affairs. The Swedish Prison and Probation Service shall not make more than 30 requests within a period of ten (10) days.
2. The request shall include the date on which the enforcement in Estonia will cease. The enforcement in Estonia shall cease no later than one month before the date for conditional release or the date for enforcement of an expulsion order.
3. The request shall also include information about the Swedish sentence and its enforcement necessary for the evaluation of the request's compliance with this Agreement.
4. The Estonian Ministry of Justice and Digital Affairs shall handle a request within ten (10) days. If more than 20 requests are made within ten (10) days, the requests filed within that period shall be handled within fifteen (15) days.

5. The request shall be granted if the conditions in Article 20 are met and Estonian courts have determined that substantially similar acts are punishable under Estonian law, the sentence to be executed is not unconscionably harsh and the time period between the entry into force of the judgment and the commencement of its enforcement does not exceed three (3) years.

6. If the request is granted, the Estonian Ministry of Justice and Digital Affairs shall immediately notify the Swedish Prison and Probation Service of the date on which the enforcement of the Swedish sentence can be initiated in the Prison at the earliest. Subject to prison capacity, the enforcement of the Swedish sentence in Estonia shall be initiated as soon as possible.

7. If the Estonian Ministry of Justice and Digital Affairs make a dissenting assessment of whether a person should be considered a high security risk in accordance with Article 20.2.e, the Estonian Ministry of Justice and Digital Affairs may deny the request. If the request is denied, the Estonian Ministry of Justice and Digital Affairs shall immediately notify the Swedish Prison and Probations Service and provide the grounds for denial.

Article 20

Convicted persons excluded from enforcement of a Swedish sentence in Estonia

1. The Swedish Prison and Probation Service shall not request the enforcement of a Swedish sentence in Estonia if the convicted person:

- a. is female;
- b. is under the age of 18;
- c. at the time of the request for enforcement, has a confirmed terminal diagnosis or a serious physical or mental disorder and is in need of medical care outside the Prison;
- d. is sentenced to forensic mental health care under the Swedish Forensic Mental Health Care Act (1991:1129) or is otherwise receiving care under that Act;
- e. is a recipient of Swedish retirement pension;
- f. is an Estonian citizen or permanent resident of Estonia;
- g. is a person that has been declared a fugitive from justice by an Estonian authority;
- h. is deemed a persona non grata in Estonia or is banned by Estonian authorities from entering Estonia on other grounds.

2. The Swedish Prison and Probation Service shall not request the enforcement of a Swedish sentence in Estonia for a person that constitutes a high security risk because that person:

- a. has been convicted of an offence under the Swedish Terrorist Offences Act (2022:666);
- b. has been convicted of an offence under Chapter 19 in the Swedish Penal Code (1962:700);
- c. is a party in a case or matter under the Swedish Act on Special Control of Certain Foreign Nationals (2022:700);
- d. is or has been subject to review in a security case under the Swedish Aliens Act (2005:716); or
- e. is otherwise considered a high security risk by the Swedish Prison and Probation Service.

Article 21

Commencement of enforcement in Estonia

1. Once a request for enforcement is granted by the Estonian Ministry of Justice and Digital Affairs, the Swedish Prison and Probation Service may transfer the Prisoner to Estonia from the date notified by the Estonian Ministry of Justice and Digital Affairs in accordance with Article 19.6.
2. This Agreement serves as a legal basis for a Prisoner's entry and stay in Estonia for the duration of the enforcement of the Swedish sentence in the Prison.

Article 22

Cease of enforcement in Estonia

1. The Prisoner shall be transported from Estonia to Sweden no later than the date specified in accordance with Article 19.2.
2. The Swedish Prison and Probation Service may decide that the enforcement in Estonia shall cease earlier than the date specified in accordance with Article 19.2.
3. The Estonian Prison and Probation Service may request that the Swedish Prison and Probation Service decide that the enforcement in Estonia shall cease earlier than the date specified in accordance with Article 19.2. If the request is based upon a changed assessment of whether a person should be considered a high security risk according to Article 20.2.e, the Swedish Prison and Probation Service shall immediately grant such a request.

Article 23

Extension of the period of enforcement in Estonia

The date on which the enforcement in Estonia shall cease may be extended upon request by the Swedish Prison and Probation Service. The Estonian Prison and Probation Service shall handle such requests in accordance with Articles 19.4.–19.6.

