AMENDMENTS
1 - 44

Draft opinion
Paulo Rangel
(PE648.270v01-00)

The Implementation of the European Arrest Warrant and the Surrender Procedures between Member States
(2019/2207(INI))
AM_Com_NonLegOpinion
Amendment 1
Paulo Rangel

Draft opinion
Recital -A (new)

Draft opinion

-A. whereas the link between European Arrest Warrant (EAW) and EU citizenship makes it a corollary of the free movement of people based on the Principle of Mutual Recognition, which has mutual trust between Member States as a sine qua non condition to its effective operation, and is underpinned by shared respect for fundamental rights as set out in the TEU and the EU Charter of Fundamental Rights;

Amendment

Or. en

Amendment 2
Paulo Rangel

Draft opinion
Recital -A (new)

Draft opinion

-A a. whereas the UK authorities have been responsible for issuing and executing a substantial number of EAW; whereas the political declaration on the future relationship states that the UK and the EU “will provide for comprehensive, close, balanced and reciprocal law enforcement and judicial cooperation in criminal matters”; whereas new arrangements for criminal justice cooperation between the EU and the UK are still under negotiation;

Amendment

Or. en
Amendment 3
Paulo Rangel

Draft opinion
Recital -A b (new)

Draft opinion

Whereas the withdrawal of the UK from the EU renders obsolete Articles 10 (4) and (5) of the Protocol 36 TEU;

Or. en

Amendment 4
Paulo Rangel

Draft opinion
Paragraph -1 (new)

Draft opinion

Recalls that the Framework Decision on European Arrest Warrant (FDEAW), establishing one of the oldest instruments based on mutual recognition in criminal matters, has contributed to speeding up surrender procedures in comparison with traditional systems of extradition cooperation between different jurisdictions;

Or. en

Amendment 5
Fabio Massimo Castaldo

Draft opinion
Paragraph 1

Draft opinion

1. Recognises that implementing the Framework Decision on the European Arrest Warrant (FDEAW) has put legal

Amendment

1. Recognises that the Framework Decision on the European Arrest Warrant (FDEAW) is a cornerstone of the
systems in many Member States under strain; notes that the FDEAW revealed stark national differences in substantive and procedural criminal law;

European area of freedom, security and justice. Recognises that its correct implementation is of key importance to ensure a smooth cooperation between law enforcement authorities; notes, however, that the implementation of the FDEAW revealed stark national differences in substantive and procedural criminal law that hamper a smooth implementation of this instrument and ultimately the fight against serious crime across the EU;

Or. en

Amendment 6
Paulo Rangel

Draft opinion
Paragraph 1

1. Recognises that implementing the Framework Decision on the European Arrest Warrant (FDEAW) has put legal systems in many Member States under strain; notes that the FDEAW revealed stark national differences in substantive and procedural criminal law;

Amendment

1. Recognises that implementing the Framework Decision on the European Arrest Warrant (FDEAW) has put legal systems in many Member States under strain, notably with regard to the extradition of their own nationals; notes that the FDEAW revealed stark national differences in substantive and procedural criminal law;

Or. en

Amendment 7
Gwendoline Delbos-Corfield

Draft opinion
Paragraph 1

1. Recognises that implementing the Framework Decision on the European Arrest Warrant (FDEAW) has put legal

Amendment

1. Recognises that implementing the Framework Decision on the European Arrest Warrant (FDEAW) has put legal
systems in many Member States under strain; notes that the FDEAW revealed stark national differences in substantive and procedural criminal law; believes that the cross-border dimension of an increased number of crimes, including those related to corruption, trafficking, digital crimes, environmental damage and gender-based violence, makes the respect of Rules of law and fundamental rights by Member States even more crucial, in particular when it comes to procedural rights;

Amendment 8
Giuliano Pisapia

Draft opinion
Paragraph 1

Draft opinion

1. Recognises that implementing the Framework Decision on the European Arrest Warrant (FDEAW) has put legal systems in many Member States under strain; notes that the FDEAW revealed stark national differences in substantive and procedural criminal law;

