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**COMMISSION STAFF WORKING DOCUMENT**

**Replies to questionnaire on quantitative information on the practical operation of the  
European arrest warrant – Year 2014**

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## Introduction

The Commission Staff Working Document compiles in table form the quantitative information relating to the practical operation of the European arrest warrant (EAW)<sup>1</sup> for the year 2014. These statistics are based on information furnished by the Member States to the Commission between May 2015 and May 2016 in accordance with the standard questionnaire contained in Council document 11356/13 of 24 June 2013.

From 2005 until 2013, the statistics were collected and published by the Council. Following the entry into force of the Treaty of Lisbon and the expiration of the transitional period concerning the former third pillar instruments in December 2014, the Commission is now responsible for collecting and publishing this quantitative information.

Upon request of the European Parliament, the Commission first undertook a revision of the standard questionnaire, in order to get a more comprehensive overview of the practical operation of the EAW. The revised questionnaire was discussed by the Member States' delegations and agreed upon at the Working Party on Cooperation in Criminal Matters, as reflected in the abovementioned Council document (11356/13).

The questionnaire covers quantitative information from Member States dealing with EAWs both as issuing and as executing States<sup>2</sup>. It consists of data related to *inter alia* the amount of EAWs issued and executed, persons arrested, types of offences covered, applied grounds for non-execution and the duration of the surrender proceedings. The data provides the basis for statistical analysis, enables to make comparisons between the Member States and provides an overall picture of the operation of the EAW. The data will contribute to improving the operation of the EAW.

**Annex I** contains the quantitative information relating to the practical operation of the EAW in table form.

**Annex II** contains other information sent by some Member States.

**Annex III** contains a table providing an overview of the number of issued and executed European arrest warrants from 2005 to 2014.

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<sup>1</sup> Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States, OJ L 190, 18/07/2002, p. 0001

<sup>2</sup> Article 1 (1) Framework Decision 2002/584/JHA: The European arrest warrant is a judicial decision issued by a Member State with a view to the arrest and surrender by another Member State of a requested person, for the purposes of conducting a criminal prosecution or executing a custodial sentence or detention order.

## Overview of the Member States' replies

As of May 2016 the Commission had received replies from 27 Member States. IT did not provide a reply. In terms of the number of Member States this is the most comprehensive set of replies to date, as for each of the previous years a few Member States did not provide any reply. However, not all 27 Member States who replied for the year 2014 provided replies to every question in the standard questionnaire.

The quantitative information relating to the practical operation of the EAW for the year 2014, as set out in Annex I, is divided into two parts. The first part relates to information provided by the Member States as issuing States, and the second part as executing States respectively.

### I. Replies to the questions to Member States as issuing States

All 27 Member States provided information on the number of EAWs issued (*Question 1*). The total number of EAWs issued by these Member States for the year 2014 is 14 948.

This number is the second highest to date, although it should be noted that it is also based on the highest number of replies to date. The highest number of EAWs was issued in 2009: in total, 15 827, which were issued by the 25 Member States who provided replies for that year. For the year 2013 13 142 EAWs were issued by the 21 Member States who provided replies for that year.

As concerns the purpose of the issued EAWs only 16 Member States provided figures (*Question 2*). These replies indicate that, in general, the majority of EAWs were issued for the purpose of prosecution instead of execution of a custodial sentence or of a detention order. Clear exceptions to this are PL where 31% (904 out of 2 961) of the EAWs were issued for prosecution and RO, with 15% (237 out of 1 583) respectively.

As concerns the categories of offences for which the EAWs were issued, 18 Member States provided replies (*Question 3*). These replies indicate that, in general, the most common categories were 3.5 *Theft offences and criminal damage* (3 671 EAWs), 3.6 *Fraud and corruption offences* (2 282 EAWs) and 3.2 *Drug offences* (1 476 EAWs). For terrorism offences, 108 EAWs were issued (3.1 *Terrorism*). However, it should be noted that the frequency of each of these categories vary by Member State. Moreover, a significant part of the offences were categorised as 3.11 *Other* (2 824 EAWs).

26 Member States provided figures concerning EAWs which resulted in the effective surrender (*Question 4*). 5 535 EAWs issued by Member States' judicial authorities resulted in the effective surrender of the person sought. This number is the highest to date, although it should be noted that it is also based on the highest number of replies. The second highest number of EAWs resulting in the effective surrender is 4 431 for the year 2 009 for the 25 Member States who provided replies for that year.

## II. Replies to the questions to Member States as executing States

All 27 Member States provided their figures on the amount of persons arrested under an EAW (*Question 1*). 9 824 persons were arrested under an EAW and 6 650 persons were effectively surrendered (*Question 3*) by these States. 7 709 surrender proceedings were initiated in the 25 Member States who provided this data (*Question 2*). From the total number of persons surrendered, 59% (3 181 out of 5 388) consented to the surrender for the 25 Member States who provided their figures (*Question 4*).

As concerns the duration of the procedure when the person consented to the surrender<sup>3</sup>, 25 Member States provided replies (*Question 5*). For these States, in this case the surrender procedure lasted on average 18 days. It should be noted that excluding the distinctively high number for IE (98 days)<sup>4</sup>, the average for the other Member States is 15 days.

When the person did not consent to the surrender<sup>5</sup>, procedure lasted on average 61 days for the 25 Member States who provided replies (*Question 6*). It should be noted that excluding the distinctively high number for IE (240 days)<sup>6</sup>, the average for the other Member States is 54 days. The execution of an EAW was refused in 726 cases in the 26 Member States who provided their numbers (*Question 7*). A comparison to the total number of surrender proceedings initiated (7 709 by the 25 Member States who replied *Question 2*) suggests that roughly 10% of the surrender proceedings resulted in a refusal.

