



**2023/0250(COD)**

08.01.2024

# **AMENDMENTS 179 - 280**

## **Draft report**

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

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))

AM\_Com\_LegReport

**Amendment 179**  
**Margarita de la Pisa Carrión**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1**  
Directive 2012/29/UE  
Article 3a - Paragraph 1 - point b

*Text proposed by the Commission*

(b) offer emotional support;

*Amendment*

(b) offer emotional, ***psychological and spiritual*** support;

Or. es

**Amendment 180**  
**Giuliano Pisapia, Maria Noichl**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1**  
Directive 2012/29/EU  
Article 3a (new) – paragraph 1 – point b

*Text proposed by the Commission*

(b) offer emotional support;

*Amendment*

(b) offer emotional ***and psychological*** support;

Or. en

**Amendment 181**  
**Kira Marie Peter-Hansen, Saskia Bricmont**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1**  
Directive 2012/29/EU  
Article 3a – paragraph 1 - point c

*Text proposed by the Commission*

(c) refer victims to specialised support services and/or specialised helplines ***if needed.***

*Amendment*

(c) refer victims to ***relevant services, including general and*** specialised support services and/or specialised helplines ***and/or restorative justice services.***

**Amendment 182**

**Maria Walsh**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3a - paragraph 1 - point c

*Text proposed by the Commission*

(c) refer victims to specialised support services and/or specialised helplines if needed.

*Amendment*

(c) refer victims to specialised support services and/or specialised helplines ***and/or restorative justice services*** if needed.

Or. en

**Amendment 183**

**Maria da Graça Carvalho**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3a – paragraph 1 - point c

*Text proposed by the Commission*

(c) refer victims to specialised support services and/or specialised helplines ***if needed***.

*Amendment*

(c) refer victims to ***relevant services, including general and*** specialised support services and/or specialised helplines.

Or. en

**Amendment 184**

**Maria da Graça Carvalho**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3a – paragraph 1 - ca(new)

*Text proposed by the Commission*

*Amendment*

In Article 3a, paragraph 1, the following point is added:

ca (new) ***are operated by trained and supervised individuals following standards of quality support.***

Or. en

*Justification*

*helpline operators need to be sufficiently qualified to support victims and provide information, and they must be able to do this in a victim sensitive, gendered way which understands the situation of women victims. Requiring they operate to identified standards ensures this and will help ensure those standards are similar across all helplines.*

### **Amendment 185**

**Eugenia Rodríguez Palop**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3a – paragraph 1 – point ca (new)

*Text proposed by the Commission*

*Amendment*

1. In Article 3a, paragraph 1, the following point is added:

ca new. ***are operated by trained and supervised individuals following standards of quality support.***

Or. en

### **Amendment 186**

**Maria da Graça Carvalho**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3 a – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Member States shall ensure the provision of helplines referred to in paragraph 1 through a telephone helpline connected to the EU harmonised number “116 006” and through other information and communication technologies, including websites.

2. Member States shall ensure the provision of helplines referred to in paragraph 1 through a telephone helpline connected to the EU harmonised number “116 006” and through other information and communication technologies, including websites, *on technologies, including websites and real time support via chat-boxes. The centralisation of helplines through the EU harmonised number shall be done without prejudice to the continuation of pre-existing helplines, especially those run by non-governmental organisations.*

Or. en

#### **Amendment 187**

**Maria Noichl**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3 a - paragraph 2

#### *Text proposed by the Commission*

2. Member States shall ensure the provision of helplines referred to in paragraph 1 through a telephone helpline connected to the EU harmonised number “116 006” and through other information and communication technologies, including websites.

#### *Amendment*

2. Member States shall ensure the provision of helplines referred to in paragraph 1 through a telephone helpline connected to the EU harmonised number “116 006” and through other information and communication technologies, including websites *allowing for the continuation of pre-existing helplines. Member States shall ensure secure funding for these.*

Or. en

#### **Amendment 188**

**Lucia Ďuriš Nicholsonová**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3a – paragraph 2b (new)

*Text proposed by the Commission*

*Amendment*

**2b. Helplines as referred to in paragraph 1 shall not replace already existing helplines, general or specialised, including those run by non-governmental organisations;**

Or. en

**Amendment 189**

**Maria da Graça Carvalho**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3 a – paragraph 2 c (new)

*Text proposed by the Commission*

*Amendment*

**2c. Member States shall ensure that victims of cross-border crime have access to helplines of their choice, including those of other Member States.**

*(Article 3 a – paragraph 2 a (new))*

Or. en

*Justification*

*the level of reporting of VAW and the extent to which women access support is very low. We therefore have to maximise all routes to services for women. This means that helpline operators need to sufficiently qualified to support victims and provide information, and they must be able to do this in a victim sensitive, gendered way which understands the situation of women victims. Requiring they operate to identified standards ensures this and will help ensure those standards are similar across all helplines.*

**Amendment 190**

**Kira Marie Peter-Hansen, Saskia Bricmont**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3a – paragraph 3

*Text proposed by the Commission*

3. Member States shall take appropriate measures to ensure the availability of the services referred to in paragraphs 1 and 2 in other languages, including at least the languages most used in the Member State.

*Amendment*

3. Member States shall take appropriate measures to ensure the availability of the services referred to in paragraphs 1 and 2 in other languages, including at least the languages most used in the Member State. ***Member States shall ensure that victims who do not understand or speak the languages of the services are provided with translation and interpretation, free of charge.***

Or. en

**Amendment 191**

**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3a – paragraph 3

*Text proposed by the Commission*

3. Member States shall take appropriate measures to ensure the availability of the services referred to in paragraphs 1 and 2 in other languages, including at least the languages most used in the Member State.

*Amendment*

3. Member States shall take appropriate measures to ensure the availability of the services referred to in paragraphs 1 and 2 in other languages, including at least the languages most used in the Member State, ***as well as their appropriate time availability.***

Or. en

**Amendment 192**

**Eugenia Rodríguez Palop**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3a – paragraph 4

*Text proposed by the Commission*

*Amendment*



4. Helplines may be set up by public or non-governmental organisations and may be organised on a professional or voluntary basis.;

4. Helplines may be set up by public or non-governmental organisations and may be organised on a professional or voluntary basis. ***Both public and non-governmental organisations shall be specialised in delivering victim support in accordance with the criteria laid down in paragraph 1.;***

Or. en

#### **Amendment 193**

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

#### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3a – paragraph 4

#### *Text proposed by the Commission*

4. Helplines ***may be set up by*** public or non-governmental organisations and may be organised on a professional or voluntary basis.;

#### *Amendment*

4. Helplines ***shall be operated by trained and supervised individuals from either*** public or non-governmental organisations ***specialised in delivering victim support*** and may be organised on a professional or voluntary basis.;

Or. en

#### **Amendment 194**

**Maria da Graça Carvalho**

#### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 1**

Directive 2012/29/EU

Article 3 a – paragraph 4

#### *Text proposed by the Commission*

4. Helplines may be set up ***by*** public or non-governmental organisations and may be organised on a professional or voluntary basis.;

#### *Amendment*

4. Helplines may be set up ***and shall be operated by organisations specialised in delivering victim support, either*** public or non-governmental organisations, and may be organised on a professional or

voluntary basis.

