



**2023/0250(COD)**

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# **DRAFT COMPROMISE AMENDMENTS 1 - 7**

**Draft report**

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(PE759.858v01-00)

Proposal for a Directive of the European Parliament and of the Council 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))

**Compromise amendment 1, covering Articles 3a, 5a, 6, 7**

Amendments covered: AMs 18-31 Rapps, ~~167-169 Left~~, 172 SD, 174 EPP, 175 EPP, ~~176 Left~~, 177 SD, 179 ECR, 180 SD, 181 Greens, 182 EPP, 183 EPP, 184 EPP, 185 Left, 186 EPP, 187 SD, 188 Renew, 189 EPP, 190 Greens, 191 Renew, 192 Left, 193 Greens, 194 EPP, 195 Renew, 197 Greens, ~~198 Greens~~, 201 Renew, 202 SD, 203 Left, 204 NI, 205 EPP, 206 Left, 207 Left, 208 Renew, 210 Greens, 211 Left, 212 Greens, 213 Renew, 214 Left, 215 Renew, 216 Greens, 217 NI, 218 EPP, 219 SD, 220 Left, 223 Renew, **226 Left**, ~~228 Left~~, 230 Left, 231 SD, 232 Greens, 233 Renew, 234 Greens, 235 EPP, 236 EPP, 237 EPP, 239 EPP, 240 EPP, 241 SD, 242 Renew, 243 EPP, 245 EPP, 246 EPP, 247 Renew, 248 EPP

Amendments falling: ~~167-169 Left~~, AM 170 Left, 171 Left, 173 Left, **176 Left**, 178 Renew, 196 SD, 199 SD, 200 Greens, 209 Left, 221 Greens, 222 Left, 224 Greens, 225 Left, ~~226 Left~~, 227 Left, **228 Left**, 229 ECR, 238 EPP, 244 Renew, 249 Renew

- (1) the following Article is inserted:

*‘Article 3a*

**Victims’ helpline**

1. Member States shall take the necessary measures to establish easily accessible, user friendly, **secure**, free of charge and confidential victims’ helplines which: **[AM177 SD]**
  - (a) provide victims with the information referred to in Article 4(1)
  - (b) offer emotional **and psychological** support; **[AM179 ECR, 180 SD]**
  - (c) refer victims to **relevant services, including general and** specialised support services and/or specialised helplines ~~if needed~~. **[AM 18 Rapps, 181 Greens, 182 EPP, 183 EPP]**
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 **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. [AM19 Rapps, 186 EPP, 187 SD, 188 Renew]*

2. *Member States shall ensure that victims of cross-border crime have access to helplines of their choice, including those of other Member States. [AM20 Rapps, 189 EPP]*
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 the provision of those services in a language that victims can understand, including by means of telephone interpreting free of charge. [190 Greens]*
4. Helplines *shall* be set up ~~by~~ *and operated by organisations specialised in delivering victim support, either* public or non-governmental organisations and may be organised on a professional or voluntary basis.’; *[AM21 Rapps, 193 Greens, 194 EPP, 195 Renew]*
  - 4 a. *Member States shall take the necessary measures to ensure that helplines provide quality and accessible support to victims, including by ensuring sufficient human and financial support as well as by appropriate operating opening hours. These helplines shall be operated by specialised and qualified staff. [184 EPP, 185 Left, 187 SD, 192 Left, 193 Greens, 195 Renew, 197 Greens]*

(2) the following Article 5a is inserted:

