

Act on International Co-operation on the Enforcement of Criminal Judgments

1993 no. 56 19 May

The course of the case in Althingi. Bill to the law.

Entered into force on 27 May 1993. Amended by: [L. 10/1997](#) (entered into force on 26 March 1997). [L. 15/2000](#) (entered into force on 28 April 2000). [Act 88/2008](#) (entered into force on 1 January 2009, except for [Act VII](#), which entered into force on 21 June 2008). [Act 162/2010](#) (entered into force on 1 January 2011). [Act 126/2011](#) (entered into force on 30 September 2011).

If this Act refers to a minister or ministry without specifying a subject area specifically or referring to it, it means the **Minister of Justice** or the **Ministry of Justice** that administers this Act. Information on the subject areas of ministries according to The presidential decree can be found [here](#).

Part 1. Scope of the Act.

■ Article 1

☐ According to bilateral or multilateral agreements that Iceland has concluded with other states and with the authority in this Act, the following sanction decisions may be complied with in this country:

a. Court decisions on fines, deprivation of liberty, deprivation of rights or confiscation of property taken in another state by a court or other decision following a procedure under the Code of Criminal Procedure.

b. Government decisions on fines, deprivation of rights or confiscation of property taken in another state.

☐ In accordance with agreements according to Paragraph 1 decides [the ministry] "whether

enforcement of decisions of Icelandic courts on fines, deprivation of liberty, deprivation of rights or confiscation of property will be entrusted to the governments of other states. The same applies to the collection of fines, the execution of deprivation of rights or confiscation of property according to the police chief's settlement approved by the defendant.

¹L. 126/2011, Article 179.

■ Article 2

□When enforcement takes place in accordance with the Convention on the International Validity of Criminal Judgments of 28 May 1970, the provisions of Articles 5-21, 28-37 apply. and 40. – 42. gr. of this Act.

□When enforcement takes place in accordance with the Convention on the Transfer of Convicted Persons, dated 21 March 1983, the provisions of Articles 22-25, 28-34, 38 and 40-42 shall apply. gr. of this Act.

□[When enforcing a request for confiscation under the United Nations Convention against Illicit Traffic in Narcotic Drugs and Illicit Drugs of 20 December 1988, the provisions of Articles I and IV shall apply. Chapter 2, Parts I and IV. Chapter 3 of this Act, as applicable.

□When enforcement of a request for confiscation of property under an agreement on laundering, search, seizure and confiscation of the proceeds of crime from November 8, 1990, the provisions of I. and IV apply. Chapter 2, Parts I and IV. Chapter 3 of this Act, as applicable.] ¹

□Bilateral or multilateral agreements may be concluded with states that have ratified agreements pursuant to Art. [1. – 4. mgr.], ¹on additions to them in order to facilitate the implementation of their principles.

□When enforcement takes place in accordance with agreements other than those specified in [1–4. mgr.] ¹ decides [the ministry] ²how to proceed with the examination of whether foreign sanction decisions can be complied with in Iceland or Icelandic sanction decisions abroad. Provisions 26-34 and 39. – 42. gr. apply as applicable.

¹L. 10/1997, Article 9. ²L. 162/2010, Article 130.

■ Article 3

□When special reasons so warrant, [the Ministry] ¹decided, even if an agreement according to Art. Article 1, that a sanctioning decision on fines, deprivation of liberty, deprivation of rights or confiscation of property which an Icelandic citizen or a person resident in this country has received according to a court or other decision of a court in another state may be enforced in this Act. Similarly, when there are special reasons to do so, a decision may be made to enforce a sanction decision of the Icelandic court on fines, deprivation of liberty, deprivation

of rights or confiscation of property granted to a person with citizenship or permanent residence in another state in Iceland. in that state.

☐When deciding to transfer enforcement under this Article, the provisions of [6. mgr. Article 2] ²⁾ as applicable.

¹⁾L. 162/2010, Article 130. ²⁾L. 10/1997, 10. gr.