Amendment

1. Believes that the Framework Decision on the European Arrest Warrant (FDEAW) is a successful instrument of judicial cooperation that has led to a considerable simplification and speeding up of handover procedures between EU member states; recognises, however, that the FDEAW has put legal systems in many Member States under strain and has revealed stark national differences in substantive and procedural criminal law; underlines that improvements to the application of the FDEAW are needed and include:
- the further harmonisation of procedural rights of suspected persons, including the right to a fair trial and the rights of defence, of the ‘ne bis in idem’ principle, and of the rules regarding the execution of an arrest warrant if the person who is the subject of a European arrest warrant is a minor and may not, owing to his age, be held criminally responsible for the acts
on which the arrest warrant is based under the law of the executing State; and
- targeted changes to the FDEAW, already highlighted in the European Parliament’s resolution of 27 February 2014 with recommendations to the Commission on the review of the European Arrest Warrant, such as including a clear definition of ‘judicial authority’ and introducing a mandatory refusal ground where there are substantial grounds to believe that the execution of the measure would be incompatible with the executing Member State’s obligation in accordance with Article 6 of the TEU and the Charter of Fundamental Rights;

Or. en

Amendment 9
Paulo Rangel

Draft opinion
Paragraph 1 a (new)

Draft opinion

1 a. Highlights that the effective end of the transitional measures in Justice and Home Affairs in line with Title VII of the Protocol 36 TEU, enhances the responsibility of Member States, in line with their obligation of sincere cooperation enshrined in Article 4(3) TEU, to refrain from adopting any measure which would jeopardize the attainment of the Union’s objectives, including those laid out in Article 3 TEU;

Or. en

Amendment 10
Geert Bourgeois, Assita Kanko
Draft opinion
Paragraph 2

2. Insists that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of the TEU);

Amendment

2. Insists that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of the TEU); stresses that the principle of mutual recognition on which the European arrest warrant system is based, is itself founded on the mutual confidence between the Member States that their national legal systems are capable of providing equivalent and effective protection of the fundamental rights recognised at EU level, particularly in the Charter;

Or. en

Amendment 11
Giuliano Pisapia

Draft opinion
Paragraph 2

2. Insists that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of the TEU);

Draft opinion

2. Insists that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law and fundamental rights (Articles 2 and 6 of the TEU); underlines that concerns over the lack of independence of national judicial authorities and failure to comply with European and international
standards on detention conditions in certain Member States have contributed to undermining mutual confidence in recent years; takes note of the significant developments in the case law of the Court of Justice of the European Union regarding the application of the FDEAW, and in particular on the link between the execution of European arrest warrants and the respect of the rule of law and fundamental rights; calls on the European Commission to update its ‘Handbook on How to Issue and Execute a European arrest warrant’ in order to reflect such developments and to give further guidance with regards to European arrest warrants issued by Member States who are the subject of an ongoing Article 7 TEU procedure; calls on the Commission to include such guidance in its upcoming first annual Rule of Law Report;

Amendment 12
Paulo Rangel

Draft opinion
Paragraph 2

Draft opinion

2. Insists that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of the TEU);

Amendment

2. Insists that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of the TEU); therefore, with regard to the EAW, Member States have the obligation to ensure a high level of protection of procedural and fundamental rights, as well as the independence of their judiciary, in order to guarantee effective
legal protection, principles that have been confirmed by recent case-law of the CJEU;

Amendment 13
Fabio Massimo Castaldo

Draft opinion
Paragraph 2

2. **Insists** that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of the TEU);

Amendment

2. **Notes that the implementation of the EAW is still beyond its full potential due to the lack of trust between Member States; insists** that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of the TEU);

Amendment 14
Pascal Durand

Draft opinion
Paragraph 2

2. **Insists that Member States are responsible for ensuring** a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of

Draft opinion
Paragraph 2

2. **Insists that Member States are bound to ensure** a high level of mutual trust, which is premised on their obligation to respect the Treaties, in particular Article 4 §3 of the TEU), the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the
the TEU); respect for the rule of law (Article 2 of the TEU);

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Amendment 15
Leila Chaibi, Helmut Scholz

