

PRILOGA

NALOG ZA PRIJETJE¹

Ta nalog je odredil pristojni pravosodni organ. Zahtevam prijetje spodaj omenjene osebe in njeno predajo zaradi uvedbe kazenskega postopka ali izvršitve kazni zapora ali ukrepa, vezanega na odvzem prostosti².

(a)	Podatki o identiteti zahtevane osebe: Ime: Ime(-na): Dekliški priimek, če se uporablja: Vzdevki, če se uporabljajo: Spol: Državljanstvo: Datum rojstva: Kraj rojstva: Bivališče in/ali znani naslov: Jeziki, ki jih zahtevana oseba razume (če so znani): Značilni znaki/opis zahtevane osebe: Fotografija in prstni odtisi zahtevane osebe, če so na razpolago in se lahko posredujejo, ali podatki o kontaktni osebi, od katere bi se lahko taki podatki pridobili, ali profil DNK (kjer se ta podatek lahko priskrbi, ni pa bil vključen).
(b)	Odločba, na kateri temelji nalog: 1. Sklep o priporu ali pravosodna odločitev z enakim učinkom: Vrsta: 2. Izvršljiva sodba: Referenca:

¹ Nalog se mora uporabljati v okviru Sporazuma z dne 28. junija 2006 med Evropsko unijo ter Republiko Islandijo in Kraljevino Norveško o postopku predaje med državami članicami Evropske unije ter Islandijo in Norveško. Če pa pravosodni organ države članice Evropske unije želi v skladu s členom 12(2) in (3) Sporazuma za osebo izdati razpis ukrepa v schengenskem informacijskem sistemu, se za namene tega sporazuma obrazec za evropski nalog za prijetje, priložen Okvirnemu sklepu (2002/584/PNZ) z dne 13. junija 2002 o evropskem nalogu za prijetje in postopkih predaje med državami članicami, obravnava enako kot ta obrazec.

² Ta nalog mora biti napisan ali preveden v enega izmed uradnih jezikov izvršitvene države, kadar je ta država znana, ali v kateri koli drug jezik, sprejet s strani te države.

ANNEX

ARREST WARRANT ¹

This warrant has been issued by a competent judicial authority. I request that the person mentioned below be arrested and surrendered for the purposes of conducting a criminal prosecution or executing a custodial sentence or detention order ².

(a) Information regarding the identity of the requested person: Name: Forename(s): Maiden name, where applicable: Aliases, where applicable: Sex: Nationality: Date of birth: Place of birth: Residence and/or known address: Language(s) which the requested person understands (if known): Distinctive marks/description of the requested person: Photo and fingerprints of the requested person, if they are available and can be transmitted, or contact details of the person to be contacted in order to obtain such information or a DNA profile (where this evidence can be supplied but has not been included)
(b) Decision on which the warrant is based: 1. Arrest warrant or judicial decision having the same effect: Type: 2. Enforceable judgement: Reference:

¹ This warrant is to be used under the Agreement of 28 June 2006 between the European Union and the Republic of Iceland and the Kingdom of Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway. However, when a judicial authority of a Member State of the European Union wants, in accordance with Article 12(2) and (3) of the Agreement to alert a person in the Schengen information System, the European arrest warrant form attached to the Framework Decision (2002/584/JHA) of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States shall be considered as equivalent to this format for the purpose of this Agreement.

² This warrant must be written in, or translated into, one of the official languages of the executing State, when that State is known, or any other language accepted by that State.

(c) Podatki o dolžini predpisane kazni:

1. Najvišja predpisana kazen zavora ali pripora, ki se lahko izreče za obravnavano kaznivo dejanje (obravnavani kaznivi dejanji/obravnavana kazniva dejanja):

.....
.....

2. Izrečena višina kazni zavora ali pripora:

.....

Višina še neprestane kazni:

.....
.....

(d) Odločitev sodišča, izrečena v odsotnosti, in:

- zadevna oseba je bila vabljen a osebn o ali je bila kako drugače obveščena o datumu in kraju zaslišanja, kar je privedlo do odločitve v odsotnosti,

ali

- zadevna oseba ni bila osebn o ali kako drugače obveščena o datumu in kraju obravnave, kar je privedlo do odločitve v odsotnosti, vendar ima naslednja pravna jamstva po predaji (takšna jamstva se lahko dajo vnaprej)

Specifikacija pravnega jamstva

.....
.....

