



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from: Mr Martin Povejšil, Ambassador, Permanent Representative, Permanent Representation of the Czech Republic to the European Union

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

date of receipt: 23 September 2013

Subject: Implementation of the Council Framework Decision 2008/909/JHA of 27 November 2008 on the application 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 by the Czech Republic

Dear Director-General,

I am pleased to notify you hereby that, in accordance with Article 29(2) of **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** (published in Official Journal L 327 of 5 December 2008, p. 38), the Czech Republic has implemented the above Framework Decision in its national law.

The provisions of the Framework Decision have been transposed by Act No 104/2013 on international judicial cooperation in criminal matters, which **will enter into force on 1 January 2014**.

We would also like to inform you that the International Department for Criminal Matters at the Ministry of Justice of the Czech Republic can be contacted for the purpose of consultation on technical questions:

mezinárodní odbor trestní (International Department for Criminal Matters)

Ministerstvo spravedlnosti České republiky (Ministry of Justice of the Czech Republic)

tel: +420 221 997 484

E-mail: mot@msp.justice.cz

(Complimentary close)

(s.) Martin Povejšil

Notification by the Czech Republic pursuant to Article 2(1) of 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

A. The competent authorities:

1. when the Czech Republic is the issuing state, are:

- district courts, area courts, regional courts, Prague Municipal Court and Brno Municipal Court;

2. when the Czech Republic is the executing State, are:

- the regional courts with local jurisdiction. Regional courts may be contacted at the addresses given in Annex 2;
- appeals are heard by the high courts.

B. The Ministry of Justice of the Czech Republic, which may be contacted at the address given in Annex 2, is competent to make requests for transit through the territory of another Member State and to rule on requests for transit through the territory of the Czech Republic.

C. Pursuant to Article 301(4) of Act No 104/2013 on international judicial cooperation in criminal matters, the Ministry of Justice shall, at the request of an authority of another Member State, cooperate in establishing the information required, in particular in establishing the competent court to which the decision of another Member State is to be sent or in verifying the conditions laid down by Czech law for the recognition and enforcement of such a decision. Pursuant to Article 315(8) of Act No 104/2013 on international judicial cooperation in criminal matters, the Ministry of Justice shall, at the request of a court, cooperate in establishing the information required, in particular in establishing the competent authority of another Member State to which its decision is to be sent or in verifying the conditions laid down by the law of that Member State for the recognition and enforcement of such a decision. The Ministry of Justice of the Czech Republic may be contacted at the address given in Annex 2.

Annex to the notification by the Czech Republic pursuant to Article 2(1) of 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

(A) Contact details of the regional courts:

1. Městský soud v Praze

Spálená 2

112 16 Praha 1

Tel. +420 221 931 111

Fax: +420 224 947 490

E-mail: slezska@msoud.pha.justice.cz

2. Krajský soud v Brně

Rooseveltova 16

601 95 Brno

IČ 215 724

Tel. +420 542 101 111

Fax: +420 542 103 362

E-mail: podatelna@ksoud.brn.justice.cz

3. Krajský soud v Praze

Nám. Kinských 5

150 75 PRAHA 5

Tel. +420 257 005 111

Fax: +420 257 321 528

E-mail: podatelna@ksoud.pha.justice.cz

4. Krajský soud v Ústí nad Labem

Národního odboje 1274

400 92 Ústí nad Labem

Tel. +420 475 247 111

Fax: +420 475 247 369

E-mail: podatelna@ksoud.unl.justice.cz

5. Krajský soud v Ostravě

Havlíčkovo nábřeží 34

728 81 OSTRAVA

Tel. +420 596 153 111

Fax: +420 569 120 981

E-mail: ksostrava@ksoud.ova.justice.cz

Declaration by the Czech Republic pursuant to Article 7(4) of 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

The Czech Republic declares that it will not apply Article 7(1).

With regard to the above declaration, the recognition of decisions imposing custodial sentences or measures involving deprivation of liberty on the territory of the Czech Republic is subject to the condition that they relate to acts which also constitute offences under the law of the Czech Republic, whatever their constituent elements or however they are described.

Declaration by the Czech Republic pursuant to Article 23(1) of 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

The Czech Republic declares, in accordance with Article 23(1), that it will accept certificates produced in Czech or translated into Czech. In relation to the Slovak Republic, the Czech Republic will accept certificates produced in Slovak.

**Declaration by the Czech Republic pursuant to Article 23(3) of 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**

The Czech Republic declares, in accordance with Article 23(3), that as executing state it may, without delay after receiving the judgment and the certificate, request that the judgment or essential parts of it be accompanied by a translation into Czech. In relation to the Slovak Republic, the Czech Republic will accept judgments produced in Slovak.
