Seminar on Implementation of the Victims’ Rights Directive

- Victims' Rights Directive -
- transposition, challenges and expectations

European Institute for Gender Equality - 26 November 2015, Vilnius
Victims' Rights Directive- transposition

• Adoption 2012 – transposition deadline 2015

• Correct implementation of the Victims' Rights Directive in the Member States requires:
  ➢ **legal actions** (transposition of the Directive into the national legal orders by binding measures) and
  ➢ **supporting measures** (setting up of victims' support services, organisation of trainings, organisation of individual assessment)

❖ Need for national strategy on implementation
Victims' Rights Directive- transposition

- DG Justice implementation strategy since 2012:
  - 4 implementation workshops
  - Assistance on implementation and interpretation of particular provisions on request of particular countries
Victims' Rights Directive - transposition

- Where do we stand in November 2015? - notifications to the COM of national transposition measures:
  - 5 MS notified *complete* transposition (CZ, ES, MT, PT, SE)
  - 8 MS notified *partial* transposition (BE, IE, FR, LT, NL, PL, RO, UK)

- Other MS work on adoption of new measures (different stages of legislative process)
- Possibly even 1/4 of the Member States have not taken any actions yet
Victims' Rights Directive - challenges

- Certain provisions of the Directive more challenging than others?
  - Article 2 - Definition of victim
  - Article 4 - Right to information - questions of practical application
  - Articles 8 and 9 - Rights to support services - leaves a large margin of discretion to organise in practice
  - Article 22 - Right to individual assessment of victims needs to identify specific protection measures - equally large margin of discretion to implementation
Victims' Rights Directive - Best practice (1)

Examples of EU funded projects aimed at facilitating the implementation* (JUSTICE and DAPHNE programs):


*Results of funded projects do not represent the official views of the European Commission*
Victims' Rights Directive - Best practice (2) -

Examples of EU funded projects aimed at facilitating the implementation* (JUSTICE and DAPHNE programs):


- **Development of multi-disciplinary and interagency services**
  PROMISE project (relevant for children, to be followed in 2016) [http://www.childcentre.info/promise/](http://www.childcentre.info/promise/)

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Victims' Rights Directive - Other sources and ideas for cooperation:


- **Victims Support Europe** – handbook on implementation and capacity building support for organisations dealing with victims [http://victimsupporteurope.eu/](http://victimsupporteurope.eu/)

- **European Victims' Network** – forum to exchange best practice and to discuss problems among the MS officials
Victims' Rights Directive- expectations

- The Victims' Rights Directive lays down a set of binding rules guaranteeing that all victims of crime are recognised and treated in a respectful, sensitive, tailored, professional and non-discriminatory manner.

- If correctly implemented, the Directive has a potential of changing lives of millions of victims in Europe and of making Europe a better place for us all.
Victims' Rights Directive- expectations

Different groups of victims and their family members have rightful expectations from the Directive, for example:

- **Victims of domestic violence** – definition of violence in close relationship in the Preamble of the Directive, importance of provisions on access to support services and on individual assessment, access to information

- **Victims of gender-based violence** – definition of gender-based violence in the Preamble including gender identity, gender expression, importance of provisions on individual assessment, trainings of persons coming into contact with victims
Victims' Rights Directive - challenges

- Commission is committed to ensuring correct and timely implementation of the Victims' Rights Directive

  - On 16 November the Commission starts its enforcement strategy (legal, supporting and political actions)
  - May, if necessary take legal actions against those Member States that would fail to transpose the Directive on time
  - The correctness of the transposition will be evaluated in the second stage
  - The Commission will also monitor correct application of the Directive in the Member States (dialogue and legal actions)

- The Commission counts on active participation of the civil society in implementation and in monitoring of application of the Directive in particular Member States
Thank you!

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