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Symposium ImprovEAW

*Improving mutual recognition of European Arrest Warrants through Common
Practical Guidelines*

Lublin, 27-28 June 2022

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27 June 14.00 Research project: outcomes

Proportionality: a key issue in transition

ECJ instructions

who assesses proportionality?

which factors determine it?

role of the requested person

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27 June 14.00 Research project: outcomes

Cohesive approach of international co-operation

link with transfer of proceedings and transfer of
execution

triggered by proportionality

who assesses what and when?

role of the requested person

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28 June 9.00 Transposition and implementation FD

Rec. 2.1, 2.5. 2.6: refusal grounds, mandatory/
optional, additional

Again, proportionality: Rec. 2.9 and 2.10

Rec. 2.11: Applying 4(6)

28 June 11.00 Future perspective: third level of protection

- Bringing it all together
- All interests involved
- All stakeholders
- => one single joint procedure in two stages: 1. hearing before the issuing jud. authority;
- 2. hearing before the executing jud. auth



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A Model for an EAW.next.level

- arrest in exec. MS
- video-hearing in issuing MS on:
 1. National AW; 2. EAW
- On EAW: proportionality (both MSs and requested person)
- Issuing MS: EAW or alternative
- Executing MS: is executing EAW proportional? (new circumstances)

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