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From:	Georges Friden, Ambassador and Permanent Representative of the Grand Duchy of Luxembourg
date of receipt:	9 March 2020
To:	Jeppe Tranholm-Mikkelsen, Secretary-General of the Council of the European Union

Subject:	Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions - Notifications by Luxembourg
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Dear Mr Tranholm-Mikkelsen,

Please find enclosed a letter addressed to you, from the Minister for Justice, Sam Tanson.

It concerns the declarations to which the Grand Duchy of Luxembourg is committing itself in order to ensure the full transposition of the abovementioned Framework Decision.

(complimentary close)

Please find enclosed a copy of the Law of 12 April 2015 on the application of the principle of mutual recognition to probation decisions and alternative sanctions (Mémorial A No 74 of 2015, page 1443)¹.

Declarations by the Grand Duchy of Luxembourg regarding:

Article 3(1)

In accordance with Article 4 of the abovementioned Law of 12 April 2015, the Chief Public Prosecutor (Procureur général d'État) is designated central authority. The Chief Public Prosecutor's role consists in, on the one hand, issuing requests to another Member State of the European Union for the recognition and enforcement of judgments, and, on the other, recognising the recognition of a judgment of that kind issued in another Member State and enforcing it within the national territory in respect of a natural person ordinarily residing in the Grand Duchy of Luxembourg.

Article 4(2)

Article 3 of the Law of 12 April 2015 lays down the measures or alternative sanctions. These are the same measures as those laid down in Article 4 of the Framework Decision.

If a new measure is added to the list, the Grand Duchy of Luxembourg will communicate that to the General Secretariat of the Council.

¹ Note from General Secretariat: text not reproduced.

Article 5(4)

Article 5(4) of the Framework Decision, transposed by Article 16 of the Law of 12 April 2015, lays down that the competent authority, namely the Chief Public Prosecutor, must forward a request for the recognition and enforcement of a decision issued in Luxembourg to the competent authorities of a Member State other than that in which the sentenced person is ordinarily residing, on condition that the sentenced person has requested that and that the authority of that State has consented to such forwarding.

Article 21

Article 8 of the Law of 12 April 2015 lays down that the certificate sent must be in French, German or English.

Article 23

The Grand Duchy of Luxembourg declares that, in accordance with Article 23(4) of the Framework Decision, it will notify the Council and the Commission of the conclusion of any agreement or arrangement with another Member State.

Article 25

Framework Decision 2008/947/JHA was transposed by the Law of 12 April 2015 on the application of the principle of mutual recognition to probation decisions and alternative sanctions (Mémorial A No 74 of 2015, page 1443, parliamentary document No 6677).