

Rehabilitation and mutual recognition – practice concerning EU law on transfer of persons sentenced or awaiting trial

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Section A: General information on existing situation: probation measures, alternative sanctions and supervision measures as an alternative to pre-trial detention

Please add the information required to answer the questions. Provide supporting or explanatory information – highlighting laws, policies and measures which justify the answer.

Q1. Please outline the specific probation measures or alternative sanctions that are available at the post-trial stage in the Member State on which you are reporting:

Probation measures applicable in the Grand-Duchy of Luxembourg are laid down in the Criminal Procedure Code (*Code d'Instruction Criminelle*, CIC)¹. Article 633-7 refers that probation decisions may impose obligations, in particular: carrying out a professional activity; to follow a study or training; to undergo surveillance measures and treatment (including treatment for addiction); to contribute to family expenses or to regularly pay alimony; to compensate for the prejudice caused by the offence; to carry out community service. According to Article 633-1, probation decisions can be accompanied by supervision and assistance measures, both with the purpose of monitoring the behaviour and social rehabilitation. Supervision measures (as described by Article 633-5) are the following: respond when summoned (*répondre aux convocations*); agree to visits of the social assistance central service and inform them about his/her livelihoods; justify eventual change of residence or working place; inform the social assistance central service of any change of residence. Assistance measures have the purpose of generating or supporting efforts of the suspect/sentenced person to social rehabilitation and they consist of guidance or, if necessary, material assistance (Article 633-6).

Articles 21 of the Criminal Code (*Code Pénal*)² refers to possible alternative sanctions, which can be: bans on driving certain categories of vehicles for a specified period of up to 5 years or limitation of the right to drive for the same maximum period of time; confiscation of one or more vehicles; ban on possessing or carrying a weapon for which a licence is required for a period of up to five years; ban on the right to carry out hunting activities for a period of up to five years; confiscation of one or more weapons.

¹ Luxembourg, Code of Criminal Procedure (*Code d'Instruction Criminelle*), coordinated text of 15 April 2015, available at: http://www.legilux.public.lu/leg/textescoordonnes/codes/code_instruction_criminelle/. All hyperlinks were accessed on 12 June 2015.

² Luxembourg, Criminal Code (*Code Pénal*), coordinated text of 1 January 2015, available at: www.legilux.public.lu/leg/textescoordonnes/codes/code_penal/CodePenalPageAccueil.pdf.

Q2. Please outline the specific supervision measures as alternatives to pre-trial detention that are available in the Member State:

The CIC contains a section (*section X*) fully dedicated to judicial supervision (Articles 106 to 112). Article 107, paragraph 2, lays down the obligations that may be imposed on the accused, which can be one or several of the following ones: do not leave the territory specified by the investigating judge (*juge d'instruction*); do not leave the place of residence determined by the investigating judge (unless conditions and reasons to do so were specified by the judge); not to enter certain places or to enter only places specified by the investigating judge; to inform the investigating judge of any movements outside the specified limits; to report periodically to services or authorities designated by the investigating judge; to respond when summoned (*répondre aux convocations*) and to undergo, where appropriate, supervision measures affecting involvement in a field of employment and attendance to training, as well as to socio-educational measures to foster social integration and prevent subsequent offences (*récidive*); to hand over identity documents to the authorities; not to drive all or certain vehicles; to avoid contact with specific persons; to undergo supervision measures and treatment (including treatment for addiction); to provide a performance security (*fournir un cautionnement*); not to possess or carry a weapon; to contribute to family expenses or to regularly pay alimony.

Q3. Are there any specific legislative or policy developments regarding alternatives to prison (at the pre- and post-trial stage) of particular suspects/sentenced persons (such as children, persons with disabilities, persons in need of special treatment or mothers with young children)?

There are no recent legislative developments regarding alternatives to prison of particular suspects/sentenced persons. In 2012, two Bills were introduced into Parliament: Bill 6381 on the reform of the enforcement of sentences³ and Bill 6382 on the reform of prison management⁴. According to these proposed reforms: children would not be admitted anymore in prison facilities, unless those from 16 to 18 years old (Article 10 of Bill 6382); medical files could be shared with the prisons' administration; particular situations of persons with disabilities and women were not included in the Bills.

After receiving Opinions from several authorities and/or organisations, the Bills were referred back to committee in 12 December 2012 and until today there were no more developments concerning these Bills.

³ Luxembourg, Chamber of Deputies (*Chambre des députés*), Bill 6381 on the reform of the enforcement of sentences (*Projet de loi 6381 portant réforme de l'exécution des peines*), 12 January 2012, available at: www.chd.lu/wps/portal/public/RoleEtendu?action=doDocpaDetails&backto=/wps/portal/public&id=6381.

