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AMENDMENTS 78 - 178

Draft report

María Soraya Rodríguez Ramos, Javier Zarzalejos
(PE756.047v01-00)

Amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA

Proposal for a directive
(COM(2023)0424 – C9-0303/2023 – 2023/0250(COD))

Amendment 78
Maria da Graça Carvalho

Proposal for a directive
Recital 1

Text proposed by the Commission

(1) To ensure that victims of crime receive appropriate information, support and protection and are able to participate in criminal proceedings, the Union has adopted Directive 2012/29/EU of the European Parliament and the Council⁵⁴ .

⁵⁴ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).

Amendment

(1) To ensure that victims of crime receive appropriate information, support and protection and are able to participate in criminal proceedings, the Union has adopted Directive 2012/29/EU of the European Parliament and the Council⁵⁴ .
Access to these rights shall be provided in a safe manner that minimises the risk of harm and supports recovery and access to justice.

⁵⁴ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).

Or. en

Amendment 79
Konstantinos Arvanitis

Proposal for a directive
Recital 1

Text proposed by the Commission

(1) To ensure that victims of crime receive appropriate information, support and protection and are able to participate in criminal proceedings, the Union has adopted Directive 2012/29/EU of the European Parliament and the Council⁵⁴ .

⁵⁴ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).

⁵⁴ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).

Or. en

Amendment 80

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 2 a (new)**

Text proposed by the Commission

Amendment

(2a) Whereas the right to equal treatment and non-discrimination is a fundamental right enshrined in the Treaties and in the Charter; whereas ensuring that all victims of crime in the EU can benefit from protection without discrimination on any grounds, including the ground of sex characteristics, alongside and in combination with the other intersecting grounds of discrimination set out in/already recognised in recital 17 Directive (2012/29/EU).

Or. en

Amendment 81

Giuliano Pisapia, Maria Noichl

Proposal for a directive **Recital 2 b (new)**

Text proposed by the Commission

Amendment

(2b) Any natural person that has suffered the attempt of a crime should be considered a victim. The same should apply to any minor who witnessed violence due to their particular vulnerability related to the emotional trauma that the exposure to acts of violence.

Or. en

Amendment 82

Lívía Járóka

Proposal for a directive

Recital 3

Text proposed by the Commission

(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should ***make it possible for victims to*** communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes and to otherwise communicate with competent authorities and with support services through communication and information technologies. Victims should be able to choose the method of communication, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely.

Amendment

(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should ***ensure that*** victims ***can also*** communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes, ***submit evidence where feasible,*** and to otherwise communicate with competent authorities and with support services through ***reliable and safe*** communication and information technologies. Victims should be able to choose the method of communication, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely. ***Those means of communication and information technologies should include, for example, websites that provide information in different languages, integrated chats, or emails and online working tools that respond to different communication needs, such as those based on age and***

disability.

Or. hu

Amendment 83
Maria da Graça Carvalho

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should make it possible for victims to communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes and to otherwise communicate with competent authorities and with support services through communication and information technologies. Victims should be able to choose the method of communication, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely.

Amendment

(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should make it possible for victims to communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes, ***submit evidence where feasible***, and to otherwise communicate with competent authorities and with support services through ***reliable and safe*** communication and information technologies. Victims should be able to choose the method of communication, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely. ***Those means of communication and information technologies should include for example websites that provide information in different languages, integrated chats, or e-mails and online working tools that respond to different communication needs, such as those based on age and disability***

Or. en

Amendment 84
Elena Kountoura

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should make it possible for victims to communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes and to otherwise communicate with competent authorities and with support services through communication and information technologies. Victims should be able to choose the method of communication, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely.

Amendment

(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should make it possible for victims to communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes and to otherwise communicate with competent authorities and with support services through communication and information technologies. ***These tools should cater to different communication needs, such as age and disabilities.*** Victims should be able to choose the method of communication, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely. ***Member States shall ensure that the content of information communicated to victims is developed together with civil society organisations and content is consistent and regularly updated to ensure accuracy.***

Or. en

Amendment 85
Lucia Ďuriš Nicholsonová

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should

Amendment

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make it possible for victims to communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes and to otherwise communicate with competent authorities and with support services through communication and information technologies. Victims should be able to choose the method of communication, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely.

make it possible for victims to communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes, ***submit evidence, at least in cases concerning offences committed online,*** and to otherwise communicate with competent authorities and with support services through ***easy-to-use and safe*** communication and information technologies. Victims should be able to choose the method of communication, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely.

Or. en

Amendment 86

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 3**

Text proposed by the Commission

(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should make it possible for victims to communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes and to otherwise communicate with competent authorities and with support services through communication and information technologies. Victims should be able to choose the method of communication, and the Member States should provide for such communication

Amendment

(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should make it possible for victims to communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes, ***submit evidence*** and to otherwise communicate with competent authorities and with support services through communication and information technologies ***in a confidential and safe manner***. Victims should be able to choose the method of communication ***with***

and information technologies as an alternative to the standard methods of communication, without however replacing them completely.

national competent authorities, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely.

Or. en

Amendment 87

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other specialised helplines – if needed. Such helplines should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC⁵⁶, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”.

Amendment

(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other specialised helplines – if needed. Such helplines ***shall be operated by trained and supervised individuals from an organisation specialised in delivering victim support either by public or non-governmental organisations*** and should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC⁵⁷, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”.

⁵⁶ *Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised services of social value (OJ L 049 17.2.2007, p. 30).*

Or. en

Amendment 88

María Soraya Rodríguez Ramos, Hilde Vautmans, Marco Zullo, Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other specialised helplines – if needed. Such helplines should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC⁵⁶, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”.

⁵⁶ Commission Decision 2007/116/EC of 15 February 2007 on reserving the national

Amendment

(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other specialised helplines – if needed. Such helplines should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC⁵⁶, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”. ***The staff working on such helplines should be trained to work with victims and survivors in a victim-sensitive manner to ensure the quality and consistency of the service.***

⁵⁶ Commission Decision 2007/116/EC of 15 February 2007 on reserving the national

numbering range beginning with 116 for harmonised numbers for harmonised services of social value (OJ L 049 17.2.2007, p. 30).

numbering range beginning with 116 for harmonised numbers for harmonised services of social value (OJ L 049 17.2.2007, p. 30).

Or. en

Amendment 89

Lucia Ďuriš Nicholsonová

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other specialised helplines – if needed. Such helplines should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC⁵⁶, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”.

⁵⁶ Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised

Amendment

(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. ***The helplines should be operated by adequately trained and qualified staff in line with existing standards of quality support to ensure high level of professional service.*** Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other specialised helplines – if needed. Such helplines should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC⁵⁶, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”.

⁵⁶ Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised

services of social value (OJ L 049
17.2.2007, p. 30).

services of social value (OJ L 049
17.2.2007, p. 30).

Or. en

Amendment 90
Elena Kountoura

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other specialised helplines – if needed. Such helplines should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC⁵⁶, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”.

⁵⁶ Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised services of social value (OJ L 049 17.2.2007, p. 30).

Amendment

(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. ***These helplines are operated by trained and supervised individuals following standards of quality support.*** Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other specialised helplines – if needed. Such helplines should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC⁵⁶, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”.

⁵⁶ Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised services of social value (OJ L 049 17.2.2007, p. 30).

Or. en

Amendment 91
Maria da Graça Carvalho

Proposal for a directive
Recital 5

Text proposed by the Commission

(5) The general helpline for victims should not affect the operation of the dedicated and specialised helplines such as child helplines and helplines for victims of violence against women and domestic violence as required under Directive (EU) .../... of the European Parliament and of the Council⁵⁷ [on combating violence against women and domestic violence]. The general victims' helplines should function in addition to the specialised helplines.

⁵⁷ Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).

Amendment

(5) The general helpline for victims should not affect the operation of the dedicated and specialised helplines such as child helplines and helplines for victims of violence against women and domestic violence as required under Directive (EU) .../... of the European Parliament and of the Council⁵⁷ [on combating violence against women and domestic violence]. The general victims' helplines should function in addition to the specialised helplines. ***In particular in the context of cross-border crimes, victims should be able to access the general and specialised helplines of the Member State where the crime was committed from another Member State.***

⁵⁷ Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).

