

LAVO Pulkkinen Kirsi(OM)

16.05.2011
JULKINEN

*Eduskunta
Suuri valiokunta*

Viite

Asia

EU/OSA/Ehdotus neuvoston päätöslauselmaksi etenemissuunnitelmasta uhrien oikeuksien ja suojelun vahvistamiseksi, erityisesti rikosoikeudellisissa menettelyissä

U/E-tunnus:

EUTORI-numero:

Ohessa lähetetään perustuslain 97 §:n mukaisesti selvitys ehdotuksesta Euroopan unionin neuvoston päätöslauselmaksi etenemissuunnitelmasta uhrien oikeuksien ja suojelun vahvistamiseksi, erityisesti rikosoikeudellisissa menettelyissä.

Ylijohtaja

Pekka Nurmi

Erityisasiantuntija

Kirsi Pulkkinen

LIITTEET Perusmuistio OM2011-00183, asiakirja 9359/11 DROIPEN 29

Asiasanat	rikoksen uhrit, oikeudellinen yhteistyö rikosasioissa
Hoitaa	OM
Tiedoksi	EUE, SM, STM, TPK, UM, VM, VNEUS

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Kokous

Liitteet

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EUTORI/Eurodoc nro:

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U-tunnus / E-tunnus:

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Käsittelyn tarkoitus ja käsittelyvaihe:

Puheenjohtajavaltio Unkari on tehnyt ehdotuksen neuvoston päätöslauselmaksi etenemissuunnitelmasta rikoksen uhrien oikeuksien ja suojelun vahvistamiseksi, erityisesti rikosoikeudellisissa menettelyissä. Etenemissuunnitelmassa määritellään uhrin aseman parantamiseksi tehtävän jatkotyön tavoiteaikataulu ja sisältö.

Komission tarkoituksena on kevään 2011 aikana antaa ehdotuksensa rikoksen uhreja koskevaksi toimenpidepaketiksi, mukaan lukien ehdotus direktiiviksi rikoksen uhrin vähimmäisoikeuksista. Nyt käsiteltävä etenemissuunnitelma tukee ja pohjautuu komission tulevaan rikosuhripakettiin, josta tullaan informoimaan eduskuntaa erikseen.

Ehdotusta päätöslauselmaksi etenemissuunnitelmasta on käsitelty neuvoston työryhmässä 14.-15.4. ja 4.5.2011. Päätöslauselmaa tullaan käsittelemään poliisiyhteistyötä ja oikeudellista yhteistyötä rikosasioissa käsittelevän koordinaatiokomitean (CATS) kokouksessa 17.-18.5.2011 sekä neuvoston työryhmässä toukokuun lopussa. Puheenjohtajavaltio Unkarin tavoitteena on, että päätöslauselma etenemissuunnitelmasta hyväksytään OSA-neuvostossa 9.-10.6.2011.

Asiakirjat:

9359/11 DROIPEN 29 COPEN 87 JUSTCIV 102 ENFOPOL 124 FREMP 39

EU:n oikeuden mukainen oikeusperusta/päätöksentekomenettely:

Neuvoston päätöslauselma ei ole Euroopan unionin toiminnasta tehdyn sopimuksen 288 artiklan tarkoittama unionin säädös. Päätöslauselma hyväksytään konsensuksella. Unionin toimivalta rikosoikeudellisen yhteistyön alalla perustuu sopimuksen 82 artiklaan.

Käsittelijä(t):

OM / Kirsi Pulkkinen, p. 160 67722

Suomen kanta/ohje:

Suomi voi hyväksyä ehdotuksen neuvoston päätöslauselmaksi.

Suomi kannattaa rikoksen uhrin aseman parantamiseksi tehtävää työtä. Erityistä huomiota on kiinnitettävä haavoittuvan uhrin asemaan sekä uhrin lisäksi rikoksen välttämiseen ja uudelleen uhriksi joutumisen ehkäisemiseen. Uhrin kanssa tekemisissä olevien henkilöiden koulutuksella on tässä tärkeä merkitys. Suomi on ottanut tuleviin EU-toimiin yksityiskohtaisemmin kantaa vastatessaan komission aiheesta järjestämään julkiseen kuulemiseen (syksy 2010).