22 Member States provided replies to the questions concerning the reasons for the refusals. These replies indicate that the most common reason for the refusal to surrender was Article 4(6)<sup>7</sup> of the Framework Decision, covering in total 206 EAWs. The grounds for mandatory non-execution (Article 3)<sup>8</sup> were seldom applied in these Member States. Moreover, 21 Member States reported a total of 162 cases in which another reason for refusal has been applied (*Question 7.21*).

The 90-day time limit was exceeded in 322 cases in the 22 Member States who provided their numbers (*Question 8.1*). A comparison to the total number of surrender proceedings initiated in 2014 (7709 by the 25 Member States who replied *Question 2*) suggests that this time limit was exceeded in roughly 4% of the surrender proceedings. Eurojust was informed in 70% (224 out of 322) of the cases (*Question 8.2*).

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<sup>3</sup> Article 17 (2) Framework Decision 2002/584/JHA: In cases where the requested person consents to his surrender, the final decision on the execution of the European arrest warrant should be taken within a period of 10 days after consent has been given.

<sup>4</sup> IE answered "14 weeks"

<sup>5</sup> Article 17 (3) Framework Decision 2002/584/JHA: In other cases, the final decision on the execution of the European arrest warrant should be taken within a period of 60 days after the arrest of the requested person; Article 17 (4) EAW: Where in specific cases the European arrest warrant cannot be executed within the time limits laid down in paragraphs 2 or 3, the executing judicial authority shall immediately inform the issuing judicial authority thereof, giving the reasons for the delay. In such case, the time limits may be extended by a further 30 days.

<sup>6</sup> IE answered "7 to 9 months"

<sup>7</sup> The executing Member State undertakes to execute the custodial sentence.

<sup>8</sup> E.g. Article 3 (1) Framework Decision 2002/584/JHA, *ne bis in idem*.

The surrender did not take place because of non-compliance with the time limits prescribed by Article 23(2) of the Framework Decision in 200 cases for the 20 Member States who provided replies to this question (*Question 8.3*). The person was released in 10 cases (*Question 8.4*).

The execution of an EAW concerned a national or resident in 1 364 cases in the 24 Member States who provided their figures (*Question 9*). A comparison to the total number of persons effectively surrendered by these States in 2014 proceedings (5 273) suggests that the execution of an EAW concerns nationals or residents in approximately 26% of the cases.

A guarantee related to the review of life-term imprisonment was requested in 61 cases in the 20 Member States who provided their figures (*Question 10*).

**Annex I - Replies to questionnaire on quantitative information on the practical operation of the European arrest warrant – Year 2014<sup>9</sup>**

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<sup>9</sup> Figure "0" in the table should read as no cases reported; while symbol "x" represents the missing data.

## I. Questions to Member States as issuing States

1. How many European arrest warrants have been issued this year by the judicial authority of your country?

BE	BG	CZ	DK	DE <sup>10</sup>	EE	EL	ES	FR	IE <sup>11</sup>	HR	IT	CY	LV	LT	LU	HU	MT <sup>12</sup>	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
754	228	501	115	2219	85	269	683	1070	78	271	x	42	217	460	126	839	14	544	590	2961	227	1583	89	381	126	248	228

<sup>10</sup> DE remarked: "The number of searches conducted via Interpol by means of the European arrest warrant is lower because the Schengen search is always initiated first. In some cases the search activated in SIS or nationally had already led to the arrest of the requested person before an Interpol search had been initiated. Among other reasons, this can be because the requirements for an Interpol alert (e.g. no doubts on the part of the Federal Office of Justice or the Ministry of Foreign Affairs) had not yet been fulfilled. After consultation with the competent prosecution authorities, search documentation is in principle never transmitted via Interpol in such cases."

<sup>11</sup> IE: "Ireland's replies are based on the preceding questionnaire template set out in 8111/05 COPEN 75 EJM 23 EUROJUST 24."

<sup>12</sup> MT: 1 for one person. 8 for one person. 3 for one person. 2 for one person.



2. How many of the EAWs issued this year were for the purpose of prosecution?

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>13</sup>	SI	SK	FI	SE	UK
x	x	x	111	x	45	175	x	666	x	210	x	42	159	263	120	623	14	x	x	904	x	237	65	221	x	107	x

<sup>13</sup> Romania answered to questions 2 and 3 with percentages. Results calculated on a total of 1583 EAWs. 15% of 1583 EAWs.

3. Where possible, please advise how many EAWs issued this year were for the following categories of offence?

3.1. Terrorism

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	x	4	x	0	6	38	45	x	0	x	0	13	0	1	0	0	x	x	0	x	0	0	0	x	0	1

3.2. Drug offences

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>14</sup>	SI	SK	FI	SE	UK
x	x	x	34	x	27	36	209	223	x	19	x	2	31	45	3	92	5	x	x	610	x	47	3	11	x	44	35

3.3. Sexual Offences

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>15</sup>	SI	SK	FI	SE	UK
x	x	x	2	x	2	11	36	52	x	9	x	2	6	10	0	6	0	x	x	68	x	63	0	6	x	14	52

<sup>14</sup> RO: 3% of 1583 EAWs.

<sup>15</sup> RO: 4% of 1583 EAWs.

### 3.4. Firearms/explosives

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	x	2	x	0	15	23	3	x	2	x	3	55	10	1	3	0	x	x	26	x	0	0	2	x	6	2

### 3.5. Theft offences and criminal damage

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>16</sup>	SI	SK	FI	SE	UK
x	x	x	66	x	18	41	92	239	x	41	x	13	53	146	90	220	0	x	x	1954	x	475	38	98	x	58	29

### 3.6. Fraud and corruption offences

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>17</sup>	SI	SK	FI	SE	UK
x	x	x	12	x	9	20	75	74	x	96	x	7	15	46	18	144	8	x	x	1450	x	142	37	74	x	34	21

### 3.7. Counterfeiting the Euro

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	x	0	x	0	2	16	4	x	0	x	0	4	1	0	0	1	x	x	2	x	0	1	2	x	0	0

<sup>16</sup> RO: 30% of 1583 EAWs.

