

This is not justice: The cases that show what is wrong with the European Arrest Warrant

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1. Introduction

The European Arrest Warrant (EAW), the EU's fast-track extradition system, exposes every person under its jurisdiction to a serious risk of human rights abuses and miscarriages of justice.

Understanding the individuals and families behind the statistics is critical to truly comprehend the problems with the EAW. This report introduces 15 separate cases which demonstrate the weaknesses in both the EAW and the criminal justice systems of EU member states, and illustrates just how badly things can go wrong.

At the heart of the EAW is the assumption that justice systems across the EU are of equal quality. As a result, the protections for individuals facing EAWs are almost completely non-existent – even solid proof that they did not commit the crime is not enough to fight an EAW. British judges are not able to examine the evidence, or lack thereof, against the accused, and must believe that authorities in EU member states have done their jobs properly.

The only way to fight an EAW is to prove that human rights abuses are probable if extradited, but the legal test the European Court of Justice (ECJ) sets to prove abuses are probable is impossibly high, meaning people are extradited despite serious systemic abuses.

The UK remains in the EAW system during the transition period following its withdrawal from the EU, and future extradition arrangements form an important part of the Brexit negotiations. It is critical that the UK government does not bow to pressure from campaigners and the EU to stay within the EAW system, and instead forges a new path in the interests of justice.

The 15 cases this report examines include examples of how:

- The EAW is deliberately misused by some EU member states for political ends;
- Poor investigations have led to cases of mistaken identity and miscarriages of justice;
- People have been convicted in their absence, unable to mount a defence, without being informed a trial was taking place; and
- People have had their lives turned upside down in extraditions that have subsequently been laughed out of court as no crime was committed.

See also:

- *Due Process Report: Human Rights abuses in European Arrest Warrant member states*¹
- *End 'trust, but not verify': Why the UK must halt extraditions to Romania immediately*²
- *Extradition to Poland: Risks and responsibilities*³.

¹ <http://dueprocess.org.uk/2018/08/01/due-process-report-human-rights-abuses-in-european-arrest-warrant-member-states/>

² <http://dueprocess.org.uk/2018/10/18/due-process-report-end-trust-but-not-verify-why-the-uk-must-halt-extraditions-to-romania-immediately/>

2. Spain

Óscar Sánchez

In July 2010 Óscar Sánchez⁴ was arrested in Barcelona, Spain, on the basis of an EAW. The swift extradition process meant that he was surrendered to Italy after just one month. There he was accused of being a prominent member of a criminal organisation involved in drug-trafficking.

A trial ensued, where he was convicted and sentenced to 14 years in prison.⁵

Following appeals by Sánchez to a Spanish newspaper, journalists investigated his case and uncovered the truth: he was a victim of identity theft. The case against him relied on intercepted phone calls using mobile phones taken out in his name by the thief, and forensic linguistics confirmed that Sánchez was not the person in the recordings.

After spending 20 months in an Italian prison, where he endured physical abuse from other inmates, Sánchez was finally acquitted and released.

This shocking case again demonstrates the weaknesses in the Italian justice system, as well as the lack of checks and balances in the EAW:

- The lack of proper investigations by police before charges are laid and EAWs issued puts innocent people at risk of having their lives turned upside down – and British judges are powerless to reject EAWs on the basis of lack of evidence or flawed evidence.
- Not only can innocent people have their lives impacted by faulty EAWs – justice systems within the EU, like Italy's, are so flawed that innocent people can be convicted and jailed.

The Catalanian Independence Movement

Since a bid for Catalanian independence in 2017 leaders of the movement have been pursued by Spain across the EU, with EAWs the main tool at their disposal and sedition the accusation.

Carlos Puigdemont, Toni Comín and Lluís Puig have been sought from Belgium, while Clara Ponsati has been sought from the UK. EAW requests have been repeatedly issued in what has been seen by many as politically motivated charges from a government that does not want to contemplate self-determination for Catalonia.