(e) Kazniva dejanja:

Ta nalog se nanaša na skupno: kaznivih dejanj.

Opis okoliščin, v katerih je (so) bilo(–a) dejanje(–a) storjeno(–a), vključno s časom, krajem in vrsto udeležbe zahtevane osebe v kaznivem(–ih) dejanju(–ih):

.....
.....
.....

Narava in pravna opredelitev kaznivega dejanja (kaznivih dejanj) in veljavna zakonska določba/predpis:

.....
.....
.....

(c) Indications on the length of the sentence:

1. Maximum length of the custodial sentence or detention order which may be imposed for the offence(s):

.....
.....

2. Length of the custodial sentence or detention order imposed:

.....

Remaining sentence to be served:

.....
.....

(d) Decision rendered in absentia and:

- The person concerned has been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia

or

- The person concerned has not been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia but has the following legal guarantees after surrender (such guarantees can be given in advance)
Specify the legal guarantees

.....
.....

(e) Offences:

This warrant relates to in total: offences.

Description of the circumstances in which the offence(s) was (were) committed, including the time, place and degree of participation in the offence(s) by the requested person

.....
.....
.....

Nature and legal classification of the offence(s) and the applicable statutory provision/code:

.....
.....
.....

I. Naslednje se uporablja samo, če sta tako odreditvena država kot izvršitvena država podali izjavo v skladu s členom 3(4) Sporazuma: po potrebi ustrezno odključati eno ali več kaznivih dejanj, ki se v odreditveni državi kaznujejo s kaznijo zapor ali ukrepom, vezanim na odvzem prostosti, do najmanj treh let, kakor jih opredeljujejo zakoni odreditvene države:

- 0 sodelovanje v kriminalni združbi;
- 0 terorizem;
- 0 trgovina z ljudmi;
- 0 spolna zloraba otrok in otroška pornografija;
- 0 nedovoljena trgovina s prepovedanimi drogami in psihotropnimi snovmi;
- 0 nedovoljena trgovina z orožjem, strelivom in eksplozivi;
- 0 korupcija;
- 0 goljufije, vključno s tistimi, ki ogrožajo finančne interese Evropskih skupnosti v smislu Konvencije z dne 26. julija 1995 o zaščiti finančnih interesov Evropskih skupnosti;
- 0 pranje prihodkov, pridobljenih s kaznivim dejanjem;
- 0 ponarejanje denarja, vključno z eurom
- 0 računalniški kriminal;
- 0 okoljski kriminal, vključno z nedovoljenim trgovanjem z ogroženimi živalskimi vrstami in ogroženimi rastlinskimi vrstami in sortami;
- 0 omogočanje nedovoljenega vstopa in bivanja;
- 0 umor, posebno huda telesna poškodba;
- 0 nedovoljeno trgovanje s človeškimi organi in tkivi;
- 0 ugrabitev, protipraven odvzem prostosti in jemanje talcev;
- 0 rasizem in ksenofobija;
- 0 organiziran ali oborožen rop;
- 0 nedovoljeno trgovanje s kulturnimi dobrinami, vključno s starinami in umetniškimi deli;
- 0 prevara;
- 0 izsiljevanje in oderuštvo;
- 0 ponarejanje in neupravičena uporaba proizvodov;
- 0 ponarejanje upravnih dokumentov in trgovanje z njimi;
- 0 ponarejanje plačilnih sredstev;
- 0 nedovoljeno trgovanje s hormonskimi snovmi in drugimi pospeševalci rasti;
- 0 nedovoljeno trgovanje z jedrskimi in radioaktivnimi snovmi;
- 0 trgovanje z ukradenimi vozili;
- 0 posilstvo;
- 0 požig;
- 0 kazniva dejanja v pristojnosti Mednarodnega kazenskega sodišča;
- 0 protipravna ugrabitev letal/ladij;
- 0 sabotaža.