Draft opinion
Paragraph 2

2. Insists that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of the TEU);

2. Insists that Member States are responsible for ensuring a high level of mutual trust, which is premised on their obligation to respect the Treaties, the Charter of Fundamental Rights and EU legislation, as well as on the adherence of their institutions to EU values, including the respect for the rule of law (Article 2 of the TEU); stresses in this context the need for independence of the judicial authorities;

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Amendment 16
Jorge Buxadé Villalba

Draft opinion
Paragraph 2 a (new)

2. a Considers in this regard that when there is compliance with these obligations, the instrument should work on the basis of mutual recognition, and therefore any exception to this should always be interpreted restrictively;
Amendment 17
Jorge Buxadé Villalba

Draft opinion
Paragraph 3

3. Highlights that the establishment of an EU mechanism on democracy, the rule of law and fundamental rights will contribute to reinforcing mutual trust between Member States;

Amendment

deleted

Or. en

Amendment 18
Paulo Rangel

Draft opinion
Paragraph 3

3. Highlights that the establishment of an EU mechanism on democracy, the rule of law and fundamental rights will contribute to reinforcing mutual trust between Member States, thus enhancing the functioning of the Principle of Mutual Recognition; notes in this regard the “Rule of Law Review Cycle” Initiative announced by the European Commission in July 2019\textsuperscript{a}, and looks forward to the first “Annual Rule of law Report” in every Member State expected for the second half of 2020.

\textsuperscript{1a} OJ C 215, 19.6.2018, p. 162–177
\textsuperscript{2a} COM(2019)343

Or. en
Amendment 19
Domèneç Ruiz Devesa

Draft opinion
Paragraph 3

3. Highlights that the establishment of an EU mechanism on democracy, the rule of law and fundamental rights will contribute to reinforcing mutual trust between Member States;

Amendment

3. Highlights that the FDEAW should be put in action in coordination with the establishment of an EU mechanism on democracy, the rule of law and fundamental rights contributing to reinforce mutual trust between Member States;

Or. en

Amendment 20
Pascal Durand

Draft opinion
Paragraph 3

3. Highlights that the establishment of an EU mechanism on democracy, the rule of law and fundamental rights will contribute to reinforcing mutual trust between Member States;

Amendment

3. Highlights that the establishment of an EU mechanism on democracy, the rule of law and fundamental rights will contribute to reinforcing mutual trust between Member States; notes that a breach of Article 7 of the TEU by a Member States jeopardizes the good application of the FDEAW by diminishing the trust among Parties;

Or. en

Amendment 21
Fabio Massimo Castaldo

Draft opinion
Paragraph 3
Draft opinion

3. Highlights that the establishment of an EU mechanism on democracy, the rule of law and fundamental rights will contribute to reinforcing mutual trust between Member States;

Amendment

3. Highlights that the establishment of an EU mechanism on democracy, the rule of law and fundamental rights will contribute to create a level playing field and thus reinforcing mutual trust between Member States;

Or. en

Amendment 22
Leila Chaibi, Helmut Scholz

Draft opinion
Paragraph 3

3. Highlights that the establishment of an EU mechanism on democracy, the rule of law and fundamental rights will contribute to reinforcing mutual trust between Member States;

Draft opinion

3. Highlights that the establishment of an EU mechanism on democracy, the rule of law and fundamental rights will contribute to reinforcing mutual trust between Member States; criticises the surrender of arrested suspects to member states with proven systematic and general rule of law deficiencies and/or ignoring the principles of the European Prison Rules;

Or. en

Amendment 23
Jorge Buxadé Villalba

Draft opinion
Paragraph 3 a (new)

3 a. Stresses that the four fundamental freedoms and the objective of a stronger EU requires trust in the Member States’ judicial and penitentiary systems, believes
that the FDEAW is a key mechanism to accomplish that objective and therefore its efficiency, celerity and the respect of the decisions of national judges should be improved;

Or. en

Amendment 24
Jorge Buxadé Villalba

Draft opinion
Paragraph 4

Draft opinion

4. Believes that further horizontal measures need to be adopted in order to increase mutual confidence in national criminal justice systems, thereby leading to more efficient judicial cooperation;