⁴ Luxembourg, Chamber of Deputies (*Chambre des députés*), Bill 6382 on the reform of prison management (*Projet de loi 6382 portant réforme de l'administration pénitentiaire*), 12 January 2012, available at: www.chd.lu/wps/portal/public/RoleEtendu?action=doDocpaDetails&backto=/wps/portal/public&id=6382.

Section B: Transfer of suspects/sentenced persons

Please give a response for each of the boxes. If the information is the same in two boxes, duplicate the text. If the question is not applicable, specify why.

TOPIC	FD 2008/909	FD 2008/947	FD 2009/829 (ESO)
Q1. AVAILABILITY OF INFORMATION			
Q1.1. Is information publicly available in ‘issuing states’ concerning the following:? If yes, please specify.			
<ul style="list-style-type: none"> What information is provided (e.g. conditions for early release for FD 909 or the need for a suspect/sentenced person’s consent to a measure for FD 947 and 829)? 	<p>General information about the transfer of detained/sentenced persons is provided in the website of Luxembourg’s justice administration (<i>La Justice</i>)⁵. It makes reference to the European Convention on the transfer of sentenced persons of 21 March 1983⁶ and underlines the purpose of this Convention: to promote social reintegration. The website also clarifies that the sentenced person shall give his/her consent in order for the transfer to be carried out.</p> <p>Apart from this, the only information provided is the one contained in the Act of 28</p>	<p>General information about the transfer of detained/sentenced persons is provided in the website of Luxembourg’s justice administration (<i>La Justice</i>). It makes reference to the European Convention on the transfer of sentenced persons of 21 March 1983 and underlines the purpose of this Convention: to promote social reintegration. The website also clarifies that the sentenced person shall give his/her consent in order for the transfer to be carried out.</p> <p>Apart from this, the only information provided is the one</p>	<p>General information about the transfer of detained/sentenced persons is provided in the website of Luxembourg’s justice administration (<i>La Justice</i>). It makes reference to the European Convention on the transfer of sentenced persons of 21 March 1983 and underlines the purpose of this Convention: to promote social reintegration. The website also clarifies that the sentenced person shall give his/her consent in order for the transfer to be carried out.</p> <p>Apart from this, the only information provided is the one in the Bill 6815 on the application of</p>

⁵ For more information, see: www.justice.public.lu/fr/affaires-penales/execution-peine/transferement/index.html.

⁶ Council of Europe, Convention on the transfer of sentenced persons, CETS No. 112, 1983, available at: <http://conventions.coe.int/Treaty/en/Treaties/Word/112.doc>.

	<p>February 2011 on the recognition of judgments in criminal matters having imposed custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in another Member State of the European Union⁷ (Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty), which transposed Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union⁸ (FD 2008/909).</p>	<p>in the Act of 12 April 2015 on the application of the principle of mutual recognition to probation decisions and alternative sanctions with a view to facilitate the application of the principle of mutual recognition and fostering the application of the principle of mutual recognition to decisions rendered in the absence of the person concerned at the trial⁹ (Act on the recognition of probation decisions and alternative sanctions). This Act transposed Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and</p>	<p>the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention¹² (Bill on the recognition of decisions on supervision measures), which has recently been introduced into Parliament. If the Bill is approved, it will transpose the Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention¹³.</p>
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⁷ Luxembourg, Act of 28 February 2011 on the recognition of judgments in criminal matters having imposed custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in another Member State of the European Union (*Loi du 28 février 2011 relative à la reconnaissance de jugements en matière pénale ayant prononcé des peines ou des mesures privatives de liberté aux fins de leur exécution dans un autre Etat membre de l'Union européenne*), 08March 2011, available at: www.legilux.public.lu/leg/a/archives/2011/0044/a044.pdf#page=2.

⁸ Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008F0909&rid=27>.

⁹ Luxembourg, Act of 12 April 2015 on the application of the principle of mutual recognition to probation decisions and alternative sanctions with a view to facilitate the application of the principle of mutual recognition and fostering the application of the principle of mutual recognition to decisions rendered in the absence of the person concerned at the trial (*Loi du 12 avril 2015 relative à l'application du principe de reconnaissance mutuelle aux décisions de probation et aux peines de substitution et modifiant, en vue de favoriser l'application du principe de reconnaissance mutuelle aux décisions rendues en l'absence de la personne concernée*), 17 April 2015, available at: <http://www.legilux.public.lu/leg/a/archives/2015/0074/2015A1444A.html?highlight=>.

		alternative sanctions ¹⁰ and the Council Framework Decision 2009/299/JHA of 26 February 2009 amending Framework Decisions 2002/584/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA and 2008/947/JHA, thereby enhancing the procedural rights of persons and fostering the application of the principle of mutual recognition to decisions rendered in the absence of the person concerned at the trial ¹¹ .	
<ul style="list-style-type: none"> How is the information made publically available (tools, or networks used)? 	Websites <i>La Justice</i> and of Luxembourg's legal database (<i>Légilux</i>) ¹⁴ .	Websites <i>La Justice</i> and of Luxembourg's legal database (<i>Légilux</i>).	Websites <i>La Justice</i> and of Luxembourg's legal database (<i>Légilux</i>).
<ul style="list-style-type: none"> In which languages is the information provided? 	French	French	French