³ <http://dueprocess.org.uk/2019/06/17/due-process-report-extradition-to-poland-risks-and-responsibilities/>

⁴ <https://www.fairtrials.org/module-4-european-arrest-warrant-and-fundamental-rights>

⁵ <https://www.fairtrials.org/node/659>

In July 2018 a German court ruled that Puigdemont could be extradited for the lesser charge of 'misuse of public funds', but not rebellion. European law means that he could not then be tried for the more serious charges, and so Spain withdrew the EAWs against all four leaders.⁶

In November 2019⁷ fresh EAWs were issued with the single charge of sedition, following the conviction of nine Catalan independence leaders of the same charge in Spain. In January 2020⁸ a Belgian court decided that Puigdemont and Comín were immune from prosecution, having been elected as MEPs. The EAWs against them were suspended, to be reinstated if they are no longer MEPs or the European Parliament votes to withdraw their immunity from prosecutions. The EAWs against Puig and Ponsati continue to be pursued, and are expected to be fought in the courts.

Spain's EAWs against the Catalan independence leaders are perhaps the most blatant example of politically motivated prosecutions that we have seen. We are yet to discover whether or not the EAW system provides adequate protection for the people in these cases.

⁶ <https://www.bbc.co.uk/news/uk-scotland-44884815>

⁷ <https://www.bbc.co.uk/news/uk-scotland-50299391>

⁸ <https://www.catalannews.com/politics/item/belgian-judiciary-suspends-puigdemont-s-european-arrest-warrant>

3. Greece

Andrew Symeou

Perhaps the most infamous example of EAW injustices in the UK, the case of Andrew Symeou is a shocking one. Symeou was accused of killing a fellow holiday-maker on the Greek island of Zante. He was extradited in 2009, held for more than 10 months in appalling prison conditions, which have been censured by organisations including Amnesty International, before his trial, and repeatedly denied bail.⁹

Symeou was accused on the basis of statements made by two of his friends, who have since said that these false statements were beaten out of them by police¹⁰, and that they had feared for their lives. In June 2011 Symeou was found not-guilty by a Greek court, and in 2013 a UK inquest reached the same conclusion.

Andrew Symeou's case alone shows three ways in which the flaws in the EAW system lead to abuses:

- Police brutality, to extract false statements from witnesses;
- Excessively long pre-trial detention, which is a violation of human rights; and
- Horrific prison conditions, which amount to a violation of human rights.

It's important to note that the EAW system is supposed to mean that refusing bail on the basis of a defendant being a flight risk is no longer an issue, as they can be easily returned under an EAW. However, many countries continue to refuse bail for this reason.

Keith Hainsworth

Keith Hainsworth¹¹, a 64-year-old an Ancient Greek tutor, was arrested in Calais, France as he and his wife returned to the UK after a holiday in Paris. The Greek authorities had issued an EAW some months previous on a charge of arson relating to a forest fire that had happened while Hainsworth was holidaying in that country.

Hainsworth was detained in France in a cell with a hole in the floor for a toilet, dirty blankets and no pillow or mattress before being branded an 'environmental terrorist' by a French judge and surrendered to Greece.

⁹ <https://www.fairtrials.org/andrew-symeou/>

¹⁰ <http://www.dailymail.co.uk/news/article-2304063/Father-student-Jonathan-Hiles-killed-single-punch-Greek-nightclub-says-man-cleared-manslaughter-liar.html>

¹¹ <https://www.dailymail.co.uk/news/article-2836158/An-inferno-insanity-Arrested-arson-Flung-stinking-cells-Stung-40k-Greek-holiday-Stygian-nightmare-blameless-British-couple-victims-EU-Arrest-Warrant.html>

Conditions were even in worse in Greece, as Hainsworth was held in an over-crowded detention centre that has been condemned by the European Court of Human Rights. He was given no food and forced to pay for water before being loaded into a 'cattle truck' transfer wagon for the nine-hour journey to court.

It turned out that a local truck driver had taken down the number plate of Hainsworth's holiday hire car in the vicinity of a forest fire, which is a common occurrence in Greece in the dry summer season. The car hire company had provided Hainsworth's name before his holiday he had returned home, but steps were not taken at the time to question him.

When the truck driver was named there was laughter in court as he was a well-known local mischief maker. The charges were dropped and Hainsworth released without charge.

This case highlights the unfairness of the EAW:

- The inferiority of some EU justice systems means that the word of a single 'mischief maker' is enough to get an innocent person locked up and flown across the continent.
- Furthermore, the ordeal racked up £40,000 in legal fees to be paid by Hainsworth and his wife.

4. Romania

Adrian Lupa

Adrian Lupa was surrendered by the UK to Romania under an EAW, following a conviction for stealing a €20 pair of trousers in 2011¹².