Or. en

**Amendment 195**  
**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1**  
Directive 2012/29/EU  
Article 3a – paragraph 4

*Text proposed by the Commission*

4. Helplines may be set up by public or non-governmental organisations and may be organised on a professional or voluntary basis.;

*Amendment*

4. Helplines ***shall be operated by adequately trained and qualified staff and*** may be set up by public or non-governmental organisations and may be organised on a professional or voluntary basis.;

Or. en

**Amendment 196**  
**Giuliano Pisapia**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1**  
Directive 2012/29/EU  
Article 3 a – paragraph 4

*Text proposed by the Commission*

4. Helplines may be set up by public or non-governmental organisations ***and may be organised on a professional or voluntary basis.***;

*Amendment*

4. Helplines may be set up by public or non-governmental organisations;

Or. en

**Amendment 197**  
**Kira Marie Peter-Hansen, Saskia Bricmont**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1**  
Directive 2012/29/EU  
Article 3a – paragraph 4a (new)

*Text proposed by the Commission*

*Amendment*

*4a. Member States shall take the necessary measures to ensure that helplines are available to support victims by ensuring appropriate opening hours, and granting sufficient human and financial resources.*

Or. en

**Amendment 198**  
**Kira Marie Peter-Hansen, Saskia Bricmont**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1**  
Directive 2012/29/EU  
Article 3a – paragraph 4b (new)

*Text proposed by the Commission*

*Amendment*

*4b. Member States shall ensure that support provided by victims' helplines pursuant to this article is without prejudice to the right of victims to receive information about their rights and about their case, and to otherwise communicate with competent authorities, and with other general or specialised victims' support services through appropriate communication and information technologies.*

Or. en

**Amendment 199**  
**Giuliano Pisapia, Maria Noichl**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1 a (new)**

Directive 2012/29/EU  
Article 4 – paragraph 1 – point d

*Present text*

d) how ***and under what conditions*** they can access legal advice, legal aid and any other sort of advice;

*Amendment*

***(1a) Article 4 is amended as follows***

"d) how they can access legal advice, ***free*** legal aid and any other sort of advice;"

Or. en

**Amendment 200**  
**Kira Marie Peter-Hansen, Saskia Bricmont**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 1

*Text proposed by the Commission*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, user friendly information and communication technologies. Such possibility shall include submission of evidence where feasible.

*Amendment*

1. Member States shall ensure that victims can ***safely and confidentially*** report criminal offences to the competent authorities through easily accessible, user friendly information and communication technologies. Such possibility shall include submission of evidence where feasible. ***Member States shall take the necessary measures to ensure that the reporting of the offence does not compel victim into cooperating in the criminal investigation, prosecution or trial. Member States shall also ensure that victims having reported a crime pursuant this article are not held liable for the irregularity of their entry into or stay in a Member State.***

Or. en

**Amendment 201**  
**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 1

*Text proposed by the Commission*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, user friendly information and communication technologies. Such possibility shall include submission of evidence where feasible.

*Amendment*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, ***easy-to-use, safe and readily available channels, including through*** user friendly information and communication technologies. Such possibility shall include submission of evidence where feasible, ***in particular for offences committed online.***

Or. en

**Amendment 202**  
**Giuliano Pisapia, Maria Noichl**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5 a – paragraph 1

*Text proposed by the Commission*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, user friendly information and communication technologies. Such possibility shall include submission of evidence where feasible.

*Amendment*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, ***secure, confidential and*** user friendly ***reporting mechanisms, including online and offline reporting, using*** information and communication technologies. Such possibility shall include submission of evidence where feasible.

Or. en

**Amendment 203**  
**Konstantinos Arvanitis**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a - paragraph 1

*Text proposed by the Commission*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, user friendly **information and communication technologies**. Such possibility **shall** include submission of evidence where feasible.

*Amendment*

1. Member States shall ensure that victims can **safely and confidentially** report criminal offences to the competent authorities through easily accessible, user friendly, **multiple reporting mechanisms, including online and offline reporting, anonymous reporting and third-party reporting**. Such possibility **may** include submission of evidence where feasible.

Or. en

**Amendment 204**  
**Lívía Járóka**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a - paragraph 1

*Text proposed by the Commission*

(1) Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, user friendly information and communication technologies. Such possibility shall include submission of evidence where feasible.

*Amendment*

(1) Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, **safe, understandable and** user friendly **reporting mechanisms, using** information and communication technologies. Such possibility shall include submission of evidence where feasible.

*(This amendment applies to all of the legislative text examined; its adoption will necessitate (appropriate) technical adjustments throughout the entire text.)*

Or. hu

*Justification*

*Required for clarity and for the effective application of the directive.*

**Amendment 205**  
**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5 a – paragraph 1

*Text proposed by the Commission*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, user friendly information and communication technologies. Such possibility shall include submission of evidence where feasible.

*Amendment*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, **safe and** user friendly **reporting mechanisms, using** information and communication technologies. Such possibility shall include submission of evidence where feasible.

Or. en

**Amendment 206**  
**Eugenia Rodríguez Palop**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 1

*Text proposed by the Commission*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, user friendly information and communication technologies. Such possibility **shall** include submission of evidence where feasible.

*Amendment*

1. Member States shall ensure that victims can report criminal offences to the competent authorities through easily accessible, **safe and** user friendly **reporting mechanisms, using** information and communication technologies. Such possibility **may** include submission of evidence where feasible.

Or. en

**Amendment 207**  
**Eugenia Rodríguez Palop**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 1a (new)

*Text proposed by the Commission*

*Amendment*

**1a. In accordance with procedures in national law, reporting mechanisms shall include the possibility of reporting criminal offences and submitting evidence online or through other information and communication technologies, reporting criminal offences anonymously and through third-party reporting.**

Or. en

**Amendment 208**  
**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Member States shall take the necessary measures to encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further **acts of violence** are to be expected, to report this to the competent authorities.

2. Member States shall take the necessary measures to encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further **criminal offences** are to be expected, to report this to the competent authorities, **including anonymously. Where a person other than the victim is making the report, Member States shall ensure that the competent authorities take adequate measures for the victim's safety when necessary.**

Or. en

**Amendment 209**  
**Konstantinos Arvanitis**



**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
DIRECTIVE 2012/29/EU  
Article 5a – paragraph 2

*Text proposed by the Commission*

2. Member States shall take the necessary measures to encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further acts of violence are to be expected, to report this to the competent authorities.

*Amendment*

2. Member States shall take the necessary measures to encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further acts of violence are to be expected, to report this to the competent authorities *as referred to in para 1. Such complaints should not lead to any reprisals for the victim, particularly in relation to their immigration status.*

Or. en

**Amendment 210**  
**Kira Marie Peter-Hansen, Saskia Bricmont**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 2

*Text proposed by the Commission*

2. Member States shall take the necessary measures to encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further acts of violence are to be expected, to report *this* to the competent authorities.