Amendment

4. Believes that changes on the FDEAW need to be adopted as soon as possible, intending to achieve more efficient judicial cooperation;

Or. en

Amendment 25
Fabio Massimo Castaldo

Draft opinion
Paragraph 4

Draft opinion

4. Believes that further horizontal measures need to be adopted in order to increase mutual confidence in national criminal justice systems, thereby leading to more efficient judicial cooperation;

Amendment

4. Believes that further horizontal measures at European level and further harmonisation of national legislation is needed in order to avoid that criminals take advantage of the existing differences and legislative gaps across the EU and to increase mutual confidence in national criminal justice systems, thereby leading to more efficient judicial cooperation;

Or. en
Amendment 26  
Gwendoline Delbos-Corfield

Draft opinion  
Paragraph 4

Draft opinion

4. Believes that further horizontal measures need to be adopted in order to increase mutual confidence in national criminal justice systems, thereby leading to more efficient judicial cooperation;

Amendment

4. Believes that further horizontal measures need to be adopted in order to increase mutual confidence in national criminal justice systems, thereby leading to more efficient judicial cooperation; **insists that alternatives to the European Arrest Warrant should be better explored and invested in and emphasises that the European Arrest Warrant should only be used in exceptional circumstances as a last resort**;

Or. en

Amendment 27  
Domènec Ruiz Devesa

Draft opinion  
Paragraph 4

Draft opinion

4. Believes that further horizontal measures need to be adopted in order to increase mutual confidence in national criminal justice systems, thereby leading to more efficient judicial cooperation;

Amendment

4. Believes that further horizontal measures need to be adopted in order to **deep the principle of sincere cooperation (art. 4.3. TEU) and to increase mutual confidence in national criminal justice systems, thereby leading to more efficient judicial cooperation**; **emphasizes that national judicial authorities should apply the principle of double-incrimination without judging the substance of the accusation**;

Or. en
Draft opinion
Paragraph 4

4. Believes that further horizontal measures need to be adopted in order to increase mutual confidence in national criminal justice systems, thereby leading to more efficient judicial cooperation;

underlines, in this regard, the important role of agencies, such as the EU Agency for Criminal Justice Cooperation (Eurojust), and of initiatives, such as the recent establishment of the European Arrest Warrant coordination group, aimed at developing mutual trust;

Or. en

Amendment 29
Leila Chaibi, Helmut Scholz

Draft opinion
Paragraph 4 a (new)

Draft opinion

4 a. Highlights the need to establish a European network of defence lawyers able to advocate rights and minimum standards for all persons suspected, accused or convicted and being in remand in another member state with a different language, different proceedings and no common standards as regards e.g. representation by a lawyer;

Or. en

Amendment 30
Jorge Buxadé Villalba
Draft opinion
Paragraph 4 a (new)

4. a Highlights that mutual recognition of court decisions in criminal matters is key to ensure the functioning of the Schengen area and its permanence in the future;

Amendment

Draft opinion
Paragraph 5

5. Considers that the FDEAW should be fully brought under the Lisbon Treaty as a new legislative instrument; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law;

Amendment

Draft opinion
Paragraph 5

5. Considers that the FDEAW should be fully brought under the Lisbon Treaty

Amendment

5. Is convinced that providing greater transparency and independent scrutiny
as a new legislative instrument; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law;

regarding the use of the EAW, would bring significant democratic legitimacy and confidence to the EU’s wider criminal justice area;

Amendment 33
Gwendoline Delbos-Corfield

Draft opinion
Paragraph 5

5. Considers the FDEAW should be fully brought under the Lisbon Treaty as a new legislative instrument; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law;

Or. en

Amendment

5. Considers that when all Member States’ full respect for their obligations regarding Rule of Law and Fundamental rights enshrined in the Treaties is guaranteed, the FDEAW should be fully brought under the Lisbon Treaty as a new legislative instrument; Believes that such an instrument should provide for adequate safeguards and ensure that the executing judicial authorities can refuse to execute a European arrest warrant when rule of law and fundamental rights deficiencies in the issuing Member State justify it; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law;

