**Question for written answer E-002358/2019**

**to the Commission**

Rule 138

**Stanislav Polčák (PPE)**

Subject: Freedom of movement and non-recognition of decisions of newly acceded Member States in criminal matters

Prior to Romania’s accession to the EU, Czech citizen František Příplata was sentenced to a long prison sentence by the Romanian courts. However, before serving the sentence, František Příplata escaped from custody and returned to the Czech Republic. The Czech courts then took the decision not to recognise the conviction, since the criminal proceedings had been conducted in a way that did not guarantee a fair trial. However, Mr Příplata is still facing numerous difficulties: he cannot travel abroad without running the risk of being extradited on the basis of a Romanian arrest warrant. Since this arrest warrant is also visible in the systems that the Czech Police use, Mr Příplata also has problems during every traffic check. Mr Příplata must explain the circumstances of his case to the police and substantiate them with the decision on non-recognition, which he must therefore always carry with him.

Mr Příplata is therefore facing significant difficulties in his private and professional life. Is there a way that Mr Příplata can effectively defend himself against restrictions on his freedom of movement within the EU (as well as, paradoxically, within the Czech Republic) arising from the Romanian judgments and the subsequent arrest warrant?

How does European law approach this issue?

How are the rights of nationals of Member States protected against decisions of other Member States from a time when they were not yet part of the EU-28?

Thank you for your response.