

CRUCIAL REFORMS PROPOSED TO THE EUROPEAN EXTRADITION REGIME

For Immediate Release

22 December 2010

Fair Trials International has today called for crucial reforms to the European Arrest Warrant (EAW) to safeguard the rights of people facing extradition. In its response to the Government's review of the UK's extradition arrangements, Fair Trials International highlights the human and financial costs of the EAW and proposes concrete reforms to achieve a fair and effective extradition regime. Last year alone, Europe's fast track extradition system was used to extradite nearly 700 people from the UK.

Jago Russell, FTI's Chief Executive said:

"Our clients' cases highlight serious and recurring problems with Europe's fast-track extradition regime. Ordinary people – teachers, firemen, chefs and students – have seen their lives and futures blighted by this 'no questions asked' system that has failed to safeguard their basic rights. For the first time we have proposed concrete reforms which would create a fair and effective extradition system."

The detailed report recommends workable improvements to the system including a new proportionality test to combat the use of extradition in the most minor cases, such as stealing a dessert or going over an overdraft limit, where the effect of extradition is disproportionate to the alleged crime. FTI has long campaigned for an EAW system that upholds rather than undermines justice and hopes that the extradition review will recommend changes to the UK's extradition arrangements to ensure they work effectively and in the interests of justice. We are also calling for the UK to work with the rest of Europe to reform the EAW and raise standards of justice across the European Union. As the report warns, unless action is taken, many more people will suffer injustice as a result of this 'no questions asked' extradition system.

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Notes to Editors

1. The European Arrest Warrant was introduced in 2004 to deal with serious cross border crime, removing all political discretion in extradition decisions and traditional legal barriers to extradition. It requires each European member state to place blind faith in the justice systems of their European neighbours. However, given the unacceptable differences in protections for defence rights across the EU, there is no sound basis for this assumption. A greater balance must be struck between the need for an effective extradition system and the rights of the individual.
2. Fair Trials International greatly welcomes the opportunity to contribute to the extradition review as it has long campaigned for reform of the EAW. Over many years FTI has highlighted cases of injustice under the EAW and called for reform. We were therefore delighted when the Home Secretary, Rt Hon Theresa May MP, announced in September that the Government would be setting up an independent panel to examine the UK's extradition arrangements.
3. In outline, the report includes:

- Statistics demonstrating the huge and growing number of European extraditions and the burden this imposes on the UK's police and courts.
- Human stories from some of many of FTI's clients who have suffered injustice under the EAW, including:
 - **Garry Mann**, a 51-year-old fireman from Kent, extradited to Portugal to serve a prison sentence imposed after a trial the British courts had concluded breached his most basic fair trial rights.
 - **Deborah Dark**, a grandmother of two, pursued by France to serve a sentence in a French jail for a 20-year old conviction she knew nothing about.
 - **Edmond Arapi**, father of three, whose extradition was ordered to serve a sentence in Italy for a crime he could not possibly have committed.
- Concrete proposals to reform the operation of the EAW:
 - British judges should be able to refuse extradition requests in light of compelling evidence that the defendant's human rights will be breached, for example when prison conditions do not meet basic standards or a fair trial is clearly impossible.
 - Discretion should be allowed to refuse extradition where a convicted individual is British and could serve their sentence here and where the best place for a trial to take place is in the UK.
 - Deadlines should be extended for appealing against an extradition decision to prevent people being unable to appeal against an extradition decision where the deadline has been missed through no fault of their own.
 - A country should be able to request further information where there is suspicion of identity theft to ensure that the wrong people are not torn from their families to face trial abroad.
 - Decisions to refuse extradition must be recognised by all EU Member States and should lead to the immediate lifting of the EAW so that if one country finds that extradition would be unjust the person can get on with their life without fear of re-arrest every time they cross a border.
 - Any EU country should be able to request guarantees regarding fair trial safeguards if there is a reason to believe that the person had been convicted at or may face an unfair trial.
 4. A full copy of the response is available to download from http://www.fairtrials.net/campaigns/article/ftis_submission_to_the_extradition_review_panel/.
 5. Fair Trials International's Justice in Europe campaign: We have long campaigned for legislation at EU level on basic defence rights, because it is the only way to require Member States to deliver on their fair trial obligations, both to nationals and non-nationals. We use the real-life experiences of the people we assist to show the need for these measures. For more information on our Justice in Europe campaign please visit <http://www.justiceineurope.net>.