

Stream

Strengthening Trust in the European Criminal Justice Area through Mutual Recognition and the Streamlined Application of the European Arrest Warrant

ABOUT THE PROJECT

STREAM will increase coherence in the use of the European Arrest Warrant (EAW) by promoting an EU-wide understanding of the criminal justice rules and safeguards applying to the different phases of surrender proceedings in a post-Lisbon Treaty context.

The Lisbonisation of the European Criminal Justice Area gradually introduced new EU legal standards – substantial and procedural guarantees – that currently apply to EAW issuing and validation, EAW recognition and execution, and access to effective remedies pre and post surrender. The exact content of these standards and their implications for the operation of the EAW are constantly interrogated before European courts (including both EU and member states courts). By advancing the state-of-the-art knowledge on questions raised and solutions adopted by EU and national courts to secure surrender procedures' compliance with relevant criminal justice rules and safeguards, the project will help in addressing the interpretative doubts and practical challenges that currently hamper mutual recognition under the EAW scheme.

STREAM will create an EAW Jurisprudential Observatory to monitor emerging interpretative questions and application challenges related to the practical use of the EAW. The STREAM Repository of EAW Case-law analysis will provide detailed accounts of solutions adopted by the CJEU and national judicial authorities to conjugate mutual recognition with protection of the fundamental rights of suspects and accused persons, and respect for the core essence of different national constitutional traditions. STREAM will also bring light to fair trial challenges related to the operation of the EAW, and further consistency between this mutual recognition and the EU procedural rights acquis.

A key added value of the STREAM Project is the STREAM Academic Network, which is composed by leading criminal law experts who will deliver in-depth analysis on the ways in which judicial authorities in 14 EU Member States have interpreted and applied the fundamental rights and rule of law safeguards which – under EU and national law – govern the issuing, validation, recognition, and execution of EAW. The EU wide dimension of the project is ensured by the STREAM EAW Jurisprudential Observatory, and the involvement of the STREAM partner networks, which cover the 27 EU Member States.

STREAM Academic Network

Belgium	Italy
Finland	Luxembourg
France	Poland
Germany	Portugal
Greece	Spain
Hungary	Sweden
Ireland	The Netherlands



Under the STREAM Project, state-of-the-art research and comparative analysis are interlinked with interactive consultations and exchanges of knowledge among 'EAW end users' (i.e. prosecutors, judges, and lawyers). Based on these activities, STREAM will deliver practical guidance and specialised trainings for legal practitioners, including both judicial authorities and defence lawyers across the EU. It will also gather testimonies to raise awareness regarding existing promising practices and develop recommendations that will help policymakers to identify solutions capable of fostering mutual recognition while protecting fundamental rights of persons concerned by surrender proceedings.

STREAM will build upon and add value to other EU funded projects by providing evidence-based answers to practical questions and obstacles faced in the day-to-day operation of the EAW, but also by fostering research-policy exchanges designed to increase effectiveness of this mutual recognition instrument and its coherence with the EU criminal justice acquis. STREAM will deliver results that complement existing normative, policy and jurisprudential guidance for the use of the EAW.

OBJECTIVES OF THE PROJECT

STREAM will increase mutual trust among judicial authorities and lawyers participating in surrender procedures by means of: fostering consistency and coherence in the use of the EAW, and promoting a streamlined understanding of the criminal justice rules and safeguards applicable to the surrender of persons in a post-Lisbon Treaty setting.

STREAM will monitor and examine EAW-related jurisprudential developments across the EU. In-depth legal analysis on the uses of the EAW will be performed by leading criminal law scholars in 14 Member States and complemented with EU-wide practitioners' consultations to provide the evidence needed to consistently tackle key questions and challenges affecting the use of the EAW.

STREAM research and analysis will allow the development of the guidance and training needed to coherently interpret and apply the normative and jurisprudential standards governing each phase of different EAW proceedings. It will also explore solutions that could help overcome difficulties in securing procedural rights and access to remedies in both the issuing as well as the executing MS. STREAM will increase consistency in:

EAWs issuing,
validation, and
proportionality
assessments

EAWs recognition,
execution,
and refusal

Access to effective
remedies pre and
post surrender

PROJECT PARTNERS



With the support of



The STREAM project is funded by the European Union's Justice Programme (2014-2020).

Project coordinator:

Centre for European Policy Studies
1 Place du Congrès, B-1000, Brussels, Belgium
info.streamproject@ceps.eu

www.stream-eaw.eu

