



DECLARATION OF LEGAL RIGHTS

To be provided to a person who is the subject of a European Arrest Warrant, a provisional arrest request or an extradition request

You have been arrested further to the execution of a European Arrest Warrant, a request for provisional arrest, or an extradition request. This document outlines the main rights to which you are entitled and the main information you should be provided with.

The information below must be given to you in a language you understand.

You may keep this document throughout the time you remain in custody

You are hereby informed that you have been arrested pursuant to a European Arrest Warrant, an extradition request or a request for your provisional arrest issued by a Third State. You are wanted for the purposes of extradition; or to execute a sentence in the State that requires your surrender.

Awareness of the offence

You have the right to know the nature, date and location of the commission of the offence(s) for which the European Arrest Warrant, the request for your provisional arrest, or the extradition request was issued against you.

Right to legal assistance

- Selecting your lawyer:

As of the beginning of your time in custody, you have the right to request the legal assistance of a lawyer of your choice. If you are unable to provide the details of a lawyer, or if the lawyer of your choice cannot be contacted, you can ask for a state appointed lawyer.

Your lawyer may also be chosen by one of the persons you have notified. In this case, you are required to confirm their choice of lawyer.

- Assistance of the lawyer and time of intervention:

The chosen lawyer will be able to consult with you for a period of 30 minutes in conditions guaranteeing the confidentiality of your conference;

Your first hearing will not begin without your lawyer's attendance until two hours have elapsed since your lawyer was informed of your request, unless the hearing's sole purpose is to establish identity.

If your lawyer arrives whilst the hearing is in progress, you may ask for the hearing to be stopped, to allow for you to speak to your lawyer.

Right to remain silent

Whilst in custody you may choose either to make a statement, to answer the questions asked of you, or to remain silent.

Assistance by an interpreter

If you do not speak or understand French, you have the right to be assisted by an interpreter free of charge during hearings and when communicating with your lawyer.

Length of period in custody

Your period in custody can last 48 hours, without a further extension.

At the end of this time-period, you will be brought before the Chief Prosecutor of the Court of Appeal territorially competent to deal with, or which is seized with, the request. After verifying your identity, you will be informed in a language that you understand of the existence and the contents of the

European Arrest Warrant, extradition request, or request for provisional arrest. You will also be informed that you may be assisted by a lawyer of your choice, or in default by a lawyer appointed by the head of the order of advocates who will be informed immediately of such a request.

You may in this case have a conference immediately with your designated lawyer, who will be in a position to consult your file promptly and freely communicate with you.

After your notification of the European Arrest Warrant, provisional arrest or extradition request, if the Chief Prosecutor of the Court of Appeal decides not to release you from custody, you will be brought before the first President of the Court of Appeal, or an examining judge designated by him, who will:

- either order your remand into custody until the receipt of the full request (the time limits differ according to the different conventions) and order your attendance before the examining chamber who will decide whether to surrender you on the basis of the European Arrest Warrant or extradition request.
- Or order your release on unconditional or conditional bail, with electronic monitoring or residence requirements if necessary, if he is satisfied that your attendance at all hearings and appointments is sufficiently guaranteed until the receipt of the full request, or until your hearing before the examining chamber who will decide upon your surrender.

Opportunity to Consent to your return

You have the right to give or withhold your consent to being returned to the State seeking your surrender. The Examining Chamber must render a decision expeditiously should you consent. If you consent to your surrender further to a European Arrest Warrant, your decision will be final and cannot be modified once it has been made.

Informing a Third Party

You have the right to inform any third party you wish, including your family, of your remand into custody. Equally, if you are a foreign citizen, you may ask for your country's consular authorities to be notified.

Medical Examination

You can ask to be examined by a doctor.