Or. en

Amendment 92
Lívía Járóka

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Crime reporting in the Union should be improved to fight impunity, avoid ***repeated*** victimisation and ensure safer societies. It is necessary to fight

public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or *whose mobility is limited* should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

sometimes not aware that they have been victims of a crime, but despite this, they still suffer harm; that is, for example, often the case for victims of online crime, gender-based violence and environmental crime. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime *as well as by removing or reducing physical, administrative or legal barriers to reporting crimes. This is especially relevant, as victims least likely to report a crime to the police are usually those most in need of protection, being children, migrants, people with disabilities and victims of human trafficking.* For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims, *victims living in closed settings including persons with disabilities, in particular those whose mobility is limited or who have been victims of crime because of their ethnic or religious affiliation, or older people living in residential institutions* or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender, or *require assistance by staff or authorities for all aspects of daily living*, should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this

purpose. *Victims in detention refer to persons housed in the following places: institutions where persons are deprived of liberty in execution of a sentence, including correctional facilities, jails and prisons as well as specialised detention facilities and detention centres for suspects and accused persons, special accommodation centres for applicants for international protection, pre-removal centres and other accommodation centres where applicants for and beneficiaries of international protection are housed. Special attention should also be paid to persons residing in other closed settings such as residential institutions, mental health, social and other care institutions.*

Or. hu

Amendment 93
Maria da Graça Carvalho

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in

Amendment

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. *Victims are sometimes not aware that they are victims of a crime and still suffer harm; that is for example often the case for victims of online crime, gender-based violence and environmental crime.* It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime *as well as removing or reducing physical, administrative or legal barriers to reporting crimes. This is especially relevant as victims least likely to report a crime to the police are usually those most in need of protection, being children, migrants, people with disabilities*

criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

and victims of human trafficking. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims, ***victims living in closed-settings including person with disabilities or older people living in residential institutions*** or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender, ***or require assistance by staff or authorities for all aspects of daily living,*** or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose. ***Victims in detention refer to persons living in jails as well as in detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection, pre-removal centres, and accommodation centres where applicants and beneficiaries of international protection are located. Special attention should also be paid to persons residing in other closed settings such as residential institutions, mental health, social and care institutions.***

Or. en

Amendment 94
Lucia Ďuriš Nicholsonová

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

Amendment

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. ***At the same time it is of utmost importance to improve the possibilities to report a crime for people living in closed settings, such as children, elderly people, people with disabilities, persons in psychiatric or rehabilitation facilities, correctional institutions as well as prisoners or detainees, including young offenders' institutions, where they have little chance of informing the competent authorities or third parties on their situation. Member States should therefore ensure that a facilitated reporting of crimes is put in place in such institutions, for example through a proactive system of monitoring and outreach through unannounced visits by independent authorities.*** For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation

of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

Or. en

Amendment 95
Giuliano Pisapia, Maria Noichl

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in

Amendment

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. ***Member States should take the necessary measures to ensure any irregularity concerning the victim's residence status should not be used to influence the victim's willingness to cooperate in the criminal investigation, prosecution or trial. The status of undocumented victim should be taken into account by the competent authorities for the individual assessment pursuant Article 22.*** The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in

conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

Or. en

Amendment 96 **Cindy Franssen**

Proposal for a directive **Recital 6**

Text proposed by the Commission

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim,

Amendment

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. ***To avoid deterring a victim from reporting the crime, it is necessary for victims to be able to invoke the protection of their own personal data vis-à-vis the opposing party in the criminal file.*** For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as referred

neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

Or. en

Amendment 97

María Soraya Rodríguez Ramos, Hilde Vautmans, Marco Zullo, Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet

Proposal for a directive

Recital 6

Text proposed by the Commission

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities ***at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU.*** Reporting the crime and participating in

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(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the

criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

victim, neither have any suspensive effect when determining their residence status. ***Third-party reporting should be offered as an option to victims in an effort to diversify reporting mechanisms at EU level, as it can also help address some of the reasons for underreporting of crimes in the European Union.*** All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

Or. en

Amendment 98
Konstantinos Arvanitis

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities ***at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU.*** Reporting the crime and participating in

Amendment

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criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

Or. en

Amendment 99

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 6**

Text proposed by the Commission

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. ***It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime.*** For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities ***at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU.*** ***Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights***

Amendment

(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer societies. ***Many victims of a crime continue to face severe barriers in accessing justice, support and protection. In order to encourage victims and people who witness the crime to report, it is important to offer a wide variety of reporting mechanisms to cater to the multiple needs and circumstances of victims, including anonymous and third-party reporting. It is also essential to create safe and confidential environments where victims or people suspecting that criminal offences have been committed are expected to report without any reprisals, including in relation to their migration status.*** For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being

regarding the residence status of the victim, neither have any suspensive effect when determining their residence status.

All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose.

Or. en

Amendment 100

Lucia Ďuriš Nicholsonová

Proposal for a directive

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) In all Member States more effective ways should be developed for reaching victims of crimes that go unreported. The scale of the problem of unreported crime is by nature difficult to assess but is likely to be considerable, especially in relation to less public types of crime, such as domestic violence. The problem of underreporting and its causes are complex, and there is no one easy solution, but Member States should be encouraged to exchange best practices and consider innovative measures to increase reporting of crimes, such as presence of victim support organisations in police stations.

Or. en

Amendment 101

María Soraya Rodríguez Ramos, Hilde Vautmans, Marco Zullo, Abir Al-Sahlani,

Susana Solís Pérez, Sylvie Brunet

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.

Amendment

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. ***Ensuring referral and access to sexual and reproductive healthcare services, including emergency contraception, post-exposure prophylaxis testing for sexually transmitted infections and access to abortion care, should be part of the targeted and integrated support services for these victims.*** In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.

Or. en

Amendment 102

Lívia Járóka

Proposal for a directive

Recital 7

Text proposed by the Commission

Amendment

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States **should set up** specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, **detention** authorities, restorative justice services and victim support services.

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs, **including victims living in rural, sparsely populated and remote areas**. Such victims may include not only victims of sexual violence, victims of gender-based violence, **including victims of online forms of such crimes**, and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of **hate speech and** hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States **need to create** specific protocols that will organise the actions of specialist support services to comprehensively address the multiple **specific** needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, **correctional facility** authorities, restorative justice services and victim support services.

Or. hu

Amendment 103

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of

Amendment

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, **including victims of online forms of such crimes**, but also victims of trafficking in human beings, victims of organised crimes,

exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.

victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services. ***Victim support services, both governmental and non-governmental, should be granted sufficient human and financial resources.***

Or. en

Amendment 104

Maria da Graça Carvalho

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law

Amendment

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs, ***including victims living in rural, sparsely populated and remote areas.*** Such victims may include not only victims of sexual violence, victims of gender-based violence, ***including victims of online forms of such crimes,*** and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the

enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.

multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.

Or. en

Amendment 105 **Elena Kountoura**

Proposal for a directive **Recital 7**

Text proposed by the Commission

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.

Amendment

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs, ***including victims living in rural, sparsely populated and remote areas***. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, ***including victims of online forms of such crimes***, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.

Or. en

Amendment 106
Lucia Ďuriš Nicholsonová

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.

Amendment

(7) Targeted and integrated support services should be available to a broad range of victims with specific needs, ***including those living in rural and remote areas***. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.

Or. en

Amendment 107
Elena Kountoura

Proposal for a directive
Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) Support services shall be organised to deliver services to all victims, including through referral where appropriate. Generic and specialist support services shall be organised to be

able to also address the specific needs of individual victims taking into account the personal characteristics of the victim, the type or nature of the crime, the circumstances of the crime, the extent and nature of harm to the victim and any other circumstances which may require an adapted response. Generic and Specialist support services shall, as a minimum be accessible to victims on a non-discriminatory basis before, during and for as long as they need after criminal proceedings ensuring, in particular, sufficient proximity of services to victims, appropriate opening hours and delivery of services through multiple channels including face to face, online, helplines and itinerant services and be coordinated in particular through referrals in accordance with victims' specific needs, be free of charge, be confidential and act in the interest of the victims. Psychological support shall be available to victims in need of such support for as long as necessary as determined by the victim's psychologist.

Or. en

Amendment 108

Lívia Járóka

Proposal for a directive

Recital 7 c (new)

Text proposed by the Commission

Amendment

(7c) General support services are organisations specialised in supporting victims of crime which offer support to all victims of crime. Those services may include services tailored to specific groups or offer specific types of services. In parallel, specialist support services are offered to particular groups of victims, based on the type of crime or personal characteristics. Central cooperation and coordination of all organisations and

services providing support services to victims is crucial to ensure that appropriate victim support services are available to all categories of victims on a reasonably equal basis. Therefore, general and specialist victim support services need to operate in a coordinated manner.

Or. hu

Amendment 109
Maria da Graça Carvalho

Proposal for a directive
Recital 7 d (new)

Text proposed by the Commission

Amendment

(7d) General support services are organisations specialised in supporting victims of crime which offer support to all victims of crime. Those services may include services tailored to specific groups or offer specific types of services. In parallel, specialist support services are offered to particular groups of victims, based on the type of crime or personal characteristics. Central cooperation and coordination of all organisations and services providing support services to victims is crucial to ensure that appropriate victim support services are available to all categories of victims on a reasonably equal basis. Therefore, general and specialist victim support services need to operate in a coordinated manner.

