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Symposium ImprovEAW

Part 4

*Supplementary information, detention conditions and insufficiencies
of the systems of justice, time limits & return guarantee*

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Supplementary information Art 15 (2)

Recommendation 4.6:

- No art 15 (2) for information regarding merits of the case at issuing MS;
- No standardized lists with questions automatically;
- Only information relevant for ad hoc case and when necessary to make decision on surrender

Detention conditions and insufficiencies of system of justice

Recommendation 4.1: Harmonise detention conditions incl which aspects to take into account and how, incl those with health or special issues

Recommendation 4.2: Add template to Handbook with what type of supplementary information could be requested

Recommendation 4.7: Issuing MS respond to Art 15 (2) on detention conditions should, if possible, include:

- Information of prison facilities in which the person will likely be detained incl on a temporary basis;
- Is possible + desirable, a guarantee in the form of concrete promise to keep the person in facilities that comply with standards (and explain how).

Return guarantee Art 5 (3)

Recommendation 4.5: EU must regulate whether Art 5 (3) can be triggered only after person invokes it + whether consent required to execute it after end of proceedings

Recommendation 4.8: issuing MS include the guarantee already in *section f* (if national/resident)



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