In this otherwise routine case concerns were raised about prison conditions in Romania, which have been found to have breached human rights in numerous cases heard by the European Court of Human Rights. The Romanian authorities responded by providing written 'assurances' that Lupa would be held in conditions that did not violate his human rights.

However, these assurances were not honoured, and Lupa was held with nine others in a small room. Drinking water was not clean, the cell was not hygienic, including mold on the walls, and Lupa did not receive proper medical care. During his time there another inmate took his own life due to the horrific conditions.

The restrictions of the EAW system means that probable violation of human rights is the only reason – except for incorrectly completed paper work – a British judge can refuse extradition. However, proving that human rights violations are probable is not straightforward because if an EU member state issues assurances, EU law says that country must be taken at its word.

Romania has been censured repeatedly for its horrific prison conditions, including in a pilot judgment¹³ that was issued by the European Court of Human Rights, and the UK and other countries continue to surrender people to Romania on the basis of assurances.

Adrian Lupa's case exposes the assumptions at the heart of the EAW system:

- That all EU member states can be trusted to respect human rights, even when there are systemic violations;
- That EU member states can be taken at their words – there simply is no provision to deal with countries that repeatedly give assurances they do not honour.

¹² <https://www.fairtrials.org/case-study/adrian-lupa>

¹³ [https://hudoc.echr.coe.int/eng-press#{%22itemid%22:\[%22003-5698279-7228685%22\]}](https://hudoc.echr.coe.int/eng-press#{%22itemid%22:[%22003-5698279-7228685%22]})

Jozsef Szekely

Jozsef Szekely¹⁴ is a Romanian national who grew up in a remote part of Romania. His Hungarian ethnic background means that he does not speak Romanian.

He was caught in a forest cutting down Christmas trees for his family in by police. The trees were confiscated and a statement was taken, and Szekely says he did not realise that what he had done was a crime, as no translation was provided during his interaction with police.

Szekely was not informed that he had been charged, and was not told that a trial was being held. The trial went ahead without him and he was convicted of theft. Szekely does not know if any defence was presented in his absence.

In the meantime Szekely took a job as a dockhand in Hungary, and was found to have an outstanding EAW against him during routine police ID checks. He was surrendered to Romania and sent to prison without any appeal against his conviction or sentence.

Jozsef Szekely's case exposes three problems which are common in the Romanian criminal justice system, and which people living throughout the EU are exposed to through the EAW:

- The lack of translation services which prevent people accused of crimes understanding what is happening;
- People being convicted without any opportunity to mount a defence in trials they are not informed of, making fair trials routinely impossible;
- The human rights violating prison conditions – Szekely went on to be held in a 2.5m by 6m cell with six other inmates, which violates the ECHR minimum of 4m² per prisoner.

Alexander Adamescu

Alexander Adamescu¹⁵ is the subject of an EAW issued by Romania, accused of bribing a judge regarding an insolvency case.

In the Adamescu case the EAW is being used as a tool of political persecution, as part of a long campaign against the Adamescu family instigated by former Prime Minister Victor Ponta. The Adamescus were targeted because of the pro-democracy and anti-corruption campaigning of the Romania Libera newspaper owned by Alexander's father, Dan Adamescu.

Dan Adamescu was convicted in a 'show trial'¹⁶ of the charges Alexander now faces, was detained in horrific prison conditions, and later died of sepsis as a result of the prison conditions and denial of medical care¹⁷.

¹⁴ <https://www.fairtrials.org/case-study/jozsef-szekely>

¹⁵ <https://www.conservativehome.com/platform/2016/09/damien-phillips-sharing-sovereignty-with-romania-how-the-uk-is-lending-a-hand-to-tyranny.html>

Romania's attention turned to Alexander Adamescu when he launched an arbitration case at the international court in New York, and at the same time protested the inhumane treatment of his father.

- The EAW is politically motivated, and there is evidence from British and German intelligence experts that Ponta ordered prosecutors and intelligence officers to 'bring down' the Adamescus.
- The trial of Dan Adamescu has been highlighted as a miscarriage of justice, after Ponta appeared on TV to attest his guilt before the trial, and judges referred to him as guilty before he was convicted.
- There is no evidence to support the charges against Alexander Adamescu, but this does not affect the EAW as British judges are not able to reject a request on this basis.
- Romania has repeatedly violated human rights through the systemic problems in its prison system, broken assurances used in other EAW cases, and effectively killed Dan Adamescu through those same prison condition.
- However, the EAW system means that the word of the Romanian authorities must be trusted when it gives assurances about a fair trial and prison conditions for Alexander Adamescu, and his extradition is imminent.