Or. en

Amendment 110
Maria da Graça Carvalho

Proposal for a directive
Recital 7 e (new)

(7e) Victims often are subjected to blaming, myths, disinterest and trauma inducing behaviours. Training is critical to changing this in order to shift behaviour and harmful stereotypes. To that end, Member States should support responsible training bodies and organisations to develop, deliver and ensure the receipt of training for all practitioners, including judges, prosecutors, lawyers, health care professionals, translators and interpreters working with victims of all genders and ages, and other professionals likely to come into contact with victims. This training must enable practitioners to recognise victims, including women and girls so as to treat them in an impartial, non-discriminatory, respectful and professional manner, and to support the practical implementation and operation of victims' rights.

Or. en

**Amendment 111
Maria da Graça Carvalho**

**Proposal for a directive
Recital 7 f (new)**

(7f) In gender-based violence crimes, victim myths, blaming, insensitive attitudes, failure to take a gendered approach, failure to enable women to participate effectively having in mind their particular circumstances are all major problems. The victim sensitive approach should specifically be designed to address these problems, such as through adequate gender sensitive training of competent authorities in terms of communication and face-to-face

contact with women; likewise, the system should be designed to take into account a victim's availability to attend a hearing adhering to their specific requirements wherever possible, such as considering child care issues and having appropriate facilities for privacy. Furthermore, the insensitive, in-appropriate, discrimination, myth and blaming approaches of practitioners can particularly impact women, and can be particularly prevalent for certain types of gendered crimes, namely stalking, domestic violence, sexual abuse.

Or. en

Amendment 112
Maria da Graça Carvalho

Proposal for a directive
Recital 7 g (new)

Text proposed by the Commission

Amendment

(7g) Member States should also provide that all laws, policies, services, and infrastructures established are victim and gender-sensitive, prioritising listening to victims, minimising re-traumatisation and harm, focusing on safety, rights, well-being, empowerment, expressed needs and choices, and ensuring the empathetic, sensitive and non-judgmental delivery of rights and services.

Or. en

Justification

Particularly important for the most vulnerable victims such as victims of gender based violence, younger and older people, those with disabilities and those in precarious situations. In some cases Victims are subjected to blaming, myths, disinterest and trauma inducing behaviours. Training is critical to changing this as it shifts behaviour and mentality.

Amendment 113

Proposal for a directive

Recital 8

Text proposed by the Commission

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Amendment

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child. ***Member States shall take measures to prevent the bias in the determination/interpretation of “the best interest of the child” principle, namely, to maintain contact with both parents or their relatives at all costs, regardless of the violence children have witnessed, with detrimental and dangerous effects for both the child and the other parent. The right of every child to maintain contact with both parents should be restricted if necessary, in the***

Amendment 114

Livia Járóka

Proposal for a directive

Recital 8

Text proposed by the Commission

(8) To avoid serious consequences of victimisation in early age, that **may** negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the **same** premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Amendment

(8) To avoid serious consequences of victimisation in early age, that negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances, **such as children of victims who have been killed due to violence against women or domestic violence**, should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the **relevant** premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves **the parent or** the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, **as well as administrative and legal support**, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Amendment 115
Maria da Graça Carvalho

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Amendment

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances, ***such as children of victims who have been killed due to violence against women or domestic violence***, should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support ***as well as administrative and legal support***, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Amendment 116
Eugenia Rodríguez Palop

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Amendment

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. ***Also, in order to protect victims from secondary victimisation, the Barnahaus model has proven to be a good practice.*** To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Or. en

Amendment 117

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Amendment

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims, ***including child witnesses of crime*** receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Or. en

Amendment 118

María Soraya Rodríguez Ramos, Hilde Vautmans, Marco Zullo, Abir Al-Sahlani, Susana Solís Pérez, Sylvie Brunet

Proposal for a directive

Recital 8

Text proposed by the Commission

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Amendment

(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings, ***children without parental care***, and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.

Or. en

Amendment 119 **Elena Kountoura**

Proposal for a directive **Recital 8 a (new)**

Text proposed by the Commission

Amendment

(8a) Victims of domestic violence and their children should have access to appropriate emergency and temporary accommodation solutions. These centres must be exclusively for women and their children, given the feeling of insecurity of the women accommodated in mixed centres, and which welcome many different types of people. Member States should open emergency accommodation spaces specific to situations of domestic violence, which would be available and accessible at all times, including at night and on weekends. Courts must not use the fact that victims stay in emergency, temporary or social housing as an argument to transfer custody right to the violent partner.

Or. en

Amendment 120
Maria Noichl, Giuliano Pisapia

Proposal for a directive
Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) In order to ensure the right to protection of the dignity of victims, the Member States must tackle the sharing online material of a criminal offence in order to avoid secondary victimisation and other serious psychosocial consequences for the victim and to prevent the normalisation of violence. This applies especially to cases of gender-based violence, including sexual assault and rape, used to inflict fear and silence on women.

Or. en

Amendment 121
Elena Kountoura

**Proposal for a directive
Recital 8 c (new)**

Text proposed by the Commission

Amendment

(8c) It is imperative that victim support services remain fully functional and accessible during times of crisis, including health emergencies, significant migratory movements, or other states of emergency such as natural disasters or security threats. These services should be equipped with contingency plans to ensure uninterrupted operation, adaptability to changing circumstances, and the capacity to address the unique challenges and increased demands that often arise in such situations. This includes maintaining adequate staffing, ensuring the safety and well-being of both victims and support personnel, and leveraging technology for remote assistance when necessary. The victims should continue receiving essential support services without disruption, regardless of the external environment.

Or. en

**Amendment 122
Elena Kountoura**

**Proposal for a directive
Recital 8 d (new)**

Text proposed by the Commission

Amendment

(8d) The use, assertion and acceptance of non-scientific theories and concepts in custody cases which punish mothers who attempt to report cases of child abuse or gender-based violence by preventing them from obtaining custody or by restricting their parental rights should be prevented. Parental alienation and similar concepts and terms should be rejected, as they lack the necessary scientific justification, and

are often used in the context of intimate partner violence, as a strategy against victims of violence, putting into question victims' parental skills, dismissing their word and disregarding the violence to which children are exposed. Member States should not recognize the parental alienation syndrome or similar concepts in their judicial practice and law and should prohibit its use in court proceedings, during the investigations to determine the existence of violence;

Or. en

Amendment 123
Elena Kountoura

Proposal for a directive
Recital 8 e (new)

Text proposed by the Commission

Amendment

(8e) Member states shall take measures to ensure that, in determination of custody and contact or visitation rights of children, judicial authorities take into account incidents of violence against women and domestic violence and the results of the risk assessments concerning the non-abusive parent and the child victim, including child witnesses and orphans. Member States shall put in place measures to ensure that the exercise of any visitation or custody rights does not jeopardise the rights and safety of the victim or children. The rights or claims of perpetrators or alleged perpetrators during and after judicial proceedings, with respect to property, privacy, child custody, access, contact and visitation, should be determined in the light of women's and children's human rights to life and physical, sexual and psychological integrity and guided by the principle of the best interests of the child. Failing to address violence against women and domestic violence in custody

rights and visitation decisions is a violation by neglect of the human rights to life, to a life without violence, and to the healthy development of women and children. Member states should ensure the recognition of witnessing violence against a close person as jeopardising the best interest of the child; The best interest of the child and children's views should be of primary consideration and prevail over any perpetrators' or suspects rights and also over any visiting rights of other persons having ties with the children. Where there is a reasonable doubt concerning safe contact with the child from both a physical and emotional perspective, visiting and custody rights of the abusive parent shall be suspended. In cases of visitations rights of a suspect who is a holder of parental responsibility with rights of access, only when visits are considered to be adequate and in the interest of the child, and in order to ensure the safety of children and victims during possible visits, Member States should ensure that supervised neutral places, including child protection or welfare offices, are made available so that such visits can take place there in the best interests of the child. Supervised neutral places for visits with a suspect should always ensure the safety of both the child and the non-abusive holder of parental responsibility where relevant. If needed, the visits should take place in the presence of child protection or welfare officials. Where it is necessary to provide for interim accommodation, children should as a priority be accommodated together with the holder of parental responsibility who is not the offender or suspect, such as the child's mother. The best interest of the child should be always taken into account. Where necessary, Member States shall ensure that judicial authorities act without delay to remove visiting rights permanently from perpetrators that continue to offend or do not engage in long term meaningful parenting programmes leading to improved

outcomes for children. The withdrawal of the custody and visitation rights of the violent partner and awarding exclusive custody to the mother, if she is a victim of violence, can represent the only way to prevent further violence and the secondary victimisation.

Or. en

Amendment 124

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 9

Text proposed by the Commission

(9) For victims to sense that justice is done and to be able to defend their interest, it is important that they are present and able to actively participate in the criminal proceedings. *That is why* all victims in the Union, independently of their status in the criminal proceeding, which is established by the national law, should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, independently of their status in the criminal proceeding, should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least decisions on interpretation during court hearings and decisions on special protection measures available to victims with special protection needs. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that such a possibility of revision would not disproportionately prolong the criminal proceeding.