Pääasiallinen sisältö:

Päätöslauselma

1. Euroopan unionin tasolla olisi toteutettava toimia rikoksen uhrien oikeuksien ja suojelun vahvistamiseksi, erityisesti rikosoikeudellisissa menettelyissä. Nämä toimet voivat käsittää sekä lainsäädännöllisiä että muita toimenpiteitä.
2. Neuvosto hyväksyy tulevien toimien pohjaksi tämän päätöslauselman liitteessä olevan ”Etenemissuunnitelman rikoksen uhrien oikeuksien ja suojelun vahvistamiseksi”, jäljempänä ”etenemissuunnitelma”. Etenemissuunnitelmaan sisältyvät toimenpiteet, joita voitaisiin täydentää muilla toimenpiteillä, olisi asetettava etusijalle.
3. Neuvosto suhtautuu myönteisesti, ensimmäisenä askeleena, komission ehdotukseen rikoksen uhreja koskevaksi toimenpidepaketiksi ja pyytää komissiota antamaan etenemissuunnitelmassa esitettyjä toimenpiteitä koskevia ehdotuksia.
4. Neuvosto tarkastelee kaikkia etenemissuunnitelman yhteydessä esitettyjä ehdotuksia ja aikoo käsitellä niitä ensisijaisina.
5. Neuvosto toimii sovellettavia sääntöjä noudattaen täydessä yhteistyössä Euroopan parlamentin kanssa.

Liite

Etenemissuunnitelma uhrien oikeuksien ja suojelun vahvistamiseksi, erityisesti rikosoikeudellisissa menettelyissä

Uhrin oikeuksien ja suojelun vahvistamiseksi tehtävien toimien tulisi tähdätä yhteisten vähimmäisvaatimusten kehittämiseen ja muun muassa seuraavien yleisten tavoitteiden saavuttamiseen:

- riittävien menettelyjen ja rakenteiden luominen uhrin ihmisarvon sekä ruumiillisen ja henkisen koskemattomuuden suojaamiseksi rikosoikeudellisissa menettelyissä
- uhrien oikeussuojan saatavuuden parantaminen, myös uhrien tukijärjestöjen roolia vahvistamalla
- uhrien yksityisyyden suojaaminen

- riittävien menettelyiden ja rakenteiden luominen uhrin lisäkärsimysten ja uudelleen uhriksi joutumisen välttämiseksi
- tarvittaessa tulkkauksen ja keskeisten asiakirjojen käännösten antaminen uhrille, joka ei ymmärrä tai puhu menettelyssä käytettävää kieltä
- uhrin rikosoikeudelliseen menettelyyn osallistumista koskevien oikeuksien parantaminen
- uhrin ja hänen avustajansa ajantasaisen tiedonsaannin vahvistaminen
- restoratiiviseen oikeuteen ja vaihtoehtoihin riidanratkaisumenettelyihin turvautumiseen kannustaminen, uhrin etu huomioon ottaen
- erityishuomion kiinnittäminen lapsiin, jotka kuuluvat haavoittuvimpiin uhreihin, ja aina lapsen edun huomioon ottaminen
- kaikille uhria ja hänen suojeluaan koskeviin menettelyihin osallistuville ammattilaisille annettavan koulutuksen varmistaminen

Näiden tavoitteiden saavuttamiseksi tulisi toteuttaa seuraavia toimenpiteitä:

Toimenpide A: Uhrin asemasta rikosoikeudenkäyntimenettelyissä annetun neuvoston puitepäätöksen (2001/220/YOS) korvaava direktiivi

Komission on tarkoitus antaa 18.5.2011 ehdotus direktiiviksi, jonka tarkoituksena on tarkistaa ja täydentää vuonna 2001 annetussa uhripuitepäätöksessä asetettuja periaatteita ja parantaa uhrien suojelua koko Euroopan unionin alueella. Neuvosto sitoutuu käsittelemään tätä ehdotusta ensisijaisena.

Toimenpide B: Suositus tai suosituksia käytännön toimenpiteistä ja parhaista käytänteistä toimenpiteessä A tarkoitettuun direktiiviin liittyen

Sen jälkeen kun toimenpiteessä A tarkoitettu direktiivi on hyväksytty, komissiota pyydetään täydentämään sitä ehdotuksella (tai ehdotuksilla) suosituksesta, jonka tulisi toimia ohjauksena ja mallina jäsenvaltioille direktiivin täytäntöönpanon helpottamiseksi.

