

14.6.2010

A7-0198/2

**Amendment 2**

**Bairbre de Brún**

on behalf of the GUE/NGL Group

**Report**

**A7-0198/2010**

**Sarah Ludford**

Rights to interpretation and translation in criminal proceedings

00001/2010 – C7-0005/2010 – 2010/0801(COD)

**Draft directive**

**Recital 8 a (new)**

*Text proposed by a group of Member  
States*

*Amendment*

***(8a) Whereas the rights to interpretation and translation apply to speakers of both official EU Member State languages and to the European regional or minority languages, as enshrined in:***

- the Charter of Fundamental Rights (Article 21);***
- the European Convention on Human Rights (Articles 6 and 14);***
- the UN International Covenant on Civil on Political Rights (Article 27)***
- the Council of Europe's European Charter for Regional or Minority Languages (ECRML, Article 9);***
- the Framework Convention for the Protection of National Minorities (FCNM).***

***Whereas guidelines for best practice for linguistic minorities regarding criminal proceedings are summed up in the OSCE Oslo Recommendations (1998).***

Or. en

14.6.2010

A7-0198/3

**Amendment 3**

**Bairbre de Brún**

on behalf of the GUE/NGL Group

**Report**

**A7-0198/2010**

**Sarah Ludford**

Rights to interpretation and translation in criminal proceedings  
00001/2010 – C7-0005/2010 – 2010/0801(COD)

**Draft directive**

**Recital 10**

*Text proposed by a group of Member States*

*Amendment*

(10) The provisions of this Directive should ensure that the rights of the suspected or accused person who does not speak or understand the language of the proceedings to understand the suspicions or accusations brought against him and to understand the proceedings in order to be able to exercise his rights are protected by providing free and accurate linguistic assistance. The suspected or accused person should be able, inter alia, to explain to his legal counsel his version of the events, point out any statements with which he disagrees and make his legal counsel aware of any facts that should be put forward in the defence. It is recalled in this connection that the provisions of this Directive set minimum rules. Member States may extend the rights set out in this Directive in order to provide a higher level of protection also in situations not explicitly dealt with in this Directive. The level of protection should never fall below the standards provided by the ECHR, as interpreted in the case-law of the European Court of Human Rights.

(10) The provisions of this Directive should ensure that the rights of the suspected or accused person who does not speak or understand the language of the proceedings, ***or who chooses an autochthonous regional or minority language within the territory where this language is traditionally used,*** to understand the suspicions or accusations brought against him and to understand the proceedings in order to be able to exercise his rights are protected by providing free and accurate linguistic assistance. The suspected or accused person should be able, inter alia, to explain to his legal counsel his version of the events, point out any statements with which he disagrees and make his legal counsel aware of any facts that should be put forward in the defence. It is recalled in this connection that the provisions of this Directive set minimum rules. Member States may extend the rights set out in this Directive in order to provide a higher level of protection also in situations not explicitly dealt with in this Directive. The level of protection should never fall below the standards provided by the ECHR, as interpreted in the case-law of the European Court of Human Rights.



14.6.2010

A7-0198/4

**Amendment 4**

**Bairbre de Brún**

on behalf of the GUE/NGL Group

**Report**

**A7-0198/2010**

**Sarah Ludford**

Rights to interpretation and translation in criminal proceedings  
00001/2010 – C7-0005/2010 – 2010/0801(COD)

**Draft directive**

**Recital 17**

*Text proposed by a group of Member  
States*

*Amendment*

(17) This Directive respects the fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to promote the right to liberty, the right to a fair trial and the right of defence.

(17) This Directive respects the fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to promote the right to liberty, the right to a fair trial and the right of defence, *in addition to enshrining the principle of non-discrimination in respect of language choice.*

Or. en