Amendment

(9) For victims to sense that justice is done and to be able to defend their interest, it is important that they are present and able to actively participate in the criminal proceedings, *be properly assisted at the court premises and to be accompanied by support services throughout the entirety of the court proceedings if they wish to.* All victims in the Union, independently of their status in the criminal proceeding, which is established by the national law, should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, independently of their status in the criminal proceeding, should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least decisions on interpretation during court hearings and decisions on special protection measures available to victims with special protection needs. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that

such a possibility of revision would not disproportionately prolong the criminal proceeding. *Active participation in criminal proceedings and access to an effective remedy requires that victims are duly updated and informed on the state of play and significant developments in the criminal proceedings.*

Or. en

Amendment 125
Maria da Graça Carvalho

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) For victims to sense that justice is done and to be able to defend their interest, it is important that they are present and able to actively participate in the criminal proceedings. That is why all victims in the Union, independently of their status in the criminal proceeding, which is established by the national law, should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, independently of their status in the criminal proceeding, should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least decisions on interpretation during court hearings *and* decisions on special protection measures available to victims with special protection needs. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that such a possibility of revision would not disproportionately prolong the criminal proceeding.

Amendment

(9) For victims to sense that justice is done and to be able to defend their interest, it is important that they are present and able to actively participate in the criminal proceedings. That is why all victims in the Union, independently of their status in the criminal proceeding, which is established by the national law, should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, independently of their status in the criminal proceeding, should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least decisions on interpretation during court hearings, decisions on special protection measures available to victims with special protection needs *and physical protection measures for victims*. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that such a possibility of revision would not disproportionately prolong the criminal proceeding. *Active participation in*

criminal proceedings and access to an effective remedy requires that victims are duly updated on the state of play and significant developments in the criminal proceedings.

Or. en

Amendment 126
Cindy Franssen

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) For victims to sense that justice is done and to be able to defend their interest, it is important that they are present and able to actively participate in the criminal proceedings. That is why all victims in the Union, independently of their status in the criminal proceeding, which is established by the national law, should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, independently of their status in the criminal proceeding, should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least decisions on interpretation during court hearings and decisions on special protection measures available to victims with special protection needs. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that such a possibility of revision would not disproportionately prolong the criminal proceeding.

Amendment

(9) For victims to sense that justice is done and to be able to defend their interest, it is important that they are present and able to actively participate in the criminal proceedings. That is why all victims in the Union, independently of their status in the criminal proceeding, which is established by the national law, ***should at least have the same right to free legal aid as the person accused in the same criminal proceeding. Likewise, they*** should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, independently of their status in the criminal proceeding, should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least decisions on interpretation during court hearings and decisions on special protection measures available to victims with special protection needs. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that such a possibility of revision would not disproportionately prolong the criminal proceeding.

Amendment 127

Lívía Járóka

Proposal for a directive**Recital 9***Text proposed by the Commission*

(9) For victims to sense that justice is done and to be able to defend their interest, it is important that they are present and able to actively participate in the criminal proceedings. That is why all victims in the Union, ***independently of their status in the criminal proceeding, which is established by the national law***, should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, ***independently of their status in the criminal proceeding***, should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least decisions on interpretation during court hearings ***and decisions on special protection measures*** available to victims with special protection needs. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that such a possibility of revision would not disproportionately prolong the criminal proceeding.

Amendment

(9) For victims to sense that justice is done and to be able to defend their interest, it is important that they are present and able to actively participate in the criminal proceedings. That is why all victims in the Union should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least decisions on interpretation during court hearings, special protection measures available to victims with special protection needs ***and physical protection measures for victims***. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that such a possibility of revision would not disproportionately prolong the criminal proceeding. ***Active participation in criminal proceedings and access to an effective remedy require that victims are duly updated on the state of play and significant developments in the criminal proceedings.***

Or. hu

Amendment 128

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

**Proposal for a directive
Recital 9 a (new)**

Text proposed by the Commission

Amendment

(9a) Restorative justice can be of great benefit to the victims and provide victims with a safe environment to make their voice heard, support their recovery process and reparation of the harms caused. In line with the Council of Europe Recommendation CM/Rec(2023)2 on rights, services and support for victims of crime, restorative justice should be a service that is generally available for all victims of crime. Restorative justice services should have sufficient capacity to provide safe and effective services to all victims who may benefit, and at all stages of the criminal justice process. Restorative justice provides a (direct or indirect) dialogue between the victim and the offender, taking the form, for example, of victim-offender mediation, restorative conferencing and sentencing and peacemaking circles. These processes can also involve, where appropriate, other persons affected by the crime, especially family and, where appropriate, the community to which they belong. The decision to participate and the agreement in a restorative justice process should be based on free and informed consent. Victims should be given both the information and the opportunity (through systematic referral and the option of self-referral) to determine whether and when restorative justice is right for them. Restorative justice services must be governed by recognised, evidence-based standards of practice to ensure the protection of victims, including vulnerable victims and victims of serious offences.

Or. en

Amendment 129

Giuliano Pisapia, Maria Noichl

**Proposal for a directive
Recital 9 b (new)**

Text proposed by the Commission

Amendment

(9b) *The right to free legal aid is essential to guarantee the effective participation for victims in criminal proceedings. Therefore, Member States should provide free legal aid to victims regardless of the type of crime they suffered, and whether they are party to a criminal proceeding or not.*

Or. en

Amendment 130

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

**Proposal for a directive
Recital 9 c (new)**

Text proposed by the Commission

Amendment

(9c) *Victims should have access to legal aid prior, after and at all stages of criminal proceedings. This legal aid should be provided free of charges for victims of serious crimes and for victims who do not have sufficient means to pay for legal assistance. The fact that the victim has a relationship and dependence on the offender needs to be taken into account when assessing the victims' means to pay. Legal aid needs to be also provided to EU citizens and residents victims of serious crimes committed outside the territory of the Union.*

Or. en

Amendment 131

Kira Marie Peter-Hansen, Saskia Bricmont

Proposal for a directive

Recital 10

Text proposed by the Commission

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims ***who need such enhanced assessment*** should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it.

Amendment

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. Within the first stage, all victims should be assessed from the first contact with the competent authorities, ***who should be adequately trained***, to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims should be ***further*** assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support ***and who experience intersecting forms of discrimination*** so a targeted support such as prolonged free of charge psychological aid is provided to those who need it ***for as long as it is deemed necessary by the victim's psychologist. The individual assessment needs to be conducted in the best interest of the victim, prioritising their safety, protection and support needs, and avoiding secondary or repeated victimisation.***

Or. en

Amendment 132
Maria da Graça Carvalho

Proposal for a directive
Recital 10

Text proposed by the Commission

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it.

Amendment

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. ***When assessing the victim's protection and support needs, the primary concern should lie in safeguarding the victim's safety and providing tailored support, taking into account, among other matters, the individual circumstances of the victim, the impact of crime and trauma and their specific vulnerabilities.*** Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it.

Or. en

Justification

Particularly important for the most vulnerable victims such as victims of gender based violence, younger and older people, those with disabilities and those in precarious situations.

Amendment 133

Maria Noichl, Giuliano Pisapia

Proposal for a directive

Recital 10

Text proposed by the Commission

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it.

Amendment

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it. ***In cases of gender-based violence, including domestic violence, victims are often especially vulnerable, being financially dependent on the perpetrator. This***

experience is further exacerbated for women living with disability, migrant women and others experiencing intersectional discrimination.

Or. en

Amendment 134
Livia Járóka

Proposal for a directive
Recital 10

Text proposed by the Commission

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it.

Amendment

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. ***When assessing the victim's protection and support needs, the primary concern should lie in safeguarding the victim's safety and providing tailored support, taking into account, among other matters, the individual circumstances of the victim.*** Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to

identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it.

Or. hu

Amendment 135

Lucia Ďuriš Nicholsonová

Proposal for a directive

Recital 10

Text proposed by the Commission

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it.

Amendment

(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should be done in stages. Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, **have access to or** be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it.

Amendment 136
Maria da Graça Carvalho

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) As a result of the enhanced assessment of victims' needs for protection, victims who are in need of physical protection should be able to receive it in a form adapted to their particular situation. Such measures should include the presence of law enforcement authorities or being kept away from the offender on the basis of national protection orders. Such measures may be of a criminal, administrative or civil law nature.

Amendment

(11) As a result of the enhanced assessment of victims' needs for protection, victims who are in need of physical protection, ***in particular in life threatening situations***, should be able to receive it in a form adapted to their particular situation. Such measures should include the presence of law enforcement authorities or being kept away from the offender on the basis of national ***barring, restraining or protection orders or the referral to shelters and other interim accommodations***. Such measures may be of a criminal, administrative or civil law nature. ***Member States should enhance the awareness about the availability of such protection measures among relevant competent authorities. In order to safeguard the effectiveness of barring, restraining and protection orders, breaches of such orders should be subject to penalties. Those penalties could be of a criminal law or other legal nature and could include prison sentences, fines or any other legal penalty that is effective, proportionate and dissuasive.***

Amendment 137
Lucia Ďuriš Nicholsonová

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) As a result of the enhanced assessment of victims' needs for protection, victims who are in need of physical protection should be able to receive it in a form adapted to their particular situation. Such measures should include the presence of law enforcement authorities or being kept away from the offender on the basis of national protection orders. Such measures may be of a criminal, administrative or civil law nature.

