Basic information

2009/0192(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Iceland/Norway agreement: surrender procedure **Subject** 7.40.04 Judicial cooperation in criminal matters **Geographical area** Iceland Norway	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	TAVARES Rui (GUE/NGL)	04/03/2010

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	3350	2014-11-27
Education, Youth, Culture and Sport	2993	2010-02-15

European Commission

Commission DG	Commissioner
Justice and Consumers	REDING Viviane

Key events

Date	Event	Reference	Summary
17/12/2009	Preparatory document	COM(2009)0705	Summary
02/02/2010	Legislative proposal published	05307/2010	Summary
25/02/2010	Committee referral announced in Parliament		
12/07/2011	Vote in committee		Summary
14/07/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0268/2011	
13/09/2011	Decision by Parliament	T7-0357/2011	Summary
13/09/2011	Results of vote in Parliament		
27/11/2014	Act adopted by Council after consultation of Parliament		

27/11/2014	End of procedure in Parliament		
28/11/2014	Final act published in Official Journal		

Technical information

Procedure reference	2009/0192(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 082-p1 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/02081

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE450.928	26/05/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0268/2011	14/07/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0357/2011	13/09/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	09644/2/2006	16/06/2006	
Legislative proposal	05307/2010	02/02/2010	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2009)0705	17/12/2009	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act
Decision 2014/0835 OJ L 343 28.11.2014, p. 0001 Summary

EU/Iceland/Norway agreement: surrender procedure

2009/0192(NLE) - 13/09/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of the Agreement between the European Union, on the one hand, and Iceland and Norway on the other hand, on the surrender procedure between the Member States of the European Union and Iceland and Norway.

Parliament gave its consent to the conclusion of the Agreement.

EU/Iceland/Norway agreement: surrender procedure

2009/0192(NLE) - 17/12/2009 - Preparatory document

PURPOSE: to conclude the Agreement between the EU and Iceland and Norway on the surrender procedure between the Member States of the EU and Iceland and Norway.

PROPOSED ACT: Council Decision.

BACKGROUND: following the opening of negotiations with Iceland and Norway with a view to extending to these countries the provisions of the 1996 EU Convention on Extradition which are not linked to Schengen, the mission statement was updated in 2002 after it was agreed that extradition within the EU would be replaced by a **surrender procedure under the European arrest warrant**. Despite the decision not to link the European arrest warrant to Schengen, the Council agreed that it would be useful to apply the surrender procedure model to the Schengen countries, given their privileged partnership with the EU Member States.

The Council authorised the Presidency of the Council to negotiate Agreements with Norway and Iceland on judicial cooperation in criminal matters on the basis of Articles 24 and 38 of the Treaty on European Union. The Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway was signed on 28 June 2006, subject to its conclusion at a later date.

CONTENT: the above-mentioned Agreement is aimed at improving the surrender procedure for the purpose of prosecution or execution of sentence between, on the one hand, the Member States and, on the other hand, Norway and Iceland, by taking account of the terms of the Convention of 27 September 1996 relating to extradition between the Member States of the EU as minimum standards.

In accordance with the provisions of the Agreement, the contracting parties will ensure that the extradition system will be based on a mechanism of surrender pursuant to an arrest warrant. An arrest warrant may be issued for acts punishable by the law of the issuing state by a custodial sentence or a detention order for a maximum period of at least 12 months or, where a sentence has been passed or a detention order has been made, for sentences of at least four months.

Procedure: following the entry into force of the Lisbon Treaty on 1 December 2009, the procedures to be followed for the conclusion of the Agreement are governed by Article 218 of the Treaty on the Functioning of the European Union. The Agreement was signed already 3 years ago and therefore it should now be concluded as soon as possible. It is for this reason that the Commission proposes to conclude the Agreement. It recommends that the Council, after obtaining the consent of the European Parliament, adopt a decision concluding the Agreement. It should be noted that in accordance with Article 218(6)(a) of the Treaty on the Functioning of the European Union, it is provided that in the case of agreements covering fields to which the ordinary legislative procedure applies, the Council shall adopt a decision concluding the agreement, **after obtaining the consent of the European Parliament**.

Territorial application: the UK and Ireland have notified their wish to take part in the adoption of this Decision. Denmark will not be taking part in the adoption of this Decision and therefore is not bound by the Agreement or subject to its application.

EU/Iceland/Norway agreement: surrender procedure

2009/0192(NLE) - 02/02/2010 - Legislative proposal

PURPOSE: to conclude the Agreement between the EU and Iceland and Norway on the surrender procedure between the Member States of the EU and Iceland and Norway.

PROPOSED ACT: Council Decision.

CONTENT: this proposal aims to conclude, on behalf of the Union, the Agreement between the European Union and Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway.

The Agreement was signed on 28 June 2006 but it has not yet been formally concluded. For details of the content of the Agreement, please refer to Council document 9644/2/06.

With the entry into force of the **Treaty of Lisbon** on 1 December 2009, the procedures to be followed by the Union in order to conclude the Agreement are governed by Article 218 of the Treaty on the Functioning of the European Union (TFEU) which states that the Council shall adopt a decision concluding the agreement, **after obtaining the consent of the European Parliament**.

Territorial application: in accordance with the Protocol on the Position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, these Member States have notified their wish to take part in the adoption and application of this Decision. Denmark will not be bound by the Agreement.

EU/Iceland/Norway agreement: surrender procedure

2009/0192(NLE) - 27/11/2014 - Final act

PURPOSE: to conclude the Agreement between the EU and Iceland and Norway on the surrender procedure between the Member States of the EU and Iceland and Norway.

NON-LEGISLATIVE ACT: Council Decision 2014/835/EU on the conclusion of the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway.

BACKGROUND: in accordance with Council Decision 2006/697/EC, the Agreement between the European Union and Iceland and Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway was signed on 28 June 2006, subject to its conclusion.

The Agreement has not yet been concluded. With the entry into force of the Treaty of Lisbon on 1 December 2009, the procedures to be followed by the Union in order to conclude the Agreement are governed by Article 218 of the Treaty on the Functioning of the European Union.

The Agreement should now be approved on behalf of the European Union.

CONTENT: with this Decision, the Agreement between the European Union and Iceland and Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway is hereby approved on behalf of the Union.

Principles: in accordance with the provisions of the Agreement, the contracting parties will ensure that the extradition system will be based on a mechanism of surrender pursuant to an arrest warrant. An arrest warrant may be issued for acts punishable by the law of the issuing state by a custodial sentence or a detention order for a maximum period of **at least 12 months** or, where a sentence has been passed or a detention order has been made, for sentences of at least four months

Territorial application: the United Kingdom and Ireland have notified their wish to take part in the adoption of this Decision. Denmark will not be taking part in the adoption of this Decision and therefore is not bound by the Agreement or subject to its application.

ENTRY INTO FORCE: the Decision shall enter into force on 27.11.2014. The date of entry into force of the Agreement will be published in the Official Journal of the European Union by the General Secretariat of the Council.