¹² Luxembourg, Chamber of Deputies (*Chambre des députés*), Bill 6815 on the application of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention (*Projet de loi 6815 relative à l'application du principe de reconnaissance mutuelle aux décisions relatives à des mesures de contrôle en tant qu'alternative à la détention provisoire*), 08 May 2015, available at: www.chd.lu/wps/portal/public/RoleEtendu?action=doDocpaDetails&backto=/wps/portal/public&id=6815.

¹³ Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009F0829&rid=8>.

¹⁰ Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008F0947&rid=26>.

¹¹ Council Framework Decision 2009/299/JHA of 26 February 2009 amending Framework Decisions 2002/584/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA and 2008/947/JHA, thereby enhancing the procedural rights of persons and fostering the application of the principle of mutual recognition to decisions rendered in the absence of the person concerned at the trial, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009F0299&qid=1433411790628>.

¹⁴ For more information, see: www.legilux.public.lu/.

<p>Q1.2. Apart from the competent authorities required by the FDs, is there any other national office or point of contact responsible for leading initial discussions about potential transfers (as issuing and executing state)? If yes, please provide brief details.</p>	<p>According to Article 3 of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty, the competent authority (required by the FD) is the Chief Prosecutor. The Act does not specify any other authority that would be responsible for leading initial discussions about potential transfers.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not specify any other authority that would be responsible for leading initial discussions about potential transfers.</p>	<p>The Grand Duchy of Luxembourg has not yet transposed the FD 2009/829/JHA.</p> <p>The Bill on the recognition of decisions on supervision measures has recently been introduced into Parliament, foreseeing the transposition of the FD 2009/829.</p> <p>According to Article 3.1 of the Bill, Luxembourg intends to designate central authorities (which differ according to whether Luxembourg is the executing or the issuing state). The Bill does not specify any other authority apart from the ones required in the FD 2009/829 that would be responsible for leading initial discussions about potential transfers.</p>
<p>Q1.3. Do the competent authorities collate information about their experience of transfers (such as personal data of the suspect/sentenced person, states involved, issues raised during the transfer process)? If yes, specify the information gathered.</p>	<p>The Act on the recognition of judgments does not provide any detailed information about the collation of information about their experience of transfers.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information about the collation of information about their experience of transfers.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information about the collation of information about their experience of transfers.</p>

TOPIC	FD 2008/909	FD 2008/947	FD 2009/829 (ESO)
Q2. INFORMED CONSENT OF THE SUSPECT/SENTENCED PERSON			
<p>Q2.1. Is there a procedure in the issuing state (e.g. some form of mechanism that ensures it is done in all relevant cases) in place to inform the suspect/sentenced person of the option to transfer the judgment or decision to another Member State? If yes, please briefly provide information (e.g. is it an oral or written procedure) and specify who provides this information.</p>	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information about a procedure in place to inform the suspect/sentenced person of the option to transfer the judgment or decision to another Member State.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information about a procedure in place to inform the suspect/sentenced person of the option to transfer the judgment or decision to another Member State.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information about a procedure in place to inform the suspect/sentenced person of the option to transfer the judgment or decision to another Member State.</p>
<p>Q2.2. Is there a procedure in place in the issuing state to obtain the informed consent of the suspect/sentenced person before forwarding the judgment or decision to the executing state? (e.g. a pre-prepared written explanation of the process available in a number of languages). If yes, please briefly specify what information the suspect/sentenced person receives (e.g. information on appeal and release possibilities).</p>	<p>According to Article 18 (1), consent shall be given when it is required in light of the criteria provided for in Article 4, which correspond to the criteria of Article 6, paragraph 2, of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty.</p> <p>The sentenced person is informed of the forwarding of the judgment to another Member State, in a language that s/he understands, by using a standard form (in annex II to the Act). This standard form with the information provided corresponds to the certificate in</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information about a procedure in place to obtain the informed consent of the suspect/sentenced person.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information about a procedure in place to obtain the informed consent of the suspect/sentenced person when Luxembourg is the issuing State.</p> <p>However, Articles 3.1 and 6.(1), paragraph 2, both refer to the necessary consent of the suspect/sentenced person when Luxembourg is the executing State.</p>

