



Handbook on the European Arrest Warrant

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Handbook On The European Arrest Warrant

Christine Janssens



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Handbook on the European Arrest Warrant, 2007 **Handbook on the European Arrest Warrant** Rob Blekxtoon, Wouter van Ballegooij, 2005 With a Preface by António Vitorino Member of the European Commission responsible for Justice and Home Affairs On 13 June 2002 the Framework Decision on the European Arrest Warrant and Surrender Procedures between Member States of the European Union EAW was adopted by the Council of the European Union The Framework Decision is to be implemented by all current and future members of the European Union in their respective legal systems The new surrender regime replaces the system of extradition between the Member States The present Handbook offers an introduction to the EAW its origin and its implications The book sets out on the history of extradition as a legal system and compares the EAW with the old system It includes the full text of the EAW with commentaries per paragraph Attention is paid to procedural rules as well as to special issues such as the principles of reciprocity and mutual trust *ne bis in idem* verdicts in absentia and the double criminality rule The relation of the EAW with other relevant legal instruments including those concerning human rights and procedural safeguards is also covered A keyword index enhances the accessibility of the book The Handbook on the European Arrest Warrant is written by legal experts practitioners and academics for government officials judges and public prosecutors legal practitioners academics and everyone else involved in the implementation of the EAW on the national level Judge Rob Blekxtoon was Presiding Judge of the Extradition Division of the Amsterdam District Court for more than eighteen years and was charged with establishing the Surrender Division of that Court which is designated to handle all surrender cases in the Netherlands **European Union Law** Damian Chalmers, Gareth Davies, Giorgio Monti, 2010-06-24 This eagerly awaited new edition has been significantly revised after extensive user feedback to meet current teaching requirements The first major textbook to be published since the rejuvenation of the Lisbon Treaty it retains the best elements of the first edition the engaging easily understandable writing style extracts from a variety of sources showing the creation interpretation and application of the law and comprehensive coverage In addition it has separate chapters on EU law in national courts governance and external relations reflecting the new directions in which the field is moving The examination of the free movement of goods and competition law has been restructured Chapter introductions clearly set out what will be covered in each section allowing students to approach complex material with confidence and detailed further reading sections encourage further study Put simply it is required reading for all serious students of EU law **European Arrest Warrant** Libor Klimek, 2014-09-23 This book examines the European arrest warrant as a successful and effective instrument for judicial co operation in criminal matters in the European Union Providing comprehensive content and combining theoretical and practical aspects it covers all of the major issues surrounding the European arrest warrant The book analyses its genesis main features surrender procedure case law implementation and the latest developments Instead of focusing solely on a criminal law approach it also considers the

subject from the perspective of European Union law and constitutional law

The European Arrest Warrant and EU Citizenship Joske Graat, 2022-09-09 This book offers an in depth analysis of the relationship between EU citizenship the European arrest warrant EAW and the legality principle It focuses on the role of the EAW in relation to two foreseeability problems with which EU citizens especially those who exercise free movement rights could be confronted These problems concern the foreseeability of specific national criminal laws at the time of the offense on the one hand and forum decisions on the other The first part of the book addresses the extent to which these foreseeability problems and the role of the EAW therein are viewed as legality problems at the EU level and in three national legal orders the Netherlands Germany and England and Wales In turn the second part of the book critically examines the current scope and content of the legality principle in light of the EU s objective to offer its citizens an Area of Freedom Security and Justice AFSJ in which both safety and free movement are guaranteed As EU citizens often encounter foreseeability problems when exercising their free movement rights it is argued that they should be protected by a transnational framework of fundamental rights The book subsequently makes recommendations for a transnational interpretation of the legality principle one which fits the normative context of the AFSJ as described in Article 3 2 TEU On the basis of the evolution of EU citizenship over time the book also develops two EU citizenship narratives and explains how they could contribute to transnational fundamental rights protection and a solution to foreseeability problems With regard to arriving at concrete solutions the book offers recommendations for EU legislation that could adequately remedy foreseeability problems and the role of the EAW therein

Crime within the Area of Freedom, Security and Justice Christina Eckes, Theodore Konstadinides, 2011-01-20 The Europeanisation of the fight against crime is a broad and much contested notion This in depth analysis of the role of the EU in fighting crime within the area of freedom security and justice explores the impact of EU policies in the Member States the progressive convergence of Member States criminal law systems the emergence of mutual recognition as an alternative to harmonization and the incremental development of the ECJ s jurisdiction The essays also explore the limitations inherent in EU counter crime policies and the changes brought about by the introduction of the Treaty of Lisbon These changes are discussed both collectively and within individual substantive areas in which the EU has taken an active role in fighting crime such as corruption money laundering terrorism organised crime and extradition