*‘Article 5a*

**Reporting of crime**

1. Member States shall ensure that victims can report *acts which may constitute a criminal offence eriminal-offence* to the competent authorities through *free*, easily accessible, *safe, confidential and* user friendly *reporting mechanisms, including online, using* information and communication technologies. Such possibility shall include submission of *information and* evidence where feasible. *[AM22 Rapps, 201 Renew, 202 SD, 203 Left, 204 NI, 205 EPP, 206 Left, 207 Left, 211 Left, 212 Greens]*
2. Member States shall take the necessary measures to encourage *and enable* any person who knows about or suspects, in good faith, that *acts which may constitute a criminal offence eriminal-offence* have been committed, or that further acts of violence are to be expected, to ~~*safely and confidentially*~~ report ~~his~~ *these offences or acts of violence* to the competent authorities *through the mechanisms referred to in paragraph 1. 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.* *[208 Renew, 210 Greens]*
  - 2a. *Member States shall take the necessary measures to ensure the possibility of third-party reporting mechanism through the mechanisms referred to in paragraph 1. [213 Renew; 207 Left]*
  - 2b. *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*
3. Member States shall ensure that victims *who are deprived of liberty* can effectively report *acts which may constitute a criminal offence eriminal-offence* committed in detention facilities. *Detention facilities shall include in addition to jails, detention centres and holding cells for*

suspects and accused *persons* and specialised detention facilities for applicants of international protection where *irregular migrants or* applicants and beneficiaries of international protection are located, ~~and pre-removal centers.~~

3a. Member States shall ensure that victims *whose liberty is restricted who are deprived of liberty* can effectively report *acts which may constitute a criminal offence* ~~eriminal-offence~~ committed in accommodation *facilities from where they are not permitted to leave at will* ~~centres~~, such as *reception, or accommodation facilities,* ~~or pre-removal centres~~, where *irregular migrants or* applicants and beneficiaries of international protection are located. ~~In addition, accommodation facilities shall include as well as specialised accommodation from where the victim is not permitted to leave at will for person with disabilities, children and elderly~~ **people, including mental health and social care institutions, orphanages and retirement homes, 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.**

4. Where children report *acts which may constitute a criminal offence* ~~eriminal-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 the person holding the parental responsibility is informed about the reporting.* [223 Renew]

~~**NEW PROPOSAL:** 5. Member States shall take the necessary measures to ensure that victims who are third-country nationals are able to report acts which may constitute a criminal offence and are treated in a non-discriminatory manner in accordance with Article 1. Member States shall in particular ensure that implementation of the Directive 2008/115/EC does not impede the rights of victims guaranteed under this Directive, Regulation 2016/679 and Directive 2016/680. Member States may at any moment decide to grant an autonomous residence permit or other authorisation offering a right to stay for compassionate, humanitarian or other reasons in accordance with Article 6(4) of the Directive 2008/115/EC.~~

**5. In accordance with Article 1 of this Directive, Member States shall take the necessary measures to ensure that victims who are third-country nationals, irrespective of their residence status, are able to report acts which may constitute a criminal offence. With due regard that reporting a 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, Member States shall ensure that the competent authorities coming in contact with a victim reporting *acts which may constitute a criminal offence* ~~erimes~~ are prohibited from transferring *and using* personal data pertaining to the residence status of the victim to competent migration authorities, at least until completion of the *criminal proceeding* ~~first individual assessment referred to in Article 22. Member States may at any moment decide to grant an autonomous residence permit or other authorisation offering a right to stay for compassionate, humanitarian or other reasons in accordance with Article 6(4) of the Directive 2008/115/EC.~~**

**5a. Member States shall take the necessary measures to ensure that at the moment of reporting victims of crimes reporting acts which may constitute a criminal offence ~~an offence~~ are informed about how their personal data may be processed. [AM228 Left, 230 Left, 231 SD, 232 Greens, 233 Renew 234 Greens]**

**5b. ~~Without prejudice to the presumption of innocence,~~ Member States shall provide for appropriate mechanisms to report safely and confidentially ~~ensure that criminal offences committed by public officials when exercising their office can safely and confidentially be reported to the appropriate competent authorities or bodies, in accordance with national law, acts committed by public officials when exercising their office which may constitute criminal offences.~~ [AM 221, Greens]**

**(2a)(new) Article 6 is amended as follows:**

(a) in paragraph 1 the introductory part is replaced by the following:

1. Member States shall ensure that victims ~~are notified~~ **receive** without unnecessary delay ~~of their right to receive~~ **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 express their objection ~~object to receiving~~ and that, upon request, they receive** such information **to competent authorities**: [AM24 Rapps, 235 EPP, 236 EPP]