Amendment

(11) As a result of the enhanced assessment of victims' needs for protection, victims who are in need of physical protection should be able to receive it in a form adapted to their particular situation. Such measures should include the presence of law enforcement authorities, ***emergency barring or restraining orders*** or being kept away from the offender on the basis of national protection orders. Such measures may be of a criminal, administrative or civil law nature ***and any breach of such orders should be punishable by effective, proportionate and dissuasive penalties. Member States should ensure that victims are informed about the availability of such measures and are informed of their right to apply for them.***

Or. en

Amendment 138

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 11

Text proposed by the Commission

(11) As a result of the enhanced assessment of victims' needs for protection, victims who are in need of physical protection should be able to receive it in a form adapted to their particular situation. Such measures should include the presence of law enforcement authorities or being kept away from the offender on the basis of national protection orders. Such measures may be of a criminal, administrative or civil law nature.

Amendment

(11) As a result of the enhanced assessment of victims' needs for protection, victims who are in need of physical protection should be able to receive it in a form adapted to their particular situation. Such measures should include the presence of law enforcement authorities or being kept away from the offender on the basis of national protection orders ***or the referral to shelters and other interim accommodations.*** Such measures may be of a criminal, administrative or civil law nature. ***Member States should enhance the awareness among relevant competent authorities about the***

availability of such protection measures.

Or. en

Amendment 139

Livia Járóka

Proposal for a directive

Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) Member States should take the necessary measures to prevent legal and social impunity of perpetrators of acts of terrorism, as this represents a significant obstacle for the recovery and protection of victims. Member States should take measures to criminalise the glorification, promotion or misrepresentation of a specific act of terrorism, as it humiliates the victims and causes secondary victimisation by damaging victims' dignity and recovery. Member States should forbid tributes to those found guilty of terrorist activities by a final judgment and should pay special attention to victims where they can suffer harassment or fear that they might be attacked again by the social entourage of the aggressors.

Or. hu

Amendment 140

Maria da Graça Carvalho

Proposal for a directive

Recital 11 c (new)

Text proposed by the Commission

Amendment

(11c) Member States should take the necessary measures to prevent legal and social impunity of perpetrators of acts of terrorism, as this represents a significant obstacle for the recovery and protection of

victims. Member States should take measures to criminalise the glorification of a specific act of terrorism as it humiliates the victims and causes secondary victimisation by damaging victims' dignity and recovery. Member States should forbid tributes to those found guilty of terrorist activities by a final judgment and should pay special attention to victims where they can suffer harassment or fear that they might be attacked again by the social entourage of the aggressors.

Or. en

Amendment 141
Elena Kountoura

Proposal for a directive
Recital 11 d (new)

Text proposed by the Commission

Amendment

(11d) Legal protective measures must be fully applied to protect children who have experienced or witnessed violence and such measures must not be limited or restricted due to parental rights. Decisions on joint custody should be postponed until intimate partner violence has been adequately investigated and a risk assessment conducted.

Or. en

Amendment 142
Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 12

Text proposed by the Commission

Amendment

(12) All victims should be able to obtain

(12) All victims should be able to obtain

a decision on compensation from the offender within the criminal proceedings to avoid their engagement in multiple cumbersome and lengthy proceedings in separate civil proceedings. All victims should benefit from the schemes on compensation in which, following a decision on compensation from the offender at the end of the criminal proceeding, they receive, without a delay, the compensation from the state. The state afterwards should be able to recuperate the compensation from the offender. Such approach to compensation saves victims from the risks of secondary victimisation, since victims do not have to contact offenders when receiving compensation. Such facilitated access to compensation from the offender during criminal proceeding does not affect the Member States obligations to ensure the existence of a scheme on compensation to victims of violent intentional crimes committed in their respective territories, which guarantees fair and appropriate compensation to victims under Council Directive 2004/80/EC⁵⁸.

a decision on compensation from the offender within the criminal proceedings to avoid their engagement in multiple cumbersome and lengthy proceedings in separate civil proceedings. All victims should benefit from the schemes on compensation in which, following a decision on compensation from the offender at the end of the criminal proceeding, they receive, without a delay, the compensation from the state.

Compensation should be provided for treatment and rehabilitation for physical and psychological injuries. Member States should consider compensation for loss of income, funeral expenses and loss of maintenance for dependants, and compensation for pain and suffering.

States may consider means to compensate damage resulting from crimes against property.

The state afterwards should be able to recuperate the compensation from the offender. Such approach to compensation saves victims from the risks of secondary victimisation, since victims do not have to contact offenders when receiving compensation. Such facilitated access to compensation from the offender during criminal proceeding does not affect the Member States obligations to ensure the existence of a scheme on compensation to victims of violent intentional crimes committed in their respective territories, which guarantees fair and appropriate compensation to victims under Council Directive 2004/80/EC[7].

⁵⁸ ***Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims (OJ L 261, 6.8.2004, p. 15).***

Or. en

Amendment 143

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Officials of public authorities, bodies and institutions who are likely to come into personal contact with victims should have access to and receive sufficient and appropriate training. Training should enable professionals to acquire the skills and knowledge to identify and understand signs of victimisation, the needs of victims, the impact of crime and trauma, the national law and procedures relative to victims' rights, including on protection measures, specificities of certain groups of victims, taking into account their specific vulnerabilities. Training should be organised to address skills and knowledge necessary to working with all victims as well as for specialised knowledge and skills to ensure targeted and appropriate responses for specific groups of victims, based on type of crime or personal characteristics. Training should include sensitisation on the risks of secondary victimisation and ways to reduce it, and it should enable such professionals to develop soft skills to engage and communicate with victims in a victim sensitive manner. It should be provided by specially trained professionals or other suitable persons on a regular basis, included on-boarding training and in lifelong career development. Trainings by non-governmental actors, including victims' associations and civil society organisations should be encouraged and adequately funded. Innovative practices, including multi-agency training, the use of new technologies and interactive training should be promoted.

Or. en

Amendment 144

Maria da Graça Carvalho

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of the national law enforcement, prosecution, judiciary, restorative services, compensation services and victim support services, it is difficult for victims to effectively execute their rights under Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims.

Amendment

(13) Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of the national law enforcement, prosecution, judiciary, restorative services, compensation services and victim support services, it is difficult for victims to effectively execute their rights under Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, **as well as non-governmental organisations** are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims.

Or. en

Amendment 145

Lívía Járóka

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of the national law enforcement, prosecution, judiciary,

Amendment

(13) Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of the national law enforcement, prosecution, judiciary,

restorative *services*, compensation *services* and victim support services, it is difficult for victims to effectively execute their rights under Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims.

restorative, compensation and victim support services, it is difficult for victims to effectively execute their rights under Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, *as well as civil society organisations*, are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims.

Or. hu

Amendment 146

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of the national law enforcement, prosecution, judiciary, restorative services, compensation services and victim support services, it is difficult for victims to effectively execute their rights under Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims.

Amendment

(13) Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of the national law enforcement, prosecution, judiciary, restorative services, compensation services and victim support services, it is difficult for victims to effectively execute their rights under Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, *as well as non-governmental organisations* are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims.

Or. en

Amendment 147

Livia Járóka

**Proposal for a directive
Recital 13 b (new)**

Text proposed by the Commission

Amendment

(13b) Officials who are likely to come into personal contact with victims should have access to and receive sufficient and appropriate training. Training for competent authorities should be effective, state of the art, interdisciplinary and multi-agency, and should take advantage of new technologies for enhancing engagement and interaction. It should be delivered in cooperation with non-governmental actors including victims' associations and civil society organisations. In addition to general victims' rights training for competent authorities, there should be dedicated training programmes on dealing with specific categories of victims. Mutual training and exchange of good practices among national authorities, including judicial and law enforcement authorities, and victim support organisations should also be promoted to ensure better support and protection of victims as well as coordination of involved institutions. Training should be gender-, child- and trauma-sensitive, aim to avoid revictimisation and develop, among other skills, empathic communication and active listening. The adoption of specific guidelines for law enforcement officers should also be considered a good practice.

Or. hu

**Amendment 148
Maria da Graça Carvalho**

**Proposal for a directive
Recital 13 c (new)**

(13c) Officials who are likely to come into personal contact with victims should have access to and receive sufficient and appropriate training. Training for competent authorities should be effective, state of the art, interdisciplinary, and multi-agency, and should take advantage of new technologies for enhancing engagement and interaction. It should be delivered in cooperation with non-governmental actors including victims' associations and civil society organisations. In addition to general victims' rights training for competent authorities, there should be dedicated training programmes on dealing with specific categories of victims. Mutual training and exchange of good practices among national authorities, including judicial and law enforcement authorities, and victim support organisations should also be promoted to ensure better support and protection of victims as well as coordination of involved institutions. Training should be gender, child, and trauma sensitive, aim to avoid secondary victimisation and develop among other skills empathic communication and active listening. Specific guidelines for law enforcement officers should also be considered a good practice.

