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Symposium ImprovEAW

Recommendations on the EAW form

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EAW form in general: recommendations to issuing JAs:

- Only use the official form: no *ad hoc* deviations (REC 3.1)
- Only use the official form in the official language of the executing Member State (REC 3.2)

EAW form in general: recommendation to EU

Mechanism for regularly updating (and digitising) *EAW* form (REC 3.3)

- Need:
 - keeping up with CoJ's case-law;
 - ease of use; combining with guidance (CPG)
- Amending FD is cumbersome; delegating to the EC?

Specific sections of the EAW form (*e.g.* amending section (e), REC 3.12)

- Number each separate offence (section (e)I)
- Describe each separate offence only once (section (e)II)
- All factual and legal information with regard to each separate offence under one heading (section (e)II)
- Designating listed offence: separate step; correlate listed offence to numbered offence described above (section (e)III)

Some recommendations to Member States/JAs:

- MS: amend legislation to conform with thresholds of Art. 2(1) (REC 3.9)
- MS: just copy the list with offences of Art. 2(2) (REC 3.13)
- MS (and executing JAs): no systematic review of listed offences (REC 3.14)
- Executing JAs: compelling reasons for refraining from a refusal on the basis of Art. 4(1) (REC 3.17)



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