European Evidence Warrant John A. E. Vervaele, 2005 The transnational gathering and use of criminal evidence is a complex and sensitive matter that affects basic principles inherent in national criminal justice systems Replacing the mutual assistance regime letters rogatory by a mutual recognition regime intends to facilitate the admissibility of evidence obtained from the territory of another Member State How much harmonization of criminal procedure is needed to guarantee the free movement of criminal evidence in the EU Do we have to develop common procedural safeguards in the EU or can we build in human rights clauses or procedural public order clauses by which respect for fundamental rights can be a ground for the non recognition non execution or

postponement of the order from the issuing state John Vervaele is Professor in Economic and Financial Criminal Law at the University of Utrecht and Professor in European Criminal Law at the College of Europe of Bruges The main topics in his research field are enforcement of Union law standards of due law procedural safeguards and human rights criminal law and procedure an regional integration comparative economic and financial criminal law He has realized a lot of research in these areas both for Dutch Departments and European Institutions and also worked as a consultant for them The Oxford Handbook of Criminal Process Darryl K. Brown, Jenia Iontcheva Turner, Bettina Weisser, 2019-02-22 The Oxford Handbook of Criminal Process surveys the topics and issues in the field of criminal process including the laws institutions and practices of the criminal justice administration The process begins with arrests or with crime investigation such as searches for evidence It continues through trial or some alternative form of adjudication such as plea bargaining that may lead to conviction and punishment and it includes post conviction events such as appeals and various procedures for addressing miscarriages of justice Across more than 40 chapters this Handbook provides a descriptive overview of the subject sufficient to serve as a durable reference source and more importantly to offer contemporary critical or analytical perspectives on those subjects by leading scholars in the field Topics covered include history procedure investigation prosecution evidence adjudication and appeal *The Routledge Handbook of EU Copyright Law* Eleonora Rosati, 2021-04-21 The Routledge Handbook of EU Copyright Law provides a definitive survey of copyright harmonization in the European Union capturing the essential and relevant issues of this relatively recent phenomenon Over the past few years two themes have emerged on the one hand copyright policy and legislative initiatives have intensified on the other hand the large number of references to the Court of Justice of the European Union has substantially shaped the EU copyright framework and with it the copyright framework of individual EU Member States This handbook is a detailed reference source of original contributions which analyze and critically evaluate the state of EU copyright law with a view to detecting the key trends and patterns in the evolution of EU copyright weighing the benefits and disadvantages of such evolution It covers a broad range of topics through clusters focused on the history and approaches to EU copyright harmonization harmonization in the areas of exclusive rights exceptions and limitations and enforcement copyright policy and legacy of harmonization With contributions from a selection of highly regarded and leading scholars in this field the Routledge Handbook on European Copyright Law is an essential resource for students and scholars who are interested in the field of copyright law Proportionality in Crime Control and Criminal Justice Emmanouil Billis, Nandor Knust, Jon Petter Rui, 2021-04-22 This edited volume seeks to reassess the old and to analyse and develop novel approaches to the notion of proportionality in criminal matters and the new security architecture The discourse is not limited to conventional constitutional constellations and standard problems of sentencing in traditional criminal proceedings Rather the book offers an interdisciplinary and cross jurisdictional exploration of highly topical proportionality related issues pertinent to penal theory and legal philosophy criminalisation policies security and anti

terrorism strategies alternative types of justice delivery and supranational enforcement as well as human rights and international criminal and humanitarian law In today's global risk society with its numerous visible and invisible enemies of the state and the individual balancing freedom and security has become nothing less than an attempt at untying a Gordian knot Against this background the proportionality of measures of crime prevention and repression is unquestionably an issue of utmost importance which basic research and legal policy in rule of law based systems are urgently called to address The timely and fascinating contributions in this book covering jurisdictions from both the common law and the civil law as well as hybrid and international jurisdictions will appeal to academics researchers policy advisers and practitioners working in the areas of national and international criminal law comparative criminal justice criminology and legal philosophy as well as constitutional and security law

Mutual Recognition of Judicial Decisions in European Criminal Law Libor Klimek, 2016-12-09 This book examines the mutual recognition of judicial decisions in European criminal law as a cornerstone of judicial co-operation in criminal matters in the European Union Providing comprehensive content and combining theoretical and practical aspects it covers all of the major issues surrounding mutual recognition The book analyses its definition genesis principles case law implementation and evaluation Special attention is given to mutual recognition measures namely European arrest warrant i.e. surrender procedure mutual recognition of custodial sentences and measures involving deprivation of liberty mutual recognition of probation measures and alternative sanctions mutual recognition of financial penalties mutual recognition of confiscation orders the European supervision order in pre-trial procedures i.e. mutual recognition of supervision measures as an alternative to provisional detention the European investigation order i.e. free movement of evidence and the European protection order i.e. mutual recognition of protection orders Instead of focusing solely on a criminal law approach the book also considers the subject from the perspectives of European Union law and International criminal law

