Rights, support and protection of victims of crime: minimum standards

2011/0129(COD) - 09/06/2011

The Council adopted a **roadmap** for strengthening the rights and protection of victims, in particular in criminal proceedings. The roadmap sets out priority actions for the protection of victims of crimes. It invites the Commission to submit proposals regarding all of the measures.

Among the overall objectives of EU action are establishing procedures to respect victims' dignity, integrity and privacy, enhancing their access to justice and designing procedures aimed at preventing repeat victimisation.

The text states that action at the level of the Union directed at strengthening the rights and protection of victims should aim at **introducing common minimum standards and at attaining, among others, the following general objectives**:

1. Establish adequate procedures and structures to respect the dignity, personal and psychological integrity as well as the privacy of the victim in criminal proceedings.

2. Enhance the access to justice by victims of crime, also by fostering the role of victim support services.

3. Design adequate procedures and structures aimed at preventing secondary and repeat victimisation.

4. Encourage the provision of interpretation and translation for the victim within criminal proceedings.

5. Where appropriate, encourage victims to participate actively in criminal proceedings.

6. Strengthen the right of victims and of their legal counsel to receive timely information about the proceedings and their outcomes.

7. Encourage the recourse to restorative justice and alternative dispute resolution methods taking into account the interest of the victim.

8. Pay special attention to children, as part of the most vulnerable group of victims, and always keep in mind the best interest of the child.

9. Ensure that Member States provide training, or encourage the provision of training, to all relevant professionals.

10. Ensure that the victim may be awarded compensation as appropriate.

The roadmap lays down the following **priority measures**:

- revising current law (Framework Decision 2001/220/JHA) on the standing of victims in criminal proceedings;

- a **regulation on mutual recognition of protection measures for victims** taken in the context of civil matters. This would complement the European protection order in criminal matters, currently under discussion in the Council after the first reading of the European Parliament.

The Commission presented proposals for these two actions on 18 May, which the Council welcomes and intends to examine as matters of priority. The **other priority measures** concern:

- guidelines on best practices among member states in the field of assistance and protection to victims of crime, once the revised legislation on the standing of victims is adopted;
- a review of the existing directive relating to compensation to crime victims;
- recommendations on how to deal with the specific needs of vulnerable victims and victims of particular types of crimes, e.g. trafficking in human beings or sexual exploitation of children.

The Council invited the Commission to also submit proposals on these priorities and undertook to deal with them as a matter of priority.

The Commission also presented to ministers the package on victims' rights it published on 18 May, which includes:

- a communication on strengthening victims' rights in the EU;
- the proposed regulation on mutual recognition of protection measures in civil matters;
- the proposed directive on minimum standards on the rights, support and protection of victims of crime.