



**Brussels, 2 March 2016
(OR. en)**

6526/16

**JAI 132
DROIPEN 41
COPEN 55**

NOTE

From: Presidency
To: Delegations

Subject: Draft Council conclusions establishing an Informal European Network on Victims' Rights
- First exchange of views

Article 26 of Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime ("Victims' Rights Directive")¹ calls on Member States to take appropriate action to facilitate cooperation between Member States to improve the access of victims of crime to the rights set out in that Directive and under national law. Cooperation should amongst others be aimed at the exchange of knowledge and best practices. In light of this obligation in the Victims' Rights Directive, the Netherlands, jointly with France, Ireland and Slovakia, has organised a preparatory seminar on 17 November 2015 in Luxembourg and a conference on 19 February 2016 in Amsterdam at which an informal European Network on Victims' Rights was started.

The aim of the network is to stimulate and optimize implementation of existing legislation on victims' rights, in particular the Victims' Rights Directive. The Network should facilitate and contribute to enhancing cooperation between the competent authorities of the Member States in this domain with a view to enhancing access of victims to their rights. The Network will serve as a forum for policy officers working at the competent authorities of the Member States. The Commission will be closely involved. Other stakeholders will be invited depending on the matter at hand. At both meetings so far, delegations expressed broad support for setting up the network.

¹ OJ L 315, 14.11.2012, p. 57.

Following the conference in Amsterdam, two further conferences will take place, in November 2016 (Bratislava) and May 2017 (Paris). The Network is co-funded by the European Commission.

With these conclusions the Presidency aims at getting political commitment for enhancing the position of victims and the establishment of the Network.

Delegations are invited to reflect and comment on the draft Council conclusions, set in Annex, at the GENVAL meeting of 16 March 2016.

Draft Council conclusions establishing an informal 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")².

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

- Council Directive 2004/80/EC relating to compensation to crime victims³ ("Compensation Directive");
- Directive 2011/99/EU on the European Protection order⁴; and
- Regulation 606/2013 on mutual recognition of protection measures in civil matters⁵.

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.

² OJ L 315, 14.11.2012, p. 57.

³ OJ L 261, 06.08.2004, p. 15.

⁴ OJ L 338, 21.12.2011, p. 2

⁵ OJ L 181, 29.06.2013, p. 4.

RECALLING the obligation of Member States to take appropriate action to facilitate cooperation among them to improve the access of victims to the rights set out in the Victims' Rights Directive, the Compensation Directive and under national law.

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 an informal 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 optimise the implementation of existing EU legislation on victims' rights. 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:
 - discussions about challenges in the implementation of the relevant EU legislation in the area of victims' rights⁶;
 - exchange of best practices and other relevant experiences such as on victims' rights to individual assessment of their needs and access to information;

⁶ Victims' Rights Directive, Compensation Directive, European Protection Order Directive and the Regulation on mutual recognition of protection measures in civil matters.

- 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 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 who will participate in the work of the Network.
4. The Commission should be involved in and invited to all meetings of the Network.
5. Other European Union institutions, agencies and bodies as well as other stakeholders, including the civil society, can, be invited, where appropriate.

C. Organisation and funding

6. The Network will meet at least once 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 will base its work on an annual work programme to be agreed in the first quarter of each year in consultation with the Commission and, where appropriate, other EU institutions, agencies and bodies, as well as other stakeholders, including the civil society.
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 grant⁷ which also ensures the secretariat of the Network during its first four meetings.

D. Review and evaluation

10. After the first four meetings of the Network the Member States, in close consultation with the Commission, will evaluate its work and its organisation with a view to decide on its continuation.

11. The evaluation will 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.

⁷ FR, IE, NL and SK.