The EU Charter of Fundamental Rights Steve Peers, Tamara Hervey, Jeff Kenner, Angela Ward, 2021-11-18 this most thorough commentary must be regarded as the Bible on the Charter Peter Oliver Common Market Law Review This second edition of the first commentary of the EU Charter of Fundamental Rights in English written by experts from several EU Member States provides an authoritative but succinct statement of how the Charter impacts upon EU domestic and international law Following the conventional article by article approach each commentator offers an expert view of how each article is either already being interpreted in the courts or is likely to be interpreted Each commentary is referenced to the case law and is augmented with extensive references to further reading This is a much welcomed new edition of the authoritative guide to the Charter

Crime, Criminal Law and Criminal Justice in Europe Hans-Jörg Albrecht, André Klip, 2013-02-15 This unique collection of essays celebrates the twentieth anniversary of the seminal journal the European Journal of Crime Criminal Law and Criminal Justice as well as the outstanding and uninterrupted work over that period of its founding Editor in Chief Professor Cyrille Fijnaut The volume consists of a selection of some of the most

ground breaking articles published over the past twenty years covering the three areas of focus of the journal problems of crime developments in criminal law and changes in criminal justice It thus explores such diverse issues as the problems of crime in Central and Eastern Europe after the disappearance of the Soviet Union and the collapse of Yugoslavia the allocation of criminal law power in the European Union police cooperation in the border areas of the Member States the criminalization of white collar crime the establishment of European police services and of a European Public Prosecutor's Office new forms of criminal justice cooperation between the Member States and many others The journal's unique multidisciplinary approach and its commitment to offer insights from a wide variety of European countries and language areas ensure that a varied range of perspectives are offered on the topics discussed The result is an enlightening and highly readable anthology shedding light on the extraordinary developments that have taken place in the area of crime and punishment in Europe

Proportionality of Criminal Penalties in EU Law Lorenzo Grossio, Stefano Montaldo, Valsamis Mitsilegas, 2025-02-06 This book develops a systematic analysis of the principle of proportionality of penalties in EU law Until now the principle has been mainly assessed from a criminological point of view By departing from existing literature the book advances an original EU law perspective on proportionality of penalties which underlies the analysis of its theorisation place and influence on domestic criminal systems Building upon this approach scholarly contributions in the book systematically delve into the various implications of the principle in EU law while paying particular attention to its profound interaction with criminal law concepts

Combating Crime in the Digital Age: A Critical Review of EU Information Systems in the Area of Freedom, Security and Justice in the Post-Interoperability Era Athina Giannakoula, Dafni Lima, Maria Kaiafa-Gbandi, 2020-03-31 Combating Crime in the Digital Age A Critical Review of EU Information Systems in the Area of Freedom Security and Justice in the Post Interoperability Era Challenges for Criminal Law and Personal Data Protection provides a systematic and comprehensive account of EU information systems functioning in the area of freedom security and justice with the aim to establish the contemporary links between information sharing and criminal law and evaluate the consequences Part 1 offers a systematisation and critical assessment of pertinent systems ECRIS ECRIS TCN Pr m PNR Europol SIS Eurodac VIS EES ETIAS and the new interoperability regime from the perspective of their objective to prevent and combat serious crime Part 2 explores personal data protection law police law and criminal procedure law in order to propose safeguards and limitations for regulating this rapidly evolving framework and addressing the challenges for fundamental principles and rights The authors' central suggestion is that the issue falls within the context of an emerging precognitive paradigm of criminal law

The Principle of Mutual Recognition in EU Law Christine Janssens, 2013-10-31 Examining the principle of mutual recognition in the EU legal order this book takes a cross policy approach to focus on the principle in the internal market and in the criminal justice area It asks whether the principle of mutual recognition as developed in relation to the free movement provisions internal market can equally be applied in judicial cooperation in

criminal matters the area of freedom security and justice and if such a cross policy application is desirable Divided into three parts the book first looks at the way this principle functions in the internal market Part II examines how the principle works in judicial cooperation in criminal matters with the final part answering the book's central questions In each part further related questions are asked What is the object of the principle of mutual recognition Who are the main actors involved How does the mechanism of mutual recognition operate with an emphasis on the existing limits to mutual recognition How does mutual recognition relate to harmonization and to mutual trust What is the relevance of equivalence requirements and the distribution of competence between the home issuing State and the host executing State What are the main characteristics of the principle of mutual recognition And is it a workable principle Through an in depth analysis of the relevant Treaty provisions EU legislation EU case law and EU policy documents the book comes to the conclusion that a cross policy application of the principle of mutual recognition is both feasible and desirable

