

European arrest warrant and surrender procedures between Member States. Framework decision

2001/0215(CNS) - 13/06/2002 - Final act

PURPOSE : to adopt a Framework Decision on the European arrest warrant and the surrender procedures between Member States. **COMMUNITY MEASURE** : Council Framework Decision 2002/584/JHA on the European arrest warrant and the surrender procedures between Member States. **CONTENT** : the Council adopted a Framework Decision on the European arrest warrant and the surrender procedures between Member States. The European arrest warrant is a judicial decision issued by a Member State with a view to the arrest and surrender by another Member State of a requested person, for the purposes of conducting a criminal prosecution or executing a custodial sentence or detention order. It is executed by the Member States on the basis of the principle of mutual recognition, in accordance with the provisions of the Framework Decision and with due regard for fundamental rights and fundamental legal principles. An arrest warrant may be issued for acts punishable by the law of the issuing Member State by a custodial sentence or a detention order for a maximum period of at least twelve months or, where a sentence has been passed or a detention order has been made, for sentences of at least four months. In addition, a list of 32 offences give rise to surrender without verification of the double criminality of the act, provided they are punishable in the issuing Member State by a custodial sentence of a maximum of at least three years. The Framework Decision also contains provisions relating to the transmission of a European arrest warrant, the rights of a requested person, keeping the person in detention, time limits and procedures for the decision to execute the European arrest warrant : A European arrest warrant shall be dealt with and executed as a matter of urgency. In cases where the requested person consents to his surrender, the final decision on the execution of the European arrest warrant should be taken within a period of 10 days after consent has been given. In other cases, the final decision on the execution of the European arrest warrant should be taken within a period of 60 days after the arrest of the requested person. **ENTRY INTO FORCE** : 07/08/2002. **IMPLEMENTATION** : 31/12/2003.