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

**(c) information on the state of play and significant developments in the criminal proceeding and any decisions taken in criminal proceedings that pertain to ~~affect~~ the victim directly.** [AM25 Rapps, 237 EPP]

(c) in paragraph 2 the following point is added:

**(c) any decisions taken in criminal proceedings that pertain to ~~affect~~ the victim directly, at least in relation to those set out in Article 20(1).** [AM26 Rapps, 239 EPP]

(d) paragraph (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. **Member States shall ensure that this information is provided in a manner minimising the risk of secondary victimisation or psychological harm to the victim.** [AM27 Rapps, 240 EPP, 241 SD]

**(2b) (new) Article 7 is amended as follows:**

(a) 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 ***in the framework of such proceedings, including*** 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. ***[AM28 Rapps, 242 Renew, 243 EPP, ]***

(b) 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, ~~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. ***[AM29 Rapps, 245 EPP]***

(c) paragraph 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~~ ***unless they refuse such translation. [AM30 Rapps, 246 EPP]***

(d) paragraph 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, ***the ability of victims to participate in the proceedings or the ability to exercise their rights. [AM31 Rapps, 247 Renew, 248 EPP]***

**Compromise amendment 2, covering Articles 8, 9, 9a**

Amendments covered: AMs 32-40 Rapps, 254 SD, 255 EPP, 256 EPP, 257 Greens, 258 EPP, 259 Greens, 260 Greens, 261 Greens, 264 Renew, 265 Renew, 266 EPP, 270 Greens, 271 SD, 273 EPP, 276 Greens, 277 EPP, 279 Renew, 280 Renew, 281 Greens, 284 SD, 285 EPP, 287 Greens, 288 Greens, 289 Left, 290 EPP, **291 S&D**, 292 Greens, 294 Greens, 295 EPP, 297

SD, 298 SD, 299 EPP, 300 Left, 301 Greens, 302 Greens, 303 Greens, 304 EPP, 305 EPP,, 307 EPP

Amendments falling: 250 EPP, 252-253 Left, 262 Left, 263 ID, 267 Left, 268 Left, 269 Left, 272 Renew, 274 EPP, 275 EPP,, 278 Left, 282 ID, 283 NI, 286 EPP, ~~291 SD~~, 293 Renew, 296 ECR, 306 Left

(3) Article 8 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘2. Member States shall ensure that victims are ***promptly*** contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22a demonstrates the need for support and ***if*** the victim, ***duly informed of the services that can be provided***, consents to be contacted by support services or if the victim requests support.’ [AM32 Rapps, 254SD, 255 EPP, 256 EPP, 257 Greens]

(aa) 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.***’ [AM33 Rapps, 258 EPP]

(b) the following paragraphs is *are* added: [AM259 Greens]

***‘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 victim 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.~~***’ [AM260 Greens]

‘6. Victim support services shall remain operational in times of crisis, such as health crises, significant ***humanitarian migratory*** situations or other states of emergency. [AM 277 EPP];

***‘7. Victim support services shall be adequately coordinated and geographically distributed and shall be easily accessible and available, including online or through other adequate means, such as information and communication technologies.’*** [AM264 Renew]

***‘8. Member States shall ensure that victim support services, both governmental and non-governmental, are granted sufficient specialised human and financial resources.’*** [AM 34 Rapps, AM261 Greens, 265 Renew, 266 EPP]

(4) Article 9 is amended as follows:

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

(a) information, advice and support relevant to the rights of victims including on accessing national compensation schemes for criminal injuries **and legal counselling, including possibilities of legal aid [Greens 276]**, and on their role in criminal proceedings including preparation for attendance at the trial;

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

‘(c) emotional and, ~~where available,~~ psychological support **and ~~or,~~ if necessary, a referral to these services ~~psychological counselling [Renew 272]~~** 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 22a, psychological support shall be available to victims in need of such support for as long as necessary.’; [270 Greens partly, 271 SD, 273 EPP]

