



**COUNCIL OF  
THE EUROPEAN UNION**



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## **Procedural rights in criminal proceedings**

The Council agreed on the general approach on a package of documents aimed at strengthening procedural rights of suspected or accused persons in criminal proceedings ([14552/1/09](#)):

- a resolution on a roadmap to identify the main areas on which legislative initiatives are desirable,
- the first legislative proposal in this area, namely the framework decision on the right to interpretation and to translation, as well as
- an accompanying resolution fostering its implementation.

Considering the importance of procedural rights of suspected or accused persons in criminal proceedings and the complexity of harmonising them at EU level, ministers welcomed the presidency's decision to address them in a step-by-step approach.

# **P R E S S**

## **Roadmap**

The roadmap mirrors this approach as it groups the various rights. It sets out six priority issues on which legislative initiatives are desirable over the coming months and years. These are:

- translation and interpretation,
- information on rights and information about the charges,
- legal advice and legal aid,
- communication with relatives, employers and consular authorities,
- special safeguards for suspected or accused persons who are vulnerable, and
- a green paper on pre-trial detention.

## **Translation and interpretation**

On the first group of rights, the right to interpretation and to translation, ministers discussed the proposal tabled by the Commission in July 2009. They also assessed an accompanying resolution fostering its implementation via guidelines on and the exchange of best practices. The Council called on its working parties to carry work forward as a matter of priority.

## **Background**

More and more Europeans travel, study and work outside their home country. As a consequence, they are more likely to become involved in legal proceedings in another member state. They may find themselves in a situation in which they are faced with a criminal charge but they do not understand and speak the language used by judicial authorities. In such cases, it is of vital importance to receive interpretation and to have essential procedural documents translated.

Ensuring procedural guarantees of suspected or accused persons becomes increasingly important in order to safeguard their right to a fair trial.

All member states are parties to the European Convention on Human Rights, which covers the procedural rights of those suspected or accused of a criminal offence. However, implementation of these rights throughout Europe is not consistent. The goal of this further action is not only to protect the individual but also to ensure mutual trust in each other's criminal justice systems and to promote judicial cooperation between member states.

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