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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	6526/3/16 REV 3 COR 1
Subject:	Draft Council conclusions establishing an Informal European Network on Victims' Rights - Adoption

1. On 25 October 2012 the European Parliament and the Council adopted Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime which in its Article 26 (1) provides that Member States shall take appropriate action to facilitate cooperation between Member States to improve the access of victims to the rights set out in the Directive and under national law.
2. In light of this, the Presidency tabled draft conclusions on this matter. On 16 March and 27 April, the text of these draft conclusions was examined by the GENVAL Working Group.

3. Following these examinations additional drafting suggestions for modification were made and those of the last GENVAL meeting of 27 April were submitted for an agreement of delegations by means of a silence procedure on 4 May 2016 which was completed without comments.
4. Following this an agreement was reached on the text as set out in the Annex to this Note.
5. The Permanent Representatives Committee is therefore invited to endorse these draft conclusions and to submit them to the Council for adoption.

Draft Council conclusions establishing a European Network on Victims' Rights

THE COUNCIL OF THE EUROPEAN UNION,

RECOGNIZING that within the European Union victims of crime can rely on the same basic level of rights whatever their nationality and wherever in the European Union the crime takes place and can actually get the support and protection they need.

AFFIRMING the importance of Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime ("Victims' Rights Directive")¹.

STRESSING that also other European Union instruments strengthen the position of victims, in particular

- Council Directive 2004/80/EC relating to compensation to crime victims² ("Compensation Directive");
- Directive 2011/99/EU on the European Protection order³; and
- Regulation 606/2013 on mutual recognition of protection measures in civil matters⁴.

RECALLING the report "Victims of Crime in the European Union: the extent and nature of support for victims" of 9 January 2015 of the Fundamental Rights Agency.

¹ OJ L 315, 14.11.2012, p. 57.

² OJ L 261, 06.08.2004, p. 15.

³ OJ L 338, 21.12.2011, p. 2

⁴ OJ L 181, 29.06.2013, p. 4.

RECALLING the obligation of Member States to take appropriate action to facilitate cooperation and exchange of information among them to improve the access of victims to the rights set out in the Victims' Rights Directive, the Compensation Directive and other relevant EU legislation in the area of victims' rights.

RECALLING the need to support victims of terrorism and the Joint Statement of EU Ministers for Justice and Home Affairs and representatives of the EU Institutions following the terrorist attacks in Brussels on 22 March 2016, adopted on 24 March 2016, which emphasized the importance of sharing information;

RECOGNIZING the great importance of citizens' trust in their governments and in the European Union itself that what has been agreed by the EU legislative bodies is actually implemented.

Therefore establishes a European Network on Victims' Rights on the following basis:

A. Aims, Objectives and Tasks

1. The European Network on Victims' Rights ("Network") is created to stimulate and aid the implementation of existing EU legislation on victims' rights and to suggest, where appropriate, any possible areas for improvement of the EU acquis in this field. It should facilitate and contribute to enhancing cooperation between the competent authorities responsible for victims' rights in the Member States with a view to enhancing access of victims to their rights.

2. In this regard, the Network should facilitate and enhance, in particular:

- discussions about challenges in the implementation of the relevant EU legislation in the area of victims' rights⁵;
- exchange of best practices and other relevant experiences such as on victims' rights to individual assessment of their specific protection needs and access to information;
- cooperation between the competent authorities responsible for victims' rights of the Member States, e.g. in cross-border cases and with respect to the compensation of victims;
- Cooperation, exchange of information and dialogue among different actors that come into contact with victims, including, where appropriate, the law enforcement and judicial authorities, and civil society.

B. Composition

3. The Network should serve as a forum for policy officers working at the competent authorities responsible for victims' rights of the Member States, such as ministries. Each Member State should, according to its national procedure, designate a representative or representatives who will participate in the work of the Network.
4. The Commission should be involved in and invited to all meetings of the Network. Member States may also hold closed sessions of the Network as appropriate.
5. Other European Union institutions, agencies and bodies as well as other stakeholders, including the civil society, can, be invited, where appropriate.

⁵ Victims' Rights Directive, Compensation Directive, European Protection Order Directive and the Regulation on mutual recognition of protection measures in civil matters.

C. Organisation and funding

6. The Network should meet twice per year. The Network should ensure in between the meetings access to and dissemination of information as well as contact with other participants to the Network, preferably via a website, e.g. the e-Justice portal, or other channels of electronic communication.
7. The Network should base its work on an annual work programme to be agreed in the first quarter of each year by the national experts within the Network, in consultation with the Commission and, where appropriate, after taking account of the view of other stakeholders.
8. The preparatory seminar and the first three meetings of the Network are funded by an action grant to support victims of violence and crime under the Justice Programme 2014-2020.
9. These meetings of the Network are chaired and hosted by one of the Member States taking part in the action grant⁶ which also ensures the secretariat of the Network during the preparatory seminar and the first three meetings.

D. Review and evaluation

10. Before the end of the action grant of the Network (May 2017) the Member States, in ~~close~~ consultation with the Commission, should evaluate its work and its organisation with a view to decide on the need of its continuation and/or on making it permanent.
11. The evaluation should include a consideration of possible further funding of the Network's activities. That evaluation is without prejudice to the Commission's evaluation of the Network under the Action grant to support victims of violence and crime.

⁶ FR, IE, NL and SK.