Toimenpide C: Asetus siviilioikeudellisissa menettelyissä annettujen uhrin suojelumääräysten vastavuoroisesta tunnustamisesta

Tällä hetkellä on neuvoteltavana ehdotus eurooppalaista suojelumääräystä koskevaksi direktiiviksi, joka koskee lähestymiskieltojen vastavuoroista tunnustamista. Komission on tarkoitus antaa tätä direktiiviehdotusta täydentävä ehdotus, joka koskisi siviilioikeudellisissa menettelyissä annettujen suojelumääräysten vastavuoroista tunnustamista.

Toimenpide D: Rikoksen uhreille maksettavista korvauksista annetun direktiivin 2004/80/EY muuttaminen

Komissiota pyydetään arvioimaan perusteellisesti syitä rikoksen uhreille maksettavista korvauksista annetun direktiivin vähäiselle soveltamiselle. Komissiota pyydetään tämän jälkeen, jos siihen arvioinnin tulosten perusteella ilmenee tarvetta, tekemään yhden tai useampia sääntelyn muuttamista koskevia ehdotuksia, mukaan lukien mutta ei rajoittuen lainsäädäntöaloitteisiin.

Alkuperäisessä ehdotuksessaan puheenjohtaja ehdotti toimenpiteenä E, että komissiota pyydetäisiin laatimaan vihreä kirja siitä, onko tarpeellista ja mahdollista esittää lainsäädäntöaloite naisten sukuelinten silpomisen torjumiseksi. Puheenjohtaja on kuitenkin asiakirjassa 9359/11 DROIPEN 29 luopunut tästä ehdotuksestaan.

Alkuperäisessä ehdotuksessaan puheenjohtaja ehdotti toimenpiteenä F, että komissiota pyydetäisiin tekemään ehdotus Euroopan unionin liittymisestä Euroopan neuvoston yleissopimukseen naisiin

kohdistuvasta väkivallasta. Puheenjohtaja on kuitenkin asiakirjassa 9359/11 DROIPEN 29 luopunut tästä ehdotuksestaan.

Toimenpide G: Erityisiin rikoslajeihin liittyvät uhrien erityistarpeet

Toimenpiteessä A tarkoitetun yleisen säädöksen on tarkoitus sisältää kaikkiin rikoksen uhriin sovellettavia säännöksiä. Tämän lisäksi tiettyjen erityisten rikosten uhrit tarvitsevat lisäsuojaa ja toimenpiteitä heidän tilanteeseensa liittyvien erityistarpeiden takia. Asiakirjassa mainitaan esimerkkeinä erityisen tuen ja avun tarpeessa olevista uhreista ihmiskaupan, lasten seksuaalisen hyväksikäytön, terrorismin ja järjestäytyneen rikollisuuden uhrit. Komissiota pyydetään tekemään ehdotuksia suosituksiksi käytännön toimenpiteistä ja parhaista käytänteistä, joilla jäsenvaltioille annetaan ohjausta uhrien erityistarpeista huolehtimiseksi.

Kansallinen käsittely:

Jaosto 7 / Oikeus- ja sisäasiat: Kirjallinen menettely 11.-13.5.2011.

Eduskuntakäsittely:

Komission konsultaatio uhripaketista käsitelty E-tunnuksella E 73/2010 vp.
Eurooppalaisesta suojelumääräyksestä on annettu valtioneuvoston kirjelmä U 89/2009 vp. sekä jatkokirjelmä 2.5.2011.

Käsittely Euroopan parlamentissa:

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Kansallinen lainsäädäntö, ml. Ahvenanmaan asema:

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Taloudelliset vaikutukset:

-

Muut mahdolliset asiaan vaikuttavat tekijät:

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Asiasanat	rikoksen uhrit, oikeudellinen yhteistyö rikosasioissa
Hoitaa	OM
Tiedoksi	EUE, SM, STM, TPK, UM, VM, VNEUS



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 28 April 2011

9359/11

DROIPEN 29
COPEN 87
JUSTCIV 102
ENFOPOL 124
FREMP 39

NOTE

from:	Presidency
to:	Delegations
Subject:	Proposal for a Resolution of the Council on a Roadmap for strengthening the rights and protection of victims, in particular in criminal proceedings

At its meeting of 14-15 April 2011, the Working Party on substantive criminal law examined the proposal for a Roadmap for strengthening the rights and protection of victims on the basis of doc. 8525/11.

The Presidency has taken note of the positive attitude of all delegations and would like to express its gratitude for the many constructive comments received.

Several delegations have entered a general scrutiny reservation on the text.