<sup>17</sup> RO: 9% of 1583 EAWs.

### 3. 8. Homicide/Fatal Offences

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>18</sup>	SI	SK	FI	SE	UK
x	x	x	0	x	2	31	78	62	x	9	x	0	8	10	2	5	0	x	x	29	x	222	0	0	x	10	20

### 3.9. Non-fatal offences against the person

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>19</sup>	SI	SK	FI	SE	UK
x	x	x	5	x	2	11	59	51	x	11	x	2	4	36	3	91	0	x	x	708	x	95	9	16	x	89	21

### 3.10. Trafficking in Human Beings

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>20</sup>	SI	SK	FI	SE	UK
x	x	x	2	x	0	6	<sup>39</sup> 56	56	x	3	x	0	0	5	0	43	0	x	x	4	x	127	3	2	x	0	10

<sup>18</sup> RO: 14% of 1583 EAWs.

<sup>19</sup> RO: 6% of 1583 EAWs.

<sup>20</sup> RO: 8% of 1583 EAWs.

3.11. Other

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>21</sup>	SI	SK	FI	SE	UK
x	x	x	15	x	35	110	18	225	x	109	x	28	57	174	18	235	0	x	x	1099	x	412	16	170	x	66	37

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<sup>21</sup> RO: 26% of 1583 EAWs.

4. How many EAWs issued by your judicial authorities resulted in the effective surrender of the person sought this year?

BE	BG	CZ	DK	DE <sup>22</sup>	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT <sup>23</sup>	LU	HU	MT	NL <sup>24</sup>	AT	PL	PT	RO	SI	SK	FI	SE	UK
69	156	197	78	965	33	53	75	411	27	21	x	15	59	270	68	333	3	208	201	1120	60	774	32	91	x	73	143

<sup>22</sup> DE: "No distinction is made between surrenders resulting from a European arrest warrant transmitted in 2014 and those resulting from European arrest warrants transmitted before then."

<sup>23</sup> LT: Approximately.

<sup>24</sup> NL: "208 persons were arrested".

## II. Questions to Member States as executing States

1. How many persons have been arrested in this year under an EAW in your country?																											
BE <sup>25</sup>	BG	CZ	DK	DE <sup>26</sup>	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
83	235	227	52	1563	48	165	876	805	1583	73	x	46	32	89	32	340	10	653	194	293	70	491	68	81	34	162	1519

<sup>25</sup> BE: Approximately.

<sup>26</sup> DE: "The figure indicated includes cases in which the person sought was already either serving a sentence or remanded in custody in Germany, so there was no arrest, just superimposed detention where appropriate. However, it does not include cases in which arrest warrants are transmitted directly to judicial authorities without an alert being issued."

2. How many surrender proceedings have been initiated by the judicial authorities of your Member State this year pursuant to receipt of an EAW?

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
337	235	353	66	1409	48	130	1049	805	x	73	x	53	25	95	34	340	10	832	430	344	89	614	71	81	44	142	x



3. How many persons have been effectively surrendered this year?

BE <sup>27</sup>	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
28	165	237	59	1197	42	122	515	665	115	59	x	44	28	54	18	287	7	598	255	217	69	502	52	52	43	123	1097

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<sup>27</sup>BE: Approximately.

4. Of those persons surrendered this year how many consented to the surrender?

BE <sup>28</sup>	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
2	x	141	27	681	30	67	338	457	36	31	x	37	20	69	14	126	7	111	168	167	54	446	37	28	22	65	x

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<sup>28</sup> BE: Approximately.

5. On average this year how many days did the surrender procedure take where the person consented to surrender (time between the arrest and the decision on surrender)?

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE <sup>29</sup>	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
3	x	25.56	36	15.84	8	24	8	19	98	12	x	15	10	11	1.5	2	13	11	17	13	11.6	15	15	35	18	14	x

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<sup>29</sup> IE: "14 weeks".

6. On average this year how many days did the surrender procedure take where the person did not consent to the surrender (time between the arrest and the decision on surrender)?

BE	BG	CZ	DK	DE <sup>30</sup>	EE	EL	ES	FR	IE <sup>31</sup>	HR	IT	CY <sup>32</sup>	LV	LT	LU	HU	MT	NL <sup>33</sup>	AT	PL	PT	RO	SI	SK	FI	SE	UK
16	x	76.51	61	40.49	13	36	27	34	240	48	x	30	40	23	26.5	49	338	79.5	40	23	51.6	25	66	54	40	47	x

<sup>30</sup> DE: "Where, in the above-mentioned proceedings, the requested person is serving a custodial sentence or is remanded in custody, the time taken is counted from the point at which the person is detained solely for the purpose of extradition."

<sup>31</sup> IE: "7 to 9 months".

<sup>32</sup> CY: "1 month".

<sup>33</sup> NL: "Out of the 598 decisions on surrender 409 decisions were taken within 69 days and 89 decisions were taken after the time limit of 90 days expired".

7. In how many cases this year has a Judicial Authority in your Member State refused the execution of an EAW?

BE	BG	CZ <sup>34</sup>	DK	DE <sup>35</sup>	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
19	23	73	7	151	1	20	27	66	8	9	x	4	1	6	6	23	0	30	61	51	8	112	9	1	1	9	x

In how many cases this year was the refusal for the following reasons?

