

Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions

SWEDEN

(Information as of 26 March 2008)

Date of deposit of instrument

The instrument of ratification was deposited with the OECD Secretary-General on 8 June 1999.

Implementing legislation

The bill with the necessary amendments of Swedish legislation, in order to enable Sweden to ratify and implement the Convention, was passed by Parliament on 25 March 1999 (bill 1998/99:32). The implementing legislation entered into force on 1 July 1999. Relevant text is found in the Penal Code, Chapter 17 Section 7 and Chapter 20 Section 2. The latest change took effect as of 1 July 2004, when a serious bribery crime was introduced, punishable by a maximum sentence of six years imprisonment.

A company can be ordered to pay a corporate fine pursuant to Chapter 36, Section 7 of the Penal Code. Such fines can then be imposed in the span of SEK 5 000 to SEK 10 000 000.

1999:1078 The Accountant Act

1999:1229 Income Tax Law (*Inkomstskattelagen*)

Other relevant laws, regulations or decrees that have an impact on a country's implementation of the OECD Convention or the Recommendations

- International Legal Assistance in Criminal Matters Act (2000:562).
- Act (2005:500) on Recognition and Execution of European Union Freezing Decisions. 1959:254 The Act on Extradition of Offenders to Denmark, Finland, Iceland and Norway (*Lag om utlämning för brott till Danmark, Finland, Island och Norge*).
- Act (2003:1174) on Joint Investigation Teams for Criminal Investigations.
- The Extradition for Criminal Offences Act (1957:668).
- Act (1959:254) on Extradition of Offenders to Denmark, Finland, Iceland and Norway.
- Act (2003:1156) on Surrender from Sweden according to the European Arrest Warrant.

Other information

Relevant authorities

- Swedish National Economic Crimes Bureau (phone 46 8 762 0000)

- National Anti-Corruption Unit (phone 46 8 762 1000)
- Swedish Competition Authority (responsible for Public Procurement since 1 September 2007) (phone 46 8 700 1600)
- National Tax Agency (phone 46 8 764 8000)
- Division for Criminal Cases and International Judicial Cooperation, Ministry of Justice (phone 46 8 405 4500)

Relevant internet links to national implementing legislation

www.sweden.gov.se/sb/d/3288/a/19568 (legislation in English)

www.sweden.gov.se/centralauthority

Ratification of other relevant international instruments

- Council of Europe's Criminal Law and Civil Law Conventions against Corruption
- The UN Convention against Corruption
- The Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism
- The EU Convention on the Protection of the European Communities' financial interests (PIF-Convention) and its first protocol
- The second protocol to the PIF-Convention
- The EU Convention on the fight against corruption involving officials of the European Communities or officials of the EU Member States

Working Group on Bribery Monitoring Reports

Phase 1: Review of Implementation of the Convention and 1997 Recommendation

<http://www.oecd.org/dataoecd/16/1/2389830.pdf>

Phase 2: Report on the Application of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the 1997 Recommendation on Combating Bribery in International Business Transactions

<http://www.oecd.org/dataoecd/20/8/35394676.pdf>

Phase 2: Follow-up Report on the implementation of the Phase 2 Recommendations

<http://www.oecd.org/dataoecd/3/43/39905457.pdf>

Report on on-going or decided cases and MLA

Judicial decisions

Two Swedish consultants have been convicted to one and a half and one year of prison respectively for having bribed officials at the World Bank. The bribed officials handled a trust fund for the purpose of

promoting Swedish companies being awarded contracts by the bank. The fund was financed by the Swedish development aid authority, Sida. The Swedish District Court's decision was appealed. The Court of Appeal has confirmed the decision of the District Court.