*Amendment*

2. Member States shall take the necessary measures to encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further acts of violence are to be expected, to *safely and confidentially* report *these offences or violent acts* to the competent authorities *as referred to in paragraph 1.*

Or. en

**Amendment 211**

**Elena Kountoura**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 2012/29/EU

Article 5a – paragraph 2

*Text proposed by the Commission*

2. Member States shall take the necessary measures to encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further acts of violence are to be expected, to report this to the competent authorities.

*Amendment*

2. Member States shall take the necessary measures to encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further acts of violence are to be expected, to report this to the competent authorities, ***and to do so anonymously.***

Or. en

**Amendment 212**

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

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 2012/29/EU

Article 5a – paragraph 2a (new)

*Text proposed by the Commission*

*Amendment*

***2a. In accordance with procedures in national law, diversified reporting mechanisms shall include the possibility of reporting criminal offences and submitting evidence online or through other information and communication technologies, reporting criminal offences anonymously and through third-party reporting.***

Or. en

**Amendment 213**

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

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 2b (new)

*Text proposed by the Commission*

*Amendment*

**2b. Member States shall take the necessary measures to ensure the possibility of third-party reporting mechanism**

Or. en

**Amendment 214**  
**Eugenia Rodríguez Palop**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. Member States shall ensure that victims can effectively report crimes ***committed in detention facilities***. Detention facilities ***shall include in addition to*** jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres, ***and*** accommodation centres where applicants and beneficiaries of international protection are located.

3. Member States shall ensure that victims ***deprived of liberty*** can effectively report crimes. ***Deprivation of liberty encompasses all places where persons are not free to leave, staff and authorities exercise total control over a person's movement or persons require assistance by staff or authorities for all activities of daily living. Particular attention shall be paid to*** detention facilities, ***including*** jails, detention centres and holding cells for suspects and accused ***and*** specialised detention facilities for applicants of international protection and pre-removal centres, accommodation centres where applicants and beneficiaries of international protection are located, ***and mental health and social care institutions, such as orphanages and retirement homes***.

Or. en

## Amendment 215

Lucia Ďuriš Nicholsonová

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 2012/29/EU

Article 5a – paragraph 3

#### *Text proposed by the Commission*

3. Member States shall ensure that victims can effectively report crimes committed in detention facilities. Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres, and accommodation centres where applicants and beneficiaries of international protection are located.

#### *Amendment*

3. Member States shall ensure that victims can effectively report crimes committed in ***closed settings, especially detention facilities and insitutional care facilities***. Detention facilities shall include in addition to jails, detention centres ***including young offenders' institutions***, and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres, and accommodation centres where applicants and beneficiaries of international protection are located. ***Institutional care facilities shall include, among others, residential facilities for elderly people or for persons with disabilities, children's homes, rehabilitation centres, correctional institutions or psychiatric facilities.***

Or. en

## Amendment 216

Kira Marie Peter-Hansen, Saskia Bricmont

on behalf of the Verts/ALE Group

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 2012/29/EU

Article 5a – paragraph 3

#### *Text proposed by the Commission*

3. Member States shall ensure that victims can effectively report crimes committed in detention facilities. Detention

#### *Amendment*

3. Member States shall ensure that victims ***who are deprived of liberty*** can effectively report crimes committed in

facilities shall include in addition to jails, **detention centres and** holding cells for suspects and accused, **specialised detention facilities for applicants of international protection and** pre-removal centres, **and accommodation centres** where applicants and beneficiaries of international protection are **located**.

detention facilities **and other custodial settings**. **Such** detention facilities shall include, in addition to jails, holding cells for suspects and accused **persons**. **Other custodial facilities shall include reception, accommodation, or** pre-removal centres where **irregular migrants, or** applicants and beneficiaries of international protection are **temporarily confined, as well as mental health institutions and social care institutions, and any other form of public or private custodial setting under control of any judicial, administrative, or other public authority, or private institution from which the victim is not permitted to leave at will**.

Or. en

## Amendment 217

Lívía Járóka

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 2012/29/EU

Article 5a – paragraph 3

#### *Text proposed by the Commission*

(3) Member States shall ensure that victims can effectively report crimes committed in **detention** facilities. **Detention** facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres, and accommodation centres where applicants and beneficiaries of international protection are located.

#### *Amendment*

(3) Member States shall ensure that victims can effectively report crimes committed in **correctional facilities and other closed settings**. **Correctional** facilities shall include in addition to **correctional institutions depriving liberty, such as maximum-security prisons, category C prisons**, jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres, and accommodation centres where applicants and beneficiaries of international protection are located. **Other closed settings shall include mental health and other social care institutions, such as orphanages and retirement homes**.

*(This amendment applies throughout the text. Its adoption will necessitate (appropriate) technical adjustments throughout the entire text.)*

Or. hu

*Justification*

*The definition of “detention facility” is very foreign to the Hungarian language, and coherence must be created with the current criminal laws of the Member States.*

**Amendment 218**  
**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5 a – paragraph 3

*Text proposed by the Commission*

3. Member States shall ensure that victims can effectively report crimes committed in detention facilities. Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres, and accommodation centres where applicants and beneficiaries of international protection are located.

*Amendment*

3. Member States shall ensure that victims can effectively report crimes committed in detention facilities **and other closed settings**. Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres, and accommodation centres where applicants and beneficiaries of international protection are located. **Other closed settings shall include mental health and social care institutions, such as orphanages and retirement homes.**

Or. en

**Amendment 219**  
**Giuliano Pisapia, Maria Noichl**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5 a – paragraph 3

*Text proposed by the Commission*

3. Member States shall ensure that victims can effectively report crimes committed in detention facilities. Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres, ***and accommodation centres where applicants and beneficiaries of international protection are located.***

*Amendment*

3. Member States shall ensure that victims can effectively report crimes committed in detention facilities ***and accommodation centres where applicants and beneficiaries of international protection are located.*** Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres.

Or. en

**Amendment 220**  
**Konstantinos Arvanitis**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a - paragraph 3

*Text proposed by the Commission*

3. Member States shall ensure that ***victims*** can effectively report crimes committed in detention facilities. Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres, ***and accommodation centres where applicants and beneficiaries of international protection are located.***

*Amendment*

3. Member States shall ensure that ***persons*** can effectively report crimes committed in detention facilities ***and accommodation centres where applicants and beneficiaries of international protection are located.*** Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and pre-removal centres.