	Annex II to FD 909/2008. The sentenced person will then have the right to state his/her opinion orally or in writing.		
Q2.3. Does the suspect/sentenced person have the right to revoke his/her consent to the transfer in the issuing state? If yes, please briefly specify until which stage of the procedure this right exists.	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on the possibility to revoke the consent to the transfer.	The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the possibility to revoke the consent to the transfer.	The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the possibility to revoke the consent to the transfer.
Q2.4. Is there any procedure in place in the issuing state to obtain the opinion of the sentenced person concerning the following:? If yes, please briefly specify e.g. is it an oral or a written procedure, are there any checks on actual understanding of the option).			
<ul style="list-style-type: none"> When consent is not required)? 	The sentenced person will be informed of the forwarding of the judgment to another Member State (as described in Q2.2.) and has the right to state his/her opinion orally or in writing (Article 18 (2) of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty).		
<ul style="list-style-type: none"> When consent is required, Article 6 (3) of FD 2008/909/JHA). 	The sentenced person will be informed of the forwarding of the judgment to another Member State (as described in Q2.2.) and has the right to state his/her opinion orally or in writing (Article 18 (2) of the		

	Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty).		
Q2.5. Does the suspect/sentenced person have the right to change his/her opinion on the transfer? If yes, please briefly specify until which stage of the procedure this right exists and how this is implemented in practice.	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on the possibility to change the opinion on the transfer.		
Q2.6. Is the suspect/sentenced person assisted by a legal counsel in the issuing state? If yes, please provide details (e.g. is this legal advice provided face-to-face or over the telephone)	<p>In Luxembourg the right to be assisted by a lawyer exists from the moment previous to the first questioning by the authorities (Article 39 (7) of the CIC).</p> <p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any further detailed information on the assistance of the sentenced person by a legal counsel.</p>	<p>In Luxembourg the right to be assisted by a lawyer exists from the moment previous to the first questioning by the authorities (Article 39 (7) of the CIC).</p> <p>The Act on the recognition of probation decisions and alternative sanctions does not provide any further detailed information on the assistance of the sentenced person by a legal counsel.</p>	<p>In Luxembourg the right to be assisted by a lawyer exists from the moment previous to the first questioning by the authorities (Article 39 (7) of the CIC).</p> <p>The Bill on the recognition of decisions on supervision measures does not provide any further detailed information on the assistance of the sentenced person by a legal counsel.</p>
Q2.7. Is there a procedure in place to ascertain that the legal counsel speaks and understands the suspect/sentenced person's language in the issuing state? If yes, please specify.	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on a procedure to ascertain if the legal counsel speaks and understands the suspect/sentenced person.	The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on a procedure to ascertain if the legal counsel speaks and understands the suspect/sentenced person.	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on a procedure to ascertain if the legal counsel speaks and understands the suspect/sentenced person.</p> <p>Current provisions contained in the</p>

	<p>Current provisions contained in the CIC do not specifically address such a procedure.</p> <p>It should, nonetheless, be noted that the Bill 6758 strengthening the procedural guarantees in criminal matters¹⁵ has recently been introduced into Parliament, which foresees the transposition of, among others, the Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings (interpretation and translation Directive)¹⁶. If this Bill is approved, an Article 3-2 will be inserted in the CIC, whose paragraph (6) (second part) contains a general provision on the authority responsible for determining the need of interpretation during</p>	<p>Current provisions contained in the CIC do not specifically address such a procedure.</p> <p>It should, nonetheless, be noted that the Bill 6758 strengthening the procedural guarantees in criminal matters has recently been introduced into Parliament, which foresees the transposition of, among others, the Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings (interpretation and translation Directive)¹⁷. If this Bill is approved, an Article 3-2 will be inserted in the CIC, whose paragraph (6) (second part) contains a general provision on the authority responsible for determining the need of interpretation during</p>	<p>CIC do not specifically address such a procedure.</p> <p>It should, nonetheless, be noted that the Bill 6758 strengthening the procedural guarantees in criminal matters has recently been introduced into Parliament, which foresees the transposition of, among others, the Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings (interpretation and translation Directive)¹⁸. If this Bill is approved, an Article 3-2 will be inserted in the CIC, whose paragraph (6) (second part) contains a general provision on the authority responsible for determining the need of interpretation during communication between persons and their legal counsels (on request</p>
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¹⁵ Luxembourg, Chamber of Deputies (*Chambre des députés*), Bill 6758 strengthening the procedural guarantees in criminal matters (*Projet de loi 6758 renforçant les garanties procédurales en matière pénale*), 23 December 2014, available at: www.chd.lu/wps/PA_RoleEtenduEuro/FTSByteServletImpl/?path=/export/exped/sexpdata/Mag/188/367/138676.pdf.

¹⁶ Directive 2010/64/EU of the European Parliament and the Council of the European Union of 20 October 2010 on the right to interpretation and translation in criminal proceedings, OJ 2010 L 280/1, available at: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32010L0064>.

¹⁷ Directive 2010/64/EU of the European Parliament and the Council of the European Union of 20 October 2010 on the right to interpretation and translation in criminal proceedings, OJ 2010 L 280/1, available at: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32010L0064>.

