

European Arrest Warrant extends its reach into Norway and Iceland

31 October 2019

✘ The Surrender Agreement between EU Member States, Norway and Iceland will apply as of tomorrow, 1 November. This entry into force will lead to an easier and faster surrender of suspects and convicted people, avoiding long extradition procedures, and ensuring that justice can be done faster.

In addition to having more efficient and streamlined procedures in line with countries within the European Union, one of the most important changes following the entering into force is that Norway, Iceland and EU Member States must now, in principle, surrender their own nationals, if so requested, unless a declaration to the contrary is made by a given State. This change will reduce impunity, as perpetrators can no longer 'hide' in their own countries.

The European Arrest Warrant (EAW) entered into force in January 2004 for all EU Member States, providing a faster and simpler method of arrest and surrender of requested people, while guaranteeing fundamental rights for those requested people.

The Surrender Agreement mirrors, to a large extent, the provisions of the EAW FD. The latter instrument, the first to be adopted on the basis of the principle of mutual recognition, is founded on trust and direct contact among judicial authorities. Surrender is facilitated by several factors, among which are: (a) the executing State must execute the EAW without judging the substance of the accusation; (b) strict time limits on execution of the EAW; and (c) limited grounds for refusal.

The European Union, Norway and Iceland adopted the Agreement in 2006, but its entry into force was subject to the completion of formalities by all States concerned.

For further information on the European Arrest Warrant:

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MiFID II – New Publication Date for Systematic Internaliser and Bond Data

ESMA will publish the SI regime data for equity, equity-like instruments and

bonds and the quarterly liquidity assessment for bonds on 8 November 2019 and the requirements based on this publication will apply from 16 November 2019.

ESMA was due to publish the SI regime data for equity, equity-like instruments and bonds and the quarterly liquidity assessment for bonds by 1 November 2019. However, the developments concerning the UK's departure from the EU have an impact on this publication date, which was already indicated in the 7 October public [statement](#) on ESMA's Data Operational Plan under a potential no-deal Brexit scenario occurring on 31 October 2019.

Background

MiFID II became applicable on 3 January 2018 introducing, amongst others, pre-trade transparency obligations for SIs and pre- and post-trade transparency requirements for equity and non-equity instruments, including for bonds.

According to Article 4(1)(20) of Directive 2014/65/EU (MiFID II) investment firms dealing on own account when executing client orders over the counter (OTC) on an organised, frequent systematic and substantial basis are subject to the mandatory SI regime.

Commission Delegated Regulation (EU) No 2017/565 specifies thresholds determining what constitutes frequent, systematic and substantial OTC trading. In particular, investment firms are required to assess whether they are SIs in a specific instrument (for equity and equity-like instruments, bonds, ETCs and ETNs and SFPs) or for a (sub-) class of instruments (for derivatives, securitised derivatives and emission allowances) on a quarterly basis based on data from the previous six months. For each specific instrument/sub-class, an investment firm is required to compare the trading it undertakes on its own account compared to the total volume and number of transactions executed in the European Union (EU). If the investment firm exceeds the relative thresholds it will be deemed an SI and will have to fulfil the SI-specific obligations. ESMA, upon request of market participants and on a voluntary basis, decided to compute the total volume and number of transactions executed in the EU in order to help market participants in the performance of the test since that data is essential for the operation of the SI regime and is not otherwise easily available.

Post-trade, MiFID II requires real-time publication of the price and quantity of trades in liquid bonds. It is possible to defer the publication of post-trade reports if the instrument does not have a liquid market, or if the transaction size is above large-in-scale thresholds (LIS), or above a size specific to the instrument (SSTI). In order to assist market participants to know whether a bond should be considered as liquid or not, ESMA publishes these quarterly liquidity assessments for bonds.

ESMA update on Brexit preparations

The European Securities and Markets Authority (ESMA) wants to inform stakeholders that, following the European Council's [decision](#) today extending the period under Article 50(3) relating to the United Kingdom's (UK) withdrawal from the European Union (EU), its previous [statements](#) relating to its preparations for a no-deal Brexit will no longer apply as of 31 October.