Article 24

Transport of Prisoners

1. The Swedish Prison and Probation Service is responsible for the transport of Prisoners to and from Estonian territory.
2. The Estonian Prison and Probation Service is responsible for the transport of Prisoners within Estonian territory, including transports to and from Estonian airports and borders.
3. Before the handover of a Prisoner to the Swedish Prison and Probation Service, the Estonian Prison and Probation Service is responsible for guaranteeing that the Prisoner has been subjected to the necessary security procedures, in accordance with the law and regulations of Estonia.
4. Before the handover of a Prisoner to the Estonian Prison and Probation Service, the Swedish Prison and Probation Service is responsible for guaranteeing that the Prisoner has been subjected to the necessary security procedures, in accordance with the law and regulations of Sweden.
5. Upon request from the Swedish Prison and Probation Service, the Estonian Prison and Probation Service may carry out a transport that would otherwise be under the responsibility of the Swedish Prison and Probation Service in accordance with paragraph 1. This does not apply to transports on Swedish territory.
6. During the transport of Prisoners by the Estonian Prison and Probation Service, coercive measures, including measures of restraint, may be used by the Estonian staff for reasons of safety and the undisturbed progress of the transport, in accordance with the law and regulations of Estonia and this Agreement.
7. The Swedish staff may participate as observers in transports carried out by the Estonian Prison and Probation Service.

8. The Estonian Prison and Probation Service is authorised to impose sanctions and measures in accordance with the relevant law and regulations in Estonia and this Agreement for any disciplinary breaches committed by a Prisoner during the transport within Estonian territory.

Article 25

Escape

1. In the event of an escape of a Prisoner, the Estonian staff shall immediately inform the Estonian police and the Swedish Prison and Probation Service about the identity of that Prisoner. Other relevant information shall also be provided.
2. The Estonian Prison and Probation Service shall, if required by the law or regulations of Estonia, report the event to relevant Estonian authorities. Estonian authorities shall be responsible for issuing any relevant warrants in accordance with the law and regulations of Estonia.
3. The Swedish Prison and Probation Service shall, if required by the law or regulations of Sweden, report the event to relevant Swedish authorities. Swedish authorities shall be responsible for issuing any relevant warrants in accordance with the law and regulations of Sweden.

PART V

CONDITIONS FOR THE ENFORCEMENT

Article 26

Occupational activities

1. A Prisoner shall be given the opportunity to take part in occupational activities in the form of work, education, training, programmes related to crime and misuse or other structured occupational activity. The Estonian Prison and Probation Service may request assistance from the Swedish Prison and Probation Service in offering education and programmes related to crime and misuse.
2. A Prisoner shall be offered at least 30 hours of occupational activity per week. The Prisoner shall, as far as possible, be assigned occupational activities aimed at preventing recidivism or

otherwise facilitating the Prisoner's reintegration into society. Consideration shall be given to the Prisoner's motivation for change.

3. A Prisoner is obliged to carry out or take part in the occupational activity assigned to him. A Prisoner who has been granted sickness compensation or activity compensation in accordance with the Swedish Social Insurance Code may only be required to undertake occupation of the nature and to the extent that can be regarded as suitable for him. A Prisoner may not be required to submit to treatment of medical character.

4. A Prisoner may be assigned occupational activities from Monday to Friday, excluding Swedish public holidays, between 07.30 and 19.00. However, if the nature of the activity or other specific circumstances require it, a Prisoner may be assigned occupational activities at other times as well.

5. A Prisoner is entitled to two days off from work per week, unless there are special reasons against it.

Article 27

Prisoners' leisure time

1. A Prisoner shall be given the opportunity to spend at least one hour each day outdoors unless there are exceptional reasons not to provide this opportunity.

2. A Prisoner shall be given the opportunity to engage, in a suitable way, in physical or other recreational activities. Those activities shall be of a varied nature.

3. A Prisoner shall be given the opportunity to follow, in a suitable way, events in the outside world. This includes, but is not limited to, access to a varied selection of literature in Swedish, Swedish public information and Swedish television channels as to be specified in the Memorandum of Cooperation.

4. A Prisoner shall be given the opportunity of practising his religion in a suitable way.

5. A Prisoner shall be given the opportunity to meet with other Prisoners in a suitable way to discuss matters of common interest to the Prisoners (a Prisoners' council). A Prisoners' council shall be given the opportunity to hold discussions in a suitable way with the Estonian staff.

Article 28

Prisoners' electronic communication

1. Without prejudice to Article 47, a Prisoner may use electronic communication from the Prison only upon permission from the Estonian Prison and Probation Service. An application for such permission should be filed with and handled by the Estonian Prison and Probation Service. Such an application shall be granted if the conditions in paragraph 2 are met.
2. A Prisoner may be in contact with another person through electronic communication to the extent that this can be conveniently arranged. Such communication may be refused if it may:
 - a. jeopardise security;
 - b. counteract the Prisoner's adjustment in the community; or
 - c. be harmful in some other way to the Prisoner or another person.
3. A Prisoner may be charged for the costs of his electronic communication as to be further specified in the Memorandum of Cooperation.

