Basic information

2016/2329(INI) INI - Own-initiative procedure	Procedure completed
Implementation of Directive 2011/99/EU on the European protection order See also Directive 2011/99/EU 2010/0802(COD) **Subject** 7.40.04 Judicial cooperation in criminal matters	

Key players

European Parliament

Joint committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	POST Soraya (S&D)	18/01/2017
FEMM Women's Rights and Gender Equality	JIMÉNEZ-BECERRIL BARRIO Teresa (PPE)	18/01/2017
	Shadow rapporteur ŠTĚTINA Jaromír (PPE) HEDH Anna (S&D) GERICKE Arne (ECR) BILBAO BARANDICA Izaskun (ALDE) GRIESBECK Nathalie (ALDE) VALLINA Ángela (GUE/NGL) CHRYSOGONOS Kostas (GUE/NGL) BJÖRK Malin (GUE/NGL) TERRICABRAS Josep-Maria (Verts/ALE) URTASUN Ernest (Verts/ALE) FONTANA Lorenzo (ENF)	

European Commission

Commission DG	Commissioner
Justice and Consumers	JOUROVÁ Věra

Key events

Date	Event	Reference	Summary
19/01/2017	Committee referral announced in Parliament		
19/01/2017	Referral to joint committee announced in Parliament		
27/02/2018	Vote in committee		
14/03/2018	Committee report tabled for plenary	A8-0065/2018	Summary
19/04/2018	Decision by Parliament	T8-0189/2018	Summary
19/04/2018	Results of vote in Parliament		
19/04/2018	Debate in Parliament		
19/04/2018	End of procedure in Parliament		

Technical information	
Procedure reference	2016/2329(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Implementation
Amendments and repeals	See also Directive 2011/99/EU 2010/0802(COD)
Legal basis	Rules of Procedure EP 59 Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	CJ01/8/08798

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE613.377	13/11/2017	
Amendments tabled in committee		PE615.447	13/12/2017	
Committee report tabled for plenary, single reading		A8-0065/2018	14/03/2018	Summary
Text adopted by Parliament, single reading		T8-0189/2018	19/04/2018	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2018)401	30/08/2018	

Implementation of Directive 2011/99/EU on the European protection order

2016/2329(INI) - 14/03/2018 - Committee report tabled for plenary, single reading

The Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women's Rights and Gender Equality adopted the own-initiative report drafted jointly by Teresa JIMÉNEZ-BECERRIL BARRIO (EPP, ES) and Soraya POST (S&D, SE) on the implementation of Directive 2011/99/EU on the European Protection Order.

The report assesses the way in which the Member States concerned applied the mechanism set up by the Directive 2011/99/EU, which allows persons who benefit from a protection order in criminal matters issued in one Member State to request a European Protection Order (EPO).

This instrument is based on the principle of mutual recognition, which means that protection orders issued in one Member State have to be recognised and enforced in another Member State.

Assessment of the implementation of the Directive: the report notes with concern that since the transposition of the EPO Directive, **only seven EPOs** have been identified across the Member States, although thousands of national protection orders have been requested and issued in the Member States in recent years.

There is a **significant gap** between coordination and communication among the Member States when an EPO is executed. Bearing this in mind, Members called on the Member States to improve and jointly enhance **cooperation and communication** in relation to the EPO as this would set in motion much more efficient procedures and simultaneous cross-border action among the Member States.

The Commission was asked to set up a **European Registry System** in order to collect information on EPOs from all Member States. Members called for **one standard form**, valid in both criminal and civil cases and in all Member States, to be designed and used in applying for and recognising protection orders.

Furthermore, they considered that, in order to fulfil its potential and to ensure equivalent protection measures in both the issuing and executing state, the issuance of the protection order must be as fast, effective, efficient and automatic as possible and involve minimum bureaucracy. The committee called on the Commission and the Member States to fix a **clear and short timeframe of two weeks** for the competent authorities of the Member States when issuing EPOs.

Recommendations relating to gender-based violence: Members called on Member States to strongly condemn gender-based violence and violence against women, to undertake to eradicate all forms of violence, ensuring **zero tolerance** of such violence. They asked the Commission:

- **to include the protection of all citizens**, especially those in the most vulnerable situations, in the European Agenda on Security with a focus on the victims of crimes such as trafficking in human beings or gender-based violence, including victims of terrorism, who also need special attention, support and social recognition;
- to set up **campaigns** to encourage women to report any forms of violence on the basis of gender, so that they may be protected and so that the accuracy of data on gender-based violence can be improved.