Or. en

**Amendment 221**  
**Kira Marie Peter-Hansen, Saskia Bricmont**  
on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 3a (new)

*Text proposed by the Commission*

*Amendment*

**3a.** *Member States shall ensure that criminal offences committed by public officials, including police violence, can safely and confidentially be reported to the superiors of the officials involved, as well as to other appropriate competent authorities or organs vested with reviewing or remedial powers.*

Or. en

**Amendment 222**  
**Eugenia Rodríguez Palop**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 3b (new)

*Text proposed by the Commission*

*Amendment*

**3b.** *Member States shall ensure proactive monitoring of closed institutions by independent authorities, including through regular and unannounced visits to enable victims to safely report their victimisation.*

Or. en

**Amendment 223**  
**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 4

*Text proposed by the Commission*

*Amendment*



4. Where children report criminal offences, Member States shall ensure that the reporting procedures are safe, confidential, designed and accessible in a child-friendly manner and use language in accordance with their age and maturity.

4. Where children report criminal offences, Member States shall ensure that the reporting procedures are safe, confidential, designed and accessible in a child-friendly manner and use language in accordance with their age and maturity. ***If the offence involves the holder of parental responsibility, Member States shall ensure that reporting is not conditional upon this person's consent and that the measures which are necessary to protect the safety of the child are taken by the competent authorities before that person is informed about the reporting.***

Or. en

#### **Amendment 224**

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

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2**

Directive 2012/29/EU

Article 5a – paragraph 4

#### *Text proposed by the Commission*

4. Where children report criminal offences, Member States shall ensure that the reporting procedures are safe, confidential, designed and accessible in a child-friendly manner and use language in accordance with their age and maturity.

#### *Amendment*

4. Where children report criminal offences, Member States shall ensure that the reporting procedures are safe, confidential, designed and accessible in a child-friendly manner and use language in accordance with their age and maturity. ***Notification of the reported criminal offence to the child's parent or guardian shall only be made with consent from the child. Member States should ensure that all children, including witnesses, those with disabilities and those living in residential and closed-type institutions, can report crimes.***

Or. en

#### **Amendment 225**

**Konstantinos Arvanitis**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

DIRECTIVE 2012/29/EU

Article 5 – paragraph 4

*Text proposed by the Commission*

4. Where children report criminal offences, Member States shall ensure that the reporting procedures are **safe, confidential**, designed and accessible in a child-friendly manner and use language in accordance with their age and maturity.

*Amendment*

4. Where children report criminal offences, Member States shall **additionally** ensure that the reporting procedures are designed and accessible in a child-friendly manner and use language in accordance with their age and maturity.

Or. en

**Amendment 226**

**Eugenia Rodríguez Palop**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 2012/29/EU

Article 5a – paragraph 4a (new)

*Text proposed by the Commission*

*Amendment*

**4a. Member States shall fund, develop, and carry out activities aimed at removing barriers to reporting a crime including through informing the public and victims on how to report a crime and their rights when doing so.**

Or. en

**Amendment 227**

**Eugenia Rodríguez Palop**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 2012/29/EU

Article 5a – paragraph 4b (new)

*Text proposed by the Commission*

*Amendment*

**4b. Member States shall support awareness raising activities and information campaigns in order to ensure that victims who do not file a complaint with the competent authorities can easily reach victim support services.**

Or. en

**Amendment 228**  
**Eugenia Rodríguez Palop**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU  
Article 5a – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data ***pertaining to*** the residence status of the victim ***to*** competent migration authorities, ***at least until completion of the first individual assessment referred to in Article 22.;***

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring ***victims'*** personal data ***obtained as a result of reporting a crime, including*** the residence status of the victim, ***for purposes other than the processing of the victim's complaint and the subsequent criminal proceedings to any other*** competent authorities, ***including*** migration authorities. ***The data shall not be transferred to any other authorities without the victim's authorisation at any stage before, during or after a criminal investigation.;***

Or. en

**Amendment 229**  
**Margarita de la Pisa Carrión**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 2012/29/EU

Article 5 a paragraph 5

*Text proposed by the Commission*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities, at least until completion of the first individual assessment referred to in Article 22.;

*Amendment*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities, at least until completion of the first individual assessment referred to in Article 22.; ***If the reporting person has a deportation procedure in progress, the reporting will not affect that procedure;***

Or. es

**Amendment 230**

**Konstantinos Arvanitis**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

DIRECTIVE 2012/29/EU

Article 5a – paragraph 5

*Text proposed by the Commission*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities, ***at least until completion of the first individual assessment referred to in Article 22.;***

*Amendment*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities;

Or. en

**Amendment 231**

**Giuliano Pisapia, Maria Noichl**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 2012/29/EU

Article 5 a – paragraph 5

*Text proposed by the Commission*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities, ***at least until completion of the first individual assessment referred to in Article 22.;***

*Amendment*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities;

Or. en

**Amendment 232**

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

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 2012/29/EU

Article 5a – paragraph 5

*Text proposed by the Commission*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities, ***at least until completion of the first individual assessment referred to in Article 22.;***

*Amendment*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities.

Or. en

**Amendment 233**

**María Soraya Rodríguez Ramos, Hilde Vautmans, Marco Zullo, Susana Solís Pérez, Sylvie Brunet**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 2012/29/EU

Article 5a - paragraph 5

*Text proposed by the Commission*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities, ***at least until completion of the first individual assessment referred to in Article 22.***;

*Amendment*

5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities;

Or. en

**Amendment 234**

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

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2**

Directive 2012/29/EU

Article 5a – paragraph 5a (new)

*Text proposed by the Commission*

*Amendment*

***5a. The personal data collected as a result of reporting an offence pursuant to this article may only be disclosed to a third party under the condition that the data subject has explicitly consented to such disclosure, or that there is a legal requirement or authorisation to do so, in line with necessity and proportionality requirements. Member States shall take the necessary measures to ensure that at the moment of reporting victims of crimes or third parties reporting an offence are informed about how their personal data may be processed.***

Or. en

**Amendment 235**

**Cindy Franssen**

**Proposal for a directive**

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

Directive 2012/29/EU

Article 6 – paragraph 1 - introductory part

*Present text*

Member States shall ensure that victims are notified without unnecessary delay of their right to receive the following information about the criminal proceedings instituted as a result of the complaint with regard to a criminal offence suffered by the victim and that, **upon request**, they receive such information:

*Amendment*

**(2a) Article 6, paragraph 1 is amended as follows**

"Member States shall ensure that victims are notified without unnecessary delay of their right to receive the following information about the criminal proceedings instituted as a result of the complaint with regard to a criminal offence suffered by the victim and that they receive such information **automatically, unless they have explicitly indicated otherwise:**"

Or. en

*(Directive 2012/29/EU)*

**Amendment 236**

**Maria da Graça Carvalho**

**Proposal for a directive**

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

Directive 2012/29/EU

Article 6 – paragraph 1 – introductory part

*Present text*

1. Member States shall ensure that victims **are notified** without unnecessary delay **of their right to receive** the following information about the criminal proceedings instituted as a result of the complaint with regard to a criminal offence suffered by the victim **and that, upon request, they receive** such information:

*Amendment*

**(2a) In Article 6(1) the introductory part is replaced by the following:**

"1. Member States shall ensure that victims **receive** without unnecessary delay **at least** the following information about the criminal proceedings instituted as a result of the complaint with regard to a criminal offence suffered by the victim, **unless they object to receiving** such information:"

Or. en

**Amendment 237**

**Maria da Graça Carvalho**

**Proposal for a directive**

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

Directive 2012/29/EU

Article 6 – paragraph 1 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(2b) in Article 6(1) the following point is added:***

***(ba) information on the state of play and significant developments in the criminal proceeding.***

Or. en

**Amendment 238**

**Cindy Franssen**

**Proposal for a directive**

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

Directive 2012/29/EU

Article 6 – paragraph 2

*Present text*

*Amendment*

Member States shall ensure that, in accordance with their role in the relevant criminal justice system, victims are notified without unnecessary delay of their right to receive the following information about the criminal proceedings instituted as a result of the complaint with regard to a criminal offence suffered by them and that, ***upon request***, they receive such information:

***(2b) Article 6, paragraph 2 is amended as follows:***

"Member States shall ensure that, in accordance with their role in the relevant criminal justice system, victims are notified without unnecessary delay of their right to receive the following information about the criminal proceedings instituted as a result of the complaint with regard to a criminal offence suffered by them and that they receive such information ***automatically, unless they have explicitly indicated otherwise:***"

Or. en



**Amendment 239**  
**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2 c (new)**  
Directive 2012/29/EU  
Article 6 – paragraph 2 – point b a (new)

*Text proposed by the Commission*

*Amendment*

**(2c) in Article 6(2) the following point is added:**

**(ba) any decisions taken in criminal proceedings that affect the victim directly, at least in relation to those set out in Article 20(1).**

Or. en

**Amendment 240**  
**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2 d (new)**  
Directive 2012/29/EU  
Article 6 – paragraph 5

*Present text*

*Amendment*

5. Member States shall ensure that victims are offered the opportunity to be notified, without unnecessary delay, when the person remanded in custody, prosecuted or sentenced for criminal offences concerning them is released from or has escaped detention. Furthermore, Member States shall ensure that victims are informed of any relevant measures issued for their protection in case of release or escape of the offender.

**(2d) Article 6(5) is replaced by the following:**

"5. Member States shall ensure that victims are offered the opportunity to be notified, without unnecessary delay, when the person remanded in custody, prosecuted or sentenced for criminal offences concerning them is released from or has escaped detention, **is released under judicial supervision, has been transferred to a different location or accesses prison benefits, reduction of sentences or early termination of the criminal responsibility.** Furthermore, Member States shall ensure that victims are informed of any relevant measures issued for their protection in case of release or escape of the offender."

**Amendment 241**

**Maria Noichl, Giuliano Pisapia**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 a (new)**

Directive 2012/29/EU

Article 6 paragraph 5

*Present text*

5. Member States shall ensure that victims are offered the opportunity to be notified, without unnecessary delay, when the person remanded in custody, prosecuted or sentenced for criminal offences concerning them is released from or has escaped detention. Furthermore, Member States shall ensure that victims are informed of any relevant measures issued for their protection in case of release or escape of the offender.

*Amendment*

**(3a) Article 6 (5) is amended as follows:**

"5. Member States shall ensure that victims are offered the opportunity to be notified, without unnecessary delay, when the person remanded in custody, prosecuted or sentenced for criminal offences concerning them is released from or has escaped detention. Furthermore, Member States shall ensure that victims are informed of any relevant measures issued for their protection in case of release or escape of the offender. ***Member States shall ensure that this information is provided in a manner minimising the risk of secondary victimisation or psychological harm to the victim.***"

**Amendment 242**

**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**

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

Directive 2012/29/EU

Article 7 – paragraph 1

*Present text*

1. Member States shall ensure that victims

*Amendment*

**(2a) Article 7 paragraph 1 is replaced by the following:**

"1. Member States shall ensure that victims

who do not understand or speak the language of the criminal proceedings concerned are provided, *upon request*, with interpretation *in accordance with their role in the relevant criminal justice system in criminal proceedings*, free of charge, *at least* during any interviews or questioning of the victim during criminal proceedings before investigative and judicial authorities, including during police questioning, and interpretation for their active participation in court hearings and any necessary interim hearings.

who do not understand or speak the language of the criminal proceedings concerned are provided with interpretation, free of charge, *in the framework of such proceedings, including* during any interviews or questioning of the victim during criminal proceedings before investigative and judicial authorities, including during police questioning, and interpretation for their active participation in court hearings and any necessary interim hearings."

Or. en

**Amendment 243**  
**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2 e (new)**  
Directive 2012/29/EU  
Article 7 – paragraph 1

*Present text*

1. Member States shall ensure that victims who do not understand or speak the language of the criminal proceedings concerned are provided, *upon request*, with interpretation *in accordance with their role in the relevant criminal justice system in criminal proceedings*, free of charge, at least during any interviews or questioning of the victim during criminal proceedings before investigative and judicial authorities, including during police questioning, and interpretation for their active participation in court hearings and any necessary interim hearings.

*Amendment*

**(2e) Article 7(1) is replaced by the following:**

"1. Member States shall ensure that victims who do not understand or speak the language of the criminal proceedings concerned are provided with interpretation, free of charge, at least during any interviews or questioning of the victim during criminal proceedings before investigative and judicial authorities, including during police questioning, and interpretation for their active participation in court hearings and any necessary interim hearings."

Or. en

**Amendment 244**  
**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2 b (new)**  
Directive 2012/29/EU  
Article 7 – paragraph 3

*Present text*

3. Member States shall ensure that victims who do not understand or speak the language of the criminal proceedings concerned are provided, ***in accordance with their role in the relevant criminal justice system in criminal proceedings, upon request***, with translations of information essential to the exercise of their rights in criminal proceedings in a language that they understand, free of charge, to the extent that such information is made available to the victims.

Translations of such information shall include at least ***any decision ending the criminal proceedings related to the criminal offence suffered by the victim, and upon the victim's request, reasons or a brief summary of reasons for such decision, except in the case of a jury decision or a decision where the reasons are confidential in which cases the reasons are not provided as a matter of national law.***

*Amendment*

***(2b) Article 7 paragraph 3 is replaced by the following:***

"3. Member States shall ensure that victims who do not understand or speak the language of the criminal proceedings concerned are provided with translations of information essential to the exercise of their rights in criminal proceedings in a language that they understand, free of charge, to the extent that such information is made available to the victims. Translations of such information shall include at least ***the information referred to in Article 6(1) and (2).*** "

Or. en

**Amendment 245**  
**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2 f (new)**  
Directive 2012/29/EU  
Article 7 – paragraph 3

3. Member States shall ensure that victims who do not understand or speak the language of the criminal proceedings concerned are provided, in accordance with their role in the relevant criminal justice system in criminal proceedings, upon request, with translations of **information essential** to the exercise of their rights in criminal proceedings in a language that they understand, free of charge, to the extent that such information is made available to the victims. Translations of such information shall include at least any decision ending the criminal proceedings related to the criminal offence suffered by the victim, **and upon the victim's request**, reasons or a brief summary of reasons for such decision, except in the case of a jury decision or a decision where the reasons are confidential in which cases the reasons are not provided as a matter of national law.