Article 29

Prisoners' correspondence and parcels

1. The Swedish Prison and Probation Service shall be responsible for the handling of Prisoners' postal service including the forwarding of correspondence and parcels to the Swedish Postal Service. The Estonian Prison and Probation Service shall assist the Swedish Prison and Probation Service in handling Prisoners' correspondence and parcels.
2. Without prejudice to paragraph 1, the Estonian Prison and Probation Service shall be responsible for the handling of Prisoners' correspondence with Estonian public authorities and Estonian legal representatives.

Article 30

Prisoners' personal belongings

Prisoners shall be entitled to bring personal belongings as to be further specified in the Memorandum of Cooperation.

PART VI
PRISONERS' FUNDS AND REMUNERATION

Article 31

Administration of Prisoners' funds

1. In connection with the commencement of the enforcement of a Swedish sentence in the Prison, the Swedish Prison and Probation Service shall, on the day of the transfer to the Prison, inform the Estonian Prison and Probation Service of the balance of the Prisoner's account with the Swedish Prison and Probation Service. That balance shall be stated in euros after a conversion has been made in accordance with the exchange rate determined by the European Central Bank on the day of the transfer to the Prison.
2. The Estonian Prison and Probation Service is responsible for making funds corresponding to the balance mentioned in paragraph 1 available in a Prisoner's account with the Estonian Prison and Probation Service.
3. During the enforcement of a Swedish sentence in the Prison, the Estonian Prison and Probation Service shall continuously make funds available in the Prisoner's account with the Estonian Prison and Probation Service, corresponding to the remuneration for occupational activities as set out in Article 32. Such funds shall be available for use in the kiosk of the Prison.
4. If a Prisoner receives deposits to his Prisoner's account with the Swedish Prison and Probation Service, the Swedish Prison and Probation Service shall report such deposits to the Estonian Prison and Probation Service. Deposits shall be stated in euros after a conversion has been made in accordance with the exchange rate determined by the European Central Bank on the day that the deposit is made. The Estonian Prison and Probation Service shall continuously make funds available in the Prisoner's account with the Estonian Prison and Probation Service corresponding to such deposits and in accordance with the Memorandum of Cooperation.
5. A Prisoner shall have the right to transfer funds from his Prisoner's account as to be further specified in the Memorandum of Cooperation. All transfers of funds from the Prisoner's account shall be managed by the Swedish Prison and Probation Service.
6. The Swedish Prison and Probation Service shall, upon request from the Estonian Prison and Probation Service, inform the Estonian Prison and Probation Service of the balance of the Prisoner's account with the Swedish Prison and Probation Service. That balance shall be stated in euros after a conversion has been made in accordance with the exchange rate determined by the European Central Bank on the day of the request.

7. The Estonian Prison and Probation Service shall, upon request from the Swedish Prison and Probation Service, inform the Swedish Prison and Probation Service of the balance of the Prisoner's account with the Estonian Prison and Probation Service.

8. In connection with the cease of the enforcement of a Swedish sentence in the Prison, the Estonian Prison and Probation Service shall, on the day of the transfer from the Prison, inform the Swedish Prison and Probation Service about the balance of the Prisoner's account with the Estonian Prison and Probation Service and of the amount of remuneration that has been withheld in accordance with Article 33. That balance shall be stated in euros.

9. A Prisoner's account with the Estonian Prison and Probation Service shall be closed for deposits other than those covered by this Agreement or the Memorandum of Cooperation.

Article 32

Remuneration for occupational activities

1. A Prisoner is entitled to remuneration if he has carried out or participated in an assigned occupational activity under the condition that remuneration for the occupational activity is not being paid for by another person or body.

2. A Prisoner is entitled to remuneration of no less than EUR 1.6 per hour (standard remuneration) for the time the Prisoner participates in or performs assigned occupational activities (occupational time). The level of the standard remuneration is to be specified in the Memorandum of Cooperation.

3. If a Prisoner, while working, performs significantly below expected performance, the standard remuneration shall be reduced to no less than EUR 1 per hour (reduced remuneration). The level of the reduced remuneration is to be specified in the Memorandum of Cooperation. The standard remuneration may only be reduced if the Prisoner, after being informed that a reduction may occur, does not improve his performance. The reduced remuneration shall apply until the Prisoner performs in line with what can be expected of him.

4. Occupational time includes time spent between activities during the day, and breaks totalling up to 30 minutes per day. The lunch break is not included in the occupational time.

