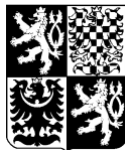


**THE PARLIAMENT OF THE CZECH REPUBLIC**  
**SENATE**



7<sup>th</sup> term

300<sup>th</sup> **RESOLUTION**

**OF THE SENATE**

delivered on the 11<sup>th</sup> meeting held on 7<sup>th</sup> October 2009

**on Proposal for a Council Framework Decision on the right to interpretation and translation in criminal proceedings**

(Senate Press no. M 061/07)

**The Senate**

**I. 1. Considers**

necessary that the compliance of the proposal with the principle of subsidiarity is unambiguously proved before the adoption of the framework decision, also with regard to the requirement of necessity of adoption of a legal act, which follows from the Article 31 Paragraph 1 of the Treaty on European Union;

**2. Points out**

in this context that there is legal regulation in force within the framework of the Council of Europe, with which the possible EU regulation should be in conformity;

**II. 1. Emphasises**

the need to avoid wording that enables ambiguous interpretation (for example demonstrative listing of essential documents for translation, right of the suspect for interpretation during all necessary meetings between him and his lawyer or during any necessary interim hearing without further specification, etc.);

**2. Recommends,**

in connection with the abovementioned, to review and reconsider the scope of the proposed obligation of the state to cover the expenses of interpretation and translation;

**3. Considers**

unnecessary the provisions of the proposal requiring guarantee of the right of appeal against the decision that interpretation is not necessary, all the more so as there is no procedural tool such as decision on translation regulated in the Czech Republic;

**4. Supports**

the position of the government aimed, in accordance with the principle of proportionality, at minimizing of financial costs, reduction of the administrative burden and limitation of the risk of delays in the criminal proceedings;

**III.**

**1. Requests**

the Government to inform the Senate about the way this position was taken into account and to provide the Senate with further information on the proceeding of negotiations;

**2. Authorises**

the President of the Senate to forward this resolution to the European Commission.

Premysl Sobotka  
sign manual  
President of the Senate

Dagmar Zverinová  
sign manual  
Senate Verifier