



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

Communicated on 14 December 2015

**THIRD SECTION**

Application no. 9602/15  
Kader BENCHEREF  
against Sweden  
lodged on 18 February 2015

**STATEMENT OF FACTS**

The applicant, Mr Kader Bencheref, is a Moroccan national, who was born in 1985 and is detained in Sweden. He is represented before the Court

**The circumstances of the case**

The facts of the case, as submitted by the applicant, may be summarised as follows.

*1. Background*

On 24 July 2006 the applicant applied for asylum and a residence permit in Sweden. He was placed in refugee centre located in Sundsvall awaiting the migration proceedings.

On 21 September 2006 the applicant was detained on remand as he was suspected of committing several attempts of rape, physical assault, unlawful threat, attempt to theft and sexual molestation. The Prosecutor's Office in Sundsvall (*Åklagarkammaren*) prosecuted the applicant and, on 13 December 2006, the District Court (*tingsrätten*) in Sundsvall convicted the applicant of the above mentioned crimes, sentenced him to three years and six months' imprisonment, ordered his expulsion from Sweden and banned him from returning to Sweden for life. The Migration Board (*Migrationsverket*) had submitted to the court that there were no impediments to the applicant being expelled to Morocco.

The applicant appealed to the Court of Appeal (*hovrätten*) of Lower Norrland which, on 27 February 2007, reduced the sentence to three years' imprisonment and limited the ban on return to ten years. On 2 April 2007 the Supreme Court (*Högsta domstolen*) refused leave to appeal.