¹⁸ Directive 2010/64/EU of the European Parliament and the Council of the European Union of 20 October 2010 on the right to interpretation and translation in criminal proceedings, OJ 2010 L 280/1, available at: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32010L0064>.

	communication between persons and their legal counsels (on request of the person or the legal counsel): “the authority before which the questioning or hearing takes place, or the authority that should decide on the procedural application or on the appeal to be lodged”.	communication between persons and their legal counsels (on request of the person or the legal counsel): “the authority before which the questioning or hearing takes place, or the authority that should decide on the procedural application or on the appeal to be lodged”.	of the person or the legal counsel): “the authority before which the questioning or hearing takes place, or the authority that should decide on the procedural application or on the appeal to be lodged”.
Q2.8. Does the suspect/sentenced person have the right to legal aid in the issuing state?	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on the right of the sentenced person to legal aid.</p> <p>Article 37-1 of the amended Act of 10 August 1991 on the Legal Profession¹⁹ lays down, in paragraphs 1 to 4, the persons that can be entitled to legal aid and it includes nationals of EU member states.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the right of the suspect/sentenced person to legal aid.</p> <p>Article 37-1 of the amended Act of 10 August 1991 on the Legal Profession²⁰ lays down that nationals of EU member states may also be entitled to legal aid.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of the suspect/sentenced person to legal aid.</p> <p>Article 37-1 of the amended Act of 10 August 1991 on the Legal Profession²¹ lays down that nationals of EU member states may also be entitled to legal aid.</p>
Q2.9. Is the suspect/sentenced person assisted by an interpreter in the issuing state,			

¹⁹ Luxembourg, Act of 10 August 1991 on the Legal Profession (*Loi du 10 août 1991 sur la profession d’avocat*), 27 August 1991, available at: <http://www.legilux.public.lu/leg/a/archives/1991/0058/1991A11101.html> .

²⁰ Luxembourg, Act of 10 August 1991 on the Legal Profession (*Loi du 10 août 1991 sur la profession d’avocat*), 27 August 1991, available at: <http://www.legilux.public.lu/leg/a/archives/1991/0058/1991A11101.html>.

²¹ Luxembourg, Act of 10 August 1991 on the Legal Profession (*Loi du 10 août 1991 sur la profession d’avocat*), 27 August 1991, available at: <http://www.legilux.public.lu/leg/a/archives/1991/0058/1991A11101.html>.

if required:			
<ul style="list-style-type: none"> • While consenting to the transfer? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on assistance by an interpreter, both while consenting or requesting the transfer.</p> <p>One should note, however, that according to Article 18 (2) of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty, the sentenced person is informed of the forwarding of the judgment to another Member State in a language that s/he understands.</p> <p>Furthermore, if the Bill strengthening the procedural guarantees in criminal matters is approved, Article 3-2 providing for the right to interpretation from the moment of the first questioning until the end of the criminal procedure will be inserted in the general part of the CIC.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the suspect/sentenced person's assistance by an interpreter, both while consenting or requesting the transfer.</p> <p>If the Bill strengthening the procedural guarantees in criminal matters is approved, Article 3-2 providing for the right to interpretation from the moment of the first questioning until the end of the criminal procedure will be inserted in the general part of the CIC.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the suspect/sentenced person's assistance by an interpreter, both while consenting or requesting the transfer.</p> <p>If the Bill strengthening the procedural guarantees in criminal matters is approved, Article 3-2 providing for the right to interpretation from the moment of the first questioning until the end of the criminal procedure will be inserted in the general part of the CIC.</p>
<ul style="list-style-type: none"> • While requesting the transfer? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the suspect/sentenced person's</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the suspect/sentenced person's</p>

	<p>information on assistance by an interpreter, both while consenting or requesting the transfer.</p> <p>One should note, however, that according to Article 18 (2) of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty, the sentenced person is informed of the forwarding of the judgment to another Member State in a language that s/he understands.</p> <p>Furthermore, if the Bill strengthening the procedural guarantees in criminal matters is approved, Article 3-2 providing for the right to interpretation from the moment of the first questioning until the end of the criminal procedure will be inserted in the general part of the CIC.</p>	<p>assistance by an interpreter, both while consenting or requesting the transfer.</p> <p>If the Bill strengthening the procedural guarantees in criminal matters is approved, Article 3-2 providing for the right to interpretation from the moment of the first questioning until the end of the criminal procedure will be inserted in the general part of the CIC.</p>	<p>assistance by an interpreter, both while consenting or requesting the transfer.</p> <p>If the Bill strengthening the procedural guarantees in criminal matters is approved, Article 3-2 providing for the right to interpretation from the moment of the first questioning until the end of the criminal procedure will be inserted in the general part of the CIC.</p>
<p>Q2.10. Are these interpretation or translation services provided during a face-to-face consultation? Please provide brief information.</p>	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on assistance by an interpreter or translator.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the suspect/sentenced person's assistance by an interpreter or translator.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the suspect/sentenced person's assistance by an interpreter or translator.</p>
<p>Q2.11. Is the suspect/sentenced person's full understanding of the transfer checked on a case by case basis in the issuing state? Please provide brief information.</p>	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the person's full</p>

