

**Question for oral answer O-000117/2011
to the Council**

Rule 115

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on behalf of the PPE Group

Subject: European Arrest Warrant

As highlighted in a recent report by the Commission (COM(2011)0175), the European Arrest Warrant has proven to be an effective instrument in fighting cross-border crime, organised crime and terrorism. However, as pointed out by the Commission, there is potential for its reputation and effectiveness to be undermined by reports of it being used for questioning instead of prosecution and execution of sentences and for minor offences, without proper consideration of whether surrender is proportionate and notwithstanding the human and financial costs involved (estimated by one Member State at EUR 25 000 per surrender procedure).

In some cases there are no facilities for adequate legal representation of persons sought under a European Arrest Warrant in the issuing and executing Member States. Furthermore, prison conditions in many EU Member States can potentially undermine the trust in appropriate treatment of prisoners upon which the European Arrest Warrant and the soon-to-be-implemented framework decision on the transfer of sentenced persons are based.

- Does the Council consider the EAW to have been a useful instrument and to have attained its objectives?
- What steps does the Council intend to take to guarantee that disproportionate use of the European Arrest Warrant is put to an end in practice?
- How does the Council intend to ensure that persons wanted under a European Arrest Warrant have an effective right to legal advice in both the issuing and the executing states and that a decision not to execute a European Arrest Warrant results in the removal of the Schengen alert?
- How is Council going to ensure that criminal justice standards and prison conditions in the European Union are not a source of mistrust for Member States' judicial systems?

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Deadline for reply: 2.6.2011