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

‘2. Member States shall ~~encourage~~ **ensure that** victim support services ~~to 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.**’ [AM279 Renew]

**(b) in paragraph 3, point (b) is replaced by the following:**

‘(b) targeted and integrated support, including trauma support and counselling **as well as access to comprehensive medical care services, including sexual and reproductive healthcare services especially access to safe and legal abortion care**, 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>1</sup> [*on combating violence against women and domestic violence*], victims of trafficking in human beings, victims of organised crimes, **and** victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism, victims of core international crimes.’ [AM35 Rapps, AM36 Rapps, AM 280 Renew, 281 Greens, 284 SD, 285 EPP]

**(c) the following paragraphs is are added: [287 Greens]**

‘4. Member States shall provide the protection and specialist support services necessary to comprehensively address the multiple needs of victims with specific needs in line with the protocols referred to in Article 26a(1), point (c).’

‘5. **Member States shall ensure independent evaluation of the quality of the support services referred to in this Article and shall ensure that the services are adapted accordingly. The evaluation process shall not place an undue burden on organisations, shall have clear and transparent evidence based methodology**

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<sup>1</sup> Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’;

*focused on determining quality of services' [AM37 Rapps, 288 Greens, 289 Left, 290 EPP]*

- (5) the following Article 9a is inserted in Chapter II:

*'Article 9a*

**Targeted and integrated support services for children**

1. Member States shall take the necessary measures, *including sufficient and continuous funding*, to ensure the availability of child-friendly targeted and integrated specialist services for children to provide for age-appropriate support and protection necessary to comprehensively address the multitude of needs of child victims, *including child witnesses of crime. [291 SD, AM292 Greens]*
2. Targeted and integrated support services for child victims shall provide for a coordinated multi-agency mechanism that includes the following services:
  - (a) the provision of information;
  - (b) medical examination;
  - (c) emotional, *psychosocial, educational* and psychological support; *[AM38 Rapps, 294 Greens, 295 EPP, 297 SD]*
  - (ca) administrative and legal aid and support; [AM39 Rapps, 298 SD, 299 EPP, 300 Left, 301 Greens, 302 Greens, 304 EPP]*
  - (d) possibility of crime reporting;
  - (e) individual assessment of protection and support needs referred to in Article 22;
  - (f) video recording of testimonies referred to in Article 24(1).
3. The services referred to in paragraph 2 shall be provided within the same premises.';
4. *Member States shall ensure independent evaluation of the quality of the support services referred to in paragraph 2 and shall ensure that the services are adapted accordingly. The evaluation process shall not place an undue burden on organisations, shall have clear and transparent evidence based methodology focused on determining quality of services. [AM40 Rapps, 303 Greens, 305 EPP]*

**ALTERNATIVE COMPROMISE AMENDMENT 2**

**Compromise amendment 2, covering Articles 8, 9, 9a**

Amendments covered: AMs 32-40 Rapps, 254 SD, 255 EPP, 256 EPP, 257 Greens, 258 EPP, 259 Greens, 260 Greens, 261 Greens, 264 Renew, 265 Renew, 266 EPP, 270 Greens, 271 SD, 273 EPP, 276 Greens, 277 EPP, 279 Renew, 280 Renew, 281 Greens, 284 SD, 285 EPP., 287 Greens, 288 Greens, 289 Left, 290 EPP, **291 S&D**, 292 Greens, 294 Greens, 295 EPP, 297

SD, 298 SD, 299 EPP, 300 Left, 301 Greens, 302 Greens, 303 Greens, 304 EPP, 305 EPP,, 307 EPP

Amendments falling: 250 EPP, 252-253 Left, 262 Left, 263 ID, 267 Left, 268 Left, 269 Left, 272 Renew, 274 EPP, 275 EPP,, 278 Left, 282 ID, 283 NI, 286 EPP, ~~291 SD~~, 293 Renew, 296 ECR, 306 Left

(3) Article 8 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘2. Member States shall ensure that victims are ***promptly*** contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22a demonstrates the need for support and ***if*** the victim, ***duly informed of the services that can be provided***, consents to be contacted by support services or if the victim requests support.’ [AM32 Rapps, 254SD, 255 EPP, 256 EPP, 257 Greens]