II. Podroben opis kaznivega(–ih) dejanja(–), ki ni(–so) zajeto(–a) v oddeleku I zgoraj:

.....
.....

I. The following applies only in case both the issuing and the executing state have made a declaration under Article 3(4) of the Agreement: if applicable, tick one or more of the following offences punishable in the issuing State by a custodial sentence or detention order of a maximum of at least 3 years as defined by the laws of the issuing State:

- ☐ participation in a criminal organisation;
- ☐ terrorism;
- ☐ trafficking in human beings;
- ☐ sexual exploitation of children and child pornography;
- ☐ illicit trafficking in narcotic drugs and psychotropic substances;
- ☐ illicit trafficking in weapons, munitions and explosives;
- ☐ corruption;
- ☐ fraud, including that affecting the financial interests of the European Communities within the meaning of the Convention of 26 July 1995 on the protection of European Communities' financial interests;
- ☐ laundering of the proceeds of crime;
- ☐ counterfeiting of currency, including the euro;
- ☐ computer-related crime;
- ☐ environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties;
- ☐ facilitation of unauthorised entry and residence;
- ☐ murder, grievous bodily injury;
- ☐ illicit trade in human organs and tissue;
- ☐ kidnapping, illegal restraint and hostage-taking;
- ☐ racism and xenophobia;
- ☐ organised or armed robbery;
- ☐ illicit trafficking in cultural goods, including antiques and works of art;
- ☐ swindling;
- ☐ racketeering and extortion;
- ☐ counterfeiting and piracy of products;
- ☐ forgery of administrative documents and trafficking therein;
- ☐ forgery of means of payment;
- ☐ illicit trafficking in hormonal substances and other growth promoters;
- ☐ illicit trafficking in nuclear or radioactive materials;
- ☐ trafficking in stolen vehicles;
- ☐ rape;
- ☐ arson;
- ☐ crimes within the jurisdiction of the International Criminal Court;
- ☐ unlawful seizure of aircraft/ships;
- ☐ sabotage.

II. Full descriptions of offence(s) not covered by section I above:

.....
.....

(f) Druge okoliščine, pomembne za zadevo (neobvezni podatki):

(Opomba: Lahko obsegajo dejstva o eksteritorialnosti, prekinitvi zastaranja ali druge posledice kaznivih dejanj)

.....
.....

(g) Ta nalog zajema tudi zaseg in izročitev predmetov in premoženja, ki bi se lahko uporabila kot dokaz:

Ta nalog zajema tudi zaseg in izročitev predmetov in premoženja, ki jo je zahtevana oseba pridobila s kaznivim dejanjem:

Opis in označba predmetov in premoženja (ter kraj nahajanja) (če je znano):

.....
.....
.....

(h) Kaznivo dejanje (kaznivi dejanji/kazniva dejanja), zaradi katerega (katerih) je bil ta nalog odrejen, je (sta/so) kaznivo (kaznivi/kazniva) z dosmrtnim zaporom ali z dosmrtnim ukrepom, vezanim na odvzem prostosti:

odreditvena država bo na zahtevo izvršitvene države zagotovila:

– pregled izrečene kazni ali ukrepa – na zahtevo ali najpozneje po dvajsetih letih

in/ali

– spodbujanje uporabe ukrepa pomilostitve, za katerega lahko oseba po pravu ali praksi odreditvene države upravičeno zaprosi, da se taka kazen ali ukrep ne izvrši.

(i) Pravosodni organ, ki je odredil nalog:

Uradni naziv:
.....

Ime in priimek njegovega predstavnika¹:

Njegov položaj (naziv/stopnja):

Referenčna številka:

Naslov:

Tel. št.: (klicna številka države) (številka omrežne skupine) (...)

Št. faksa: (klicna številka države) (številka omrežne skupine) ()

E-pošta:

Kontaktna oseba, s katero se opravijo potrebni praktični dogovori o predaji:

(f) Other circumstances relevant to the case (optional information):
(NB: This could cover remarks on extraterritoriality, interruption of periods of time limitation and other consequences of the offence)
.....
.....

(g) This warrant pertains also to the seizure and handing over of property which may be required as evidence:

This warrant pertains also to the seizure and handing over of property acquired by the requested person as a result of the offence:

Description of the property (and location) (if known):
.....
.....
.....