7.1. FD Article 3.1. (*Amnesty*)

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	0	0	0	0	0	x	0	x	0	0	0	0	0	x	0	0	0	0	0	1	0	0	0	x

7.2. FD Article 3.2. (*Ne bis in idem*)

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	1	1	0	0	1	1	x	0	x	0	0	0	0	0	x	0	0	6	0	0	0	0	0	0	x

<sup>34</sup> CZ: "Number of cases (73) is comprised of number of cases dismissed by the court (19) and number of cases terminated by the public prosecution office within the preliminary proceedings (54)".

<sup>35</sup> DE: "The European arrest warrant was withdrawn in (the remaining) 60 cases."

7.3. FD Article 3.3. *(Under the age of criminal responsibility)*

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	0	0	0	0	0	x	0	x	0	0	0	0	0	x	0	0	0	0	0	0	0	0	0	x

7.4. FD Article 4.1. *(Lack of double criminality)*

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	1	0	3	0	0	3	3	x	1	x	0	1	0	1	3	x	0	11	10	0	0	0	1	0	1	x

7.5. FD Article 4.2. *(Prosecution pending in the executing Member State)*

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	2	0	1	0	2	2	0	x	1	x	0	0	0	0	4	x	0	17	5	0	0	0	0	0	0	x

7.6. FD Article 4.3 *(Prosecution for the same offence precluded in the executing Member State)*

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	0	0	0	2	3	x	0	x	0	0	0	0	0	x	0	0	1	0	0	0	0	0	0	x

7.7. FD Article 4.4. (Prosecution or punishment statute-barred)

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	4	1	21	1	0	3	4	x	0	x	0	0	4	0	0	x	0	0	1	0	0	1	0	0	4	x

7.8. FD Article 4.5. (Final judgment in a third State)

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	
x	x	0	0	0	0	0	0	0	x	0	x	0	0	0	0	0	x	0	0	0	0	0	0	0	0	0	0	x

7.9. FD Article 4.6. (The executing Member State undertakes the execution of the sentence)

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	6	4	4	49	0	4	12	18	x	3	x	2	0	0	2	9	x	8	1	21	6	51	1	0	1	4	x

7.10. FD Article 4.7. (Extraterritoriality (offences committed outside the territory of the issuing State))

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	2	0	11	1	2	x	0	x	0	0	0	0	0	x	0	3	9	0	0	0	0	0	0	x

7.11. Trial in the absence of the accused without meeting requirements (FD Article 4a as inserted by FD 2009/299/JHA).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	22	0	0	0	9	x	0	x	0	0	0	0	3	x	6	6	0	0	0	0	0	0	2	x

7.12. Lack of guarantee of review in respect of life sentence (FD Article 5.2).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	0	0	0	0	0	x	0	x	0	0	0	0	0	x	0	0	0	0	0	0	0	0	0	x

7.13. Lack of guarantee of return of national/resident to serve sentence (FD Article 5.3).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	2	1	0	2	0	1	0	0	x	0	x	0	0	0	0	0	x	0	0	2	0	0	0	0	0	0	x

7.14. EAW content is not in conformity with FD requirements (FD Article 8).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	8	0	1	1	1	x	0	x	0	0	0	0	0	x	0	1	5	2	0	0	0	0	0	x



7.15. Lack of requested additional information (FD Article 15.2).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	1	0	1	0	0	1	6	x	0	x	0	0	1	1	4	x	0	0	2	0	6	0	0	0	0	x

7.16. Privilege or immunity (FD Article 20).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	0	0	0	0	0	x	0	x	0	0	0	0	0	x	0	0	0	0	0	0	0	0	0	x

7.17. Maximum penalty no more than 12 months (FD Article 2.1).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	1	0	0	0	2	x	0	x	0	0	0	0	0	x	6	0	0	0	0	0	0	0	0	x

7.18. sentence less than 4 months (FD Article 2.1).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	0	0	0	1	1	x	0	x	0	0	0	0	0	x	6	1	0	0	0	0	0	0	0	x

7.19. Priority of a conflicting request (FD Article 16.1, 3, 4).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	1	1	0	0	0	2	x	1	x	0	0	0	0	0	x	0	0	0	0	0	0	0	0	0	x

7.20. Fundamental rights (FD Article 1.3).

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	1	0	0	0	1	x	0	x	0	0	0	0	0	x	0	2	1	0	0	0	0	0	1	x

7.21. Other.

BE	BG	CZ <sup>36</sup>	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT <sup>37</sup>	LU <sup>38</sup>	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	70	0	38	0	2	0	13	x	3	x	x	0	1	2	0	x	0	19	8	0	0	6	0	0	0	x

<sup>36</sup> CZ: "Withdrawal of EAW (41). Person concerned does not stay in the Czech Republic (17). Person concerned deceased (1). Not specified (11)."

<sup>37</sup> LT: "Due to proportionality"

<sup>38</sup> LU: "Lack of formal compliance"

8.1. In how many cases this year were the judicial authorities of your Member State not able to respect the 90-day time limit for the decision on the execution of the EAW according to Article 17.4 of the FD?

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT <sup>39</sup>	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
0	x	7	9	44	0	2	x	28	118	3	x	1	0	0	0	0	1	89	2	5	1	1	4	4	3	0	x

8.2. In how many of the cases in 8.1 above was Eurojust informed (Article 17.7 FD)?

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL <sup>40</sup>	AT	PL	PT	RO	SI	SK	FI	SE	UK
0	x	7	0	0	0	0	x	2	118	2	x	0	0	0	0	0	1	89	0	0	0	0	2	0	3	0	x

<sup>39</sup> MT: "1 case due to constitutional proceedings being filed by requested person following decision to surrender by appellate court in July 2014. Surrender took place in April 2015."

<sup>40</sup> NL: "The issuing judicial authority was always informed immediately. Eurojust was informed later".

