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COVER NOTE

from :	Alvaro MENDONÇA E MOURA, Permanent Representative, Portugal
date of receipt :	5 January 2004
to :	Javier SOLANA, Secretary-General/High Representative
Subject :	Statements by Portugal pursuant to the Framework Decision on the European arrest warrant (2002/584/JHA)

Sir,

I enclose herewith Portugal's statements on the Framework Decision on the European arrest warrant.

(Complimentary close).

(s.) Alvaro MENDONÇA E MOURA

STATEMENTS BY PORTUGAL
FRAMEWORK DECISION ON THE EUROPEAN ARREST WARRANT

Law 65/2003 of 23 August 2003, which entered into force on 1 January 2004, incorporated the Framework Decision on the European arrest warrant (2002/584/JHA) into Portuguese law.

Consequently, and in accordance with the Framework Decision, Portugal wishes to make the following statements:

Notification pursuant to Article 6(3)

Issuing judicial authority (Article 6(1))

Under Portuguese law (Article 36 of Law 65/2003), the judicial authority competent to issue an arrest warrant is the authority which is competent to order the detention or imprisonment of the wanted person. In accordance with Portugal's Code of Criminal Procedure, judges and public prosecutors are competent to order detention and imprisonment.

Executing judicial authority (Article 6(2))

The Courts of Appeal have exclusive competence to execute the European arrest warrant within their own judicial districts (Article 15 of Law 65/2003).

The European arrest warrant should be sent to the public prosecutor attached to the criminal section of these Courts.

There are five Courts of Appeal :

– **Tribunal da Relação de Coimbra (Coimbra Court of Appeal)**

Palácio da Justiça Rua da Sofia
3004-501 Coimbra
Tel 239 852 950
Fax 239 838 985/ 239 824 310
correio@coimbra.tr.mj.pt;

– **Tribunal da Relação de Évora (Évora Court of Appeal)**

Largo das Alterações, 1
7004-501 Évora
Tel 266 758 800/9
Fax 266 701 529
Correio@evora.tr.mj.pt;

– **Tribunal da Relação de Guimarães (Guimarães Court of Appeal)**

Largo João Franco, 248
4810-269 Guimarães
Tel 253 439 900
Fax 253 439 999
correio@guimaraes.tr.mj.pt ; www.dgsj.pt

– **Tribunal da Relação de Lisboa (Lisbon Court of Appeal)**

Rua do Arsenal, G
1100-038 Lisboa
Tel 21 322 29 00
Fax 21 347 98 45/4
Correio@lisboa.tr.mj.pt;

– **Tribunal da Relação do Porto (Oporto Court of Appeal)**

Campo Mártires da Pátria
4049-012 Porto
Tel 22 200 85 31/ 22 208 48 33
Fax 22 200 07 15
Correio@porto.tr.mj.pt;

Notification pursuant to Article 7(2)

Central authorities

Portuguese law does not provide for the designation of a central authority for the purposes of Article 7(2) of the Framework Decision. It does, however, establish the Office of the Public Prosecutor of the Republic as the central authority, with powers which include reception of the European arrest warrant if difficulties arise in transmitting the request (Articles 9 and 5(4) of Law 65/2003).

Procuradoria-Geral da República (Office of the Public Prosecutor of the Republic)

Rua da Escola Politécnica, 140
1269-103 Lisboa
Tel 21 392 19 00
Fax 21 397 52 55
mailpgr@pgr.pt; www.pgr.pt

Notification pursuant to Article 25(2)

The competent authority for receiving transit requests is the central authority (see Article 38(3) of Law 65/2003) which, under Portuguese law, is the Office of the Public Prosecutor of the Republic (Article 9 of Law 65/2003).

Procuradoria-Geral da República (Office of the Public Prosecutor of the Republic)

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