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**OPENBAAR MINISTERIE**



# “The Prosecutor in Europe – tackling cross border issues”

- *Dutch International Centers for Mutual Legal assistance  
(IRCs)*

&

- *The European Arrest Warrant (EAW) in the Netherlands*

# Introduction

- Natasja M. van Collenburg (LLM)
- Public Prosecutor (PP) at the Amsterdam International Center for Mutual Legal Assistance (IRC)

# Contents

- Dutch International centers for legal assistance (IRCs)
- The European Arrest Warrant (EAW)
- Questions?

## **International Centers for legal assistance (IRCs) *introduction***

- within EU governments step back
- legal assistance directly between judicial authorities

## Finding the appropriate division...



## **International Centers for legal assistance (IRCs)**

- cooperation between Public Prosecution Service (PPS) and Police
- advising on the Dutch (legal) system
- bringing parties together
- acting on requests for legal assistance

# International Centers for legal assistance (IRCs)

## Regional

- IRC Amsterdam
- IRC Rotterdam-Dordrecht
- IRC Zuid (incl. IRC Limburg)
- IRC Noordwest en Midden Nederland
- IRC Noordoost Nederland

## National

### National IRC (LIRC)

- particular serious organised /specialised crime
- region not known (yet)

# The European Arrest Warrant (EAW)

- Amsterdam PP central Authority
- IRC Amsterdam



# What is an EAW?

- issued by (EU) judicial authority
- to arrest and extradite
- in order to prosecute or execute sentences

# How does the EAW work? (I)

- requesting authority issues
  - Schengen Information System (SIS) Alert or
  - EAW
- which is basis for arrest by executing authority

## How does the EAW work? (II)

- after Sis Alert based arrest EAW within 21 days
- Immediate surrender (only with consent of wanted person)
- normal procedure before Amsterdam Court
- Only grounds for detention: risk of flight

# Differences EAW and traditional extradition

- Directly between judicial authorities
- relatively Quick
- less grounds for refusal (e.g. list of offences)

# Practical points

- maximum penalty in EAW for execution of a penalty
- postponement of actual surrender on extreme humanitarian grounds
- irrevocable verdict on Dutch national
- call us!

# Figures on EAW

- Since 2004 increasing constantly
- 2009: total EU nearly 15.000
- 2009: Amsterdam received 683, 408 effective surrenders
- Main client: Poland, followed by Germany, France, Italy and the UK

**Thank you for your attention!**

**Questions?**

# Have a nice meeting!



"There you have it. Three or four drinks, the expansive mood, an off-the-cuff remark, and bingo, we have a new foreign policy."

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