



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from:	Czech Delegation
to:	Delegations
Subject:	Applicability of EU instruments in the area of international judicial cooperation in criminal matters in the Member States and their overseas territories and regions, i. e. the outermost regions (OMR), the overseas countries and territories (OCT) and other Special Member State territories - Non-paper from the Czech Delegation

NON PAPER FROM THE CZECH DELEGATION

The Czech Republic welcomes and supports the efforts of the Belgian Presidency in the area of practical measures to facilitate and improve implementation and practical application of instruments on international judicial cooperation in criminal matters in general and the principle of mutual recognition in particular (see document 11193/10 of 17 June 2010).

Judicial authorities of the Czech Republic have encountered practical problems in obtaining information on applicability of the above-mentioned instruments also in the overseas territories and regions of some Member States. It seems that this information is not available in centralized or clear format. Therefore, it may be difficult in urgent cases to find out which instrument is to be applied, i. e. whether an EU instrument or a bilateral or multilateral treaty (such as the Council of Europe conventions) is to be applied.

The Czech Republic therefore considers it desirable to gather and publish, for example at the EJN webpage, centralized and clear information on applicability of individual EU instruments in the area of international judicial cooperation in criminal matters in the Member States and their overseas territories and regions, i. e. the outermost regions (OMR), the overseas countries and territories (OCT) and other Special Member State territories. A suitable format for such an overview could be the attached chart, which could be, after being filled in by Member States, published at the EJN webpage.

**APPLICABILITY OF THE TYPES OF INTERNATIONAL JUDICIAL COOPERATION IN CRIMINAL MATTERS REGULATED BY THE EU LAW
IN THE MEMBER STATES AND IN THEIR OVERSEAS TERRITORIES AND REGIONS**

State / Territory	Schengen (Police and Judicial Cooper.)	European Arrest Warrant 2002/584/JHA	2000 Convention	2001 Protocol	Freezing Orders 2003/577/JHA	Confiscation Orders 2006/783/JHA	Financial Penalties 2005/214/JHA	European Evidence Warrant 2008/978/JHA	Supervision Measures instead of Provisional Detention 2009/829/JHA	Taking Account of Convictions 2008/675/JHA	Supervision of Conditional Sentences and Alternative Sanctions 2008/947/JHA	Custodial Sentences 2008/909 JHA
Austria												
Belgium												
Bulgaria												
Denmark												
Faroe Islands												
Greenland												
Estonia												
Finland												
Åland Islands												
Saimaa Canal and Malyj Vysotskij Island												
France												
Clipperton												
French Guyana												
French Polynesia												

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French Southern and Antarctic Lands												
Guadeloupe												
Martinique												
Mayotte												
New Caledonia												
Réunion												
Saint-Barthélemy												
Saint-Martin												
Saint-Pierre et Miquelon												
Wallis and Futuna												
Germany												
Büdingen am Hochrhein												
Heligoland												
Greece												
Athos												
Hungary												
Ireland												
Italy												
Campione d'Italia												
Livigno												

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Cyprus												
UNFICYP Buffer Zone												
the so-called Turkish Republic of Northern Cyprus												
Czech Republic												
Latvia												
Lithuania												
Luxembourg												
Malta												
Netherlands												
Aruba												
Bonaire (from 10 October 2010)												
Curaçao (from 10 October 2010)												
Netherlands Antilles (until 10 October 2010)												
Saba (from 10 October 2010)												
Sint Eustatius (from 10 October 2010)												

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Sint Maarten (from 10 October 2010)												
Poland												
Portugal												
Azores												
Madeira												
Romania												
Slovakia												
Slovenia												
Spain												
Ceuta												
Canary Islands												
Melilla												
Sweden												
United Kingdom												
Akrotiri and Dhekelia												
Anguilla												
Bermudas												
British Antarctic Territory												
British Indian Ocean Territory												
British Virgin Islands												

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Cayman Islands												
Falklands												
Gibraltar												
Guernsey, Alderney, Herm and Sark												
Isle of Man												
Jersey												
Montserrat												
Pitcairn												
Saint Helena, Ascension and Tristan da Cunha												
South Georgia and the South Sandwich Islands												
Turks and Caicos												
British Virgin Islands												
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