■ Article 4

☐The provisions of this Act do not apply to the enforcement of sanctions or other measures that fall under the provisions of the Act on the Enforcement of Criminal Judgments that have been pronounced in Denmark, Finland, Norway or Sweden, etc.

■ Article 5

☐For the purposes of this Act, a European criminal court means a judgment or other decision which may be enforced in accordance with the Convention on the International Validity of Criminal Judgments.

☐For the purposes of this Act, an outdoor recreation judgment refers to a judgment or other decision pursuant to Art. Paragraph 1 which is taken without the convicted person or the person subject to sanctions according to the decision having appeared in court during the proceedings.

☐When this Act deals with sanctions, unless otherwise stated, it refers to fines, deprivation of liberty, deprivation of rights and confiscation of property.

Part 2. Enforcement of foreign sanction decisions in this country.

Chapter I. Enforcement of European criminal convictions in this country.

A. Conditions for enforcement.

■ Article 6

☐A European criminal conviction may not be served in Iceland, except at the request of the government of another state.

☐A European criminal court may not be served in Iceland if:

- a. the judgment is not final or if it cannot be enforced under the law of the requesting State,
- b. the act which led to the sanctions is not punishable by Icelandic law or the defendant did not, for reasons other than those referred to in sub-paragraph g of the first paragraph. Article 7, incur criminal liability in this country if the act had been committed here,
- c. a convicted person is not resident in this country unless enforcement is in addition to the likelihood of his social rehabilitation or in the case of deprivation of liberty sanctions that can be enforced following the enforcement of other such sanctions in this country or the

convicted person is from Iceland,

d. enforcement in this country would be contrary to the basic principles of Icelandic law,

e. enforcement in this country would be contrary to the international law obligations of the Icelandic state,

b. a verdict for the same crime has already been handed down in this country or a defendant has already entered into a police chief's settlement for it,

g. a convicted person has, by a final judgment given in a state other than the one requesting enforcement, been acquitted or sentenced to punishment for the same act that has already been performed or is being performed or penalties have lapsed due to limitation, pardon or amnesty in that state; the same applies if a convicted person has been convicted in such a judgment but has not been given a special punishment,

h. enforcement in this country would otherwise be contrary to the Convention on the International Validity of Criminal Judgments.

■ Article 7

□ A request for enforcement of a European criminal court may be rejected if:

a. the act which led to the sanctions is considered a political offense or is subject to martial law,

b. there is valid reason to believe that the sentence has been passed or that the penalties have been heavier than otherwise due to the race, nationality, religion or political views of the convicted person,

c. an investigation is underway in this country for an act that led to the sanctions, an indictment has been issued, it has been decided to invite the accused to conclude a case with a police chief's settlement or a decision has been made not to sue for the act,

d. the act which led to the sanctions was not committed in the requesting State,

e. it is not considered possible to comply with the sanctions in this country,

f. it can be considered that a state requesting enforcement can comply with the sanctions,

g. the convicted person had not reached the age of 15 at the time the crime was committed,

h. penalties were considered time-barred if the provisions of Articles 83 and 83 were applied. a General Penal Code.

□ If in the State requesting enforcement an action has been taken which interrupts the limitation period in accordance with the law of that State, that action shall have the same effect in this country when assessing whether item h of the first paragraph. does not apply.

■ Article 8

□ If sanctions in a foreign court are determined for two or more offenses and are not

permissible for all of them, a request for the offenses that may be committed shall be granted, provided that the judgment or request for enforcement specifies which part of the sanctions applies. about the offense or offenses that meet the conditions for the enforcement of sanctions in this country.

B. Examination of a request for enforcement.

■ **Article 9**

□ A request for enforcement of a foreign sanction decision shall be sent to [the Ministry]. ¹⁾

□ If the Ministry considers it obvious that the request does not concern a European criminal judgment or that the judgment in this country may not be complied with due to the provisions of the second paragraph. Article 6 shall immediately reject the request. However, in the case of an outdoor judgment, a request shall not be rejected for the sole reason that it is not final.