Read more about the problems in the Romanian criminal justice system in the Due Process report End 'trust, but not verify': Why the UK must halt extraditions to Romania immediately.¹⁸

¹⁶ <https://www.hrwf.eu/wp-content/uploads/2018/01/0301-EAW-Report.pdf>

¹⁷ <https://reaction.life/tragic-unjust-death-dan-adamescu/>

¹⁸ <http://dueprocess.org.uk/2018/10/18/due-process-report-end-trust-but-not-verify-why-the-uk-must-halt-extraditions-to-romania-immediately/>

5. Italy

Edmond Arapi

In 2006 Edmond Arapi, originally from Albania but legally living in the UK since 2000, was convicted of murder committed in 2004 at a trial held in his absence in Genoa, Italy. Arapi had no idea that he was accused of a crime, never mind that a trial was happening or that he had been convicted. This lack of due process wasn't the only problem – Arapi hadn't left the UK between 2000 and 2006, and was working at a cafe in Staffordshire when the murder he was convicted of was committed. Arapi had never been to Genoa.

He found out that he had been convicted in his absence in 2009, as he was returning to the UK with his family after a holiday in Albania, when he was stopped and arrested at Gatwick Airport. At the behest of an EAW Arapi was detained in prison in the UK for several weeks. Fair Trials International¹⁹ brought Arapi's case to the attention of the media and public, and eventually the Italian authorities realised their mistake and withdrew the EAW.

Edmond Arapi's case shows that it is a mistake to always trust that the justice systems in other EAW countries are as good as in the UK. In this case, the Italian authorities:

- Conducted a trial without informing the defendant, making a defence and therefore a fair trial impossible;
- Convicted someone without taking even basic steps to make sure it was the right person;
- Went on to seek the extradition of an indisputably innocent man.

Arapi's case also highlights one of the biggest problems with EAWs – the lack of a requirement for a *prima facie* case. If the Italian authorities had not withdrawn the EAW, the evidence that showed Arapi was at work in Staffordshire on the day of murder could not have been examined by the British judge and he would have been extradited. As it was, an innocent man spent several weeks in a UK prison.

¹⁹ <https://www.fairtrials.org/edmond-arapi/>

6. Portugal

Garry Mann

Whilst attending the Euro 2004 football tournament in Portugal, Garry Mann was accused, alongside other football supporters, of causing a riot. He was arrested, and in less than 24 hours he was tried, convicted and sentenced to two years in prison under a fast-track procedure. During his trial he was unable to instruct a lawyer, and inadequate translation facilities meant that he did not know what was going on in court – making it impossible to present a defence and have a fair trial.²⁰

Mann was told that he would not have to serve his sentence if he left the country immediately. Back in the UK, a court refused an application to apply a football banning order to Mann on the grounds that he had not received a fair trial and so should be considered not-guilty. Thinking that his ordeal was over, Garry was shocked when he was arrested in 2009 due to an EAW issued by Portugal, demanding his return in order to serve the prison sentence from 2004. The British courts complied with the request, despite the fact that another court had described his trial as: “so unfair as to be incompatible with [his] right to a fair trial.”

- Unfair trials due to lack of legal representation and translation facilities are commonplace in several EU countries;
- Even when there is an obvious miscarriage of justice, EAW rules mean UK judges are unable to refuse extradition requests.

Graham Mitchell

Graham Mitchell's²¹ case dates back to 1994, when he was arrested whilst on holiday in Portugal. A German tourist was allegedly pushed off a sea-wall, causing serious injury. In this original case Mitchell spent 10 months in detention without charge and was subject to ill-treatment in prison.

Mitchell was acquitted at trial in 1995, released from prison, and returned to the UK.

In 2012 Mitchell was arrested on an EAW, issued by a Portuguese court in 2009. It transpired that the victim in the original case had appealed the outcome and been granted a re-trial. Despite being easy to find in the UK Mitchell was not informed of the new trial, and was convicted in his absence.