Or. en

Amendment 34
Pascal Durand
Draft opinion  
Paragraph 5

5. Considers that the FDEAW should be fully brought under the Lisbon Treaty as a new legislative instrument; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law;

Amendment  

5. Considers the advantages of integrating the FDEAW fully under the Lisbon Treaty as a EU regulation; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law; recalls however that this integration should not be done at the cost of a swift amelioration of the current framework application;

Or. en

Amendment 35  
Domènec Ruiz Devesa

Draft opinion  
Paragraph 5

5. Considers that the FDEAW should be fully brought under the Lisbon Treaty as a new legislative instrument; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law;

Amendment  

5. Considers that the FDEAW should be fully brought under the Lisbon Treaty as a new legislative instrument; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law; supports including crimes against the constitutional integrity of the EU Member States in the FDEAW list;

Or. en
Amendment 36
Paulo Rangel
Draft opinion
Paragraph 5

Draft opinion

5. Considers that the FDEAW should be fully brought under the Lisbon Treaty as a new legislative instrument; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law;

Amendment

5. Considers that the FDEAW should be fully brought under the Lisbon Treaty as a new legislative instrument in the sense of Article 288 TFEU and in conformity with Article 10(2) of the Protocol 36 TUE; is convinced that this would provide substantial benefits in terms of democratic legitimacy, legal certainty and transparency, enhance coherence with other criminal law instruments adopted under ordinary legislative procedure, and allow for clarification of ‘judicial authority’ as an autonomous concept of EU law; such “lisbonisation” should inter alia provide for an obligation for the issuing authority to apply consistently a proportionality test, establish explicit grounds for refusal to surrender a person in accordance with Article 6 TEU and the EU Charter of Fundamental Rights, provide for explicit reporting obligations on Member States on their issue and execution of EAWs, and enhance enforcement powers of the Commission;

Or. en

Amendment 37
Fabio Massimo Castaldo
Draft opinion
Paragraph 5

Draft opinion

5. Considers that the FDEAW should be fully brought under the Lisbon Treaty as a new legislative instrument; is convinced that this would provide substantial benefits

Amendment

5. Reminds that the FDEAW was adopted using the intergovernmental cooperation method under the former third pillar on police and judicial
in terms of democratic legitimacy, legal
certainty and transparency, enhance
coherence with other criminal law
instruments, and allow for clarification of
‘judicial authority’ as an autonomous
concept of EU law;

cooperation in criminal matter; considers
it urgent that the FDEAW is fully brought
under the Lisbon Treaty as a new
legislative instrument, allowing the
European Parliament to act as co-
legislator; is convinced that this would
provide substantial benefits in terms of
democratic legitimacy, legal certainty and
transparency, enhance coherence with
other criminal law instruments, and allow
for clarification of ‘judicial authority’ as an
autonomous concept of EU law;

Or. en

Amendment 38
Geert Bourgeois, Assita Kanko

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Stresses that the Charter of
Fundamental Rights, as a source of
primary law, always has precedence over
any piece of secondary legislation
concerning the European arrest warrant;
insists that, as is stated in Article 51(1) of
the Charter of Fundamental Rights,
Member States and, consequently their
courts, must respect the Charter where
they are implementing EU law, which is
the case when the issuing judicial
authority and the executing judicial
authority are applying the provisions of
national law adopted to transpose the
Framework Decision; is of the opinion
therefore that automatic surrendering is
out of the question, as confirmed by the
European Court of Justice in the
Aranyosi-judgment (C-404/15); insists
that judicial control is always necessary to
verify, among others, if there is a lawful
decision, a competent authority and
respect for the fundamental rights; notes
that where the judicial authority of the
executing Member State is in the possession of evidence of a real risk of a violation of fundamental rights in the issuing Member State, that judicial authority is bound to assess the existence of that risk when it is called upon to decide on the surrender to the authorities of the issuing Member State;

Draft opinion

Amendment 39
Gwendoline Delbos-Corfield

Paragraph 5 a (new)

5 a. Reiterates that moving forward with the pending Article 7 procedures is necessary for the protection of Rule of law, democracy and fundamental rights in the EU and for the building of mutual trust between Member States;