□ [Ministry] ¹⁾examines whether a request should be rejected for reasons specified in individual items of the first paragraph. Article 7

□ If the request is not already rejected, it shall be sent to the Attorney General for further processing.

¹⁾*L. 162/2010, Article 130.*

■ **Article 10**

□ The State Prosecutor submits the case to a district court, unless otherwise provided in Articles 16 or 19-21. gr. If the request concerns the confiscation of the property of a person other than the convicted person, a special case shall be instituted against that person unless he has appeared before a court during the proceedings in the foreign state.

□ The convicted person shall be given an opportunity to comment on a request for enforcement and shall be questioned in court if he so requests. If a convicted person is deprived of liberty in the country requesting enforcement, the court shall, however, in his absence, assess whether the request should be rejected, cf. Paragraph 1 Article 11, even though he has requested to appear in court.

■ **Article 11**

□ In cases submitted to a district court according to Art. Article 10, he shall decide whether a request should be rejected due to the provisions of the second paragraph. Article 6 or points (b) or (h) of paragraph 1. Article 7

□ The court does not reassess whether the defendant fulfills the conditions of criminal liability for the act.

■ **Article 12**

□ If the court considers that the sanctions in this country may be complied with, it shall

decide, in accordance with the provisions of Articles 13-15. gr. of this Act, new penalties for the act which according to Icelandic law would be convicted of a similar offense.

□ If the court has assessed whether there are conditions for accepting the request to convict the absentee, because he was deprived of liberty in the country requesting enforcement, no new sanctions shall be imposed until he has been given the opportunity to appear in court.

■ Article 13

□ If deprivation of liberty has been sentenced in a foreign judgment, no heavier sanctions may be imposed in this country than in that judgment. This applies even if the deprivation of liberty is shorter than the shortest deprivation of liberty that may be convicted of a comparable offense under Icelandic law.

□ If the sanctions are fines, the court decides, taking into account the purchase price that applies when the decision is made, the amount of the fine, which in Icelandic krónur corresponds to the fine that was imposed. However, the amount shall not exceed the maximum amount of the fine for a comparable offense under Icelandic law.

□ Instead of fines according to a foreign sanction decision, no heavier sanctions may be imposed in this country than fines.

■ Article 14

□ When penalties are determined according to Article 13 shall, as far as possible, take into account the part of the sanctions that has already been complied with, including the period during which the convicted person has been detained or remanded in custody for the crime in the foreign state or in this country. Taking this time into account, less severe penalties may be imposed than would otherwise be imposed for the offense or penalties will be abolished altogether.

■ Article 15

□ If a certain amount or value has been confiscated in a foreign judgment, the court decides, taking into account the purchase price that applies when the decision is made, the corresponding amount in Icelandic krónur. If the amount confiscated is higher than the amount that would be confiscated according to Icelandic law if the case were conducted in this country, the court shall reduce the amount in accordance with legal practice in this country.

□ If a difference has been confiscated in a foreign judgment, it shall only be confiscated here if Icelandic law allows such confiscation of property for a comparable offense.

□ If a confiscation affects a person other than a convicted person, the court shall only make a decision on confiscation if it was permitted under Icelandic law if the case had been brought

before a court in this country.

■ Article 16

□If the request concerns only the collection of fines or confiscation of property, the Office of the Attorney General may, instead of submitting the case before a court pursuant to Art. Article 10, to examine the conditions for the fulfillment of a decision in this country and to give the convicted person the opportunity to conclude the case in a manner

[149. gr. Criminal Procedure Act]. ¹⁾

□If the defendant does not agree to this procedure, the Attorney General submits the case to a court according to Art. Paragraph 1 Article 10

¹⁾L. 88/2008, 234. gr.

C. Coercive measures.

■ Article 17

□If a State which has ratified the Convention on the International Validity of Criminal Judgments has requested the enforcement of sanctions, the Attorney General may decide that a convicted person shall be arrested and submit a request to the court for his detention. The same applies if a state has notified [the Ministry] ¹⁾that it intends to request the enforcement of sanctions and request that the convicted person be arrested and remanded in custody.