8.3. In how many cases this year did the surrender not take place because of non-compliance with the time limits imposed by Article 23.2 FD?

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE <sup>41</sup>	HR	IT	CY	LV	LT	LU	HU	MT	NL <sup>42</sup>	AT	PL	PT	RO	SI	SK	FI	SE <sup>43</sup>	UK
13	x	0	0	0	0	0	140	10	x	1	x	12	0	0	0	0	0	0	5	10	0	9	0	x	0	0	x

8.4. In how many of the cases in 8.3 above was the person released according to Article 23.5 FD?

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE <sup>44</sup>	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
x	x	0	0	0	0	0	1	1	x	1	x	0	0	1	0	0	0	0	0	0	1	1	4	x	0	0	x

<sup>41</sup> IE: "In a very small number of cases, requesting judicial authority was unable to or did not collect person"

<sup>42</sup> NL: "In 172 cases there was a reason for postponement of the surrender (article 24)."

<sup>43</sup> SE: "There is no information of such a case."

<sup>44</sup> IE replied: "In a very small number of cases, person released because requesting judicial authority was unable to or did not collect person".

9. In how many cases this year did your judicial authority execute an EAW with regard to a national or resident of your Member State?

BE <sup>45</sup>	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU <sup>46</sup>	HU	MT	NL <sup>47</sup>	AT	PL	PT	RO	SI	SK <sup>48</sup>	FI	SE	UK
1	x	60	12	39	21	10	8	94	0	34	x	5	24	79	13	89	7	168	3	137	28	484	10	27	0	11	x

<sup>45</sup> BE: Approximately

<sup>46</sup> LU: "11 residents, 2 nationals"

<sup>47</sup> NL: "165 nationals and 3 equally treated residents have been surrendered for the purpose of prosecution with a guarantee of return".

<sup>48</sup> SK replied: "SK does not investigate the residence of arrested persons".

10. In how many cases this year did the judicial authorities of your Member State request a guarantee under Article 5.2 of the FD?

BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO <sup>49</sup>	SI	SK	FI	SE <sup>50</sup>	UK
x	x	0	0	2	21	8	0	5	x	0	x	5	6	0	0	0	0	0	0	12	x	0	2	x	0	0	x

<sup>49</sup> RO: "If the question refers to Article 5.3 of the FD, during 2014 were registered 195 cases"

<sup>50</sup> SE: "Such a guarantee is not required in Sweden"

**Annex II - Other information provided by several Member States**

**Is there any other information regarding the operation of the European arrest warrant that you would like to give?**

CZECH REPUBLIC

- Remark on questions 2 - 3.11 (as issuing State): Could not be answered for the year 2014. Statistical monitoring should start in the 2<sup>nd</sup> half of the year 2015.
- Statistical data are provided by the Ministry of Justice of the Czech Republic from the statistical monitoring of the courts and public prosecution offices.

GERMANY

- Final remark: *"The figures given are based on a statistical survey covering cases in which surrender took place in 2014 and for which the competent judicial authority of the relevant federal state submitted the relevant report to the Federal Office of Justice by 15 January 2015.*

*Experience has shown that, in isolated cases, reports on extradition proceedings concluded in 2014 are not likely to be submitted until after 15 January 2015."*



## FRANCE

### **I- Analysis of figures**

**The national figures recorded in the last few years show a levelling-off in the use of the European arrest warrant procedure, with a slight decrease in 2014. The procedure has now been fully incorporated by the French courts and is considered to be an extremely efficient cooperation tool.**

The data collected by the courts and their comments were used as a basis for the following analysis.

For 2014, the statistics collected by the Directorate for Criminal Matters and Pardons within the Ministry of Justice point to a clear decrease in the number of European arrest warrants sent to the French courts for execution. Indeed, the French authorities received 805 European arrest warrants (compared with 1 034 in 2014, 1 044 in 2012 and 1 102 in 2011), which led to the same number of arrests and to 665 actual surrenders. Moreover, the average duration of the procedure between arrest and final decision ordering surrender increased. It was 19 days with consent (compared with 13 days in 2013 and 14 days in 2012) and 34 days without consent (compared with 30 days in 2013 and 37 days in 2012).

The percentage of refusals to surrender remained stable overall, though showed a slight increase to 8.2 % (7.16 % in 2012 and 7 % in 2013). It is very likely that this trend is related to the extension granted by the Law of 5 August 2013 in the new Article 695-24-2 of the Code of Criminal Procedure to the optional ground for refusing surrender concerning persons of foreign nationality residing legally and continuously in France for at least five years. In 2014, there were 18 refusals on this ground (of a total of 66 refusal decisions), amounting to 27.2 %. In addition, two decisions to refuse surrender were made on the basis of priority being given to one request where two applications were received for the same person.

According to the information submitted by the public prosecutors, the majority of these warrants came from the following Member States: Romania, Poland, Spain, Belgium, Italy, Germany, the Netherlands and Portugal.

The public prosecutors emphasised this year that, overall, the procedure for the execution of European arrest warrants issued by foreign judicial authorities has been fully assimilated by the police, gendarmerie, judges and public prosecutors. This is indicated by the average surrender times, which show very little time elapsing between the arrest and the decision of the examining chamber.

The increase in the average duration of the procedure in 2014 was caused by the considerable length of a small number of procedures; for the vast majority, however, the average duration decreased. The increase was mainly due to the exercise of rights of appeal and the late responses given in some cases by the applicant authority to requests for additional information made by the examining chamber, which led to multiple referrals.

The new qualitative questionnaire shows that the vast majority of European arrest warrants (62.2 %) are issued as part of judicial proceedings and that most of them relate to the most serious offences (drug-related crime, theft, damage and destruction, homicides and physical assault, fraud and corruption, human trafficking, sexual offences and terrorism).

