**ANNEX VIII**

**STANDARD FORM ON EAW DECISION**

This form shall not be understood as replacing the decision on surrender to be transmitted in accordance with article 22 of the FD 2002/584/JHA as well as, where applicable and so requested by the issuing authority, the full text of the judicial decision on the European Arrest Warrant.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **I.-IDENTIFICATION OF THE EAW** | | | | | | | | | | | | | | | | | | |
| **ISSUING REF.:** | |  | | **EXECUTING REF.:** | | | |  | | | | **SIS REF.:** | | | | |  | |
| **ISSUING AUTHORITY:** | | |  | | | | | | | **DATE OF ISSUE:** | | | | |  | | | |
| **EXECUTING AUTHORITY:** | |  | | | | **REQUESTED PERSON** | | | | | | | |  | | | | |
| **NATIONALITY OF THE PERSON** | |  | | | | |  | | | |  | | | | | | | |
| **II.- FINAL DECISION ON THE EAW** | | | | | | | | | | | | | | | | | | |
| **AUTHORITY REF., JUDGMENT OR DECISION No       DATED** | | | | | | | | | | | | | | | | | | |
| **-A-**  **EXECUTED:** | | | | | | | | | | | | | | | | | | |
| CONSENT OF REQUESTED PERSON **(Art. 13 EAW FD)** | | **YES** | | | RENUNCIATION OF SPECIALITY RULE **(Art. 13(2) EAW FD)** | | | | **YES**  **NO** | | | | | | | IN CASE OF PARTIAL SURRENDER, PLEASE INDICATE FOR WHICH OFFENCES THE EAW IS NOT ACCEPTED: | | |
|  | | **NO** | | |  | | | |  | | | | | | |  | | |
| PERIOD OF DETENTION PENDING SURRENDER IN EXECUTING MEMBER STATE **(Art. 26 EAW FD)** | | **DETENTION** | **BEGINING (DATE/ HOUR OF ARREST):** | | TRIAL *IN ABSENTIA* **(Art. 4a EAW FD)** | | | | **YES** | | | | NEW NOTIFICATION  NEW TRIAL  NEITHER NECESSARY (requirements under Article 4a met) | | | | | |
|  | |  | **END (DATE/ HOUR OF SURRENDER):** [[1]](#footnote-1) | |  | | | |  | | | |  | | | | | |
|  | | **NONE** | | |  | | | | **NO** | | | | | | | | | |
| GUARANTEES  **(Art. 5 EAW FD)** | | **REVIEW OF LIFE SENTENCE**  **(Art. 5(2) EAW FD)** | | | POSTPONED  **(Art. 24(1) EAW FD)** | | | | **YES** | | | | FOR PROSECUTION IN EXECUTING MEMBER STATE | | | | | |
|  | | **RETURN OF NATIONALS OR RESIDENT OF EXECUTING MEMBER STATE**  **(Art. 5(3) EAW FD)** | | |  | | | |  | | | |  | | | | | |
|  | |  | | |  | | | |  | | | | TO HAVE SENTENCE SERVED IN EXECUTING MEMBER STATE | | | | TOTAL DURATION OF THE SENTENCE IMPOSED |  |
|  | |  | | |  | | | | **NO** | | | | | | | | | |
| **TEMPORARY SURRENDER** | | | NO  YES  UNTIL (DATE )       **(Art. 24(2) EAW FD)** | | | | | | | | | | | | | | | |
| * + 1. ***MANDATORY GROUNDS FOR REFUSAL:*** | | | | | | | * + 1. ***GROUNDS UNDER NATIONAL LEGISLATION:*** | | | | | | | | | | | |
| **RES JUDICATA *(Art. 3(2) EAW FD)***  **MINOR (Art. 3(3) EAW FD)**  **AMNESTY (Art. 3(1) EAW FD)** | | | | | | | **PLEASE SPECIFY:** | | | | | | | | | | | |
| **III.- COMMENTS:** | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | |

Place, date and signature of the competent authority in the executing Member State

**TO THE COMPETENT AUTHORITY IN THE ISSUING MEMBER STATE**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. This footnote shall be reproduced in the form: "This date is to be completed when available by the surrendering authority. It may also be completed by the receiving authority." [↑](#footnote-ref-1)