

**Priority question for written answer P-004460/2019/rev.1
to the Commission**

Rule 138

Diana Riba i Giner (Verts/ALE)

Subject: Position on the European Arrest Warrant system

On Monday 16 December 2019, the VP/HR Josep Borrell stated that the European Arrest Warrant (EAW) should be reformed and improved through mechanisms 'that create mutual trust between the judiciary of Member States'. Mr Borrell was responding to a question about the situation of MEP-elect Carles Puigdemont, and the postponement of his extradition hearing in Belgium ¹.

1. Can the Commission confirm that the VP/HR's position on the EAW system is also the official Commission position?
2. VP/HR Borrell openly expressed disapproval of the situation of a Basque citizen charged with terrorism by the Spanish judiciary whose EAW was denied by the Belgian authorities, and compared this situation with Mr Puigdemont's extradition case. Does the Commission believe that the opinions expressed by VP/HR contravene the spirit of Directive 2016/343 on the presumption of innocence, and disregard Article 2 of the Code of Conduct for Members of the Commission on the independence, integrity, dignity, loyalty and discretion required of Commissioners when performing their duties?
3. Mr Borrell called the Belgian judiciary into question by criticising rulings on ongoing and previous extradition cases. Does the Commission consider it appropriate for the VP/HR to comment on specific court cases in a Member State?

¹ <https://www.lavanguardia.com/politica/20191216/472267873826/borrell-favorable-a-mejorar-la-euroorden-ante-casos-como-el-de-puigdemont.html>