²⁰ https://www.fairtrials.org/documents/Garry_Mann_update.pdf

²¹ <https://www.fairtrials.org/module-4-european-arrest-warrant-and-fundamental-rights>

Mitchell argued that he could not mount a proper defence in Portugal as his co-defendant in the original case was not able to be found to give evidence. Following appeals²² from his lawyers Portuguese authorities eventually agreed to drop the charges on the basis of time passed, allowing Mitchell to go on with his life.

However, the EAW system means that had the Portuguese authorities continued with the EAW, British judges would have been powerless to refuse extradition – exposing a citizen to an unfair trial on charges he had already been acquitted of.

²² <https://www.bbc.co.uk/news/uk-england-kent-18116917>

7. France

Deborah Dark

In 1989 Deborah Dark²³ was found not guilty of drug related offences in France. Without her knowledge, and after she has returned to the UK, the prosecutor appealed this result and won – Dark was not summoned to appear in court, and was never informed that she had been convicted.

Dark was arrested in Spain in 2008 as she returned from a family holiday. A Spanish judge refused the extradition to France because so much time had passed, but the French authorities refused to drop the EAW and she was detained again in the UK. A UK judge reached the same conclusion, refusing extradition, but the French authorities still refused to drop the EAW. This meant that Deborah was effectively stuck in the UK, until the EAW was finally dropped in May 2010.

This case again exposes the dangers in assuming all justice systems in EAW countries are of the same quality. It also shows that even when courts refuse to extradite, European Arrest Warrant injustices can continue when the issuing authorities are spiteful.

Ian Bailey

Ian Bailey²⁴ was accused of murdering French citizen Sophie Toscan du Plantier in 1996 in West Cork, Ireland. Bailey became the prime suspect at the time and was thoroughly investigated by Irish police, who built a case based on circumstantial evidence and witness statements. Prosecutors decided that evidence was insufficient and did not proceed with a prosecution.

However, French law states that someone accused of murdering a citizen in another jurisdiction can be tried in France, and after a campaign by the victim's family a case was brought based on the Irish police investigation - including statements from several of the witnesses interviewed by the Irish police who later stated that they felt pressured into accusing Bailey and did not support those original statements.

French authorities sought Bailey under an EAW twice, and was refused by Irish Courts both times.

A trial in France continued in Bailey's absence, resulting in a conviction and a fresh EAW being issued. In December 2019 this request was approved²⁵, and Bailey is now appealing that decision.

²³ <https://www.fairtrials.org/deborah-dark/>

²⁴ <https://www.theguardian.com/uk-news/2019/dec/16/british-former-journalist-ian-bailey-to-be-extradited-to-france-over-film-maker>

²⁵ <https://www.bbc.co.uk/news/world-europe-50813537>

The Ian Bailey case has attracted widespread criticism from legal experts and others on the basis that the Irish prosecutor's conclusion that the evidence against Bailey was insufficient to prosecute should prevent him being extradited for the same offence. There are also fears that the Irish police's flawed investigation has led to a miscarriage of justice²⁶ in the French trial.

²⁶ <https://www.irishtimes.com/opinion/ian-bailey-case-heading-towards-miscarriage-of-justice-1.3903137>

8. Poland

Artur Celmer

Artur Celmer²⁷ was accused of drug trafficking offences by the Polish authorities and sought from Ireland under an EAW, prompting a high-profile human rights test case.

Celmer's lawyers argued that he would not receive a fair trial in Poland due to clear evidence of political interference²⁸ in Polish courts, including the appointment of judges and the conditions they worked in. Breaches were so serious that the European Commission triggered the Article 7²⁹ disciplinary process against Poland in 2017.

The Irish High Court decided that Celmer could not be extradited, effectively halting all surrenders from Ireland to Poland and sending shockwaves through the European legal community.

The case was referred on to the European Court of Justice (ECJ) for adjudication, which decided lack of independence of courts in the requesting country was grounds for refusal, but that evidence in the individual case had to be "so serious that it destroys the fairness of the trial".

With this clarification the Irish courts ruled that Celmer's case did not meet the threshold for refusal, and ordered the extradition.

The Celmer case makes a mockery of the EU system:

- The threshold set out by the ECJ essentially maintains the assumption of equal quality justice systems even when political interference in the judiciary has been recognised as systemic by the EU and sanctioned under the Article 7 process – the first time any member state has been sanctioned in this way.
- This legal test firmly places the burden of proof on the accused in a way that is all but impossible to pass.