(aa) 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.***’ [AM33 Rapps, 258 EPP]

(b) the following paragraphs is *are* added: [AM259 Greens]

***‘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 victim 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.~~***’ [AM260 Greens]

‘6. Victim support services shall remain operational in times of crisis, such as health crises, significant ***humanitarian migratory*** situations or other states of emergency. [AM 277 EPP];

***‘7. Victim support services shall be adequately coordinated and geographically distributed and shall be easily accessible and available, including online or through other adequate means, such as information and communication technologies.’*** [AM264 Renew]

***‘8. Member States shall ensure that victim support services, both governmental and non-governmental, are granted sufficient specialised human and financial resources.’*** [AM 34 Rapps, AM261 Greens, 265 Renew, 266 EPP]

(4) Article 9 is amended as follows:

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

(a) information, advice and support relevant to the rights of victims including on accessing national compensation schemes for criminal injuries **and legal counselling, including possibilities of legal aid [Greens 276]**, and on their role in criminal proceedings including preparation for attendance at the trial;

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

‘(c) emotional and, ~~where available,~~ psychological support **and ~~or,~~ if necessary, a referral to these services ~~psychological counselling [Renew 272]~~** 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 22a, psychological support shall be available to victims in need of such support for as long as necessary.’; [270 Greens partly, 271 SD, 273 EPP]

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

‘2. Member States shall ~~encourage~~ **ensure that** victim support services ~~to 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.**’ [AM279 Renew]

**(b) in paragraph 3, point (b) is replaced by the following:**

‘(b) targeted and integrated support, including trauma support and counselling **as well as access to medical care services, including healthcare services, including sexual and reproductive healthcare services especially access to safe and legal abortion care,** 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>2</sup> [on combating violence against women and domestic violence], victims of trafficking in human beings, victims of organised crimes, **and** victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism, victims of core international crimes.’ [AM35 Rapps, AM36 Rapps, **AM 280 Renew, 281 Greens, 284 SD, 285 EPP]**

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[1] **Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’;**

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<sup>2</sup> Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’;

(c) the following paragraphs *is are* added: *[287 Greens]*

‘4. Member States shall provide the protection and specialist support services necessary to comprehensively address the multiple needs of victims with specific needs in line with the protocols referred to in Article 26a(1), point (c).’

‘5. *Member States shall ensure independent evaluation of the quality of the support services referred to in this Article and shall ensure that the services are adapted accordingly. The evaluation process shall not place an undue burden on organisations, shall have clear and transparent evidence based methodology focused on determining quality of services’ [AM37 Rapps, 288 Greens, 289 Left, 290 EPP]*

(5) the following Article 9a is inserted in Chapter II:

*‘Article 9a*

**Targeted and integrated support services for children**

1. Member States shall take the necessary measures, *including sufficient and continuous funding*, to ensure the availability of child-friendly targeted and integrated specialist services for children to provide for age-appropriate support and protection necessary to comprehensively address the multitude of needs of child victims, *including child witnesses of crime. [291 SD, AM292 Greens]*
2. Targeted and integrated support services for child victims shall provide for a coordinated multi-agency mechanism that includes the following services:
  - (a) the provision of information;
  - (b) medical examination;
  - (c) emotional, *psychosocial, educational* and psychological support; *[AM38 Rapps, 294 Greens, 295 EPP, 297 SD]*
  - (ca) administrative and legal aid and support; [AM39 Rapps, 298 SD, 299 EPP, 300 Left, 301 Greens, 302 Greens, 304 EPP]*
  - (d) possibility of crime reporting;
  - (e) individual assessment of protection and support needs referred to in Article 22;
  - (f) video recording of testimonies referred to in Article 24(1).
3. The services referred to in paragraph 2 shall be provided within the same premises.’;
4. *Member States shall ensure independent evaluation of the quality of the support services referred to in paragraph 2 and shall ensure that the services are adapted accordingly. The evaluation process shall not place an undue burden on organisations, shall have clear and transparent evidence based methodology focused on determining quality of services. [AM40 Rapps, 303 Greens, 305 EPP]*