□The conditions for a convicted person to be arrested and remanded in custody are:

a. that the act for which he is convicted may, according to Icelandic law, carry a heavier penalty than 1 year imprisonment and

b. that there is reason to believe that he intends to evade the enforcement of the sanctions or, in the case of an out-of-court judgment, that there is a fear that he will corrupt the case file.

□Instead of custody, the Attorney General may submit to the court a request for remedies [100. gr. Criminal Procedure Act] ²⁾will be applied. These remedies may be applied even if the penalties for violations of Icelandic law are less severe than those referred to in item a of the second paragraph.

□Irrespective of the nature of the offense and the penalties, the convicted person may be arrested and remanded in custody or remedied according to Art. [100. gr. Criminal Procedure Act] ³⁾if he does not have a permanent residence in this country and there is reason to believe that he will leave the country to escape the enforcement of the sanctions.

□Detention shall end at the latest when the total period of detention in this country and the time that the convicted person has been detained abroad has become as long as the time he was sentenced to deprivation of liberty according to foreign judgments. When a convicted

person is remanded in custody before a request for enforcement is received, he shall be released when he has been detained for 18 days and a request for enforcement has not been received within that time.

¹⁾L. 162/2010, Article 130. ²⁾L. 88/2008, 234. gr.

■ Article 18

□If enforcement has been requested in a European criminal court, property confiscated under it may be seized if the property could be seized under Icelandic law if the case were to be conducted in this country. The Attorney General decides on the arrest. Provisions [88. gr. Criminal Procedure Act] ¹⁾ on insurance measures apply to the enforcement of European criminal convictions.

¹⁾L. 88/2008, 234. gr.

D. Special provisions on outdoor judging.

■ Article 19

□When a request for enforcement of an outdoor judgment is sent to the public prosecutor, he shall ensure that the convicted person is notified of the judgment and the request for enforcement and that he is informed that he can, within 30 days of receiving the notification, demand that the case be reopened. If the defendant does not make such a claim, the case shall be dealt with in accordance with the provisions of Articles 10-16. gr.

□If the defendant demands within the prescribed time limit that the case be reopened by the relevant court in the foreign state, the State Prosecutor [the Ministry] returns it. ¹⁾the case file which returns the data to the government of the foreign state and notifies them of the claim.

□If the defendant demands that the case be taken to an Icelandic court or he demands that a case be reopened without specifying where he wishes the case to be handled, the Attorney General submits the case to a district court which assesses whether the case should be reopened.

¹⁾L. 162/2010, Article 130.

■ Article 20

□When a claim according to Paragraph 3 Article 19 If the district court receives the judgment, the court issues a summons to the defendant to appear at the hearing in the case. Without the consent of the convicted person, a parliamentary hearing may not take place until 21 days have elapsed since the summons was published to him.

□If the defendant does not appear even if he has been served with a summons or if the court does not consider reasons for reopening the case for other reasons, the defendant's claim shall be rejected. When such a decision has become final, the case shall be dealt with in

accordance with Articles 10-16. gr.

□ If the court accepts a request for reopening, it may assess the conditions of criminal liability for the act, as well as a request for enforcement of an outdoor sentence, even if it was not possible to sue in this country due to the provisions of the General Penal Code on criminal jurisdiction or could only be appealed according to special instructions.

[Minister] ¹⁰ or other parties and without taking into account the provisions of the General Penal Code on the limitation period and the lapse of sanctions. The conditions of criminal liability shall be assessed in accordance with Icelandic law in the same manner as if a similar offense had been committed in this country. Investigations and other actions, for proceedings abroad under the law of that State, shall be recognized as having the same value as they would have taken place in this country. Such measures shall not, however, be given more extensive value than they had under the law of the foreign state.

¹¹L. 126/2011, Article 179.