EU Criminal Law Valsamis

Mitsilegas, 2009-03-16 EU Criminal Law is perhaps the fastest growing area of EU law It is also one of the most contested fields of EU action covering measures which have a significant impact on the protection of fundamental rights and the relationship between the individual and the State while at the same time presenting a challenge to State sovereignty in the field and potentially reconfiguring significantly the relationship between Member States and the EU The book will examine in detail the main aspects of EU criminal law in the light of these constitutional challenges These include the history and institutions of EU criminal law including the evolution of the third pillar and its relationship with EC law harmonisation in criminal law and procedure with emphasis on competence questions mutual recognition in criminal matters including the operation of the European Arrest Warrant and accompanying measures action by EU bodies facilitating police and judicial co operation in criminal matters such as Europol Eurojust and OLAF the collection and exchange of personal data in particular via EU databases and co operation between law enforcement authorities and the external dimension of EU action in criminal matters including EU US counter terrorism co operation The analysis is forward looking taking into account the potential impact of the Lisbon Treaty on EU criminal law

The Needed Balances in EU Criminal Law Chloé Brière, Anne

Weyembergh, 2017-12-28 This important volume provides an up to date overview of the main questions currently discussed in the field of EU criminal law It makes a stimulating addition to literature in the field while offering its own distinctive features It takes a four part approach firstly it addresses issues of a constitutional nature such as the EU competence in the field of criminal law the importance of the principle of subsidiarity and the role played by the different EU institutions Secondly it looks at issues linked to the quest of the right balance between diversity and unity and focuses in particular on the special relationship between approximation and mutual recognition Thirdly it focuses on the balance between security and freedom or in other words between the shield and sword functions of EU criminal law Special attention is given here to transatlantic cooperation data protection terrorism the European Arrest Warrant and the European Investigation Order Finally it examines

the importance of balanced relations between criminal justice actors *Routledge Handbook of Transnational Criminal Law*
Neil Boister, Robert J. Currie, 2014-10-10 Certain types of crime are increasingly being perpetrated across national borders and require a unified regional or global response to combat them Transnational criminal law covers both the international treaty obligations which require States to introduce specific substantive measures into their domestic criminal law schemes and an allied procedural dimension concerned with the articulation of inter state cooperation in pursuit of the alleged transnational criminal The Routledge Handbook of Transnational Criminal Law provides a comprehensive overview of the system which is designed to regulate cross border crime The book looks at the history and development of the system asking questions as to the principal purpose and effectiveness of transnational criminal law as it currently stands The book brings together experts in the field both scholars and practitioners in order to offer original and forward looking analyses of the key elements of the transnational criminal law The book is split into several parts for ease of reference Fundamental concepts surrounding the international regulation of transnational crime Procedures for international cooperation against alleged transnational criminals including jurisdiction police cooperation asset recovery and extradition Substantive crimes covered by transnational criminal law analysing the current legal provisions for each crime The implementation of transnational criminal law and the effectiveness of the system of transnational criminal law With chapters from over 25 authorities in the field this handbook will be an invaluable reference work for student and academics and for policy makers with an interest in transnational criminal law Research Handbook on EU Disability Law Delia Ferri, Andrea Broderick, 2020-11-27 This Research Handbook comes at an opportune time and provides a comprehensive and wide ranging exploration of relevant developments concerning disability rights at EU level It also looks beyond the EU focusing on how disability has been relevant in EU external relations In addition the Research Handbook considers the interface between EU disability law and Council of Europe law

Handbook On The European Arrest Warrant: Bestsellers in 2023 The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous engrossing novels captivating the hearts of readers worldwide. Lets delve into the realm of top-selling books, exploring the captivating narratives that have enthralled audiences this year. Handbook On The European Arrest Warrant : Colleen Hoover's "It Ends with Us" This heartfelt tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover masterfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can triumph. Handbook On The European Arrest Warrant : Taylor Jenkins Reid's "The Seven Husbands of Evelyn Hugo" This intriguing historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reid's compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Discover the Magic : Delia Owens' "Where the Crawdads Sing" This evocative coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens weaves a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These top-selling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is an exceptional and thrilling novel that will keep you guessing until the very end. The novel is a warning tale about the dangers of obsession and the power of evil.

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