Draft opinion

Amendment

Amendment 40
Geert Bourgeois, Assita Kanko

Paragraph 6

6. Notes that the withdrawal of the UK from the EU creates opportunities for further unification of the criminal justice area; recalls that the Political Declaration on the future relationship states that the UK and EU ‘will provide for comprehensive, close, balanced and reciprocal law enforcement and judicial cooperation in criminal matters’; insists that any agreement between the EU and UK in the field of criminal justice
criminal matters’; insists that any agreement between the EU and UK in the field of criminal justice cooperation must be underpinned, inter alia, by their commitments on fundamental rights, as well as by the role of the ECJ in this matter.

Amendment 41
Loránt Vincze

Draft opinion
Paragraph 6

Draft opinion

6. Notes that the withdrawal of the UK from the EU creates opportunities for further unification of the criminal justice area; recalls that the Political Declaration on the future relationship states that the UK and EU ‘will provide for comprehensive, close, balanced and reciprocal law enforcement and judicial cooperation in criminal matters’; insists that any agreement between the EU and UK in the field of criminal justice cooperation must be underpinned, inter alia, by their commitments on fundamental rights, as well as by the role of the ECJ in this matter.

Amendment

6. Notes that the withdrawal of the UK from the EU creates opportunities for further unification of the criminal justice area; recalls that the Political Declaration on the future relationship states that the UK and EU ‘will provide for comprehensive, close, balanced and reciprocal law enforcement and judicial cooperation in criminal matters’; points out that in case the EU and the UK will fail to reach a new extradition agreement within an overall partnership agreement by the end of the transition period, the parties will have to revert to the 1957 European Convention on Extradition of the Council of Europe, which entails much slower processes of political and diplomatic nature, rather than technical ones; insists that any agreement between the EU and UK in the field of criminal justice cooperation must be underpinned, inter alia, by their commitments on fundamental rights, including the continued commitment by the UK to respect the framework of the European Convention on Human Rights (ECHR), as well as by the role of the ECJ in this matter.
Draft opinion
Paragraph 6

6. Notes that the withdrawal of the UK from the EU creates opportunities for further unification of the criminal justice area; recalls that the Political Declaration on the future relationship states that the UK and EU ‘will provide for comprehensive, close, balanced and reciprocal law enforcement and judicial cooperation in criminal matters’; insists that any agreement between the EU and UK in the field of criminal justice cooperation must be underpinned, inter alia, by their commitments on fundamental rights, as well as by the role of the ECJ in this matter.

Amendment
6. Notes that the withdrawal of the UK from the EU creates opportunities for further unification of the criminal justice area; recalls that the Political Declaration on the future relationship states that the UK and EU ‘will provide for comprehensive, close, balanced and reciprocal law enforcement and judicial cooperation in criminal matters’; insists that any agreement between the EU and UK in the field of criminal justice cooperation must be underpinned, inter alia, by their commitments on fundamental rights, including adherence and giving effect to ECHR, ne bis in idem principle and procedural rights, as well as by the role of the ECJ in this matter.

Amendment 43
Fabio Massimo Castaldo

Draft opinion
Paragraph 6

6. Notes that the withdrawal of the UK from the EU creates opportunities for further unification of the criminal justice area; recalls that the Political Declaration on the future relationship states that the UK and EU ‘will provide for comprehensive, close, balanced and reciprocal law enforcement and judicial cooperation in criminal matters’; insists that any

Amendment
6. Notes that the UK has always obstructed the implementation of the instrument and that its withdrawal from the EU creates opportunities for further unification of the criminal justice area; recalls that the Political Declaration on the future relationship states that the UK and EU ‘will provide for comprehensive, close, balanced and reciprocal law enforcement
agreement between the EU and UK in the field of criminal justice cooperation must be underpinned, inter alia, by their commitments on fundamental rights, as well as by the role of the ECJ in this matter.

Amendment 44
Pascal Durand

Draft opinion
Paragraph 6 (new)

Proposes in that regard, that during the current legislative period the European Parliament holds regular hearings with Member-States and Eurojust in order to increase dialogue and transparency among the parties of the FDEAW;