■ Article 21

□ Reopening of a court in a foreign state case according to Art. Article 19, at the request of the convicted person, the request for enforcement of the sanctions is canceled. If the foreign court refuses to reopen the case and if such a decision is final, the case shall be dealt with in accordance with Art. 10. – 16. gr.

II. chapter. Enforcement under the Convention on the Transfer of Sentenced Persons.

■ Article 22

□ Sanctions that deprive a person of his liberty and have been convicted or otherwise determined by a court for a criminal act in a state that has ratified the Convention on the Transfer of Convicted Persons, subject to the following conditions:

- a. that the convicted person is an Icelandic citizen or resident in this country,
- b. that the defendant has agreed that sanctions will be complied with in this country,
- c. that the act for which the sanctions were imposed is punishable under Icelandic law,
- d. that at least 6 months of the penalty period remain when enforcement is requested in this country or special reasons recommend that enforcement be transferred to this country,
- e. that the judgment is final.

□ [The conditions of paragraph 1 (b) may be deviated from. if the convicted person has escaped the execution of the sentence in part or in full by fleeing to the country. The same applies if a convicted person is to be deported or expelled from the state requesting enforcement.] ¹²

□ Subject to the fulfillment of conditions other than point d of the first paragraph. may comply with indefinite sanctions in this country.

□ The request of the foreign government for enforcement in this country shall be sent to [the Ministry] ²⁾ which examines whether there are conditions for complying with it.

□ [Ministry] ²⁾ may also request from a foreign state that enforcement take place in this country.

¹⁾L. 15/2000, Article 7. ²⁾L. 162/2010, Article 130.

■ Article 23

□ When sanctions according to Art. Paragraph 1 Article 22 shall either:

a. continue to comply with foreign sanctions or

b. amend the sanctions so that instead of the sanction decision of the foreign court, new sanctions will be determined for the act, which according to Icelandic law would be convicted of a similar offense.

□ [Ministry] ¹⁾ decides in each case whether sanctions will be complied with here according to Art. points a or b of the first paragraph.

¹⁾L. 162/2010, Article 130.

■ Article 24

□ When enforcement takes place in this country according to point a of the first paragraph. Article 23 shall comply with the sanctions regardless of whether they are more severe than they would have been under Icelandic law for a similar offense.

□ [Ministry] ¹⁾ shall change the sanctions to the most comparable type of sanction in Icelandic law. The duration of the sanctions shall not be changed unless it exceeds the maximum that under Icelandic law may be determined for a comparable offense. The duration shall be adjusted to that maximum.

¹⁾L. 162/2010, Article 130.

■ Article 25

□ When enforcement takes place in this country according to paragraph 1 (b) Article 23 includes [the ministry] ¹⁾ the Attorney General to submit the case to the district court for a decision on new sanctions instead of the foreign ones.

□ When the new penalties are determined shall:

a. not reassess whether a convicted person fulfills the conditions of criminal liability for the act,

b. do not convert penalties involving deprivation of liberty into financial penalties;

c. based on the penalties that would be imposed for a similar crime according to Icelandic

law,

d. do not impose heavier sanctions than in the foreign sanction decision, even though they are less severe than the mildest sanctions that may be imposed for a similar offense under Icelandic law,

e. deduct in full the part of the sanctions that has already been complied with.

□ If a convicted person is transferred to Iceland before penalties are determined in accordance with this Article, he or she shall, as a rule, be remanded in custody until a final sentence is available. Instead of custody, remedies may be applied [100. gr. Criminal Procedure Act] ²⁾ if such remedies are considered sufficient to ensure his presence.

□ If a convicted person has escaped the execution of a sentence in part or in full by fleeing the country from a requesting State, the State may, at the request of that State, remand the convicted person in custody to ensure his presence until satisfactory evidence of the request has been received. or a decision is made as to whether to accept the request. Instead of custody, remedies may be applied [100. gr. Criminal Procedure Act] ²⁾ if such measures are considered sufficient to ensure the presence of the convicted person.] ³⁾

¹⁾L. 162/2010, Article 130. ²⁾L. 88/2008, 234. gr. ³⁾L. 15/2000, Article 8.