(h) The offence(s) on the basis of which this warrant has been issued is(are) punishable by/has(have) led to a custodial life sentence or lifetime detention order:

the issuing State will upon request by the executing State give an assurance that it will:

– review the penalty or measure imposed – on request or at least after 20 years,

and/or

– encourage the application of measures of clemency to which the person is entitled to apply for under the law or practice of the issuing State, aiming at a non-execution of such penalty or measure.

(i) The judicial authority which issued the warrant:
Official name:
.....

Name of its representative ¹:
.....
Post held (title/grade):
.....
File reference:
Address:
.....
Tel. No.: (country code) (area/city code) (...)
Fax No. (country code) (area/city code) ()
E-mail
Contact details of the person to contact to make necessary practical arrangements for the surrender:
.....

¹ In the different language versions a reference to the "holder" of the judicial authority will be included.

Kadar je centralni organ odgovoren za pošiljanje in administrativno prejemanje naloga za prijetje:

Naziv osrednjega organa:

.....

Kontaktna oseba, če obstaja (naziv/funkcija in ime):.....

.....

Naslov:.....

.....

Tel. št.: (klicna številka države) (številka omrežne skupine) (...)

Št. faksa: (klicna številka države) (številka omrežne skupine) (...)

E-naslov:

Podpis odreditvenega pravosodnega organa in/ali njegovega predstavnika:

.....

Ime:

Njegov položaj (naziv/stopnja):

Datum:.....

Uradni žig (če je na voljo)

Where a central authority has been made responsible for the transmission and administrative reception of arrest warrants:

Name of the central authority:

.....

Contact person, if applicable (title/grade and name):.....

.....

Address:.....

.....

Tel. No.: (country code) (area/city code) (...)

Fax No.: (country code) (area/city code) (...)

E-mail:

Signature of the issuing judicial authority and/or its representative:

.....

Name:

Post held (title/grade):

Date:

Official stamp (if available)

Izjava pogodbenic k Sporazumu med Evropsko unijo ter Republiko Islandijo in Kraljevino Norveško o postopkih predaje med državami članicami Evropske unije ter Norveško in Islandijo:

"Pogodbenice se sporazumejo, da se bodo na ustrezen način posvetovale, ko bo Republika Islandija ali Kraljevina Norveška ali ena od držav članic Evropske unije menila, da je to primerno zaradi čim bolj učinkovite uporabe tega sporazuma, tudi z namenom, da se prepreči kakršen koli spor v zvezi s praktičnim izvajanjem in tolmačenjem tega sporazuma. To posvetovanje bo organizirano na najprimernejši način, ob upoštevanju obstoječih struktur sodelovanja."

Izjava Evropske unije:

"Evropska unija izjavlja, da bodo možnost iz drugega stavka člena 9(2), in sicer imenovanje ministra za pravosodje kot pristojnega organa za izvršitev naloga za prijetje, uporabljali zgolj Zvezna republika Nemčija, Kraljevina Danska, Republika Slovaška in Kraljevina Nizozemska.

Evropska unija izjavlja, da bodo države članice uporabljale člen 20(3) in (4) v skladu s svojimi nacionalnimi predpisi za podobne primere."

Declaration by the Contracting Parties to the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the surrender procedures between the Member States of the European Union and Norway and Iceland:

"The Contracting Parties agree to consult, as appropriate, when the Republic of Iceland or the Kingdom of Norway or one of the Member States of the European Union considers that there is occasion to do so, to enable the most effective use to be made of this Agreement, including with a view to preventing any dispute regarding the practical implementation and interpretation of this Agreement. This consultation shall be organised in the most convenient way, taking into account the existing structures of cooperation."

Declaration by the European Union:

"The European Union declares that the possibility pursuant to the second sentence of Article 9(2) to designate the Minister of Justice as competent authority for the execution of an arrest warrant will be used only by the Federal Republic of Germany, the Kingdom of Denmark, the Republic of Slovakia and the Kingdom of The Netherlands.

The European Union declares that the Member States will apply Article 20(3) and (4) in compliance with their national rules for similar cases."