Member States were called upon to **step up their work with NGOs** protecting the victims of violence in order to design strategies in relation to gender-based violence.

The Commission, in its turn, was asked to present a legal act to support Member States in the prevention and suppression of all forms of violence against women and girls and of gender-based violence.

The report called for **action conducive to the progressive convergence** of legislation on violent behaviour resulting in protection orders.

A coherent EU legal framework protecting victims: in line with Parliament's resolution of 12 September 2017 on EU accession to the **Istanbul Convention**, Members asked the Commission to designate an EU coordinator on Violence Against Women who would be responsible for the coordination, implementation, monitoring and evaluation of EU policies, instruments and measures to prevent and combat all forms of violence against women and girls and to act as representative of the EU on the Committee of the Parties to the Convention.

All Member States that have not yet done so were invited to ratify the Istanbul Convention and ensure the appropriate training of all professionals responsible for the care of victims of acts of violence covered by the Convention.

The Commission was called upon to take measures to **review the existing instruments for the legal protection of victims of crime** and to establish a coherent legal protection framework at Union level.

Implementation of Directive 2011/99/EU on the European protection order

2016/2329(INI) - 19/04/2018 - Text adopted by Parliament, single reading

The European Parliament adopted by 475 votes to 51, with 28 abstentions, a resolution on the implementation of Directive 2011/99/EU on the European Protection Order.

As a reminder, Directive 2011/99/EU allows persons benefitting from a criminal protection order in criminal matters issued in one Member State to apply for a European protection order in another Member State.

This instrument is based on the principle of mutual recognition, which means that protection orders issued in one Member State have to be recognised and enforced in another Member State.

Assessment of the implementation of the Directive: Parliament noted with concern that since the transposition of the EPO Directive, **only seven EPOs** have been identified across the Member States, although thousands of national protection orders have been requested and issued in the Member States in recent years.

There is a **significant gap** between coordination and communication among the Member States when an EPO is executed. Bearing this in mind, Members called on the Member States to improve and jointly enhance **cooperation and communication** in relation to the EPO as this would set in motion much more efficient procedures and simultaneous cross-border action among the Member States.

The Commission was asked to set up a **European Registry System** in order to collect information on EPOs from all Member States. Members called for **one standard form**, valid in both criminal and civil cases and in all Member States, to be designed and used in applying for and recognising protection orders.

Furthermore, they considered that, in order to fulfil its potential and to ensure equivalent protection measures in both the issuing and executing state, the issuance of the protection order must be as fast, effective, efficient and automatic as possible and involve minimum bureaucracy. Parliament called on the Commission and the Member States to fix a **clear and short timeframe of two weeks** for the competent authorities of the Member States when issuing EPOs.

Parliament asked the Member States to publish an **exhaustive list** of the competent authorities responsible for issuing and recognising European protection orders. The Commission is invited to monitor the implementation of the Directive and to open infringement procedures against all Member States that infringe it.

Recommendations relating to gender-based violence: Parliament called on Member States to strongly condemn gender-based violence and violence against women, to undertake to eradicate all forms of violence, ensuring **zero tolerance** of such violence. It asked the Commission:

- **to include the protection of all citizens**, especially those in the most vulnerable situations, in the European Agenda on Security with a focus on the victims of crimes such as trafficking in human beings or gender-based violence, including victims of terrorism, who also need special attention, support and social recognition;
- to set up **campaigns** to encourage women to report any forms of violence on the basis of gender, so that they may be protected and so that the accuracy of data on gender-based violence can be improved;
- to present a **legal act** to support Member States in their actions to prevent and eliminate all forms of violence against women and girls.

Member States were called upon to **step up their work with NGOs** protecting the victims of violence in order to design strategies in relation to gender-based violence. Parliament called for **action conducive to the progressive convergence** of legislation on violent behaviour resulting in protection orders.

A coherent EU legal framework protecting victims: Parliament urged Member States and the Commission to introduce the issue of gender equality into all their policies, in particular those potentially related to raising awareness of violence against women. It called on the Commission, in line with Parliament's resolution of 12 September 2017 on EU accession to the **Istanbul Convention**, to designate an EU coordinator on violence against women.

All Member States that have not yet done so were invited to ratify the Istanbul Convention and ensure the appropriate training of all professionals responsible for the care of victims of acts of violence covered by the Convention.

The Commission was called upon to take measures to **review the existing instruments for the legal protection of victims of crime** and to establish a coherent legal protection framework at Union level.