	does not provide any detailed information on the person's full understanding of the transfer.	on the person's full understanding of the transfer.	understanding of the transfer.
Q2.12. If the executing state adapts, before the transfer, the sentence or measure imposed by the issuing state (as authorised by Article 8.3 of FD 909, Article 9 of FD 947 and Article 13 of FD 829), does the suspect/sentenced person receive any updated information?	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on the information to be provided to the suspect/sentenced person in case the sentence or measure is adapted before the transfer. However, it should be mentioned that the standard form used to inform the person about the forwarding of the judgment (in annex II of the Act and mentioned in Article 18 (2)) refers to such a possibility.	The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the information to be provided to the suspect/sentenced person in case the sentence or measure is adapted before the transfer.	The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the information to be provided to the suspect/sentenced person in case the sentence or measure is adapted before the transfer.
Q2.13. Is there a right to appeal the forwarding of the judgment/decision in the issuing state? If yes, please briefly provide information (e.g. how the suspect is made aware of his/her right to appeal and what support is made available to him/her)	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on the right to appeal.	The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the right to appeal.	The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right to appeal the forwarding of the judgment. Articles 18 and 19 refer to the possibility to introduce a legal remedy against the decision on supervision measures.
Q2.14. Does the suspect/sentenced person have a right to a regular review of the decision on the transfer in the issuing state? If yes, please briefly provide information (e.g. how often he/she can exercise this right)	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on the possibility to	Article 19 (2) of the Act on the recognition of probation decisions and alternative sanctions mentions that Luxembourg's authorities are competent to decide on	Article 18, paragraph b, of the Bill on the recognition of decisions on supervision measures mentions that Luxembourg's authorities are competent to decide review and modifications of the supervision

	request for a regular review of the decision.	applications for review of the judgment which forms the basis for the probation measures or alternative sanctions to be supervised. However, no details on the right to a regular review of the decision on the transfer are provided.	measures. However, no details on the right to a regular review of the decision on the transfer are provided.
Q2.15. Is the suspect/sentenced person assisted by legal counsel in the executing state? If yes, please provide details (e.g. is this legal advice provided face-to-face or over the telephone?)	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on assistance by legal counsel in the executing state.	The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on assistance by legal counsel in the executing state.	The Bill on the recognition of decisions on supervision measures does not provide any detailed information on assistance by legal counsel in the executing state.
Q2.16. Have there been instances where the Member State has refused a transfer based on a pre-determined ground of refusal, as permitted to a varying extent under each FD? If so, please briefly provide details.	There is no publicly available information on possible instances where Luxembourg has refused a transfer based on a pre-determined ground of refusal.	There is no publicly available information on possible instances where Luxembourg has refused a transfer based on a pre-determined ground of refusal.	There is no publicly available information on possible instances where Luxembourg has refused a transfer based on a pre-determined ground of refusal.
Q2.17. Are there any specific legislative or policy developments regarding the informed consent to the transfer of particular suspects/sentenced persons (such as children or persons with disabilities) in the issuing state? (e.g. the use of healthcare professionals)	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on the informed consent to the transfer of particular suspects/sentenced persons.	The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the informed consent to the transfer of particular suspects/sentenced persons.	The Bill on the recognition of decisions on supervision measures has been introduced into Parliament in May 2015. No opinions on the Bill are, to date, publicly accessible.

TOPIC	FD 2008/909	FD 2008/947	FD 2009/829 (ESO)
Q3. DECISION ON TRANSFER			
Q3.1. Are the following factors considered while deciding on forwarding a judgment or decision in the issuing state?			
<ul style="list-style-type: none"> The likely impact on the social rehabilitation of the suspect/sentenced person? 	<p>According to Article 19 of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty, if the executing State presents a reasoned opinion that the enforcement of the sentence in the executing State would not serve the purpose of facilitating the social reintegration and the rehabilitation of the sentenced person, the general prosecutor examines the reasoned opinion and decides whether to withdraw the request or not.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of this factor while deciding on forwarding a judgment or decision.</p> <p>However, in the explanatory memorandum accompanying the Bill, it is pointed out that the purpose of the transfer of a person is to facilitate the reintegration and social rehabilitation.</p>
<ul style="list-style-type: none"> Fundamental rights implications (such as the right to family life, right to education)? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on the consideration of this factor while deciding on forwarding a judgment or decision.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the consideration of this factor while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of this factor while deciding on forwarding a judgment or decision.</p>
<ul style="list-style-type: none"> Others? Please specify. 			