III. chapter. Enforcement of other foreign sanction decisions in this country.

■ Article 26

□ When sanction decisions are to be complied with in Iceland in accordance with the authority in [6. mgr. Article 2] ¹⁾ can [the Ministry], ²⁾ on the basis of an agreement with another state, determined how the provisions of I. and IV. Chapter II. and IV. Chapter 2 of this Act shall be applied in relations between Iceland and the State concerned, even if such a decision deviates from the provisions of this Chapter of the Act.

¹⁾L. 10/1997, Article 11. ²⁾L. 162/2010, Article 130.

■ Article 27

□ When a sanction decision according to Art. Article 3 decides [the ministry] ¹⁾ whether new sanctions should be decided in this country. When this is done, the Ministry also decides whether a case shall be submitted to a court pursuant to Art. I. or II. Chapter 2 of the Act. In such cases, the general provisions of these chapters shall apply to the determination of new sanctions.

□ In the absence of new sanctions, the [Ministry] ¹⁾ change the sanctions to the most comparable type of sanctions under Icelandic law. The penalties shall be complied with regardless of whether they are more severe than they would have been under Icelandic law

for a similar offense. In the case of deprivation of liberty, its duration shall not be changed unless it exceeds the maximum that under Icelandic law may be determined for a comparable offense. The duration shall be adjusted to that maximum.

☐ Fines may be collected even if the amount of the fine is higher than the highest fines that would be imposed in this country for a similar crime. The same applies to confiscation of property.

☐ Sanctions under this Article may not be enforced in such a way that they are considered heavier than the sanctions imposed or determined in the foreign state. In determining sanctions, as far as possible and in accordance with the agreement with the foreign state concerned, account shall be taken of the part of the sanctions already complied with in the foreign state. In the case of deprivation of liberty, account shall be taken of the part of it which has already been complied with and the time during which the convicted person was detained or remanded in custody in the foreign state or in this country for the offense.

„L. 162/2010, Article 130.

IV. chapter. Common provisions.

■ Article 28

☐ Code of Criminal Procedure [„]apply to venues, proceedings, the application of coercive measures, appeals and appeals, as applicable, unless otherwise provided in this Act.

☐ Enforcement of sanctions, which takes place in this country in accordance with its law, shall be carried out in accordance with the general rules of Icelandic law on the enforcement of similar sanctions in this country, unless otherwise provided in this Act or agreements with foreign states.

„L. 88/2008, 234. gr.

■ Article 29

☐ When the Attorney General submits a case to a district court to assess whether a foreign sanction decision can be complied with in this country or to determine new sanctions, this shall be done without an indictment being issued in the case.

☐ The district court makes a decision in the case by a court.

■ Article 30

☐ If a convicted person is deprived of liberty in the foreign state at the time he is transferred to Iceland in order to comply with sanctions that have been imposed or decided in the foreign state, then he may not be charged or sentenced, arrested or remanded in custody or deprive him of liberty for the purpose of enforcing sanctions or restrict his liberty in any other way

for a crime other than that to which the request for enforcement relates and was committed before he was transferred to Iceland unless the government of the foreign state has agreed or the defendant has 45 consecutive days had the opportunity to leave Iceland but did not do so or come to Iceland again after leaving the country.

☐The provisions of the first paragraph. shall not, however, prevent him from being deported, expelled or measures taken to interrupt the statute of limitations.

■ Article 31

☐Enforcement shall be suspended if the foreign State notifies that it has acceded to the defendant's request for pardon, granted him remission or resumed the foreign judgment, or it announces that another decision has been taken in that State which, according to that State's law, no longer allows comply with the sanctions.

■ Article 32

☐In the case of a fine, the part of the fine that the convicted person has paid to the government in the foreign state may not be collected in this country. Decisions on installments or deadlines for the payment of fines, which have been made by the government in the foreign state before enforcement is requested in this country, remain in force.