5. If a Prisoner otherwise would have performed or participated in occupational activities, occupational time also includes time spent on:

- a. planned and staff-led discussions about the enforcement of the Swedish sentence and comparable matters;

- b. participation in the Prisoners' council or its deliberations with the Estonian staff; and
 - c. other important activities taking place within the prison, including but not limited to medical visits, dentist visits and contact with religious representatives.
6. A Prisoner is entitled to additional remuneration, as to be specified in the Memorandum of Cooperation, if the Prisoner:
- a. works more than eight hours per day;
 - b. works more than 40 hours per week;
 - c. works on a public holiday; or
 - d. works outside the hours referred to in Article 26.4, unless additional remuneration is provided under points a–c.
7. A Prisoner is entitled to remuneration if no occupational activity can be assigned to the Prisoner during normal working hours and this is not due to the Prisoner, or if the Prisoner's work capacity is wholly or partially reduced due to illness. Such remuneration shall not be granted if the Prisoner receives Swedish sickness compensation or activity compensation under the Swedish Social Insurance Code.
8. A Prisoner who cannot be assigned occupational activities for at least 30 hours per week is entitled to remuneration of no less than EUR 0.8 for each hour that occupational activities cannot be assigned. The level of the remuneration is to be specified in the Memorandum of Cooperation.
9. Remuneration referred to in this Article may not be subject to distraint.

Article 33

Withholding remuneration

1. The Estonian Prison and Probation Service shall withhold ten (10) per cent of the remuneration referred to in Article 32 for leave and release purposes. In special cases the Estonian Prison and Probation Service may authorise the use of withheld remuneration for other purposes.
2. If a Prisoner has intentionally damaged property that belongs to or has been made available to the Estonian Prison and Probation Service, the Estonian Prison and Probation Service may, in accordance with Article 56.5, withhold an amount from the remuneration referred to in Article 32 corresponding to the cost of replacing the property or substituting for it in some other way.

PART VII
LEAVE AND OTHER TEMPORARY STAYS AWAY FROM THE PRISON

Article 34

General condition

Leave and other temporary stays away from the Prison may only be granted on Swedish territory.

Article 35

Applications for leave

1. Leave from the Prison in accordance with Article 36 or 37 may be granted upon application from the Prisoner. The application should be filed with and handled by the Estonian Prison and Probation Service.

2. If the Estonian Prison and Probation Service concludes that an application for leave may be granted in accordance with Article 36 or 37, the Estonian Prison and Probation Service shall inform the Swedish Prison and Probation Service of its conclusion and of the Prisoner's application for leave. The Swedish Prison and Probation Service shall review the application and notify the Estonian Prison and Probation Service about its conclusion.

a. If the Swedish Prison and Probation Service comes to the same conclusion as the Estonian Prison and Probation Service when assessing the application, the Swedish Prison and Probation Service shall immediately decide that the enforcement in Estonia shall cease in accordance with Article 22.2.

b. If the Swedish Prison and Probation Service comes to a different conclusion than the Estonian Prison and Probation Service when assessing the application, the Estonian Prison and Probation Service shall deny the application.

Article 36

Standard leave

1. To facilitate a Prisoner's adjustment in the Swedish community, he may be granted permission to stay outside the Prison for a brief period of time (standard leave) if:

a. at least a one-quarter of the Swedish sentence, but at least two months, has been served;
and

b. there is no manifest risk that the Prisoner will commit crime, evade the full enforcement of the Swedish sentence or otherwise misbehave.

2. For a Prisoner serving life imprisonment, the period referred to in paragraph 1 shall be determined as if the Swedish sentence is eighteen (18) years.

3. For special reasons, leave may be granted even though the period referred to in paragraph 1.a has not elapsed.

4. If the Prisoner is covered by a Swedish decision on the special conditions that are necessary for security reasons, that decision shall be taken into consideration when granting leave in accordance with this Article.

Article 37

Special leave

1. For particularly compassionate reasons, a Prisoner may be granted permission to stay outside the Prison for a brief period (special leave) if:

a. his need for a stay outside the Prison cannot be met by leave in accordance with Article 36; and

b. the stay outside the Prison can be granted having regard to the risk that the Prisoner will commit crime, evade the full enforcement of the Swedish sentence or otherwise misbehave.

2. If the Prisoner is covered by a Swedish decision on special conditions necessary for security reasons, that decision shall be taken into consideration when granting special leave in accordance with this Article.

Article 38

Managing temporary stays away from the Prison

1. Temporary stays away from the Prison in accordance with Article 39 or 40 shall be granted without an application from the Prisoner.