## **II. Difficulties identified with the implementation of the European arrest warrant procedure**

Although the assessment of the application of the European arrest warrant is very positive overall, a number of difficulties identified in the past two years persist.

However, the majority of public prosecutors stress that these problems are occurring much less frequently and are becoming less significant in practical terms.

## II.1 Difficulties relating to exchanges of information between Member States

The principle of direct communication between the competent judicial authorities appears to have been fully taken on board. Direct communication is becoming more fluid, as the language barrier is fading away and the judges in charge of this procedure are getting better at identifying the key figures able to intervene urgently to resolve obstacles, such as liaison magistrates, Eurojust, the French and foreign contact points of the European judicial network - whose responsiveness is widely acknowledged - and home security officers.

Some public prosecutors again note that the quality of the information contained in European arrest warrants varies depending on the Member State issuing it. While the report praises the document drafting efforts of the Eastern European Member States, the persistence of incomplete information in European arrest warrants issued by Italy, Spain and Portugal is again singled out.

The inaccuracies in the SIRENE forms on the basis of which the persons sought are arrested (compared to the information on the issue date, nature of the alleged offences and the expiry date indicated in the European arrest warrants sent subsequently) appear to be far smaller than in 2013).

On the other hand, the poor quality of translations (inaccurate or even incomprehensible) was, in 2014 as in 2013, a recurring problem highlighted by nearly all public prosecutors, especially with regard to the warrants issued by Italy, Spain and Portugal. This leads to requests for additional information and referrals (and the subsequent involvement of judges, court clerks, interpreters, lawyers and chaperones) and extends execution times. These additional information requests are sometimes met with late replies, or even no reply at all, from the authorities in question, even after multiple reminders. Six decisions to refuse surrender were made on the basis of Article 695-33 of the Code of Criminal Procedure, in the absence of any reply from the issuing authorities to a request for additional information.

The absence of information on the means of serving summons and the guarantees afforded to people tried in absentia is still cited by some public prosecutors as a factor extending execution times, mainly owing to the introduction by the Law of 5 August 2013 of the mandatory ground for refusing to execute European arrest warrants for the purposes of enforcing a sentence, where the decision was made in the absence of the convicted person and the guarantees mentioned are not provided by the requesting authority (Article 695-22-1 of the Code of Criminal Procedure). Nine decisions to refuse surrender were made on this basis.

The difficulty arising from the absence of any exchange of information between the issuing and executing authorities of a European arrest warrant in relation to the duration of provisional detention pending extradition was not mentioned in 2014.

Finally, the practice by some Member States, especially the United Kingdom, of submitting several requests for additional information over and above the requirements of the Framework Decision complicates the implementation of European arrest warrants issued by France.

With regard to the implementation of European arrest warrants issued by the French authorities, some of the courts' observations support the EU-wide introduction of a standard surrender form containing all of the necessary information (length of time served on remand, date of decision, grounds for surrender, waiver or application of the principle of speciality, etc.).

## II.2 Difficulties relating to the principle of proportionality in the European arrest warrant procedure

In 2014, as in 2013, most public prosecutors again deplored the issuing of European arrest warrants by certain eastern European and Mediterranean countries for very old offences which are not especially serious or for which the sentence or remaining sentence to be served is very short. This relates most specifically to Poland, Romania, Hungary and Portugal.

It should nonetheless be pointed out that this type of warrant is most often issued by countries with mandatory prosecution systems.

Since 2013, the courts no longer report having taken this lack of proportion into account when refusing to surrender the person being sought, on the grounds that doing so would violate Article 8 of the European Convention on Human Rights on the right to a private and family life or Article 6 on the right to a fair trial.

One public prosecutor, faced with the issue of proportionality, reported that the examining chamber had proceeded in the same way as in 2013 for European arrest warrants issued for the execution of sentences in relation to fraud; namely, granting suspensions allowing the debtors to settle their debt, leading to the arrest warrant being withdrawn by the requesting authorities. In certain cases where the individual showed that they had lodged an appeal against the sentence referred to by the European arrest warrant, the court adjourned its decision pending the result of the appeal.

Several public prosecutors emphasised that the case-law arising from the judgment of the Court of Justice of the European Union of 5 September 2012 (Case C-42/11 - Lopes Da Silva Jorge), enshrined in the Law of 5 August 2013 (new Article 695-24-2 of the Code of Criminal Procedure) extending the optional ground for refusing to execute a European arrest warrant to persons of foreign nationality residing legally and continuously in France for at least five years, constituted a step forward covering most situations that could otherwise have given rise to decisions to refuse surrender based on the application of Article 8 of the EHCR. Some of them specified that this ground for optional refusal could allow people already living in France for several years to serve their sentence in France in accordance with French law and the possibilities for sentence adjustment, particularly in cases where they were sought on the basis of the execution of a sentence handed down for offences that were very old or not especially serious.

Moreover, some public prosecutors reflected on the issue of proportionality in cases where the authority issuing the European arrest warrant that led to the examining chamber issuing a decision to surrender the person eventually waived surrender because that person had appeared before the issuing authority of their own volition. They pointed out that, in a number of cases, the use of this cumbersome and costly procedure could have been avoided, or at least preceded by a simple summons being issued for the person sought.

In relation to this, the French authorities consistently remind their European counterparts of their commitment to the principle of proportionality inherent in the implementation of the European arrest warrant.

### II.3 Difficulties in arranging the surrender of the person sought

In 2014, very few difficulties were reported in arranging the surrender of the person to the requesting Member State. Only one public prosecutor reported delays in the time taken to surrender a person, caused by an air transport strike in Germany and budgetary reasons cited by Romania. In 2013, some public prosecutors ascertained that certain Member States, mainly Poland and Romania, were still grouping together individuals for surrender in air convoys arranged once or twice a month, mainly for budget reasons, which led to the surrenders being delayed.