Delegations will find in the Annex a new draft of the Roadmap, drafted according to the indications which have emerged during the last meeting. The draft also takes into account those written comments that arrived before the expiry of the deadline of 28 April 2011.

Resolution of the Council**of...****on a Roadmap for strengthening the rights and protection of victims, in particular in criminal proceedings**

The Council of the European Union,

Whereas

- (1) In the European Union, the Charter of fundamental rights (the "Charter") and the Convention for the Protection of Human Rights and Fundamental Freedoms (the "Convention"), to which all Member States are parties, imposes on States the duty to actively protect victims of crime.
- (2) The European Union has successfully established an area of freedom of movement and residence, from which citizens benefit by increasingly travelling, studying and working in countries other than that of their residence. However, the removal of internal borders and the increasing exercise of the rights to freedom of movement and residence have led as an inevitable consequence to an increase in the number of people who become victims of a criminal offence and become involved in criminal proceedings in a Member State other than that of their residence.
- (3) This calls for specific action in order to establish a common minimum standard of protection of victims of crime and their rights in criminal proceedings throughout the Union. Such action, which may include legislation as well as other measures, will enhance citizens' confidence that the European Union and its Member States will protect and guarantee their rights.

- (4) In the Stockholm Programme - An open and secure Europe serving the citizen ¹, the European Council stressed the importance to provide special support and legal protection to those who are most vulnerable or find themselves in particularly exposed situations, such as persons subjected to repeated violence in close relationships, victims of gender-based violence, or persons who fall victim to other types of crimes in a Member State of which they are not nationals or residents. In line with the Council conclusions on a strategy to ensure fulfilment of the rights of, and improve support for, persons who fall victims of crime ², the European Council has urged to take an integrated and coordinated approach to victims. As a first step in responding to the Stockholm Programme, the European Commission has proposed a package of measures on victims of crime including a Directive on the Rights, Support and Protection of victims of crime as well as a Regulation on the mutual Recognition of protection measures adopted in civil matters ³.
- (5) In its Roadmap for strengthening procedural rights of the suspected or accused persons in criminal proceedings⁴, the Council invited the Commission to take action in the field of the protection of these fundamental rights, committing itself to examine the proposed measures as a matter of priority.
- (6) Considerable progress has already been made pursuant to the Roadmap, with the approval of the Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings ⁵, pursuant to "measure A" in the Roadmap, and with the presentation by the Commission, on 20 July 2010, of the proposal for a Directive on the right to information in criminal proceedings, pursuant to "measure B" in the Roadmap and the presentation by the Commission in June of the proposal for a Directive on the rights of access to a lawyer, pursuant to "measure C" in the Roadmap.⁶

¹ OJ C 115, 4.5.2010; see point 2.3.4.

² Adopted at the 2969th Justice and Home Affairs Council meeting in Luxembourg, 23 October 2009.

³ Subject to the final Commission proposal.

⁴ Resolution of the Council of 30 November 2009 (2009/C 295/01), OJ C 295, 4.12.2009

⁵ OJ L 280, 26.10.2010, p. 1

⁶ Subject to the final Commission proposal.

- (7) The Council considers it necessary to complement this action in the field of the protection of the fundamental rights of the suspected or accused person with similar action in the field of the protection of the victims of crime, in consideration of the commitment taken with the Stockholm Programme.
- (8) Action in this field is specifically contemplated as part of the process to implement the principle of mutual recognition as founding principle of the creation of a true area of freedom, security and justice: indeed, Article 82 paragraph 2, letter c) TFEU provides that the Union may, by means of Directives, establish minimum rules on the rights of victims of crime when necessary to facilitate mutual recognition of judgements and judicial decisions and police and judicial cooperation in criminal matters having a cross-border dimension.
- (9) The question of the role of victims in criminal proceedings has been already addressed at the level of the Union through Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings. However, more than ten years have passed since the approval of that instrument, and the progress made in the creation of the area of freedom, security and justice, as well as the remaining issues of implementation in the area of victims' rights, require that the Union review and enhance the contents of the Framework Decision.
- (10) Existing mechanisms to ensure that crime victims may be awarded compensations for the damages suffered, such as that provided for by Council Directive 2004/80/EC of 29 April 2004 relating to crime victims, should also be reviewed and if necessary improved, in order to enhance their operability and contributing to complementing the instruments for the protection of victims.
- (11) In addition, a mechanism should be created to ensure mutual recognition among Member States of decisions of judicial or equivalent authorities concerning measures to protect victims of crime from further harm which may be caused to them by a specific person or persons. This mechanism should complete and improve the one envisaged by the Directive of the European Parliament and of the Council on the European protection order, currently under discussion.

