Freedom, security and justice : assistance, compensation and access to justice for crime victims. Tampere, 1999

1999/2122(COS) - 14/07/1999 - Non-legislative basic document

PURPOSE: examination of the ways to offer legal protection to crime victims in the European Union in the context of a debate open to all parties concerned. CONTENT: Given the increase in organised crime and the internationalisation of crime, it is becoming clear that a joint European response in order to offer citizens true access to justice and legal protection must be provided, as well as measures to improve victims' rights. Up to now, little has been done in this field, but it is planned that a survey of compensation schemes and an assessment of the feasibility of taking action within the Union will be addressed within five years. The Commission is of the opinion that the rights of victims of crime would only be partially addressed by dealing with the compensation issue in isolation. Prevention of crime and the stages preceding victim compensation - assistance to victims and the standing of victims in the criminal procedure - are equally important and need to be exhausted before the victim comes even close to the compensation systems. Points for consideration in the form of proposals are put forward in the Communication for each stage in this process. This document sets out a discussion framework concerning this aspect of access to justice, as a contribution by the Commission to the process of establishing an area of freedom, justice and security, ahead of the European Council meeting in Tampere, in October 1999. The Commission believes that the following should be considered: 1) Prevention of victimisation: inviting Member States to echange best practices on crime prevention. 2) Assistance to victims: easy accessibility of assistance services provided for domestic and foreign victims, with agreed standards and under quality control, offering immediate material, medical, pyschological and social assistance, free of charge at the point of delivery; information on first aid, the availability of other forms of assistance and on the procedure that will follow; a telephone hotline, or a network of hotlines, bringing together assistance services in the EU, in order to make all relevant information available in several languages. 3) Victims' access to and standing in their own process: treatment of victims with respect and dignity at all levels of the criminal procedure, including the protection of their privacy and safety; the availability of contact persons in court to assist victims and witnesses with matters in relation to the procedure and/or, depending on the jurisdiction, other services available for support and advice; the use of e.g. fast-track procedures, and possibilities for leaving statements beforehand or from the home country, in order to make it possible for a foreign victim to participate adequately in a procedure; the availability of court premises, such as separate waiting rooms, assuring that a victim or witness does not have to confront the offender more than necessary; the restitution of stolen property to victims as early as possible; additional research and experiments in victim-offender mediation with evaluation of the particular interests of victims, as well as practical arrangements formediation. 4) Victims' access to compensation: ratification by all EU Member States of the 1983 Convention on Compensation to Victims of Violent Crimes; compensation to victims as early as possible, e.g. through advance payments; assistance to victims in the debt collection of damages from the offender; cooperation between the Member States, where relevant, to facilitate applications for state compensation, by letting victims apply via the compensation authority in their home country. 5) Information, language and training: a survey among travellers on their experience of crime through Commission programme funding; the development of a framework for education and training and the promotion of exchange of good practice in such training, not least multicultural training, in transnational initiatives of the relevant industries and those resulting from EU-funded initiatives and programmes; the possibilities of providing multi-language information relevant to crime victims through existing EU-conduits, such as the Europe Direct and the Dialogue with Citizens initiative. Responses to the various proposals set down in this Communication should be sent to the Justice and Home Affairs Task Force, c/o the Secretariat General at the European Commission at the latest by 31.12.1999.