

ROMANIA: Romania abuses the European Arrest Warrant, a new report says

HRWF (10.04.2017) – *Human Rights Without Frontiers* has just released a 30-page report entitled **“The European Arrest Warrant in Question. Study Case: Alexander Adamescu”** which can be found at <http://hrwf.eu/wp-content/uploads/2017/04/EAW-Report-March-2017.pdf>

The report details the case of Alexander Adamescu, a German citizen and the son of a prominent Romanian businessman. Adamescu was arrested on 13th June 2016 in London on the basis of a European Arrest Warrant (EAW) issued by the Romanian government which accuses him of complicity with his father in allegedly condoning bribes to judges. Adamescu denies the charges. He claims that the jail sentence against his father was based only on the false testimony of a former employee in one of the group’s companies and that he and his family are being politically persecuted by the Romanian Government.

Obviously, there have been serious flaws in the judicial process of this case as a court decision has recently revealed.

A court recommends that Romania provisionally withdraws or suspends the European Arrest Warrant against Alexander Adamescu

On 29th March 2017, the International Centre for Settlement of Investment Disputes (ICSID)* stated in a dispute opposing

Alexander Adamescu's Dutch holding company Nova Group Investments, B.V. v. Romania (Case No. ARB/16/19):

1. The Tribunal recommends, pursuant to Article 47 of the ICSID Convention, that Romania withdraw (or otherwise suspend operation of) the transmission of European Arrest Warrant Ref. 3576/2/2016 by the Romanian Ministry of Justice and associated request for extradition submitted to the Home Office of the United Kingdom on 6 June 2016, and refrain from reissuing or transmitting this or any other European Arrest Warrant or other request for extradition for Alexander Adamescu related to the subject matter of this arbitration until the Final Award in this case is rendered.

1. This recommendation is conditional on Mr. Adamescu's strict compliance with the undertakings and mechanisms outlined in Section VII.E.1 of this Decision, in order to maintain the status quo which prevents his departure from England, Scotland or Wales during the pendency of this arbitration, except as necessary to attend an arbitration hearing in Washington, D.C. As one of these conditions involves the continued sequestration of Mr. Adamescu's passport in the event it is relinquished by the UK authorities, the Tribunal requests the Parties to confer promptly about the potential custodian for the passport, as well as suggestions for appropriate terms and conditions, consistent with the general framework the Tribunal has outlined herein. The Tribunal requests the Parties to report back (jointly or separately) regarding such mechanisms within two weeks of the date of this Decision.

As of 10th April 2017, Romania has not reacted to the ICSID

decision.

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