☐An alternative penalty may be imposed for fines to be enforced in this country in accordance with this Act if such is permitted in accordance with the law of the state that requested enforcement. This does not apply if that State has stated that such an alternative penalty should not be imposed.

☐Fines collected under this Act, as well as money and items confiscated under the provisions of the Act, are the property of the Treasury. If a difference has been confiscated in this country, the [Ministry] may, ¹⁾ at the request of the requested State, agreed to be extradited to that State.

¹⁾*L. 162/2010, Article 130.*

■ Article 33

☐Legal costs incurred in Iceland as a result of proceedings following a request for compliance with foreign sanctions in Iceland shall be paid from the State Treasury, including legal fees, prosecution and defense fees.

☐When a recreational judgment is resumed, at the request of the convicted person, it may, in accordance with the general rules of law, be ordered to pay legal costs.

☐The convicted person may be reimbursed for the costs of his transfer to Iceland.

■ Article 34

☐[Ministry] ¹⁾may, at the request of the government of a foreign state, agree that a foreigner

who moves between states in accordance with the provisions of an agreement pursuant to Art. Article 1 for enforcement or proceedings, will be transferred through Icelandic territory, provided that it is transferred due to a sanction decision that could be complied with in accordance with Icelandic law. In such a transfer, deprivation of liberty shall be maintained unless the foreign state requests that the convicted person be released. If he is detained, he shall be treated in this country as generally applies to arrested persons or remand prisoners.

„L. 162/2010, Article 130.

Part 3. Enforcement of Icelandic sanctions decisions abroad.

Chapter I. Enforcement under the Convention on the International Validity of Criminal Judgments.

■ Article 35

□[Ministry] [„]decides whether to ask foreign authorities to comply with sanctions under the Convention on the International Validity of Criminal Judgments.

□A foreign state may not be asked to comply with Icelandic sanction decisions if it is considered that the reasons described in the provisions of the second paragraph exist. Article 6 and it can be assumed that they prevent the acceptance of a request for enforcement in the foreign state.

„L. 162/2010, Article 130.

■ Article 36

□If a foreign state is asked to comply with sanctions according to an outdoor court judgment and the defendant states a requirement that an Icelandic court reopen the case, after receiving the case file, it submits it to the district court that pronounced the outdoor court judgment. In such cases, the provisions of the first paragraph shall apply. Article 20

□If a request for readmission is rejected and the decision is final, the Office of the Attorney General shall immediately notify [the Ministry] [„]which notifies the government of the foreign state of that decision.

□If the request for readmission is accepted, the request for enforcement abroad shall be withdrawn immediately.

„L. 162/2010, Article 130.

■ Article 37

□When a convicted person is summoned to appear in court in this country due to his request for reopening of a case and he leaves the foreign state for that reason, he may not be charged or sentenced, arrested or remanded in custody or deprived of his liberty to serve sanctions or

in other respects, he is deprived of his liberty for another offense committed before he left the foreign state, unless it has been stated in the summons that such measures may be taken, that he has agreed to this in writing or that he has had it for 15 consecutive days, after an Icelandic court made a final decision on his claim for reopening, was able to leave the country but he did not do so or came here again after leaving the country without being summoned to court for his claim for reopening of the case.

□ If the convicted person agrees in writing to the actions specified in the first paragraph, the authorities that decide on those actions shall send [the Ministry] ¹⁾ a copy or photocopy of the consent of the convicted person and the Ministry shall immediately notify the government of the foreign state of this.

¹⁾L. 162/2010, Article 130.

II. chapter. Enforcement under the Convention on the Transfer of Sentenced Persons.

■ Article 38

□ [Ministry] ¹⁾decides whether to ask foreign authorities to comply with sanctions under the Convention on the Transfer of Sentenced Persons.

