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COVER NOTE

from: Mr.Ivan Korčok, Ambassador, Permanent Representative of the Slovak Republic to the European Union

to: Mr. Rafael Fernández-Pita y González, Deputy Director-General, Council of the European Union

date of receipt : 27 June 2012

Subject : Council Framework Decision 2008/909/JHA on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union
- Notification of implementation of the above Framework Decision by the Slovak Republic

Dear Deputy Director-General,

Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union was transposed into Slovak law with the adoption of Law No 549/2011 of 2 December 2011 on the recognition and enforcement of decisions imposing custodial sentences in the European Union. This Law entered into force on 1 February 2012.

A correlation table drawn up pursuant to Article 29(2) of the abovementioned Framework Decision is attached to this letter as Annex 1. Notifications and declarations by the Slovak Republic pursuant to Art. 2(1) and Art. 23(1) and (3) of the above Framework Decision are contained in Annex 2.

The contact person for the purposes of the transposition of the Framework Decision into Slovak law is Dr Richard Sviežený, Legislation Division, Ministry of Justice of the Slovak Republic, Župné nám. 13, 813 11 Bratislava, Slovakia; e-mail: richard.sviezeny@justice.sk; tel. +421 2 59 353 360; fax: +421 2 59 353 609 (languages: English and German).

(Complimentary close)

(s.) Ivan Korčok

**Notifications/declarations of the Slovak Republic
to the Council Framework Decision 2008/909/JHA on the application of the principle of
mutual recognition to judgments in criminal matters imposing custodial sentences or
measures involving deprivation of liberty for the purpose of their enforcement in the
European Union**

According to Article 29 para 2 of the Council Framework Decision 2008/909/JHA on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union the Slovak Republic wishes to make the following notifications/declarations:

Concerning Article 2 para 1 of the Council Framework Decision 2008/909/JHA:

“In the Slovak Republic the competent authority to request the enforcement of a judgment in another Member State shall be the court which issued the judgment imposing a sentence involving deprivation of liberty.

In the Slovak Republic the competent authority for recognition and enforcement of the judgment from another Member State shall be the Regional Court in whose territorial jurisdiction is either the habitual residence of the sentenced person or the place where the person serves his/her sentence, failing that the competent authority shall be the Regional Court in Bratislava.”

Concerning Article 23 para 1 of the Council Framework Decision 2008/909/JHA:

“The Slovak Republic will accept a translation of the certificate into either the Slovak or the Czech language.”

Concerning Article 23 para 3 of the Council Framework Decision 2008/909/JHA:

“The Slovak Republic, with reference to Article 23(3) of Council Framework Decision 2008/909/JHA , reserves the right to request from the issuing State a translation of the judgment or its essential parts into the Slovak language if the content of the certificate should be insufficient in order to decide on the enforcement of the sentence.“
