

(English version)

**Question for written answer E-003500/25
to the Commission
Adrián Vázquez Lázara (PPE)
(10 September 2025)**

Subject: Belgium's repeated refusal to execute a European arrest warrant for an MEP

European arrest warrants (EAWs) are key tools for judicial cooperation in the EU that are based on mutual recognition between Member States. However, in recent years and on several occasions, the Belgian judicial authorities have refused to execute EAWs issued by another Member State for an MEP who is involved in ongoing legal proceedings.

In this context, in his opinion of 4 September 2025 (Case C-572/23 P), Advocate General of the Court of Justice Maciej Szpunar highlighted the fact that the European Parliament acted correctly in waiving immunity and that this applied in all EU Member States (except Spain), thus avoiding the creation of 'safe havens' where an EAW could not be applied.

1. What is the Commission's view on the compatibility of these decisions with the principle of mutual recognition that underpins EAWs?
2. Does the Commission view a Member State's repeated refusal to execute EAWs as compromising mutual trust and the efficiency of judicial cooperation in the EU?
3. What measures will the Commission adopt to ensure that EAWs are applied uniformly, especially when they affect members of EU institutions?

Submitted: 10.9.2025

**Answer given by Mr McGrath on behalf of the European Commission
(14 October 2025)**

The European arrest warrant (EAW) is an entirely judicial procedure between judicial authorities in the Member States based on the particular circumstances of each individual case where surrender is requested. Neither the Commission nor the Member States' governments can interfere, or influence decisions taken by judicial authorities.

The Commission will continue to monitor the transposition by Member States of Framework Decision 2002/584/JHA on the EAW and stands ready to take action if needed, including via infringement proceedings.