<p>Q3.2: While deciding on the transfer, are there any specific criteria/guidelines on the factors considered to be relevant for the purposes of (social) rehabilitation in the issuing state? Please provide any document containing those criteria/guidelines and specify whether the following factors are considered:</p>			
<ul style="list-style-type: none"> Family and social ties (e.g. accommodation, employment or other economic ties, linguistic and cultural links)? 	<p>Article 19 of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty mentions that if the executing State presents a reasoned opinion that the enforcement of the sentence in the executing State would not serve the purpose of facilitating the social reintegration and the rehabilitation of the sentenced person, the general prosecutor examines the reasoned opinion and decides whether to withdraw the request or not.</p> <p>However, the law does not lay down specific criteria/guidelines on the factors considered to be relevant while deciding on the transfer.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of social rehabilitation factors while deciding on forwarding a judgment or decision.</p>
<ul style="list-style-type: none"> Criminal history and criminal ties? 	<p>Article 19 of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty mentions that if the</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of social rehabilitation factors while</p>

	<p>executing State presents a reasoned opinion that the enforcement of the sentence in the executing State would not serve the purpose of facilitating the social reintegration and the rehabilitation of the sentenced person, the general prosecutor examines the reasoned opinion and decides whether to withdraw the request or not.</p> <p>However, the law does not lay down specific criteria/guidelines on the factors considered to be relevant while deciding on the transfer.</p>	<p>impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>deciding on forwarding a judgment or decision.</p>
<ul style="list-style-type: none"> Humanitarian concerns (i.e. terminal illness of suspect/sentenced person or family members)? 	<p>Article 19 of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty mentions that if the executing State presents a reasoned opinion that the enforcement of the sentence in the executing State would not serve the purpose of facilitating the social reintegration and the rehabilitation of the sentenced person, the general prosecutor examines the reasoned opinion and decides whether to withdraw the request or not.</p> <p>However, the law does not lay down specific criteria/guidelines on the factors considered to be relevant while deciding on the</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of social rehabilitation factors while deciding on forwarding a judgment or decision.</p>

	transfer.		
<ul style="list-style-type: none"> Detention conditions (e.g. issues of overcrowding or availability of courses, such as the <i>Modulos</i> in Spain which has separate units to promote a progressive accountability of inmates) 	<p>Article 19 of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty mentions that if the executing State presents a reasoned opinion that the enforcement of the sentence in the executing State would not serve the purpose of facilitating the social reintegration and the rehabilitation of the sentenced person, the general prosecutor examines the reasoned opinion and decides whether to withdraw the request or not.</p> <p>However, the law does not lay down specific criteria/guidelines on the factors considered to be relevant while deciding on the transfer.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of social rehabilitation factors while deciding on forwarding a judgment or decision.</p>
<ul style="list-style-type: none"> Others? 			
<p>Q.3.3. Are the following persons/entities consulted in the evaluation of the likelihood of social rehabilitation by the issuing state:</p>			
<ul style="list-style-type: none"> Probation agencies or similar entities in the issuing state? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not specifically refer to any probation agencies or similar entities consulted in the evaluation of the likelihood of social rehabilitation.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of social rehabilitation factors while deciding on forwarding a judgment or decision.</p>

<ul style="list-style-type: none"> The competent authorities in the executing state? 	<p>Article 19 of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty mentions that if the executing State presents a reasoned opinion that the enforcement of the sentence in the executing State would not serve the purpose of facilitating the social reintegration and the rehabilitation of the sentenced person, the general prosecutor examines the reasoned opinion and decides whether to withdraw the request or not.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of social rehabilitation factors while deciding on forwarding a judgment or decision.</p>
<ul style="list-style-type: none"> The suspect/sentenced person? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not specifically refer to the consultation of the sentenced person in the evaluation of the likelihood of social rehabilitation. It should nonetheless be mentioned that once the sentenced person will be informed of the forwarding of the judgment to another Member State (as described in Q2.2.) and has the right to state his/her opinion orally or in writing (Article 18 (2) of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty).</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of social rehabilitation factors while deciding on forwarding a judgment or decision.</p>

<ul style="list-style-type: none"> The family of the suspect/sentenced persons, especially with regard to child offenders? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not specifically refer to any family consulted in the evaluation of the likelihood of social rehabilitation.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of social rehabilitation factors while deciding on forwarding a judgment or decision.</p>
<ul style="list-style-type: none"> Any other person/entity? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not specifically refer to the consultation of any other person/entity.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on the social rehabilitation impact as a factor to be considered while deciding on forwarding a judgment or decision.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the consideration of social rehabilitation factors while deciding on forwarding a judgment or decision.</p>
<p>Q3.4. Are there any specific legislative or policy developments regarding the evaluation of the likelihood of social rehabilitation of particular suspects/sentenced persons (such as children or persons with disabilities) by the issuing state?</p>	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty exists since 2011. No legislative developments occurred since then.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions exists since April 2015. No legislative developments occurred since then.</p>	<p>The Bill on the recognition of decisions on supervision measures was introduced into Parliament in May 2015. No legislative developments occurred since then.</p>
<p>Q3.5. Is additional information, other than that required in the certificate (for which the standard form is given in Annex I of the three FDs), provided to the competent authorities of the executing state while forwarding the judgment or decision? If yes, please specify if pre-sentence reports are forwarded.</p>	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on additional information to be provided to the competent authorities of the</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on additional information to be provided to the competent authorities of the executing state.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on additional information to be provided to the competent authorities of the executing state.</p>

