



**COUNCIL OF
THE EUROPEAN UNION**

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COVER NOTE

from :	Minister for Justice of the Kingdom of the Netherlands, Mr Piet Hein DONNER
dated :	28 April 2004
to :	Mr Charles Elsen, Director-General DG H, Secretariat-General of the Council
Subject :	Completion of the implementation of the Framework Decision on the European arrest warrant

I would inform you that the law on surrender, implementing the Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between the Member States of the European Union, will enter into force in the Netherlands on 12 May 2004. A copy of the Netherlands official journal in which this law appears will be forwarded to you as soon as possible.

For the record I would point out that the Framework Decision and the law on surrender apply solely to the European territory of the Kingdom of the Netherlands. The application of the agreements mentioned in Article 31(1)(a) and (b) of the Framework Decision is therefore upheld in relation to extradition between the Netherlands Antilles or Aruba and the Member States of the European Union.

Moreover, it is important that the Netherlands can continue to process extradition requests in accordance with the existing extradition agreements for as long as it receives such requests from Member States which have not completed implementation of the Framework Decision. The Netherlands Government has intentionally made provision for this to prevent gaps in judicial cooperation. At the same time, however, I would express the wish that the application of this transitional provision be subject to a time limit, notably with a view to combating terrorism.

Lastly, I refer you to the declarations and notifications relating to the Framework Decision, set out in the annex.

(s.) Piet Hein DONNER

Declarations and notifications by the Kingdom of the Netherlands, pursuant to the Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between the Member States of the European Union.

Article 6(3) of the Framework Decision

The *executing judicial authorities* are:

the public prosecutor at the Amsterdam District Public Prosecutor's Office;

the examining magistrate, responsible for criminal cases at the Amsterdam District Court, and the Amsterdam District Court.

The public prosecutor is the established contact person for the issuing authorities of the other Member States. The address is :

Amsterdam District Public Prosecutor's Office

International Centre for Legal Assistance

Postbus 84500

1080 BN Amsterdam

Tel no.: 020 541 4040

Fax no.: 020 541 6900

Address for callers: Parnassusweg 220, Amsterdam.

For urgent cases arising outside office hours, please contact the Netherlands Sirene Bureau which is in touch with the public prosecutor at the Amsterdam District Court Public Prosecutor's Office:

Tel no.: 079 345 9888

Fax no.: 0900 899 8244

The *issuing judicial authorities* are:

all the public prosecutors in the Netherlands.

Article 8(2) of the Framework Decision

In addition to European arrest warrants drawn up in Dutch or English, European arrest warrants in another official language of the European Union are accepted provided that an English translation is submitted at the same time.

Article 25(2) of the Framework Decision

The public prosecutor at the Amsterdam District Public Prosecutor's Office is responsible for receiving and processing transit requests.

The address is:

Amsterdam District Public Prosecutor's Office

International Centre for Legal Assistance

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1080 BN Amsterdam

Tel no.: 020 541 4040

Fax no.: 020 541 6900

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