2. If the Estonian Prison and Probation Service concludes that a temporary stay away from the Prison shall be granted in accordance with Article 39 or 40, the Estonian Prison and Probation Service shall inform the Swedish Prison and Probation Service of its conclusion.

a. If the Estonian Prison and Probation Service concludes that a temporary stay away from the Prison shall be granted in accordance with Article 39 upon request from an Estonian public authority, the Estonian Prison and Probation Service is responsible for the enforcement of the decision. By way of derogation from Article 34, such a decision may be enforced on Estonian territory.

b. If the Estonian Prison and Probation Service concludes that a temporary stay away from the Prison shall be granted in accordance with Article 39 or 40 upon request from a Swedish public authority, the Swedish Prison and Probation Service is responsible for the enforcement of the decision and shall immediately decide that the enforcement in Estonia shall cease in accordance with Article 22.2.

Article 39

Appearance before a court or other public authority

1. A Prisoner may temporarily stay outside the Prison if a public authority in Sweden or Estonia requests that he shall appear in person before it. Such an appearance shall always be granted if it is a court that requests that the Prisoner appear in person before it.

2. Without prejudice to paragraph 1 and in accordance with Article 12, solutions that make it possible for the Prisoner to appear before a public authority through audio transmission or audio and video transmission should be pursued.

Article 40

Assessment of the risk of recidivism

A Prisoner who is to undergo an assessment of his risk of recidivism in accordance with Section 10 of the Swedish Act on the Commutation of Life Sentences (2006:45) may stay away from the Prison to the extent that the Swedish authority responsible for the assessment considers necessary for carrying out that assessment.

PART VIII
MEDICAL CARE AND DEATH OF A PRISONER

Article 41
Medical care

1. Medical care of a Prisoner in Estonia shall be provided by Estonia in accordance with the law and regulations of Estonia.
2. In connection with the reception of a Prisoner to the Prison, the Prisoner shall be given the opportunity to undergo a medical examination by a healthcare professional in the Prison.
3. Screenings with the purpose of suicide prevention shall be done in a manner that is to be further specified in the Memorandum of Cooperation.
4. A Prisoner shall receive medical care, including dental care and advise by an optician as follows:
 - a. inside the Prison, in cases where the Prisoner's medical condition does not require admission to a medical clinic, a dental clinic or an optician's clinic in accordance with point b;
 - b. outside the Prison in a medical clinic, dental clinic or optician's clinic in Estonia, in cases where the Prisoner's medical condition requires temporary admission to such a clinic outside the Prison.
5. A Prisoner that is restrained with an instrument of restraint shall be examined by a doctor as soon as possible. Awaiting the doctor's examination, another health care professional shall immediately examine the Prisoner.
6. If a Prisoner is no longer eligible for enforcement in the Prison due to his medical condition according to Article 20.1.c, he shall be transferred to Sweden as soon as possible.
7. If a transfer to Sweden according to paragraph 6 is not possible for medical reasons, medical care shall temporarily be provided in Estonia according to paragraph 4.b. The Prisoner shall be transferred to Sweden as soon as the Prisoner's medical situation allows.
8. If a Prisoner needs to be transferred to Sweden due to his need for medical care in accordance with paragraph 6, the Swedish Prison and Probation Service shall decide that the enforcement in Estonia shall cease in accordance with Article 22.2.
9. Medical or dental products and medicine shall be provided by Estonia in accordance with the law and regulations of Estonia. The Prisoner shall be informed of the generic name of the

product or medicine. Exceptionally, medical or dental products and medicine may be provided by Sweden provided that this is in accordance with applicable regulations.

10. When a Prisoner is transferred to Estonia in accordance with this Agreement, the Swedish Prison and Probation Service shall share the Prisoner's medical record in English and in Swedish with the Prison Health Unit provided that this is in accordance with applicable regulations.

11. When a Prisoner is transferred to Sweden in accordance with this Agreement, the Prison Health Unit shall share the Prisoner's medical record in Swedish with the Swedish Prison and Probation Service provided that this in accordance with applicable regulations.

12. When a Prisoner's medical record is shared in accordance with paragraph 10 or 11, the following documents shall be included:

- a. medical records;
- b. prescriptions;
- c. medical opinions;
- d. medical certificates; and
- e. other documents that may be of importance when assessing a Prisoner's health, including but not limited to documentation of rehabilitation.

13. The documents referred to in paragraph 12 shall continuously be made available to the Prisoner in Swedish.

14. The cost of care in accordance with paragraph 4 and provided by Estonia shall be covered by the fee referred to in Articles 51 and 52.

Article 42

Death of a Prisoner, suicide attempts and other self-harming actions or behaviours

1. In the event of death, suicide attempts or other self-harming actions or behaviours of a Prisoner during the enforcement in the Prison, the Estonian Prison and Probation Service shall immediately inform the Swedish Prison and Probation Service. This obligation is without prejudice to Estonia's obligations under Article 37 of the Vienna Convention on Consular Relations.

