

Question for written answer E-012921/2013
to the Commission
Rule 117
Philippe Boulland (PPE)

Subject: Means of appeal open to European citizens as regards the European arrest warrant

A French, and so European, citizen has been extradited after a European arrest warrant was issued for him by Germany for non-payment of maintenance.

Instead of opening an administrative procedure to recover cross-border maintenance, the German legal authorities issued an arrest warrant and have thus turned this man's case into a criminal one.

There has been a total failure to apply the principle of proportionality in this case.

Following this case, the French citizen was transferred to five different prisons, before being released in Germany.

What means of appeal are open to EU nationals to enforce their rights to defence in cases where the principle of proportionality has not been applied?

What means of appeal are open to EU nationals in cases where there is a failure to comply with Council Framework Decision 2009/829/JAI?

Can failure to apply the principle of proportionality in connection with the European arrest warrant or failure to comply with Framework Decision 2009/829/JAI be considered a breach of EU citizens' fundamental rights?