**(2f) Article 7(3) is replaced by the following:**

"3. Member States shall ensure that victims who do not understand or speak the language of the criminal proceedings concerned are provided, in accordance with their role in the relevant criminal justice system in criminal proceedings, upon request, with translations of **information essential** to the exercise of their rights in criminal proceedings in a language that they understand, free of charge, to the extent that such information is made available to the victims. Translations of such information shall include at least any decision ending the criminal proceedings related to the criminal offence suffered by the victim, reasons or a brief summary of reasons for such decision, except in the case of a jury decision or a decision where the reasons are confidential in which cases the reasons are not provided as a matter of national law."

Or. en

#### **Amendment 246**

**Maria da Graça Carvalho**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 2 g (new)**

Directive 2012/29/EU

Article 7 – paragraph 4

4. Member States shall ensure that victims who are entitled to information about the time and place of the trial in accordance with Article 6(1)(b) and who do not understand the language of the competent authority, are provided with a translation of

**(2g) Article 7(4) is replaced by the following:**

"4. Member States shall ensure that victims who are entitled to information about the time and place of the trial in accordance with Article 6(1)(b) and who do not understand the language of the competent authority, are provided with a translation of

the information to which they are entitled,  
*upon request.*

the information to which they are entitled  
*unless they refuse such translation."*

Or. en

#### **Amendment 247**

**Lucia Ďuriš Nicholsonová**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2 h (new)**

Directive 2012/29/EU

Article 7 – paragraph 6

#### *Present text*

6. Notwithstanding paragraphs 1 and 3, an oral translation or oral summary of essential documents may be provided instead of a written translation on condition that such oral translation or oral summary does not prejudice the fairness of the proceedings.

#### *Amendment*

"6. Notwithstanding paragraphs 1 and 3, an oral translation or oral summary of essential documents may be provided instead of a written translation on condition that such oral translation or oral summary does not prejudice the fairness of the proceedings *or the ability of victims to properly exercise their rights or actively participate in the criminal proceedings.*"

Or. en

#### **Amendment 248**

**Maria da Graça Carvalho**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2 h (new)**

Directive 2012/29/EU

Article 7 – paragraph 6

#### *Present text*

6. Notwithstanding paragraphs 1 and 3, an oral translation or oral summary of essential documents may be provided instead of a written translation on condition that such oral translation or oral summary does not prejudice the fairness of the

#### *Amendment*

**(2h) Article 7(6) is replaced by the following:**

"6. Notwithstanding paragraphs 1 and 3, an oral translation or oral summary of essential documents may be provided instead of a written translation on condition that such oral translation or oral summary does not prejudice the fairness of the

proceedings.

proceedings, *the ability of victims to participate in the proceedings or the ability to exercise their rights.*"

Or. en

#### **Amendment 249**

**Lucia Ďuriš Nicholsonová**

#### **Proposal for a directive**

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

Directive 2012/29/EU

Article 7 – paragraph 7

#### *Present text*

7. Member States shall ensure that the competent authority assesses whether victims need interpretation or translation as provided for under paragraphs 1 and 3. Victims may challenge a decision not to provide interpretation or translation. The procedural rules for such a challenge shall be determined by national law.

#### *Amendment*

"7. Member States shall ensure that the competent authority assesses whether victims need interpretation or translation as provided for under paragraphs 1 and 3. Victims may challenge a decision not to provide interpretation or translation. The procedural rules for such a challenge shall be determined by national law. *Where the victims is a non-national of the Member State of the criminal proceedings, the victim's need for interpretation and translation shall be presumed, unless there are clear indications that they do not have such needs.*"

Or. en

#### **Amendment 250**

**Maria da Graça Carvalho**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 2 i (new)**

Directive 2012/29/EU

Article 8 – paragraph 1

#### *Present text*

#### *Amendment*

*(2i) Article 8(1) is replaced by the following:*

1. Member States shall ensure that victims, in accordance with their needs, have access to confidential victim support services, free of charge, acting in the interests of the victims before, during and for an appropriate time after criminal proceedings. Family members shall have access to victim support services in accordance with their needs and the degree of harm suffered as a result of the criminal offence committed against the victim.

"Member States shall ensure that victims, **namely women and girls**, in accordance with their needs, have access to confidential victim support services, **governmental or non-governmental**, free of charge, acting in the interests of the victims before, during and for an appropriate time after criminal proceedings. Family members shall have access to victim support services in accordance with their needs and the degree of harm suffered as a result of the criminal offence committed against the victim."

Or. en

## **Amendment 251**

**Eugenia Rodríguez Palop**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 3 – point -a (new)**

Directive 2012/29/EU

Article 8

#### *Present Text*

1. Member States shall ensure that victims, in accordance with their needs, have access to confidential victim support services, free of charge, acting in the interests of the victims before, during and for an appropriate time after criminal proceedings. Family members shall have access to victim support services in accordance with their needs and the degree of harm suffered as a result of the criminal offence committed against the victim.

2. Member States shall facilitate the referral of victims, by the competent authority that received the complaint and by other relevant entities, to victim support services.

3. Member States shall take measures to

#### *Amendment*

**(-a) Article 8 is replaced by the following:**

**1. Member States shall ensure generic and specialist victim support services exist and are available to victims in accordance with their needs across their territory and operate in a coordinated manner. Specialist support services may be set up in addition to as well as an integrated part of generic support services. Family members shall have access to these services in accordance with their needs and the degree of harm suffered as a result of the criminal offence committed against the victim.**

**2. Victim support services may be set up as public or non-governmental**



establish free of charge and confidential specialist support services in addition to, or as an integrated part of, general victim support services, or to enable victim support organisations to call on existing specialised entities providing such specialist support. Victims, in accordance with their specific needs, shall have access to such services and family members shall have access in accordance with their specific needs and the degree of harm suffered as a result of the criminal offence committed against the victim.

4. Victim support services and any specialist support services may be set up as public or non-governmental organisations and may be organised on a professional or voluntary basis.