2. The Estonian Prison and Probations Service shall report the event to the relevant authorities in Estonia.

3. The remains of the deceased shall be allowed to be transported on the orders of the relevant authorities in Estonia for further examination of the cause of death.

4. The Swedish Prison and Probation Service and the Estonian Prison and Probation Service share the responsibility to arrange for the transfer of the remains of the deceased to Sweden or to a third country, as soon as possible.

5. Administrative and supervisory inquiries in the Prison regarding the events mentioned in paragraph 1 may be conducted by relevant Swedish authorities in accordance with the law and regulations of Sweden. If requested, Estonia shall provide relevant Swedish authorities with information of ongoing investigations and prosecution results.

PART IX INFORMATION EXCHANGE

Article 43

Information in connection with the commencement of the enforcement in Estonia

In connection with the commencement of the enforcement in Estonia, the Swedish Prison and Probation Service shall provide the Estonian Prison and Probation Service with all necessary information, as to be further specified in the Memorandum of Cooperation.

Article 44

Information during the enforcement in Estonia

1. The Estonian Prison and Probation Service shall immediately report any serious incident regarding the security of the Prison to the Swedish Prison and Probation Service. The Estonian Prison and Probation Service shall also immediately report to the Swedish Prison and Probation Service regarding any media coverage of the Prison.

2. The Estonian Prison and Probation Service shall report on a regular basis to the Swedish Prison and Probation Service any legal actions regarding Prisoners during the enforcement of a Swedish sentence in the Prison.

3. The Estonian Prison and Probation Service shall inform the Swedish Prison and Probation Service about requests for judicial cooperation from third countries concerning the Prisoner.

4. The Estonian Prison and Probation Service shall provide copies of complaints from Prisoners in matters when the law and regulations of Estonia is applicable according to Article 6.1, to the Swedish Prison and Probation Service.

5. If requested by the Swedish Prison and Probation Service, the Estonian Prison and Probation Service shall provide other information regarding the enforcement in Estonia.

Article 45

Information in connection with the cease of the enforcement in Estonia

Before the transportation from Estonia to Sweden the Estonian Prison and Probation Service shall provide the Swedish Prison and Probation Service with information about the enforcement in the Prison necessary for the continuation of the enforcement in Sweden.

Article 46

Confidentiality

All information exchanged under this Agreement shall be treated by the Parties in a secure and confidential manner.

PART X

IMMUNITIES AND PRIVILEGES ETC.

Article 47

Prisoner supervision, inquiries, complaints and legal actions

1. Supervision and the implementation of the enforcement of Swedish sentences is governed by the law and regulations of Estonia with respect to this Agreement and the Memorandum of Cooperation as set out in Article 6.

2. The Swedish Prison and Probation Service shall have the right to monitor the proper enforcement of sentences, in regard to which it shall have access as referred to in Articles 7 and 24.7 of this Agreement.

3. International bodies, such as the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, are authorised to conduct announced and unannounced visits to the Prison and with respect to transport under Article 24 and transfer and

treatment under Article 41. They shall be granted access to information and be allowed to interview Prisoners to the greatest extent possible by Estonia.

4. The relevant Estonian authorities may conduct inquiries related to the law and regulations of Estonia where applicable in accordance with this Agreement and the mandate of these authorities.

5. Estonian lawyers and other legal representatives may be permitted to provide legal services in the Prison according to the law and regulations of Estonia. Such a permission shall be decided by the Estonian Prison and Probation Service in accordance with the law and regulations of Estonia.

6. Lawyers and legal representatives other than those referred to in paragraph 5, and non-governmental organisations providing legal services may be permitted to provide legal services in the Prison or by contacting a Prisoner through audio transmission or audio and video transmission. Such a permission shall be decided by the Swedish Prison and Probation Service in accordance with the law and regulations of Sweden.

7. A visit by a lawyer who is assisting the Prisoner in a legal matter may only be monitored if the lawyer or the Prisoner requests it.

Article 48

Immunity of the Swedish staff

1. The Swedish staff enjoy immunity from Estonian jurisdiction in respect of acts performed in the exercise of their duties.

2. The immunity provided for in paragraph 1 is granted in the interests of the proper implementation of this Agreement and not for the personal benefit of the Swedish staff. Sweden shall, *ex officio* or at the request of Estonia, waive the immunity of the Swedish staff in any case where it would impede the course of justice not to do so and where the immunity may be waived without prejudice to the purpose for which it is afforded.

3. The immunity provided for in paragraph 1 shall not exclude the Swedish staff from Swedish jurisdiction.

4. Regardless of where they are located, all files, documents, and other data carriers of Sweden that the Swedish staff have in their possession in the exercise of their duties shall be inviolable. Estonia may request access to relevant documents.

