

1st Criminal Chamber, judgment [sentenza] of 15 July 2020 No 26499, legally summarised as follows: *«On European Arrest Warrants for purposes of execution of custody or sentence, and recognition of judgments in criminal matters delivered in an EU Member State. The revocation of the conditional suspension of sentence – that had been granted with respect to a conviction for offences previously committed abroad – ordered by the Judge for the Enforcement of Sentences [giudice dell'esecuzione] as per Article 168(1)(2) criminal code, as a result of the court of appeal judgment that - refusing the surrender of the sentenced person on the ground of his roots in the national territory as per Article 18(1)(r) of Law No 69 of 22 April 2005 [currently Article 18-bis (c) of that Law – ordered to enforce in Italy the sentence inflicted by the foreign judgment of conviction. (The Supreme Court of cassation, in the grounds of its judgment, explained that the specialty rule applies only where the sentenced person is surrendered to Italy by the foreign State and not also when the said person is rooted in Italy and consents to serve in Italy their sentence imposed by the foreign court, and also accepts the effects within the domestic legislation that descend from the recognition of the sentence inflicted abroad) » (Rv. 279930-01);*