Read more about the problems in the Police criminal justice system in the Due Process report Extradition to Poland: Risks and responsibilities.³⁰

²⁷ <https://www.irishtimes.com/news/crime-and-law/courts/supreme-court/extradition-ordered-of-polish-man-in-controversial-landmark-case-1.4080428>

²⁸ <http://dueprocess.org.uk/2019/06/17/due-process-report-extradition-to-poland-risks-and-responsibilities/>

²⁹ <https://www.euronews.com/2017/12/20/what-is-article-7-and-why-was-it-triggered-against-poland->

³⁰ <http://dueprocess.org.uk/2019/06/17/due-process-report-extradition-to-poland-risks-and-responsibilities/>

9. Czech Republic

Karel Konecny

Karel Konecny³¹ was convicted of fraud in the Czech Republic in his absence in 2008. An EAW was issued in 2013 and executed in the UK in 2017. This case highlights the way trials in absentia can be abused and used to bypass the already scant safeguards in the EAW system.

In the UK EAWs issued for accused people and convicted people are handled differently. Essentially, people with accusation warrants against them have more ways to fight an EAW, including on the basis of time elapsed and proportionality.

This was important in the Konecny case because the Czech Republic's own rules mean that in the case of a conviction in absentia defendants have a right to a re-trial. It was argued that the conviction warrant was in effect an accusation warrant because of both his right to a re-trial and the fact that the Czech authorities had made no effort to notify him of the original trial or return him for it.

This argument was rejected and Konecny was surrendered to the Czech Republic, opening up the EAW to further abuses to countries including the Czech Republic, and others such as Romania and Italy, which routinely conduct trials in the absence of defendants without having sought them first.

³¹ <https://blogs.kent.ac.uk/criminaljusticenotes/2019/04/02/european-arrest-warrant/>

10. UK

Ashya King

Brett and Nagemeh King were arrested in Spain following a search for their son, Ashya King³².

When doctors at Southampton General Hospital and Ashya's parents disagreed over the best course of treatment for his brain cancer – the hospital favoured chemotherapy and radiotherapy, while the Kings wanted proton beam therapy, which was not at that time available through the NHS – the family took the little boy from hospital and left the country.

An EAW was almost immediately issued for the arrest of Brett and Nagemeh on suspicion of child neglect, prompting disagreements between legal experts as to whether a child being removed from hospital was an offence. There was widespread public outrage at the heavy-handed approach taken by the NHS and police.

The Kings were eventually tracked to Spain and arrested before being returned to the UK. Following a High Court case Ashya was allowed to travel to Prague for the proton beam therapy his parents wanted – the treatment was successful, and follow-ups after three years showed that Ashya was still cancer-free³³.

The Ashya King case is often cited as an example of state over-reach, with the EAW used as a tool to trample over the right to choose.

³² <https://www.theguardian.com/society/2014/aug/31/ashya-king-found-spain-parents-arrested>

³³ <https://www.telegraph.co.uk/news/2018/03/03/ashya-king-cleared-cancer-three-years-parents-abducted-hospital/>

11. Recommendations

Due Process recommends that the UK government uses the opportunity of Brexit to remove the UK from the EAW system, and establish a new extradition system which protects people from the human rights abuses and miscarriages of justice which are an inevitable feature of the inferior criminal justice systems in many EU member states.

To protect human rights now and in the future, and avoid people in the UK facing situations like those set out in this report, the UK government must:

- Immediately halt extraditions from the UK to EU countries with serious systemic issues that routinely lead to human rights abuses and miscarriages of justice.
- Ensure that the UK is outside of the EAW system once the Brexit process is complete, with new extradition arrangements with EU countries in order to protect people in the UK from sub-standard criminal justice systems.
- Introduce a *prima facie* evidence test to all extradition cases from the UK to EU member states and all other countries, giving British judges the power to dismiss cases with weak or no evidence against the accused.
- Establish new legal tests, independent of the European Court of Justice, to determine whether human rights abuses are likely if an individual is extradited. This new legal test should remove the assumption that EU member states always act in good faith.
- Take back responsibility for assessing systemic problems in EU member states from the EU Commission, so that UK authorities can act to protect people in the UK when a foreign government begins politically interfering with its judiciary and harming the chances of a fair trial, as has happened in Poland and Romania.



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