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European Union

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NOTE

From: General Secretariat of the Council
To: Delegations

No. prev. doc.: 8138/15 COPEN 93 EUROJUST 76 EJN 33

Subject: Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States
- Notification made by Spain

Delegations will find attached the notification made by Spain in relation to Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States.

This notification is also included in doc 8138/15, comprising several notifications by Spain, but is distributed in this individual format at the request and for the convenience of delegations.

Notification made by Spain

Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States

- In accordance with Article 34(2) of the Framework Decision, we hereby inform you that these obligations have been implemented under Title II of Law 23/2014.
- Article 6(3) of the Framework Decision requires Member States to inform the General Secretariat of the Council of the judicial authority which is competent to issue a European arrest warrant. This provision has been enacted by Article 35 of Law 23/2014, which designates the Judge or Court that presided over the case as competent to issue a European arrest warrant, to the extent that this type of order is appropriate, and the Central Examining Magistrate of the National High Court as competent to enforce a European arrest warrant. Where the warrant relates to a minor, the Central Juvenile Court Judge will be competent.
- Article 7(1) of the Framework Decision allows a central authority to be designated. Article 6(3) of Law 23/2014 provides that the Ministry of Justice will be the central authority, although it only carries out the functions described in Article 7(1) (including the statistics function) and not those described in Article 7(2).
- Article 25(2) of the Framework Decision requires Member States to notify the General Secretariat of the Council of the designation of the authority responsible for receiving transit requests. Accordingly, Article 27 of the Law designates the Ministry of Justice as competent to authorise the transit through Spanish territory of a person who is being transferred.