Or. en

Amendment 149

Lucia Ďuriš Nicholsonová

Proposal for a directive

Recital 13 d (new)

(13d) More emphasis should be placed on capacity building and the training of practitioners with regard to

implementation of key aspects of the directive. Member States should ensure that professionals likely to come into contact with victims receive adequate and tailored training and targeted information. Such training of professionals should be required to a level appropriate to their contact with victims. Trainings should cover the risk and prevention of intimidation, repeat and secondary victimisation, the availability of protection and support measures for victims, including referrals, as well as focus on coordinated and multi-disciplinary approach to cases. Specific attention should be given to trainings for judges and prosecutors in order to increase their awareness of the needs of victims. Member States could further promote capacity building could be further promoted through performance monitoring of the competent authorities in order to provide feedback on their performance, enabling identification of possible shortcomings and, if necessary, their rectification, including through further training or other activities.

Or. en

Amendment 150
Lucia Ďuriš Nicholsonová

Proposal for a directive
Recital 13 e (new)

Text proposed by the Commission

Amendment

(13e) Moreover, practical guidelines are needed that the police and others can use on day-to-day basis in advising victims of their rights and making sure that their rights are upheld, and could include a form of a checklist for professionals that they should follow in each case. Such practical guidelines should be in line with training provided to professionals as well as with the national protocols to be

established under this directive.

Or. en

Amendment 151
Lucia Ďuriš Nicholsonová

Proposal for a directive
Recital 13 f (new)

Text proposed by the Commission

Amendment

(13f) Despite significant improvements achieved since the entry into force of the Directive 2012/29/EU, evidence shows that victims still often lack awareness of their rights, undermining the directive's effectiveness on the ground and discouraging victims from coming forward and reporting the crime. It is therefore imperative that Member States put in place effective awareness-raising campaigns in order to increase the awareness of the victims of their rights under this Directive, or further rights under national law, where applicable, including through easy-to-understand summaries and short explicative notes on their rights. At the same time, Member States should work to increase awareness also among the population at large, including in schools but also among family and friends who victims often turn to in first instance. Such campaigns should be conducted via a variety of channels, including the media, social media, posters in public transport, leaflets in courts, hospitals, and police stations or mobile applications. Moreover, Member States should improve the identification of places to which victims can reach out and find help in exercising their rights under this Directive, for example including through signposting or setting up of public directories and registries, for instance of accredited support organisations or lawyers. When introducing these measures, Member

States should aim to develop them equally for all types of crimes.

Or. en

Amendment 152

Lucia Ďuriš Nicholsonová

Proposal for a directive

Recital 14

Text proposed by the Commission

(14) National protocols are essential to ensure that victims receive information about their rights and about their case and that victims are adequately assessed to enable them to receive the support and protection that corresponds to each victims' individual needs that change in time. Protocols should be established by legislative measures in a way that corresponds best to national legal orders and the organisation of justice in the Member States. This should regulate the actions on provision of information to victims, facilitating crime reporting for the most vulnerable victims, including those in detention and the individual assessment of victims' needs. The legislative measures setting up the protocols should specify essential elements necessary for the processing of data including, the recipients of the personal data and the categories of data that will be processed in the context of operation of the protocols. The protocols should provide for general instructions on how to deal with services and actions under Directive 2012/29/EU in a comprehensive manner without however dealing with individual cases.

Amendment

(14) National protocols are essential ***to ensure that a clear communication framework is established*** to ensure that victims receive information about their rights and about their case and that victims are adequately assessed to enable them to receive the support and protection that corresponds to each victims' individual needs that change in time. ***Such protocols should also ensure coordination and cooperation between competent authorities and support services as well as between general and specialist support services, including clear referral pathways.*** Protocols should be established by legislative measures in a way that corresponds best to national legal orders and the organisation of justice in the Member States. This should regulate the actions on provision of information to victims, facilitating crime reporting for the most vulnerable victims, including those in ***closed settings, such as*** detention and ***institutional care facilities***, the individual assessment of victims' needs. The legislative measures setting up the protocols should specify essential elements necessary for the processing of data including, the recipients of the personal data and the categories of data that will be processed in the context of operation of the protocols. The protocols should provide for general instructions on how to deal with services and actions under Directive 2012/29/EU in a comprehensive manner

without however dealing with individual cases.

Or. en

Amendment 153

Lívía Járóka

Proposal for a directive

Recital 14

Text proposed by the Commission

(14) National protocols are essential to ensure that victims receive information about their rights and about their case and that victims are adequately assessed to enable them to receive the support and protection that corresponds to each victims' individual needs that change in time. Protocols should be established by legislative measures in a way that corresponds best to national legal orders and the organisation of justice in the Member States. This should regulate the actions on provision of information to victims, facilitating crime reporting for the most vulnerable victims, including those in detention and the individual assessment of victims' needs. The legislative measures setting up the protocols should specify essential elements necessary for the processing of data including, the recipients of the personal data and the categories of data that will be processed in the context of operation of the protocols. The protocols should provide for general instructions on how to deal with services and actions under Directive 2012/29/EU in a comprehensive manner without however dealing with individual cases.

Amendment

(14) National protocols are essential to ensure that victims receive information ***in a consistent manner*** about their rights and about their case and that victims are adequately assessed to enable them to receive the support and protection that corresponds to each victims' individual needs that change in time. ***National protocols are essential tools to achieve well-coordinated individual assessments, avoid revictimisation and enhance the coordination and cooperation among competent authorities and relevant stakeholders in victims' protection.*** Protocols should be established by legislative measures in a way that corresponds best to national legal orders and the organisation of justice in the Member States. This should regulate the actions on provision of information to victims, facilitating crime reporting for the most vulnerable victims, including those in detention and the individual assessment of victims' needs. The legislative measures setting up the protocols should specify essential elements necessary for the processing of data including, the recipients of the personal data and the categories of data that will be processed in the context of operation of the protocols. The protocols should provide for general instructions on how to deal with services and actions under Directive 2012/29/EU in a comprehensive manner without however dealing with

individual cases.

Or. hu

Amendment 154
Maria da Graça Carvalho

Proposal for a directive
Recital 14

Text proposed by the Commission

(14) National protocols are essential to ensure that victims receive information about their rights and about their case and that victims are adequately assessed to enable them to receive the support and protection that corresponds to each victims' individual needs that change in time. Protocols should be established by legislative measures in a way that corresponds best to national legal orders and the organisation of justice in the Member States. This should regulate the actions on provision of information to victims, facilitating crime reporting for the most vulnerable victims, including those in detention and the individual assessment of victims' needs. The legislative measures setting up the protocols should specify essential elements necessary for the processing of data including, the recipients of the personal data and the categories of data that will be processed in the context of operation of the protocols. The protocols should provide for general instructions on how to deal with services and actions under Directive 2012/29/EU in a comprehensive manner without however dealing with individual cases.

Amendment

(14) National protocols are essential to ensure that victims receive information ***in a consistent manner*** about their rights and about their case and that victims are adequately assessed to enable them to receive the support and protection that corresponds to each victims' individual needs that change in time. ***National protocols are essential tools to achieve well-coordinated individual assessments, avoid secondary victimisation and enhance the coordination and cooperation among competent authorities and relevant stakeholders in victims' protection.*** Protocols should be established by legislative measures in a way that corresponds best to national legal orders and the organisation of justice in the Member States. This should regulate the actions on provision of information to victims, facilitating crime reporting for the most vulnerable victims, including those in detention and the individual assessment of victims' needs. The legislative measures setting up the protocols should specify essential elements necessary for the processing of data including, the recipients of the personal data and the categories of data that will be processed in the context of operation of the protocols. The protocols should provide for general instructions on how to deal with services and actions under Directive 2012/29/EU in a comprehensive manner without however dealing with individual cases.

Amendment 155
Lucia Ďuriš Nicholsonová

Proposal for a directive
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) In order to set out objectives and actions for the development of victim's rights and services, Member States should establish national victim's rights strategies. These strategies should lay down their priorities, roles and coordination between competent authorities as well as with support services and civil society. Member States should ensure regular review and update of the national strategies, in consultation with relevant experts, support services as well as civil society.

Or. en

Amendment 156
Lucia Ďuriš Nicholsonová

Proposal for a directive
Recital 15

Text proposed by the Commission

Amendment

(15) Member States should allocate sufficient human **and** financial resources to ensure an effective compliance with the measures set out in Directive 2012/29/EU. Special attention should be paid to the establishment of victims' helplines, ensuring smooth functioning of specialist support services and individual assessment of victims' needs for protection and for support, including where such services are provided by non-governmental organisations.

