

Parties to the main proceedings

JR (C-566/19 PPU), YC (C-626/19 PPU)

Operative part of the judgment

Article 6(1) of Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States, as amended by Council Framework Decision 2009/299/JHA of 26 February 2009, must be interpreted as meaning that the public prosecutors of a Member State, who are responsible for conducting public prosecutions and are placed under the management and supervision of their hierarchical superiors, fall within the concept of 'issuing judicial authority', within the meaning of that provision, provided that their status affords them a guarantee of independence, in particular in relation to the executive, in the context of the issuing of a European arrest warrant.

Council Framework Decision 2002/584, as amended by Framework Decision 2009/299, must be interpreted as meaning that the requirements inherent in effective judicial protection from which a person in respect of whom a European arrest warrant is issued for the purpose of criminal proceedings must benefit are fulfilled if, according to the law of the issuing Member State, the conditions for issuing such a warrant, and in particular its proportionality, are subject to judicial review in that Member State.

(¹) OJ C 337, 7.10.2019.

OJ C 383, 11.11.2019.

Judgment of the Court (First Chamber) of 12 December 2019 (request for a preliminary ruling from the Rechtbank Amsterdam — Netherlands) — Execution of a European arrest warrant issued against XD

(Case C-625/19 PPU) (¹)

(Reference for a preliminary ruling — Urgent preliminary ruling procedure — Police and judicial cooperation in criminal matters — European arrest warrant — Framework Decision 2002/584/JHA — Article 6(1) — Concept of 'issuing judicial authority' — Criteria — European arrest warrant issued by the public prosecutor's office of a Member State for the purpose of criminal proceedings)

(2020/C 54/15)

Language of the case: Dutch

Referring court

Rechtbank Amsterdam

Party to the main proceedings

XD

Operative part of the judgment

Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States, as amended by Council Framework Decision 2009/299/JHA of 26 February 2009, must be interpreted as meaning that the requirements inherent in effective judicial protection from which a person in respect of whom a European arrest warrant is issued for the purpose of criminal proceedings must benefit are fulfilled if, according to the law of the issuing Member State, the conditions for issuing such a warrant, and in particular its proportionality, are subject to judicial review in that Member State.

(¹) OJ C 382, 11.11.2019.

Judgment of the Court (First Chamber) of 12 December 2019 (request for a preliminary ruling from the Rechtbank Amsterdam — Netherlands) — Execution of a European arrest warrant issued against ZB

(Case C-627/19 PPU) (¹)

(Reference for a preliminary ruling — Urgent preliminary ruling procedure — Police and judicial cooperation in criminal matters — European arrest warrant — Framework Decision 2002/584/JHA — Article 6(1) — Concept of ‘issuing judicial authority’ — Criteria — European arrest warrant issued by the public prosecutor’s office of a Member State for the purpose of executing a sentence)

(2020/C 54/16)

Language of the case: Dutch

Referring court

Rechtbank Amsterdam

Party to the main proceedings

ZB

Operative part of the judgment

Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States, as amended by Council Framework Decision 2009/299/JHA of 26 February 2009, must be interpreted as meaning that it does not preclude legislation of a Member State which, although it confers the competence to issue a European arrest warrant for the purposes of executing a sentence on an authority which, whilst participating in the administration of justice in that Member State, is not itself a court, does not provide for the existence of a separate judicial remedy against the decision of that authority to issue such a European arrest warrant.

(¹) OJ C 383, 11.11.2019.