The reference date for Brexit in all of ESMA's previously published measures and actions, including public statements, issued regarding the possibility of a no-deal Brexit scenario, should now be read as 31 January 2020.

However, given the nature of the current extension ESMA will issue further announcements and updated measures as matters develop.

Visit of the European Parliament LIBE Committee to the EMCDDA

MEP Caterina Chinnici, member of the Committee on Civil Liberties, Justice and Home Affairs (LIBE Committee) of the European Parliament (Italy, S&D – Group of the Progressive Alliance of Socialists and Democrats), is visiting the EMCDDA on 30 and 31 October to gain first-hand insight into the agency, its activities and achievements.

MEP Chinnici will be accompanied by two political advisors – Aurélien Mazuy (ALDE) and Lide Iruin Ibarzabal (GUE/NGL) – and by two representatives of the LIBE Committee Secretariat – Moira Andreanelli and Angela Hrincescu. The Head of the European Parliament Information Office in Portugal, Pedro Valente da Silva, will also participate in the visit.

Fabian Pereyra, Head of the Executive Office at the EMCDDA, is welcoming the delegation in the Director's absence and will explain the agency's contribution to a healthier and more secure Europe. Recent data from the 2019 European Drug Report will be presented and an exchange of views will take place on international drug-related policy challenges, mainly relating to cannabis.

On the issue of the EMCDDA's collaboration with stakeholders, Manuel Cardoso, Deputy General Director of SICAD (General Directorate for Intervention on Addictive Behaviours and Dependencies) of the Ministry of Health of Portugal, will illustrate the agency's added value for an EU Member State.

Finally, the results of the 2018 external evaluation of the EMCDDA and the

budgetary situation for 2020 and 2021–27 will be presented and discussed.

[EU4Business: EIB and JSC MFO Crystal support microenterprises in Georgia through a new financing operation](#)



- EIB loan is expected to improve access to finance for around 10,000 micro-entrepreneurs
- Women, young and disadvantaged people living in rural areas will benefit most
- Second EIB Group microfinance operation in Georgia

The European Investment Bank (EIB) is providing a US dollar loan worth the equivalent of up to EUR 4.1m to JSC MFO Crystal, a leading microfinance

company in Georgia. This operation will fund micro enterprises with fewer than 10 employees. They will receive loans of up to EUR 25,000 that are geared towards women, young people and entrepreneurs living in rural areas. The operation is expected to provide around 10,000 entrepreneurs with better access to long-term financing.

The operation will support the priorities of the EU and the Georgian Government, which are aiming to develop the private sector and increase financial inclusion in Georgia. It will contribute to ensuring sustained, inclusive and long-term economic growth, full and productive employment and decent jobs. This is the second EIB microfinance investment in Georgia following the investment in Credo Bank in November 2017. Both operations fall under the framework of the EU4Business initiative, and they are partially financed by the Neighbourhood Investment Facility of the European Union.

EIB Vice-President Vazil Hudák commented: *"This microfinance operation will support microbusinesses, representing the most vulnerable segment of the Georgian economy. This type of funding is in high demand not only in Georgia but also in the wider region; it helps entrepreneurs to develop their activities, which ultimately boost the economy and general wellbeing in the country."*

EU Ambassador to Georgia Carl Hartzell stated: *"So far over 30,000 Georgian businesses have benefitted from EU-financed advice, funding or technical assistance, as part of our support to small medium enterprise development. Today's partnership with JSC MFO Crystal aims at assisting an additional 10,000 local entrepreneurs to start and develop their businesses and create additional income and jobs in the country. We wish them every success and remain committed to supporting the private sector in Georgia."*

Crystal CEO Ilia Revia commented: *"We are delighted to start promising and long-term cooperation with the European Investment Bank. Crystal has signed an important agreement, which aims to reach and support local entrepreneurs and consists of the financing of micro and small enterprises operating in Georgia. In collaboration with the EIB, Crystal will effectively move forward in our mission of becoming a platform for the development of Georgia's micro-entrepreneurs and farmers."*