Basic information

2002/0821(CNS) CNS - Consultation procedure Decision	Procedure lapsed or withdrawn
Criminal law: European network of national contact points for crime victims. Initiative Belgium **Subject** 7.40.04 Judicial cooperation in criminal matters	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	KLAMT Ewa (PPE-DE)	11/11/2002

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs and Internal Market	GIL-ROBLES GIL-DELGADO José María (PPE-DE)	28/01/2003
JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	08/10/2002
CULT Culture, Youth, Education, Media and Sport	The committee decided not to give an opinion.	
FEMM Women's Rights and Equal Opportunities	SÖRENSEN Patsy (V/ALE)	26/11/2002

Council of the European Union

European Commission

Commission DG	Commissioner
Justice and Consumers	FRATTINI Franco

Key events

Date	Event	Reference	Summary
19/09/2002	Legislative proposal published	11621/2002	Summary
09/10/2002	Committee referral announced in Parliament		

19/03/2003	Vote in committee		Summary
19/03/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0084/2003	
08/04/2003	Decision by Parliament	T5-0147/2003	Summary

Technical information	
Procedure reference	2002/0821(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on European Union (after Amsterdam) M 034
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/5/16809

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0084/2003	19/03/2003	
Text adopted by Parliament, 1st reading/single reading		T5-0147/2003 OJ C 064 12.03.2004, p. 0025-0182 E	08/04/2003	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	10575/2002	04/07/2002	Summary
Legislative proposal	11621/2002 OJ C 242 08.10.2002, p. 0030	19/09/2002	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Criminal law: European network of national contact points for crime victims. Initiative Belgium

2002/0821(CNS) - 04/07/2002 - Document attached to the procedure

This document consists of the explanatory statement issued by the Permanent Representative of Belgium on the proposal for a Council Decision with a view to setting up a European Network of national contact points for Restorative justice. Restorative justice refers to a novel and comprehensive view of the criminal justice process, in which the needs of the victim are prioritised and offender accountability is emphasised in a positive manner. Restorative justice has thus far mainly found expression in different forms of mediation between victims and offenders (victim-offender mediation). Another method increasingly being applied is that of family group conferencing. However, restorative justice actually denotes a much broader approach, in which the material and immaterial reparation of the disturbed relationship between the victim, the community and the offender constitutes a general, guiding principle in the criminal justice process. Thus, restorative justice reflects a body of ideas that is relevant to various forms of sanctioning and conflict handling in the successive stages of the criminal justice process. Restorative justice aims both at less and more serious forms of crime committed by juvenile and adult delinquents. Criminal justice authorities, but also police, prisons, probation and victim aid, all find inspiration in the principles of restorative justice. Because one of the key elements in this approach is the active participation by the victim, the offender and their supporters, restorative justice also offers concrete opportunities to involve citizens in crime-related issues in a constructive and balanced manner. This promising, new approach to criminality needs to be further conceptualised, developed and evaluated. Belgium wishes to effectively support this new pattern of thinking and the associated practice. An official European network, composed out of national contact points, can be the forum for a permanent exchange of information and expertise. Besides the exchange of information, the Network can also promote the research on the topic of restorative justice, contribute to identify and develop the main areas for training and evaluation, organise conferences, seminars, meetings and other activities to promote restorative justice practices and to stimulate and improve the exchange of experiences and best practices so that the European Union will be able to develop an own vision and policy on restorative justice.

Criminal law: European network of national contact points for crime victims. Initiative Belgium

2002/0821(CNS) - 08/04/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Ewa KLAMT (EPP-ED, Germany) and made several amendments to the Belgian initiative. (Please see the summary date 19/03/03.) Other amendments include the following: - the network will be responsible for using and promoting the results of the projects directly linked to the application of mediation in criminal cases, and give cooperation with NGOs an institutional framework. The latter involves drawing up a code of conduct to regulate cooperation with NGOs, municipal government and other government organisations and to protect those concerned and the institutions involved against abuses; - the Commission has the task of designating contact points; - meetings of the network will be held in Brussels, and exceptionally, they may held in any of the Member States who have designated contact points; - Member States' representatives must make their decisions on certain matters unanimously.