5. Immunity regarding property, assets and other relevant items shall be further specified in the Memorandum of Cooperation.

6. Salaries, wages and similar remuneration paid by the Swedish Prison and Probation Service to Swedish staff shall be exempt from taxation in Estonia.

Article 49

Income tax for Prisoners

1. Time spent by a Prisoner on Estonian territory for the purpose of serving a Swedish sentence, shall not be considered time spent in Estonia for the purpose of determining his tax liability in Estonia by reason of domicile, residence or any other criterion of a similar nature.

2. Paragraph 1 shall only apply if the Prisoner upon commencing the Swedish sentence:

- a. is liable to tax in Sweden by reason of his domicile, residence, or any other criterion of a similar nature; and
- b. is not liable to tax Estonia by any such reason.

3. Remuneration referred to in Article 32 shall be exempt from taxation in Estonia.

PART XI

COSTS

Article 50

Upon entry

1. Estonia will cover the costs for the necessary adaption, preparation and equipment of the Prison according to the standards and legal requirements in this Agreement.

2. The adaptations necessary shall be decided in dialogue between the Swedish Prison and Probation Service and the Estonian Prison and Probation Service.

Article 51

At full capacity

1. Estonia shall guarantee full availability of the total number of prison places as specified in Article 13.1 no later than twelve (12) months after this Agreement's entry into force.

2. After the transitional period referred to in Article 52, Sweden shall pay an annual fixed fee of EUR 30 600 000 for the availability of capacity for 300 Prisoners six months in advance in biannual instalments, each amounting to 50 per cent of the applicable annual fee.

3. Capacity used in addition to that paid for in accordance with paragraph 2 shall be calculated monthly and shall be paid by Sweden in arrears at a cost of EUR 8 500 per month per Prisoner.

Article 52

Transitional period

1. The total number of cells for single occupancy specified in Article 13.1 shall be made available gradually over a transition period of twelve (12) months from this Agreement's entry into force. The transition period shall be divided into four quarters and the capacity shall be made available according to paragraphs 2–5.

2. At the start of the first quarter after this Agreement's entry into force, Estonia shall guarantee 25 per cent availability of the capacity referred to in paragraph 1 (100 cells).

3. At the start of the second quarter after this Agreement's entry into force, Estonia shall guarantee 50 per cent availability of the capacity referred to in paragraph 1 (200 cells).

4. At the start of the third quarter after this Agreement's entry into force, Estonia shall guarantee 75 per cent availability of the capacity referred to in paragraph 1 (300 cells).

5. At the start of the fourth quarter after this Agreement's entry into force, Estonia shall guarantee 100 per cent availability of the capacity referred to in paragraph 1 (400 cells).

6. The fixed fee for the transitional period shall be EUR 22 950 000 and shall be paid by Sweden in advance no later than 2 months after this Agreement's entry into force.

7. In the fourth quarter referred to in paragraph 5, the cost of any cells used in addition to the 300 cells referred to in paragraph 4 shall be calculated monthly and be paid in arrears at a cost of EUR 8 500 per month per Prisoner.

Article 53

Costs for unanticipated stays in Estonia

Sweden shall compensate costs related to a Prisoner's unanticipated stay in Estonia arising from an asylum process or from investigation of an alleged criminal offence. This applies to costs

arising until the asylum claim or the investigation of an alleged criminal offence are subject to a final decision by an Estonian public authority.

Article 54

Indexation

The fees listed in Article 51 shall be indexed annually to a fixed indexation rate of 3.5 per cent starting 1 January 2027.

PART XII FINAL PROVISIONS

Article 55

Entry into force and duration of this Agreement

1. This Agreement shall be subject to ratification by the Parties. The Parties shall notify each other in writing through diplomatic channels once the national legal procedures necessary for the entry into force of this Agreement have been completed. This Agreement shall enter into force on the thirtieth day following the receipt of the latter of these notifications.
2. This Agreement shall remain in force for five (5) years after its entry into force.
3. The duration of this Agreement shall be automatically extended for additional periods of three (3) years at a time unless either of the Parties notifies the other of its intention to terminate this Agreement. Such notification shall be made at least twelve (12) months before:
 - a. the end of the period referred to in paragraph 2; or
 - b. the end of an additional period as set out in this paragraph.

Article 56

Liability

1. Any failure to comply with this Agreement and obligations deriving therefrom, shall oblige the failing Party to provide satisfaction to the other Party for all damage resulting therefrom.
2. A Party shall be liable for the actions, omissions, or other conduct of a third Party which that Party has recourse to in order to fulfil that Party's obligations under this Agreement and obligations deriving therefrom in the same way as that Party is liable for its own actions, omissions or other conduct.

