

**VĚRA JOUROVÁ**  
*Member of the European Commission*

Brussels,

Honourable Member, dear Ms Pagazaurtundúa,

Thank you for your email of 25 July 2019, following up to our discussions. I fully share your views on the importance of the European arrest warrant for the European Union's judicial area. Therefore, I would like to reiterate that it is the Commission's priority to ensure that the European arrest warrant functions well.

I am happy to provide you with some clarifications on ongoing activities in the area.

On a general level, evaluations of the implementation<sup>1</sup> and statistics<sup>2</sup> have shown that while the European arrest warrant generally operates well, the implementation is not entirely satisfactory in some Member States. Therefore, the Commission is currently performing a detailed compliance assessment of all the national legislations transposing the European arrest warrant Framework Decision. On the basis of the outcome, we may launch infringement proceedings to ensure that all Member States comply with the legal framework.

Moreover, the Commission is revising and updating the Handbook on how to issue and execute a European arrest warrant<sup>3</sup>, since we have received several calls from practitioners to revise the Handbook. In addition, the Commission will create a common working methodology/common guidelines regarding the criteria that need to be taken into account when applying the two-step approach established by the Aranyosi judgment in practice, and in particular when requesting information about prison conditions. This common working methodology/these guidelines will be of a non-binding nature, but will nevertheless shed some valuable light on how the judgments of the CJEU could be interpreted, and on which type of data could primarily be requested and subsequently provided by the Member States.

Vice President of the LIBE Committee  
Maite Pagazaurtundúa  
European Parliament  
by email: [maite.pagaza@europarl.europa.eu](mailto:maite.pagaza@europarl.europa.eu)

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<sup>1</sup> See COM(2005)0063 and SEC(2005)0267, COM(2006)0008 and SEC(2006)0079, COM(2007)0407 and SEC(2007)0979 and COM(2011)0175 and SEC(2011)0430.

<sup>2</sup> The EAW statistics reports covering 2014, 2015 and 2016 are available at [https://ec.europa.eu/info/publications/how-help-legal-practitioners-make-europe-safer-factsheets-and-statistics\\_en](https://ec.europa.eu/info/publications/how-help-legal-practitioners-make-europe-safer-factsheets-and-statistics_en) and [https://e-justice.europa.eu/content\\_european\\_arrest\\_warrant-90-en.do](https://e-justice.europa.eu/content_european_arrest_warrant-90-en.do).

<sup>3</sup> Link: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52017XC1006%2802%29>.

Furthermore, the ninth round of mutual evaluations<sup>4</sup> addressing certain aspects of the European arrest warrant will begin in November this year. The ninth round of mutual evaluations is based on a peer review approach. It will provide a real added value by offering the opportunity, with on-spot visits, to consider not only the legal issues but especially relevant practical and operational aspects linked to the application by practitioners in the context of criminal proceedings. This would allow to identify both shortcomings and areas for improvement, as well as best practices to be shared among the Member States, thus contributing to ensuring a more efficient and coherent application of the principle of mutual recognition at all stages of criminal proceedings across the Union.

In the light of what precedes, the Commission will consider publishing an evaluation report on the implementation of the European arrest warrant next year.

I remain at your disposal for further discussions on this matter. Moreover, I would like to offer that my services meet you and your assistants at a suitable time to explain in detail the findings of the ongoing work.

Yours sincerely,



Věra Jourová

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<sup>4</sup> See document 9279/1/19 REVI.