(15) Member States should allocate sufficient human, financial **and technical** resources to ensure an effective compliance with the measures set out in Directive 2012/29/EU. Special attention should be paid to the establishment of victims' helplines, ensuring smooth functioning of **general and** specialist support services and individual assessment of victims' needs for protection and for support, including where such services are provided by non-governmental organisations.

Amendment 157**Lucia Ďuriš Nicholsonová****Proposal for a directive****Recital 16***Text proposed by the Commission*

(16) The Union and the Member States are parties to the UN Convention on the Rights of Persons with Disabilities⁵⁹ and are bound by its obligations to the extent of their respective competences. Under Article 13 of that Convention the States Parties are obliged to ensure effective access to justice for persons with disabilities on an equal basis with others, hence the needs to ensure accessibility and provide reasonable accommodation so that victims with disability enjoy their rights as victims on equal basis with others. The accessibility requirements set in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council⁶⁰ can facilitate the implementation of that Convention and ensure that the victims' rights laid down by Directive 2012/29/EU are accessible for persons with disabilities.

⁵⁹ OJ L 23, 27.1.2010, p. 37.

⁶⁰ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ

Amendment

(16) The Union and the Member States are parties to the UN Convention on the Rights of Persons with Disabilities⁵⁹ and are bound by its obligations to the extent of their respective competences. Under Article 13 of that Convention the States Parties are obliged to ensure effective access to justice for persons with disabilities on an equal basis with others, hence the needs to ensure accessibility and provide reasonable accommodation ***as well as procedural accommodations*** so that victims with disability enjoy their rights as victims on equal basis with others. ***Procedural accommodations should be understood as all necessary and appropriate modifications and adjustments in the context of access to justice in a particular case to ensure the participation of persons with disabilities on an equal basis with others. This might include for example measures needed to ensure communication with the court.*** The accessibility requirements set in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council⁶⁰ can facilitate the implementation of that Convention and ensure that the victims' rights laid down by Directive 2012/29/EU are accessible for persons with disabilities.

⁵⁹ OJ L 23, 27.1.2010, p. 37.

⁶⁰ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ

Amendment 158
Maria da Graça Carvalho

Proposal for a directive
Recital 16

Text proposed by the Commission

(16) The Union and the Member States are parties to the UN Convention on the Rights of Persons with Disabilities⁵⁹ and are bound by its obligations to the extent of their respective competences. Under Article 13 of that Convention the States Parties are obliged to ensure effective access to justice for persons with disabilities on an equal basis with others, hence the needs to ensure accessibility and provide reasonable accommodation so that victims with disability enjoy their rights as victims on equal basis with others. The accessibility requirements set in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council⁶⁰ can facilitate the implementation of that Convention and ensure that the victims' rights laid down by Directive 2012/29/EU are accessible for persons with disabilities.

⁵⁹ OJ L 23, 27.1.2010, p. 37.

⁶⁰ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Amendment

(16) The Union and the Member States are parties to the UN Convention on the Rights of Persons with Disabilities⁵⁹ and are bound by its obligations to the extent of their respective competences. Under Article 13 of that Convention the States Parties are obliged to ensure effective access to justice for persons with disabilities on an equal basis with others, hence the needs to ensure accessibility and provide reasonable accommodation **as well as procedural accommodation** so that victims with disability enjoy their rights as victims **on equal basis with others**. **Procedural accommodation consists in all necessary and appropriate modifications and adjustments in the context of access to justice to ensure the participation of persons with disabilities on an equal basis with others.** The accessibility requirements set in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council⁶⁰ can facilitate the implementation of that Convention and ensure that the victims' rights laid down by Directive 2012/29/EU are accessible for persons with disabilities.

⁵⁹ OJ L 23, 27.1.2010, p. 37.

⁶⁰ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Amendment 159

Lívía Járóka

Proposal for a directive**Recital 18***Text proposed by the Commission*

(18) The collection of accurate and coherent data and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union. Introducing a requirement for Member States to collect and report to the Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. The Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production and dissemination of statistics **on victims of crime** and in reporting on how victims have accessed the rights set out in this Directive.

Amendment

(18) The collection of accurate and coherent data, **including both qualitative and quantitative data**, and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union **and to monitor the implementation of this Directive. The statistics should include data relevant to the application of national procedures on victims of crime, including at least the number and type of reported crimes and the number, age, sex, gender and disability, if any, of the victim, and the type of the offence and the nature of the relationship between the victim and the offender. The information should include information on whether victims have suffered a crime due to a bias or discriminatory motive.** Introducing a requirement for Member States to collect and report to the Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. **The three-year reporting of Member States should be harmonised to ensure better comparability of data. To this end, Member States should have a synchronised timeline for reporting the data collected under Directive 2012/29/EU. The** Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production, **analysis** and dissemination of statistics and in **the reporting of information** on how victims

have accessed the rights set out in this Directive. ***For the purpose of the analysis of the aggregated data, the budget of the Fundamental Rights Agency should be adequately adapted.***

Or. hu

Amendment 160
Maria da Graça Carvalho

Proposal for a directive
Recital 18

Text proposed by the Commission

(18) The collection of accurate and coherent data and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union. Introducing a requirement for Member States to collect and report to the Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. The Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production and dissemination of statistics ***on victims of crime*** and in reporting on how victims have accessed the rights set out in this Directive.

Amendment

(18) The collection of accurate and coherent data, ***including both qualitative and quantitative data***, and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union ***and to monitor the implementation of this Directive. The statistics should include data relevant to the application of national procedures on victims of crime, including at least the number and type of reported crimes and the number, age, sex, gender and disability, if any, of the victim, and the type of the offence and the nature of the relationship between the victim and the offender. The information should include information on whether victims have suffered a crime due to a bias or discriminatory motive.*** Introducing a requirement for Member States to collect and report to the Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. ***The three-year reporting of Member States should be coordinated and harmonised to ensure better comparability of data. To this end, Member States should have a synchronised timeline for reporting the data collected under Directive***

*2012/29/EU. The Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production, **analysis** and dissemination of statistics and in **the reporting of information** on how victims have accessed the rights set out in this Directive. **For the purpose of the analysis of the aggregated data, the budget of the Fundamental Rights Agency should be adequately adapted.***

Or. en

Amendment 161

Kira Marie Peter-Hansen, Saskia Bricmont
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) The collection of accurate and coherent data and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union. Introducing a requirement for Member States to collect and report to the Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. The Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production and dissemination of statistics on victims of crime and in reporting on how victims have accessed the rights set out in this Directive.

Amendment

(18) The collection of accurate and coherent data, **including both qualitative and quantitative data**, and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union **and to monitor the practical implementation of this Directive, including monitoring the remaining barriers for victims when reporting crimes and accessing victims' rights**. Introducing a requirement for Member States to collect and report to the Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. The Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production and dissemination of statistics on victims of crime and in reporting on how victims have accessed the rights set out in this Directive. **The**

Commission should submit regular reports to the European Parliament and to the Council assessing the extent of the practical implementation of the Directive identifying any rights which are not fully or correctly implemented.

Or.en

Amendment 162

Lucia Ďuriš Nicholsonová

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) The collection of accurate and coherent data and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union. Introducing a requirement for Member States to collect and report to the Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. The Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production and dissemination of statistics on victims of crime and in reporting on how victims have accessed the rights set out in this Directive.

Amendment

(18) The collection of accurate and coherent data, ***both quantitative as well as qualitative***, and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union. Introducing a requirement for Member States to collect and report to the Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. The Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production and dissemination of statistics on victims of crime and in reporting on how victims have accessed the rights set out in this Directive.

Or.en

Amendment 163

Maria da Graça Carvalho

Proposal for a directive

Recital 18 c (new)

Text proposed by the Commission

Amendment

(18c) Member States should record, collect and transmit data on offline and online gender-based violence, including violence against women and domestic violence, as well as hate speech and hate crimes, which are disproportionately affecting women, LGBTIQ+ persons and children and are also still widely underreported.

Or.en

Amendment 164

Livia Járóka

Proposal for a directive

Recital 18 d (new)

Text proposed by the Commission

Amendment

(18d) Member States should record, collect and transmit data on offline and online gender-based violence, including violence against women and domestic violence, as well as hate speech and hate crimes.

Or.hu

Amendment 165

Maria Noichl, Giuliano Pisapia

Proposal for a directive

Recital 18 e (new)

Text proposed by the Commission

Amendment

(18e) Member States should record and transmit data on all forms of offline and online gender-based violence, with a particular focus on femicide.

Or.en

Amendment 166
Maria da Graça Carvalho

Proposal for a directive
Recital 18 f (new)

Text proposed by the Commission

Amendment

(18f) Member States should facilitate the tasks of a Coordinator for victims' rights as set out in the context of the EU Strategy on victims' rights with the aim to ensure consistency and effectiveness of actions in relation to the victims' rights policy. The particular tasks of the Coordinator are to ensure a smooth functioning of the Victims' Rights Platform and implementation of the EU Strategy on victims' rights (2020-2025) as well as to synchronise the victims' rights related actions of other Union level stakeholders, notably if relevant to the application of Directive 2012/92/EU.