	executing state.		
<p>Q3.6. If pre-sentence reports are forwarded by the issuing state, are they translated to the language of the executing state?</p>	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on additional information to be provided to the competent authorities of the executing state.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on additional information to be provided to the competent authorities of the executing state.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on additional information to be provided to the competent authorities of the executing state.</p>
<p>Q3.7. Are there specific measures, as required by Article 4 (6) FD 909, which constitute the basis on which the competent authorities in the executing State have to take their decisions whether or not to consent to the forwarding of the judgment and the certificate (where required)?</p>	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on specific measures which constitute the basis on which the competent authorities have to take the decision whether or not to consent the forwarding of the judgment.</p> <p>The only legal provision covering the topic of social reintegration considered by Luxembourg as an issuing State is Article 19 of the Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty (mentioned above in Q3.1.). According to this Article if the executing State presents a reasoned opinion that the enforcement of the sentence in the executing State</p>		

	would not serve the purpose of facilitating the social reintegration and the rehabilitation of the sentenced person, the general prosecutor examines the reasoned opinion and decides whether to withdraw the request or not.		
Q3.8. Are there formal and clear rules regarding data protection in the information exchange between:			
<ul style="list-style-type: none"> National authorities (consulted in the evaluation of the likelihood of social rehabilitation) in the issuing state? 	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on rules regarding data protection.	The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on rules regarding data protection.	The Bill on the recognition of decisions on supervision measures does not provide any detailed information on rules regarding data protection.
<ul style="list-style-type: none"> Authorities in the issuing and executing state? 	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty does not provide any detailed information on rules regarding data protection.	The Act on the recognition of probation decisions and alternative sanctions does not provide any detailed information on rules regarding data protection.	The Bill on the recognition of decisions on supervision measures does not provide any detailed information on rules regarding data protection.

TOPIC	FD 2008/909	FD 2008/947	FD 2009/829 (ESO)
Q4. VICTIMS			
Q4.1. Do the victims have the right to receive the following information regarding the transfer from the issuing state:			
<ul style="list-style-type: none"> The decision to transfer 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims to receive information regarding the transfer.</p>
<ul style="list-style-type: none"> The status of the transfer 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims to receive information regarding the transfer.</p>
<ul style="list-style-type: none"> Other? Please specify. 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims to receive information regarding the transfer.</p>
<p>Q4.2. Is there any procedure in place to provide this information as issuing or executing state? If yes, please specify:</p>			

<ul style="list-style-type: none"> Is the information provided upon request of the victim? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims to receive information regarding the transfer.</p>
<ul style="list-style-type: none"> Who responsible for providing this information? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims to receive information regarding the transfer.</p>
<ul style="list-style-type: none"> Is it a verbal or written communication? 	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims to receive information regarding the transfer.</p>
<p>Q4.3. Do the victims have the right to be heard concerning the transfer (in the state you are describing, as issuing or executing state)? (e.g. through submitting an oral or written response)</p>	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of victims to receive information regarding the transfer.</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims to receive information regarding the transfer.</p>
<p>Q4.4. Do the victims have any other rights concerning the transfer (in the state you are describing, as issuing or executing state)? Please specify.</p>	<p>The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty</p>	<p>The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of</p>	<p>The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims</p>

	contains no provisions concerning the right of victims to receive information regarding the transfer.	victims to receive information regarding the transfer.	to receive information regarding the transfer.
Q4.5. Do the victims have access to translators/interpreter in order to be kept fully informed of the transfer (in the state you are describing, as issuing or executing state)?	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty contains no provisions concerning the right of victims to receive information regarding the transfer.	The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of victims to receive information regarding the transfer.	The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims to receive information regarding the transfer.
Q4.6. Do the victims have the right to be informed of the suspect/sentenced person's release (in the state you are describing, as issuing or executing state)?	The Act on the recognition of judgments having imposed custodial sentences or measures involving deprivation of liberty contains no provisions concerning the right of victims to receive information regarding the transfer.	The Act on the recognition of probation decisions and alternative sanctions contains no provisions concerning the right of victims to receive information regarding the transfer.	The Bill on the recognition of decisions on supervision measures does not provide any detailed information on the right of victims to receive information regarding the transfer.