***organisations and may be organised on a professional or voluntary basis.***

***3. Member States shall ensure that access to any victim support services is not dependent on a victim making a formal complaint with regard to a criminal offence to a competent authority.***

***4. Member States shall ensure that victim support services, both governmental and non-governmental, are granted sufficient human and financial resources.***

Or. en

## **Amendment 252**

**Eugenia Rodríguez Palop**

### **Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point -a**

Directive 2012/29/EU

Article 8 – paragraphs 2 and 3

*Text proposed by the Commission*

(a) ***paragraph 2 is replaced by the following:***

*Amendment*

(a) ***paragraphs 2 and 3 are deleted:***

Or. en

**Amendment 253**  
**Eugenia Rodríguez Palop**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 3 – point a**  
Directive 2012/29/EU  
Article 8 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**2. Member States shall ensure that victims are contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim consents to be contacted by support services or if the victim requests support.;**

**deleted**

Or. en

**Amendment 254**  
**Maria Noichl, Giuliano Pisapia**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 3 – point a**  
Directive 2012/29/EU  
Article 8 paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Member States shall ensure that victims are contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim consents to be contacted by support services or if the victim requests support.;

2. Member States shall ensure that victims are contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim consents to be contacted by support services or if the victim requests support. ***This applies also for continued support after the end of the court proceedings where needed.***

Or. en

**Amendment 255**  
**Maria da Graça Carvalho**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point a**

Directive 2012/29/EU

Article 8 – paragraph 2

*Text proposed by the Commission*

2. Member States shall ensure that victims are contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim consents to be contacted by support services or if the victim requests support.;

*Amendment*

2. Member States shall ensure that victims are contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim, ***duly informed of the services that can be provided***, consents to be contacted by support services or if the victim requests support.

Or. en

**Amendment 256**

**Maria Walsh**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point a**

Directive 2012/29/EU

Article 8

*Text proposed by the Commission*

2. Member States shall ensure that victims are contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim consents to be contacted by support services or if the victim requests support.;

*Amendment*

2. Member States shall ensure that victims are contacted by the relevant general or specialised support ***services or restorative justice*** services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim consents to be contacted by support services or if the victim requests support.'

Or. en

**Amendment 257**

**Kira Marie Peter-Hansen, Saskia Bricmont**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point a**  
Directive 2012/29/EU  
Article 8 – paragraph 2

*Text proposed by the Commission*

2. Member States shall ensure that victims are contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim consents to be contacted by support services or if the victim requests support.;

*Amendment*

2. Member States shall ensure that victims are contacted ***promptly*** by the relevant general or specialised support services if the individual assessment referred to in Article 22 demonstrates the need for support and ***if*** the victim consents to be contacted by support services or if the victim requests support.;

Or. en

**Amendment 258**  
**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 3 – point a b (new)**  
Directive 2012/29/EU  
Article 8 – paragraph 3

*Present text*

3. Member States shall take measures to establish free of charge and confidential specialist support services in addition to, or as an integrated part of, general victim support services, or to enable victim support organisations to call on existing specialised entities providing such specialist support. Victims, in accordance with their specific needs, shall have access to such services and family members shall have access in accordance with their specific needs and the degree of harm suffered as a result of the criminal offence committed against the victim.

*Amendment*

***(ab) paragraph 3 is amended as follows:***

"3. Member States shall take measures to establish free of charge and confidential specialist support services in addition to, or as an integrated part of, general victim support services, or to enable victim support organisations to call on existing specialised entities providing such specialist support. Victims, in accordance with their specific needs, shall have access to such services and family members shall have access in accordance with their specific needs and the degree of harm suffered as a result of the criminal offence committed against the victim. ***General and specialist victim support services shall operate in a coordinated manner.***"

Or. en

**Amendment 259**

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

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b – introductory part**  
Directive 2012/29/EU

*Text proposed by the Commission*

*Amendment*

(b) the following *paragraph is* added:

(b) the following *paragraphs are* added:

Or. en

**Amendment 260**

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

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point a**  
Directive 2012/29/EU  
Article 8 – paragraph 3a (new)

*Text proposed by the Commission*

*Amendment*

*3a (new) Member States shall ensure that the communication between the victims and the professionals providing support services are adequately protected from undue disclosure. Such communication may only be disclosed to a third party under the condition that the victims has explicitly consented to such disclosure, or in presence of a legal requirement or authorisation to do so, when necessary and proportionate for the investigation or prosecution of the criminal offence.*

Or. en

**Amendment 261**

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

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point c**

Directive 2012/29/EU

Article 8 – paragraph 5a (new)

*Text proposed by the Commission*

*Amendment*

***5a (new) Member States shall ensure that victim support services, both governmental and non-governmental, are granted sufficient specialised human and financial resources.***

Or. en

**Amendment 262**

**Eugenia Rodríguez Palop**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 2012/29/EU

Article 8 – paragraph 6 (new)

*Text proposed by the Commission*

*Amendment*

***6. Victim support services shall remain operational in times of crisis, such as health crises, significant migratory situations or other states of emergency.;***

***deleted***

Or. en

**Amendment 263**

**Annika Bruna, Jean-Paul Garraud**

**Proposal for a directive**

**Article premier – paragraph 1 – point 3 – point b**

Directive 2012/29/UE

- paragraph 6

*Text proposed by the Commission*

*Amendment*

***6. Victim support services shall remain operational in times of crisis, such as health crises, significant migratory***

***6. Victim support services shall remain operational at all times, even during a crisis or state of emergency.***

*situations or other states of emergency.*

Or. fr

**Amendment 264**

**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b.b.**

Directive 2012/29/EU

Article 8 – paragraph 6a (new)

*Text proposed by the Commission*

*Amendment*

**6a. Victim support services shall be adequately coordinated and geographically distributed and shall be easily accessible and readily available, including online or through other adequate means, such as information and communication technologies.**

Or. en

**Amendment 265**

**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b.c.**

Directive 2012/29/EU

Article 8 – paragraph 6b (new)

*Text proposed by the Commission*

*Amendment*

**6b. Member States shall ensure sufficient human and financial resources to provide the services referred to in paragraph 1 and 3. Where such services are provided by non-governmental organisations, Member States shall provide them with adequate, predictable and sustainable funding.**

Or. en

**Amendment 266**  
**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 3 a(new)**  
Directive 2012/29/EU  
Article 8 – paragraph 7 (new)

*Text proposed by the Commission*

*Amendment*

**(3a) Member States shall ensure that victim support services, both governmental and non-governmental, are granted sufficient financial resources to support their activities and ensure adequate human resources.**

Or. en

**Amendment 267**  
**Eugenia Rodríguez Palop**

**Proposal for a directive**  
**Directive 2012/29/EU**  
**Article 1 – paragraph 1 – point 4 – point -a.a.(new)**  
Directive 2012/29/EU  
Article 9 – paragraph 1

*Present Text*

*Amendment*

**(a.a.) Article 9(1) is replaced by the following:**

1. Victim support services, as referred to in Article 8(1), shall, as a minimum, provide:

- (a) information, advice and support relevant to the rights of victims including on accessing national compensation schemes for criminal injuries, and on their role in criminal proceedings including preparation for attendance at the trial;
- (b) information about or direct referral to any relevant specialist support services in place;
- (c) emotional and, where available, psychological support;



(d) advice relating to financial and practical issues arising from the crime;

(e) unless otherwise provided by other public or private services, advice relating to the risk and prevention of secondary and repeat victimisation, of intimidation and of retaliation.