Criminal law: European network of national contact points for crime victims. Initiative Belgium

2002/0821(CNS) - 19/09/2002 - Legislative proposal

PURPOSE : to present the Belgian initiative with a view to the adoption of a Council Decision setting up a European Network of National Contact Points for Restorative Justice. CONTENT : at Community level, several initiatives have been initiated on the protection of victims such as the adoption of a Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings and the initiative of the French Republic and the Kingdom of Sweden to set up a European crime prevention network, which resulted in Decision 2001/427/JHA. These are excellent examples of how the Member States can cooperate on a stable basis on certain topics. The inclusion of mediation with juveniles and social mediation in the first working programme of the European Crime Prevention Network proves the growing interest in alternative ways of exercising criminal law. However, it should be stressed that the possible preventive capacities of mediation in particular and of restorative justice, in general are only one aspect of the much broader approach of restorative justice, which applies to crime, criminal justice and criminal justice procedure as a whole. Restorative justice denotes a broad approach in which material and immaterial reparation of the disturbed relationship between the victim, the community and the offender constitutes a general, guiding principle in the criminal justice process. Although thus far restorative justice has mainly found expression in different forms of mediation between victims and offenders (victim-offender mediation), other methods are increasingly being applied, as for example family group conferencing. Governments, police, criminal justice agencies, specialised authorities, victim aid and support services, offender aid services, researchers and the public are all involved in this process. This initiative was taken in consultation with the European Forum for Victim-Offender Mediation and Restorative Justice, a non-governmental organisation experienced in the field of restorative justice. This proposal stipulates that a European Network of national contact points for Restorative Justice. Network national representatives shall ensure the proper functioning of the Network in accordance with this Decision. For the purpose of this Decision, restorative justice refers to a comprehensive view of the criminal justice process, in which the needs of the victim are prioritised and offender accountability is emphasised in a positive manner and covers a body of ideas that is relevant to various forms of sanctioning and conflict handling in the successive stages of or in connection with the criminal justice process. As regards the objective of the Network, it shall contribute to developing, supporting and promoting the various aspects of restorative justice within the Member States as well as at the European Union level. For this objective, legislative and logistic support to criminal justice authorities is an important instrument. With a view to achieving the objectives, the Network shall have in particular the following tasks and activities and consequently it shall: - be an information point: the Network shall collect, analyse and evaluate information and data on existing restorative justicepractices and on their development in the Member States, in order to contribute to the development of standards of best practices and to support future national and European initiatives. The Network shall also assist the Council and Member States with questionnaires on restorative justice practices; - develop mechanisms to distribute and to make available the above mentioned information and data to authorities on a national, regional, European and international level and to other governmental or non-governmental organisations, groups, networks or fora working in or interested in the field of restorative justice; - facilitate mutual exchange of information, experience and contacts between European, regional, national and local authorities, institutions, agencies, groups, networks and individuals concerned with the topic of restorative justice; - promote research on the topic of restorative

justice and to that aim the Network shall contribute to identify and develop the main areas for research in the field of restorative justice; - contribute to identify and develop the main areas for training and evaluation in the field of restorative justice; - organise conferences, seminars, meetings and other activities to promote restorative justice practices and to stimulate and improve the exchange of experience and best practices; - develop cooperation with applicant countries, third countries and international organisations and bodies; - provide its expertise to the European Parliament, the Council and to the Commission where necessary and upon request, with a view to assisting them in matters concerning restorative justice; - report to the Council on its activities each year, through the competent working bodies, and indicate the areas for priority action in its working program for the following year. The Council shall take note of and endorse the report and forward it to the European Parliament. The concrete interpretation, fulfilment and development of the tasks and activities mentioned will be subject to and will depend on the voluntary contributions of the Member States. With regard to cooperation, because of the inherent community orientation and the grass-root level of the restorative justice development, the Network shall pay in particular attention to the cooperation and the stimulation of exchanges with NGOs working in the field of restorative justice. To enable the Network to achieve its aims in the most efficient and valuable way, the Network can decide to call upon the know-how and experience of those NGOs working in the field of restorative justice and even decide to cooperate in a more structured way. As regards the composition of the Network, it shall consist of contact points designated by each Member State. The Commission and candidate countries for accession to the European Communities may also designate a contact point. Each Member State shall designate three contact points, at most. These contact points shall include at least one representative from the national authorities competent for restorative justice in its many aspects. Members States may also designate researchers, restorative justice practitioners or other actors in the restorative justice field as contact points. Member States shall ensure that researchers, restorative justice practitioners and other actors in the restorative justice field, such as local authorities and non-governmental organisations, are involvedthrough the designated contact points. Each Member State shall ensure that its contact points have sufficient knowledge of at least one other official language of the European Union, to facilitate the practical operation of the Network and in particular the contacts with the other contact points. The Network shall meet at least once every six months, on the invitation of the Presidency-in-Office of the Council. A representative of the Member State which is holding the Presidency of the Council at that time, shall chair the Network national representatives meeting. The Network may decide to confer to a national contact point the Secretariat of the Network. The Network national representatives shall decide on the Network's annual programme, including a financial plan. In particular, they shall decide: - the priority fields to be examined with a view to an action plan; - the main specific actions to be carried out (conferences, seminars, research programs, training programs); - the creation, the structure and the development of an electronic information exchange system and a web-site.