Or.en

Amendment 167
Eugenia Rodríguez Palop

Proposal for a directive
Article 1 – paragraph 1 – point -1a (new)
Directive 2012/29/EU/
Article 1 – paragraph 1

Present text

Amendment

1. The purpose of this Directive is to ensure that victims of crime receive appropriate information, support and protection and are able to participate in criminal proceedings.

(-1) in Article 1, paragraph 1 is replaced by the following:

1. The purpose of this Directive is to ensure that victims of crime receive appropriate information, support and protection and are able to participate in criminal proceedings in a safe manner that minimises the risk of harm and supports recovery and access to justice.

Member States shall ensure that victims are recognised and treated in a respectful, sensitive, tailored, professional and non-discriminatory manner, in all contacts with victim support or restorative justice services or a competent authority, operating within the context of criminal proceedings. ***The rights set out in this Directive shall apply to victims in a non-discriminatory manner, including with respect to their residence status.***

Member States shall ensure that victims are recognised and treated in a respectful, sensitive, tailored, professional and non-discriminatory manner, in all contacts with victim support or restorative justice services or a competent authority, operating within the context of criminal proceedings.

The rights set out in this Directive shall apply to all victims in a non-discriminatory manner, including with respect to sex, gender, gender identity, gender expression, sexual orientation, sex characteristics, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, residence status or health.

Due regard shall be paid to those victims affected by intersectional discrimination.

Or.en

Amendment 168
Elena Kountoura

Proposal for a directive
Article 1 – paragraph 1 – point -1 a (new)
Directive 2012/29/EU
Article 1 – paragraph 2

Present Text

Member States shall ensure that in the application of this Directive, where the victim is a child, the child's best interests shall be a primary consideration and shall be assessed on an individual basis. A child-sensitive approach, taking due account of the child's age, maturity, views, needs and

Amendment

(-1a) in Article 1, paragraph 2, is replaced by the following:

Member States shall ensure that in the application of this Directive, where the victim is a child, the child's best interests shall be a primary consideration and shall be assessed on an individual basis. A child-sensitive approach, taking due account of the child's age, maturity, views, needs and

concerns, shall prevail. The child and the holder of parental responsibility or other legal representative, if any, shall be informed of any measures or rights specifically focused on the child.

concerns, shall prevail ***and a meaningful participation of the child shall be ensured.*** The child and the holder of parental responsibility or other legal representative, if any, shall be informed of any measures or rights specifically focused on the child.

Or.en

Amendment 169
Eugenia Rodríguez Palop

Proposal for a directive
Article 1 – paragraph 1 – point -1 a (new)
Directive 2012/29/EU
Article 1 – paragraph 2

Present Text

Member States shall ensure that in the application of this Directive, where the victim is a child, the child's best interests shall be a primary consideration and shall be assessed on an individual basis. A child-sensitive approach, taking due account of the child's age, maturity, views, needs and concerns, shall prevail. The child and the holder of parental responsibility or other legal representative, if any, shall be informed of any measures or rights specifically focused on the child.

Amendment

(-1ae) in Article 1, paragraph 2 is replaced by the following:

Member States shall ensure that in the application of this Directive, where the victim is a child, the child's best interests shall be a primary consideration and shall be assessed on an individual basis. A child-sensitive approach, taking due account of the child's age, maturity, views, needs and concerns, shall prevail ***and a meaningful participation of the child shall be ensured.*** The child and the holder of parental responsibility or other legal representative, if any, shall be informed of any measures or rights specifically focused on the child.

Or.en

Amendment 170
Eugenia Rodríguez Palop

Proposal for a directive
Article 1 – paragraph 1 – point -1 b (new)
Directive 2012/29/EU
Article 1 – paragraph 2 a (new)

Present text

Amendment

(-1b) in Article 1 the following paragraph is added:

2a. Member States shall ensure that all laws, policies, services, and infrastructures established to implement this Directive are victim-sensitive, prioritising listening to victims, minimising re-traumatisation and harm, focusing on safety, rights, well-being, empowerment, expressed needs and choices, and ensuring the empathetic, sensitive and non-judgmental delivery of rights and services, while respecting core principles of justice.

Or.en

Amendment 171
Konstantinos Arvanitis

Proposal for a directive
Article 1 – paragraph 1 – point -1 c (new)
Directive 2012/29/EU
Article 2 – Paragraph 1 – point a

Present text

(a) 'victim' means:

i) a natural person who has *suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by* a criminal offence;

(ii) family members of a person whose death was directly caused by a criminal offence *and who have suffered harm as a result of that person's death*;

Amendment

(-1c) in Article 2, paragraph 1, point (a), is replaced by the following:

(a) 'victim' means:

i) *a* natural person who has *been subjected to* a criminal offence;

ii) family members of a person whose death was directly caused by a criminal offence;

Or.en

Amendment 172
Maria Noichl

Proposal for a directive
Article 1 – paragraph 1 – point -1 c (new)
Directive 2012/29/EU
Article 2 – paragraph 1 – point a

Present text

Amendment

(a) ‘victim’ means:

(i) a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence;

(ii) family members of a person whose death was directly caused by a criminal offence and who have suffered harm as a result of that person's death;

(-1c) in Article 2, paragraph 1, point (a), is replaced by the following:

"(a) ‘victim’ means:

(i) a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence;

(ii) family members of a person whose death was directly caused by a criminal offence and who have suffered harm as a result of that person's death;

(iii) a child witnessing a criminal offence;"

Or en

Amendment 173

Konstantinos Arvanitis

Proposal for a directive

Article 1 – paragraph 1 – point -1 f (new) Directive 2012/29/EU

Article 2 – paragraph 1 – point b

Present Text

Amendment

(b) ‘family members’ means the spouse, the person who is ***living with the victim*** in a committed intimate relationship, ***in a joint household and*** on a stable and continuous basis, the relatives in direct line, the siblings and the dependants of the victim;

(d) ‘restorative justice’ means any process ***whereby the victim and the offender are enabled***, if they freely consent, to participate actively in the resolution of matters arising from the criminal offence through the help of an impartial third party

(-1f new) in Article 2, paragraph 1, points (b) and (d) are replaced by the following:

(b) ‘family members’ means the spouse, the person who is in a committed intimate relationship ***with the victim***, on a stable and continuous basis, the relatives in direct line, the siblings and the dependants of the victim;

(d) ‘restorative justice’ means any process ***which enables those harmed by crime and those responsible for that harm (the parties)***, if they freely consent, to participate actively ***in a dialogue on*** in the resolution of matters arising from the criminal offence through the help of a ***trained and*** impartial third party ***(the facilitator)***;

Or.en

Amendment 174
Maria da Graça Carvalho

Proposal for a directive

Article 1 – paragraph 1 – point -1 d (new) Directive 2012/29/EU

Article 2 – paragraph 1 – point d a (new)

Present Text

Amendment

(-1d) In Article 2, paragraph 1, the following point is added:

(da) "generic support services" means organisations specialised in supporting victims of crime and which offer support to all victims of crime. These services may include specialisations for specific groups, such as women, girls and LGBTI persons or offer specific types of services.

Or.en

Amendment 175
Maria da Graça Carvalho

Proposal for a directive

Article 1 – paragraph 1 – point -1 e (new)

Directive 2012/29/EU

Article 2 – paragraph 1 – point d b (new)

Present Text

Amendment

(-1b (i)) in Article 2(1) the following point is added:

(i) "specialist support services" means services offered only to particular groups of victims such as women, girls and LGBTI persons, based on type of crime or personal characteristics.

Or.en

Amendment 176
Eugenia Rodríguez Palop

Proposal for a directive

Article 1 – paragraph 1 – point -1 g (new)

Directive 2012/29/EU

Article 2 - paragraph 1

Present Text

Amendment

(g) in Article 2(1) the following points are added:

e) ‘generic support services’ means organisations specialised in supporting victims of crime and which offer support to all victims of crime. These services may include specialisations for specific groups or offer specific types of services.

f) ‘specialist support services’ means services offered only to particular groups of victims, based on type of crime or personal characteristics.

Or.en

Amendment 177

Giuliano Pisapia, Maria Noichl

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2012/29/EU

Article 3a – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall take the necessary measures to establish easily accessible, user friendly, free of charge and confidential victims’ helplines which:

1. in Article 3a, paragraph 1 is replaced by the following

1. Member States shall take the necessary measures to establish easily accessible, user friendly, **secure**, free of charge and confidential victims’ helplines which:

Or. en

Amendment 178

Lucia Ďuriš Nicholsonová

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2012/29/EU

Article 3a – paragraph 1 - point a

Text proposed by the Commission

(a) provide victims with the information referred to in Article 4(1);

Amendment

1 in Article 3a, paragraph 1 point a is replaced by the following

(a) provide victims with the information referred to in Article 4(1) ***and 9(1)***;

Or. en