### II.4 Difficulties in coordinating the procedure for the execution of the European arrest warrant and the procedure for the mutual recognition of criminal convictions

Law 2013-711 of 5 August 2013 laying down various provisions on adaptation in the field of justice pursuant to EU law and France's international commitments on the cross-border execution of custodial sentences or detention orders in application of a criminal conviction, particularly transfers (Article 728-10 to 728-76 of the Code of Criminal Procedure), came into force on 6 August 2013.

Its provisions transposed Council Framework Decision 2008/909/JHA on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union, and apply to all new requests received or issued by France with effect from the date on which the Law was published, irrespective of the date of sentencing (except in relation to the Netherlands, which issued a statement on this point).

However, Article 25 of the Framework Decision, entitled ‘Enforcement of sentences following a European arrest warrant’, states: ‘Without prejudice to Framework Decision 2002/584/JHA, provisions of this Framework Decision shall apply, mutatis mutandis to the extent they are compatible with provisions under that Framework Decision, to enforcement of sentences in cases where a Member State undertakes to enforce the sentence in cases pursuant to Article 4(6) of that Framework Decision, or where, acting under Article 5(3) of that Framework Decision, it has imposed the condition that the person has to be returned to serve the sentence in the Member State concerned, so as to avoid impunity of the person concerned’.

The difficulty in connecting the national provisions transposing the two EU Framework Decisions was reported by some public prosecutors in 2014.

The French authorities are considering this issue with the aim of proposing means of implementing the new provisions and linking them to the provisions transposing the Framework Decision 2002/584/JHA, both with regard to the optional ground for refusing to execute a European arrest warrant where it is delivered for the purposes of executing a sentence and to the return guarantee that can be made by the issuing State for a European arrest warrant issued for the purpose of prosecution or a sentence handed down in absentia.

The need for all Member States to examine this issue together was highlighted at the last meeting of experts arranged by the Commission. The authorities reiterate this suggestion.

### **III. Main grounds for French courts' refusal to execute European arrest warrants**

The new questionnaire on the French courts' execution procedure for European arrest warrants provides a much more accurate picture of the main grounds for non-execution used in 2014. They were:

- The ground provided for in Article 695-24 2 of the Code of Criminal Procedure (Article 4(6) of the Framework Decision), whereby a European arrest warrant is issued for the purposes of execution of a custodial sentence or detention order, where the requested person is staying in or is a national or a resident of the executing Member State and that State undertakes to execute the sentence or detention order in accordance with its domestic law: **18 cases out of 66**;
- The ground for refusal provided for by Article 695-22-1 (1) of the Code of Criminal Procedure (Article 4a of the 2002 Framework Decision as introduced by Framework Decision 2009/299/JHA): **9 cases out of 66**;
- The absence of any response to a request for additional information, provided for by Article 695-33 of the Code of Criminal Procedure (Article 15(2) of the Framework Decision). In 2013, this was already one of the main grounds for refusal reported by the public prosecutors: **6 cases out of 66**.

#### **IRELAND**

Ireland's replies are based on the preceding questionnaire template set out in 8111/05 COPEN 75 EJM 23 EUROJUST 24.



THE NETHERLANDS

- Overview of the EAWs the Netherlands received since the Surrender Act entered into force (12 May 2004) and 31 December 2014

Member State	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
<b>Poland</b>	3	60	83	81	101	216	233	245	278	281	262	<b>1843</b>
<b>Belgium</b>	60	88	99	134	84	109	120	171	175	179	194	<b>1413</b>
<b>Germany</b>	54	140	160	131	125	133	138	143	114	138	134	<b>1410</b>
<b>France</b>	20	51	53	40	28	44	32	30	45	44	35	<b>422</b>
<b>Italy</b>		16	31	43	28	43	48	18	17	34	35	<b>313</b>
<b>United Kingdom</b>	6	22	10	15	18	35	46	37	38	43	27	<b>297</b>
<b>Hungary</b>	1	8	4	19	9	11	22	52	38	23	15	<b>202</b>
<b>Lithuania</b>	2	17	9	8	9	7	18	26	16	23	12	<b>147</b>
<b>Romania</b>				5	15	19	14	18	22	19	29	<b>141</b>
<b>Spain</b>	6	13	17	9	15	7	9	9	15	11	14	<b>125</b>
<b>Austria</b>	6	8	11	7	11	10	7	5	10	8	5	<b>88</b>
<b>Sweden</b>	5	5	5	1	11	3	10	10	9	3	5	<b>67</b>
<b>Bulgaria</b>				3	6	8	13	3	10	8	8	<b>59</b>
<b>Portugal</b>	9	7	3	5	4	6	6	5	4		8	<b>57</b>
<b>Czech Republic</b>		1	2	2	6	13	11	9	5	3	2	<b>54</b>
<b>Latvia</b>	1		1		3	12	6	9	3	4	9	<b>48</b>
<b>Finland</b>		2	3	2	1	4	6	4	4	6	8	<b>40</b>
<b>Denmark</b>	3	1	1	2	2	3	4	6	2	2	7	<b>33</b>
<b>Greece</b>		1	3	3	3	8			6	2	4	<b>30</b>
<b>Ireland</b>			3	1		1	2	4	4	2	7	<b>24</b>
<b>Luxembourg</b>		2	5			3		3		9	1	<b>23</b>
<b>Slovakia</b>	1	4	1		2	3	2	3	2	1	4	<b>23</b>
<b>Estonia</b>				1	1	3	5	1	4	1	2	<b>18</b>
<b>Slovenia</b>			1		1					1	3	<b>6</b>
<b>Croatia</b>										0	6	<b>6</b>
<b>Malta</b>		1	1				1	1				<b>4</b>
<b>Cyprus</b>			1									<b>1</b>
<b>Total</b>	<b>177</b>	<b>447</b>	<b>507</b>	<b>512</b>	<b>483</b>	<b>701</b>	<b>753</b>	<b>812</b>	<b>821</b>	<b>845</b>	<b>836</b>	<b>6894</b>

## POLAND

One court reported that an EAW issued from Poland was refused with the justification being that it was issued “after the lapse of the time limit” (UK). The EAW framework decision however foresees no such ground for refusing the execution of an EAW.