- (12) Bearing in mind the importance and complexity of these issues, it seems appropriate to address them in a step-by-step approach, whilst ensuring overall consistency balance. By addressing future actions, one area at a time, focused attention can be paid to each individual measure, so as to enable problems to be identified and addressed in a way that will give added value to each measure.
- (13) Particular attention should be given to the process of implementation of legislative instruments in this field. Practical measures and best practises could be gathered in a non-binding legal instrument, such as a Recommendation, in order to help and inspire Member States in the process of implementation.
- (14) In addressing the necessary measures for enhancing the protection of victims, due account should be taken of the principles contained in Recommendation Rec(2006)8 of the Committee of Ministers of the Council of Europe on assistance to crime victims. The Union should also take into consideration the principles set out in existing international instruments in the field of victims protection, such as the Convention of the Council of Europe on preventing and combating violence against women and domestic violence adopted by the Committee of Ministers of Council of Europe on 7 April 2011 and, where appropriate, consider the possibility to accede to such instruments.
- (15) The list of measures in the Annex to this document should be considered indicative, addressing only a first group of measures to be dealt with as a matter of priority. Further measures, both legislative and non-legislative, as well as practical measures may be proposed in the future if deemed appropriate, also in the light of the on-going process of approval and implementation of the legal acts contemplated in this Roadmap.

HEREBY ADOPTS THE FOLLOWING RESOLUTION:

1. Action should be taken at the level of the European Union in order to strengthen the rights and protection of victims of crime, in particular in the course of criminal proceedings. Such action may include legislation as well as other measures.
2. The Council endorses the "Roadmap for strengthening the rights and protection of victims of crime" (hereinafter referred to as "the Roadmap"), set out in the Annex to this Resolution, as the basis for future action. The measures included in the Roadmap, which could be complemented by other measures, should be given priority.
3. The Council welcomes, as a first step, the European Commission's proposal for a package of measures on victims of crime, and invites the Commission to submit proposals regarding the measures set out in the Roadmap.
4. The Council will examine all proposals presented in the context of the Roadmap and intends to deal with them as matters of priority.
5. The Council will act in full cooperation with the European Parliament, in accordance with the applicable rules.

Roadmap for strengthening the rights and protection of victims, in particular in criminal proceedings

The order of the measures indicated below is indicative. Explanations provided in relation to each measure merely serve as an indication of the proposed action, and do not aim to regulate the precise scope and content of the measure concerned. This Roadmap supports and builds on the European Commission's proposals for a package of measures on victims of crime.

General principles

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 protect the dignity, personal and psychological integrity of the victim in criminal proceedings.
- 1. Enhance the right of access to justice of victims of crime, also by fostering the role of victim support services
- 2. Protect the privacy of victims.
- 3. Design adequate procedures and structures aimed at avoiding secondary and repeat victimisation.
- 4. Where necessary, provide the victim who does not understand or speak the language of the proceedings with interpretation in a language he understands, as well as with a translation of essential documents of the procedure.

5. Enhance the rights of 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 training is provided to all professionals (e.g., judicial and law enforcement authorities, social workers, etc.) involved in proceedings concerning victims and their protection.

The pursuit of these objectives should comprise the measures set out below, as well as any other measure which may prove appropriate in the course of the implementation of existing legislation.

Measure A: A Directive replacing Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings

Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings was an important step in setting up a comprehensive approach to the protection of victims of crime in the EU. However, ten years after its approval, it is necessary to revise and supplement the principles set out in the Framework Decision and to take significant steps forward in the level of protection of victims throughout the EU, in particular in the framework of criminal proceedings. To this end, the Commission has presented on 18 May 2011 a proposal for a Directive [exact title to follow]. The Council commits itself to examining this proposal as a matter of priority, also in the light of the general principles set out above.

Measure B: Recommendation or Recommendations on practical measures and best practises in relation to the Directive set out in Measure A

Once the comprehensive, binding legal instrument referred to under Measure A has been approved, the Commission is invited, as soon as practicable, to complement this with a proposal (or proposals) for a Recommendation which should act as guidance and a model for Member States to facilitate their implementation of the Directive, building on the principles provided for by the Directive. This Recommendation should take stock of the existing best practises among Member States in the field of assistance and protection to victims of crime, building on them within the framework of the applicable legislative instruments.

