

**Question for written answer E-001970/2024
to the Commission**

Rule 144

Ilaria Salis (The Left), Martin Schirdewan (The Left)

Subject: German authorities' extradition of Maja T. to Hungary

On 28 June 2024, German authorities extradited Maja T. to Hungary, despite the German Federal Constitutional Court's decision to halt the extradition. On 2 August 2024, the court raised 'considerable concerns' regarding the compatibility of this extradition with requirements for effective legal protection, and expressed doubts as to whether Maja T.'s rights would be adequately protected in Hungarian custody.

1. Is the Commission aware of the case of Maja T., and engaging, or planning to engage, with the German and/or Hungarian authorities regarding this matter and in relation to the implementation of the European Arrest Warrant (EAW)?
2. How does the Commission evaluate the extradition of Maja T. by the German authorities, particularly in relation to Article 15(2) of the EAW Framework Decision¹, given Maja T.'s right to a fair trial under the Charter, given that Maja T. is non-binary, and the concerns of systemic and generalised deficiencies in the rule of law in Hungary raised in the Commission's July 2024 Rule of Law Report?
3. Hungary is facing challenges with overcrowding in prisons (ECtHR pilot judgment *Varga and Others v Hungary* and NGO reports²). Is the Commission aware of this situation, and what steps does it plan to take, also in light of the Commission Recommendation of 8 December 2022 on procedural rights of suspects and accused persons subject to pre-trial detention and on material detention conditions³?

Submitted: 7.10.2024

¹ OJ L 190, 18.7.2002, p. 1, ELI: http://data.europa.eu/eli/dec_framw/2002/584/oj.

² Hungarian Helsinki Committee, 'Hungarian prison population reaches a 33-year high', 3 March 2023, <https://helsinki.hu/en/hungarian-prison-population-reaches-a-33-year-high/#:~:text=Hungarian%20prisons%20are%20overcrowded%20again,at%20a%20107%25%20occupancy%20rate>.

³ OJ L 86, 24.3.2023, p. 44, ELI: <http://data.europa.eu/eli/reco/2023/681/oj>.