Other courts reported that executing authorities consistently fail to provide a copy of a decision authorising the transfer of a person or information on the date of arrest, the length of provisional detention and the invocation of the ‘speciality principle’ (UK).

The courts also reported that on several occasions the execution of an EAW was refused with only a statement that the person concerned would serve the sentence or that the sentence is considered served or pardoned without providing any details (Italy). A more detailed information is needed in order to remove an alert from the SIS database and to properly inform the National Criminal Register on how the sentence was served.

**Annex III - Overview of the number of issued and executed European arrest warrants 2005 - 2014**

**European arrest warrants in Member States - Number of issued European arrest warrants ("issued") and the number of European arrest warrants which resulted in the effective surrender of the person sought ("executed") based on statistics furnished to Council by Member States from year 2005 to year 2014<sup>5152</sup>**

	BE	BG	CZ	DK	DE	EE	EL	ES	FR	IE	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	Total
<b>2005</b> <b><i>Issued</i></b> <sup>53</sup>			4	64		38	38	519	1914	29		121	44	44	500	42	42	1	373	975	1448	200		81	56	86	144	131	<b>6894</b>
<b>2005</b> <b><i>Executed</i></b> <sup>54</sup>			0	19		10	12	54	162	6		57	3	10	69	24	23	0	30	73	112	38		10	14	37	10	63	<b>836</b>
<b>2006</b> <b><i>Issued</i></b>			168	52		42	53	450	1552	43			20	65	538	35	115	4	325	391	2421	102		67	111	69	137	129	<b>6889</b>
<b>2006</b> <b><i>Executed</i></b>			125	19		15	4	62	237	20			2	14	57	22	55	3	47	67	235	52		14	23	37	27	86	<b>1223</b>
<b>2007</b> <b><i>Issued</i></b>			435		1785	31	83	588	1028	35			20	97	316	44	373	3	403	495	3473	117	856	54	208	84	170	185	<b>10883</b>
<b>2007</b> <b><i>Executed</i></b>			66		506	14	16	59	345	14			4	16	60	15	84	1	17	47	434	45	235	8	71	43	22	99	<b>2221</b>
<b>2008</b> <b><i>Issued</i></b>			494	52	2149	46	119	623	1184	40			16	140	348	40	975	2	392	461	4829	104	2000	39	342	107	190	218	<b>14910</b>
<b>2008</b> <b><i>Executed</i></b>			141	26	624	22	10	93	400	13			3	22	68	22	205	1		28	617	63	448	11	81	44	40	96	<b>3078</b>
<b>2009</b> <b><i>Issued</i></b>	508		439	96	2433	46	116	489	1240	33			17	171	354	46	1038	7	530	292	4844	104	1900	27	485	129	263	220	<b>15827</b>
<b>2009</b> <b><i>Executed</i></b>	73		67	51	777	21	19	99	420	16			3	40	84	26	149	2	0	37	1367	63	877	6	79	47	28	80	<b>4431</b>
<b>2010</b> <b><i>Issued</i></b>	553	280	552	85	2096	74	132	566	1130				29	159	402	32	1015	16			3753	84	2000	30	361	116	169	257	<b>13891</b>
<b>2010</b> <b><i>Executed</i></b>	57	120	97	42	835	29	33	97	424				4	48	79	14	231	1			929		855	4	164	49	65	116	<b>4293</b>
<b>2011</b> <b><i>Issued</i></b>	600		518	128	2138	67		531	912	71			26	210	420	60		15			3089	193		53	350		198	205	<b>9784</b>
<b>2011</b> <b><i>Executed</i></b>	57		238	91	855	31		99	297	19			8	39	113	29		4			930	54		16	105		69	99	<b>3153</b>
<b>2012</b> <b><i>Issued</i></b>	616		487	117	1984	61		587	1087	88			34		473	60		11		552	3497	223			414	135	239		<b>10665</b>
<b>2012</b> <b><i>Executed</i></b>	68		186	70	1104	30		103	322	22			15		131	28		6		151	1103	54			125	59	75		<b>3652</b>
<b>2013</b> <b><i>Issued</i></b>	716		327	157	1932	88		582	1099	69			24	186	519			9	548	665	2972	303	2238	56	335	91	226		<b>13142</b>
<b>2013</b>	63		104	106	900	35		121	305	17			7	54	109			1	90	125	731	61	422	22	43	55	96		<b>3467</b>

<sup>51</sup> Source: Council documents 9005/5/06 COPEN 52; 11371/5/07 COPEN 106; 10330/2/08 COPEN 116; 9743/4/09 COPEN 87; 7551/7/10 COPEN 64; 9120/2/11 COPEN 83; 9200/7/12 COPEN 97; 7196/3/13 COPEN 34; 8414/4/14 COPEN 103

<sup>52</sup> "Empty cell" in the table represents the missing data.

<sup>53</sup> Answers to question 1 to issuing Member States in the yearly questionnaire on quantitative information on the practical operation of the EAW.

<sup>54</sup> Answers to question 4 to issuing Member States in the yearly questionnaire on quantitative information on the practical operation of the EAW.