The Recommendation should take into account the best practices on the question of the protection of victims, including those established by non-governmental organisations as well as those by institutions other than the European Union, such as the Recommendation Rec(2006)8 of the Committee of Ministers of the Council of Europe on assistance to crime victims, and address areas such as:

- Support, through the establishment of victim support services and mechanisms for the referral of victims to such services, as well as the setting up or strengthening of existing mechanisms to assist mediation between victims and offenders;
- Protection, through the encouragement to adopt legislative and non-legislative measures aimed at expanding the types and modalities of use of protection measures in favour of victims or crime;
- Access to justice and to services, by ensuring the provision of timely and adequate information to victims and their relatives as to their rights and encouraging the introduction of procedures allowing for individual assessment of victims' needs for assistance and protection;
- Coordination of the action of different agencies, actors, governmental and non-governmental bodies dealing with support and protection of victims;
- Training, to be provided to all professionals (judicial authorities and other relevant court staff, law enforcement authorities, social workers etc.), who, in their respective roles, contribute to the objectives of protecting and assisting victims of crime;
- Awareness raising, through the encouragement to media, to adopt and respect measures of self-regulation to protect the dignity and privacy of victims of crime;
- Data collection and research, through the encouragement to competent authorities in Member States to collect reliable and detailed data on victims of crime and the setting up of adequate research procedures, both at national and EU level, on victimology,

Measure C: A Regulation on mutual recognition of protection measures for victims taken in the context of civil proceedings*

The Commission has presented, on 18 May 2011, a proposal to complete the mechanism for mutual recognition envisaged in the Directive of the European Parliament and of the Council on the European Protection Order, currently under discussion. This Directive will provide for mutual recognition of decisions taken by a judicial or equivalent authority in the course of criminal proceedings to protect the victim of crime from further danger which might be caused by the alleged offender. A similar mechanism is envisaged for the mutual recognition of protection measures taken in the context of civil proceedings. The Council commits itself to examining this proposal as a matter of priority, also in the light of the general principles set out above.

* Subject to the final contents of the European Commission's package on victims, to be adopted on 18 May

Measure D: Amending of Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims

Since the application of Council Directive 2004/80/EC is not satisfactory, the Commission is invited to conduct an in-depth assessment of the reasons for the low number of applications submitted in accordance with the Directive. Thereafter, if this appears necessary in the light of the results of this assessment, the Commission is invited to present one or more proposals, including but not limited to legislative proposals, to amend the current legal framework.

Action in this regard should as a minimum aim at revising and simplifying existing procedures for the victim to request compensation, granting easier access to compensation procedures and rapid times for the settlement of claims. It should address the question of coordination between authorities involved in the procedure, and aim at fostering the creation and strengthening the role of the Central Contact Points.

[Measure E-F deleted]

Measure G: Specific needs of victims in relation to special types of crime

In the general legal act envisaged under “Measure A” general rules will be contained, applying to all victims of crimes who are in need of assistance, support and protection in relation to criminal proceedings relative to the crime to which they have fallen victim.

While it is fundamental to protect the rights of all victims of crime, all of which must enjoy equal dignity and be able to benefit from support, it should be recognised that additional safeguards and measures should be provided to victims of particular types of crime, in order to address the specific needs generally associated with the situation of those victims.

As an example, it is recalled that specific legally binding instruments aiming at enhancing the fight against crimes such as trafficking in human beings (Directive...) and sexual exploitation of children (Directive ...) have recently been approved or are in the process of finalisation and to be approved by the European Parliament and the Council. One could also consider, inter alia, the existing legal instruments adopted by the EU in the field of fight against terrorism (Council Framework Decision 2008/919/JHA of 28 November 2009 amending Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism) and against organised crime (Council Framework Decision 2008/941/JHA of 24 October 2008 on the fight against organised crime).

The victims of these crimes are in need of special support and assistance, given the nature of the offences committed against them and their social, physical and psychological repercussions.

The Commission is invited, in the context of its control of the implementation of the legislative instruments mentioned above and any others addressing specific areas of crime, and after having evaluated their practical operation once the period for implementation has expired, to propose through Recommendation practical measures and suggest best practises to provide guidance to Member States in the process of dealing with the specific needs of victims of said types of crimes.