

# Legal Experts Call for Political Intervention after EAW Suspensions



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European Law Forum: Prevention • Investigation • Prosecution

**Thomas Wahl**

**News**

Against the background that more and more national courts tend to suspend cooperation with Poland due to rule of law concerns, the Meijers Committee – an independent group of experts on international immigration, refugee and criminal law – urge politicians to increase pressure on the concerned Member States to adhere with the EU values and the rule of law. [The statement points out](#) several side-effects of the aforementioned development:

- Bearing in mind that the European Arrest Warrant mechanism was set up in order to keep the judiciary away from deciding on politically sensitive issues, judges now in fact have to assess these issues, while those who should act – politicians – remain almost silent;
- It is unrealistic to place all hope in the CJEU, which cannot bring about a workable legal solution;
- Large-scale suspension of surrender may lead to an increased prosecution of the alleged crimes in the executing State, which will jeopardise the principle of rehabilitation;
- Long-term suspension creates long-term uncertainty for requested persons on their legal position;
- Member States must pose the question of whether they can still issue EAWs towards Member States in which the rule of law is in decline;
- Suspension may have undesirable repercussions on the side of the Member States, because the Member States blamed may increasingly refuse execution of incoming requests as a counteraction.

The Meijers Committee believes that these arguments justify more than ever that political intervention is needed now.

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