3. Any personal damage to the Prisoner caused through fault or negligence by the Estonian staff shall be borne by Estonia. This also includes compensation for any violation of the Prisoner's personal integrity.

4. Any damage, costs or loss to the Prison and its movable and immovable property caused by a Prisoner through normal use or otherwise shall be borne by Estonia. The same applies to any damage to the Estonian staff caused by a Prisoner.

5. In the event of an escape of a Prisoner, any damage, costs or loss caused by the Prisoner shall be borne by Estonia. The same applies to any damage, costs or loss caused by the Prisoner during granted temporary stays away from the Prison enforced on Estonian territory.

6. Notwithstanding the foregoing, the Parties acknowledge that a Prisoner, under the laws of Estonia may be personally liable for intentional damages.

Article 57

Force majeure

1. If an event giving rise to an instance of force majeure occurs and prevents the partial or complete fulfilment of this Agreement, the relevant Party must notify the other Party of the relevant facts in writing as soon as possible. After receipt of the notification, the Parties shall enter into dialogue in order to determine if this Agreement and obligations deriving therefrom may be amended under acceptable terms.

2. An instance of force majeure means all circumstances beyond the reasonable control of the Party concerned, including but not limited to natural disasters, war, riots, civil disturbances, fires, explosions, terrorism, sabotage, strikes, lockouts, labour disturbances, accidents, epidemics, pandemics, breakdowns of public utilities, orders or decrees of any court and extraordinary actions by third parties.

Article 58

Consultations and dispute resolution

1. The Parties shall take the necessary measures to ensure full compliance with this Agreement. Any breach in the implementation of this Agreement by Estonia identified by the Swedish Prison and Probation Service and communicated to the Estonian Prison and Probation Service shall be immediately addressed.

2. Any disputes arising from the enforcement of this Agreement shall primarily be solved via consultations between the Swedish Prison and Probation Service and the Estonian Prison and Probation Service.

3. If a dispute cannot be resolved in accordance with paragraph 2, the Parties shall consult on the implementation of this Agreement if necessary. Any differences or disputes concerning the interpretation or implementation of this Agreement shall be settled through negotiations between the Parties.

Article 59

Suspension of this Agreement

The operation of this Agreement may be temporarily suspended in whole or in part at any time by mutual consent of the Parties. Either Party may propose the suspension of this Agreement at any time through diplomatic channels. Such suspension shall apply as agreed by the Parties.

Article 60

Amendment of this Agreement

This Agreement may be amended by mutual consent of the Parties. Either Party may propose amendments to this Agreement at any time through diplomatic channels. Such amendments shall enter into force as set out in Article 55.1 of this Agreement.

Article 61

Termination of this Agreement

1. Notwithstanding Article 55, this Agreement may be terminated by either Party at any time by written notification to the other Party through diplomatic channels. In the event of termination of this Agreement, the Agreement shall expire twelve (12) months after the receipt of such notification.

2. After receiving a notification for termination of this Agreement, the Parties shall immediately initiate consultations to specify the terms and conditions of ceasing the enforcement of Swedish sentences in the Prison.

3. Termination of this Agreement shall not affect any rights or obligations arising out of the execution of this Agreement and the Memorandum of Cooperation before such termination.

4. In the event of termination of this Agreement, personal data that has been received by Estonia from Sweden shall, if deemed necessary by Sweden, continue to be processed in accordance with the rules referred to in Article 3.2 or otherwise be returned or erased in accordance with instructions from the Swedish Prison and Probation Service.

5. On termination of this Agreement, the Parties shall ensure that the enforcement of Swedish sentences in the Prison ends and that no Prisoners or property brought into the Prison by Sweden remain in the Prison.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

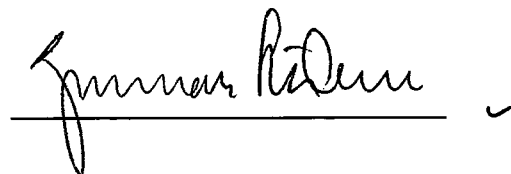
DONE in Stockholm on 18 June 2025, in duplicates, in the Estonian, Swedish and English languages, all the texts being equally authentic. In the event of any divergence of interpretation, the English text shall prevail.

**FOR THE GOVERNMENT OF THE
REPUBLIC OF ESTONIA**



A handwritten signature in black ink, appearing to read 'Lise Pata', written over a horizontal line.

**FOR THE GOVERNMENT OF THE
KINGDOM OF SWEDEN**



A handwritten signature in black ink, appearing to read 'Gunnar Pettersson', written over a horizontal line.