□ A foreign state may not be asked to comply with Icelandic sanction decisions if it is considered that the reasons described in points a – e of the first paragraph exist. Article 22 and it can be assumed that they prevent the acceptance of a request for enforcement in the foreign state. [However, the consent of the convicted person is not a condition when the convicted person has escaped the execution of the sentence in part or in full by fleeing the country. The same applies if the convicted person is to be sent out of the country or deported after enforcement.] ²⁾

□ [Ministry] ¹⁾decides whether to comply with a request from a foreign authority that Icelandic sanctions be complied with in that state if the conditions according to Art. Paragraph 2

¹⁾L. 162/2010, Article 130. ²⁾L. 15/2000, Article 9.

III. chapter. Enforcement under other agreements or individual decisions.

■ Article 39

□ [Ministry] ¹⁾decides whether to ask the foreign authorities to comply with sanctions on the basis of agreements pursuant to Art. [6. mgr. Article 2] ²⁾or with the authority in the first paragraph. Article 3

□ A foreign state may not be asked to comply with Icelandic sanction decisions if it is

considered that the conditions for transfer in the relevant agreement would prevent the request for enforcement in the foreign state from being accepted.

□[Ministry] ¹decides whether to comply with a request from a foreign government that Icelandic sanction decisions be complied with in that state if the conditions according to Art. Paragraph 2

¹L. 162/2010, Article 130. ²L. 10/1997, Article 12.

IV. chapter. Common provisions.

■ Article 40

□When a request has been made to a foreign state to comply with sanctions, it is not permitted to commence enforcement of the same sanctions in this country unless the convicted person is in custody here or in the case of sanctions that involve deprivation of liberty.

□However, the sanctions in this country shall be complied with if a request for enforcement abroad is withdrawn before the foreign state announces that it intends to take the request for substantive treatment or when the foreign state announces that it rejects a request for enforcement. The same applies if the foreign state ceases to comply with the sanctions or it is not possible to comply with them there.

■ Article 41

□When an Icelandic sanction decision is requested for enforcement abroad, which involves deprivation of liberty and a convicted person is deprived of liberty in this country or is here, he shall be transferred to the foreign state as soon as possible after that state has announced that it accepts the request for enforcement. and has promised to respect the principles of Article 30. on a person who is deprived of liberty in a foreign state and transferred to Iceland unless the Icelandic government has given consent pursuant to Art. Article 42

■ Article 42

□When an Icelandic sanction decision is to be complied with abroad, cf. Article 41, the [Ministry] may ¹at the request of the government of the foreign state approved, without regard to restrictions pursuant to Art. Article 30 and regardless of whether the foreign State has given such a name as referred to in Article 41, that a convicted person shall be charged, convicted or deprived of liberty in that State in order to be able to comply with sanctions or coercive measures or his liberty otherwise restricted for another offense committed before he was transferred to the foreign state and was not convicted in the judgment requested for enforcement in the foreign state. Such consent may only be granted if the convicted person

could have been extradited to the state in question for the offense, and this applies even if extradition is not possible due to provisions on the minimum term of imprisonment.

□ If it is clear from what is stated in the request that the requested consent may not be granted, the [Ministry] ^uwhen rejecting it. In other cases, the Attorney General shall notify the convicted person of the request and, at his request, submit the case to the district court to assess whether the legal conditions are in place so that it can be complied with. If the court finds that there are no legal requirements, the request shall be rejected.

^uL. 162/2010, Article 130.

Part 4. Entry into force, etc.

■ Article 43

□ Further provisions on the implementation of this Act may be laid down in a regulation.

■ Article 44

□ This Act shall enter into force immediately.

■ Article 45

□ A sanction decision in accordance with the Convention on the International Validity of Criminal Judgments may not be complied with in Iceland unless it has been decided after the Convention enters into force between Iceland and the State concerned. [Ministry] ^umay, however, decide in accordance with an agreement with the state in question that the provisions of the agreement also apply to decisions made before the agreement entered into force between Iceland and the state in question.

□ According to the agreement on the transfer of convicted persons, a sanction decision made before the agreement entered into force between Iceland and the state in question may be complied with in Iceland.

^uL. 162/2010, Article 130.