***Generic 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:***

***a. 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;***

***b. be free of charge;***

***c. be confidential;***

***d. act in the interests of the victims;***

***e. remain operational in times of crisis, such as health crises, significant migratory situations or other states of emergency;***

***f. operate in accordance with quality standards for support based on this article.***

Or. en

**Amendment 268**  
**Eugenia Rodríguez Palop**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4 – point -a.a. (new)**  
Directive 2012/29/EU  
Article 9 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

**(a) in paragraph 1, point (c) is replaced by the following:** **deleted**

***‘(c) emotional and, where available, psychological support once they become aware of a status of a person as a victim. If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22, psychological support shall be available to victims in need of such support for as long as necessary.’***

Or. en

**Amendment 269**  
**Eugenia Rodríguez Palop**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4 – point -a.a. (new)**  
Directive 2012/29/EU  
Article 9 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

**(c) emotional and, where available, psychological support once they become aware of a status of a person as a victim. If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22, psychological support shall be available to victims in need of such support for as long as necessary.;** **deleted**

Or. en

## Amendment 270

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

### Proposal for a directive

**Article 1 – paragraph 1 – point 4 – point a**

Directive 2012/29/EU

Article 9 – paragraph 1 – point c

*Text proposed by the Commission*

(c) emotional and, **where available**, psychological support once they become aware of a status of a person as a victim. ***If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22,*** psychological support shall be available to victims in need of such support for as long as necessary.;

*Amendment*

(c) emotional and psychological support once they become aware of a status of a person as a victim. 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 271

**Giuliano Pisapia, Maria Noichl**

### Proposal for a directive

**Article 1 – paragraph 1 – point 4 – point a**

Directive 2012/29/EU

Article 9 – paragraph 1 – point c

*Text proposed by the Commission*

(c) emotional and, **where available**, psychological support once they become aware of a status of a person as a victim. If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22, psychological support shall be available to victims in need of such support for as long as necessary.;

*Amendment*

(c) emotional and psychological support once they become aware of a status of a person as a victim. If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22, psychological support shall be available to victims in need of such support for as long as necessary.;

Or. en

## Amendment 272

**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 4 – point a**

Directive 2012/29/EU

Article 9 – paragraph 1 – point (c)

*Text proposed by the Commission*

(c) emotional and, where available, psychological support ***once they become aware of a status of a person as a victim.*** If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22, psychological support shall be available to victims in need of such support for as long as necessary.;

*Amendment*

(c) emotional and, where available, psychological support, ***or a referral to psychological counselling.*** If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22, psychological support shall be available to victims in need of such support for as long as necessary.;

Or. en

**Amendment 273**

**Maria Walsh**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 4 – point a**

Directive 2012/29/EU

Article 9 – paragraph 1

*Text proposed by the Commission*

(c) emotional and, ***where available,*** psychological support once they become aware of a status of a person as a victim. If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22, psychological support shall be available to victims in need of such support for as long as necessary.;

*Amendment*

(c) emotional and psychological support once they become aware of a status of a person as a victim. If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22, psychological support shall be available to victims in need of such support for as long as necessary.;

Or. en

**Amendment 274**

**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4 – point b**  
Directive 2012/29/EU  
Article 9 – paragraph 1 – point b a (new)

*Present Text*

*Amendment*

***(b.c.) in paragraph 1 the following point is added:***

***targeted and integrated support, including trauma support counselling and sexual and reproductive healthcare services, for victims with specific needs, such as victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council [on combating violence against women and domestic violence], victims of trafficking in human beings and victims with disabilities;***

Or. en

**Amendment 275**  
**Maria da Graça Carvalho**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4 – point a.b.**  
Directive 2012/29/EU  
Article 9 – paragraph a – point c a new

*Text proposed by the Commission*

*Amendment*

***(a.b.) 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;***

Or. en

**Amendment 276**

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

**Proposal for a directive**

**Article 1 – paragraph 1 – point 4 – point c**  
Directive 2012/29/EU  
Article 9 – paragraph 1 – point cb (new)

*Present Text*

*Amendment*

*(a.c.) in paragraph 1 the following point is added:*

*'(cb) information about access to legal counselling, including possibilities of legal aid'*

Or. en

**Amendment 277**

**Maria da Graça Carvalho**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 4 – point b.d.**  
Directive 2012/29/EU  
Article 9 – paragraph 1 – point b b (new)

*Present Text*

*Amendment*

*(b.d.) in paragraph 1 the following point is added:*

*remain operational in times of crisis, such as health crises, significant migratory situations or other states of emergency;*

Or. en

**Amendment 278**

**Eugenia Rodríguez Palop**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 4 – point b. b. (new)**  
Directive 2012/29/EU

*Present Text*

Member States shall encourage victim support services to pay particular attention to the specific needs of victims who have suffered considerable harm due to the severity of the crime.

*Amendment*

***(b.b.) Article 9(2) is replaced by the following:***

***2. Generic and specialist victim support services, shall, as a minimum, provide:***

***a. information, advice and support relevant to the rights and protection of victims including on accessing national compensation schemes for criminal injuries, and on their role in criminal proceedings including preparation for attendance at the trial and court accompaniment throughout the criminal proceedings;***

***b. information about or direct referral to any relevant specialist or other support services in place;***

***c. Emotional support and psychological support or referral to psychological support services, psychological support shall be available to victims in need of such support for as long as necessary as determined by the victim's psychologist;***

***d. advice relating to financial and practical issues arising from the crime;***

***e. unless otherwise provided by other public or private services, advice relating to the risk and prevention of secondary and repeat victimisation, of intimidation and of retaliation;***

***f. an individual needs assessment during an intake process to identify victims' support needs and to tailor support provision to meet these needs.***

Or. en

**Amendment 279**  
**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4 – point a a (new)**  
Directive 2012/29/EU  
Article 9 – paragraph 2

*Present text*

2. Member States shall **encourage** victim support services **to** pay particular attention to the specific needs of victims who have suffered considerable harm due to the severity of the crime.

*Amendment*

**(aa) Article 9(2) is replaced by the following:**

"2. Member States shall **ensure that** victim support services pay particular attention to **personal characteristics of the victim, the type and nature of the crime**, the specific needs of victims, **particularly those** who have suffered considerable harm due to the severity of the crime, **or any other circumstances that may require a specific response.**"

Or. en

**Amendment 280**  
**Lucia Ďuriš Nicholsonová**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4 – point b**  
Directive 2012/29/EU  
Article 9 – paragraph 3 – point b

*Text proposed by the Commission*

(b) targeted and integrated support, including trauma support and counselling, for victims with specific needs, such as victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council<sup>64</sup> [on combating violence against women and domestic violence], victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims

*Amendment*

(b) targeted and integrated support, including trauma support and counselling, for victims with specific needs, such as victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council<sup>64</sup> [on combating violence against women and domestic violence], victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims



of terrorism, victims of core international crimes.;

of terrorism, victims of core international crimes. ***Victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence and victims of trafficking in human beings shall also have access to sexual and reproductive healthcare services as part of the targeted and integrated support.***;

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<sup>64</sup> Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’;

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<sup>64</sup> Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’;

Or. en