**Compromise amendment 3, covering Articles 10a, 10b, 12, 13**

Amendments covered: AMs 41-43 Rapps, 310 Greens, 312 EPP, 314 Renew, 315 EPP, **319 Greens**, 321 Renew, 322 EPP, ~~324 Left, 325 Greens, 326 EPP, 327 EPP, 328 Left, 329 Left, 330 EPP, 334 Left~~, 335 Renew, 336 EPP, 337 Renew, **339 Greens**

Amendments falling: 308 Renew, 309 Left, 311 Renew, 313 Left, 316 Left, 317 Renew, 318 Greens, ~~319 Greens~~, 320 Left, 323 Left, 324 Left, 325 Greens, 326 EPP, 327 EPP, 328 Left, 329 Left, 330 EPP, 331 EPP, 332 EPP, 333 EPP, 334 Left, 338 SD

(6) the following Articles 10a and 10b are inserted:

*Article 10a*

**Right to assistance at the court**

Member States shall take the necessary measures to establish *professional* assistance at the court premises to provide information, *practical* and emotional support to victims *throughout the during-criminal proceedings*. [AM41 Rapps, 310 Greens, 312 EPP]

*Article 10b*

**Right to a review of decisions taken during court proceedings**

1. Member States shall ensure that victims are informed without delay of decisions taken in court proceedings that affect them directly and have the right to a review of such decisions. Such decisions shall include at least decisions pursuant to the following provisions:
  - (a) Article 7(1) in relation to decisions on interpretation during court ~~hearings~~ *proceedings*; [AM42 Rapps, 314 Renew, 315 EPP]
  - (a) *Article 18 in relation to the measures to protect the dignity of victims during questioning and when testifying*

*(b) Article 19(1) [319 Greens]*

*(c) Article 23(3) . [AM43 Rapps, 321 Renew, 322 EPP]*

*(d) Article 24 (1) point b*

2. The procedural rules under which victims may request a review of decisions referred to in paragraph 1 shall be determined by national law.

Member States shall ensure that the judicial decisions on the request of such a review are taken within reasonable time.’;

**(6a) Article 12 of Directive 2012/29/EU, unchanged**

*(6 b) in Article 13, the following paragraph is added:*

"Article 13

Right to legal aid

*1. Member States shall ensure that victims have access to legal aid, ~~where they have the status of parties to criminal proceedings~~. The conditions or procedural rules under which victims have access to legal aid shall be determined by national law. **Member States shall ensure that free legal aid is provided free of charge for victims who do not have sufficient means to pay for legal assistance and covers all costs and expenses prior to, during and after criminal proceedings. Where a Member State applies a means test to assess eligibility for free legal aid, it shall take into account all relevant and objective factors, such as the income, capital and family situation of the person concerned, the costs of the assistance of a lawyer and the standard of living in that Member State as well as relationship to and dependence on the offender. Member States shall take into account relationship to and dependence on the offender when assessing the means to pay.***

*2. Member States shall ensure that victims with specific protection needs identified by the individual assessment referred to in Article 22 have access to free legal aid. In any case, Member States shall ensure that victims of gender-based violence, terrorism, human trafficking, and minors and victims of abuse and mistreatment with disabilities shall ~~always~~ have access to free legal aid regardless of their financial situation. [AM335 Renew, 336 EPP, 337 Renew, 339 Greens]*

**Compromise amendment 4, covering Articles 16, 17, 19, 19a, 21**

Amendments covered: AMs 44-50 Rapps, 340 Greens, 341 Greens, 342 Greens, 343 Greens, 344, 346 Left, Left, 347 Renew, **348 Greens**, 350 EPP, 351 EPP, 352 EPP, 353 EPP, 354 Left, 355 EPP, 356 EPP, 357 EPP, 358 EPP, 360 Greens, 361 EPP, **362 Renew**

Amendments falling: 348 Greens, 349 Renew, 359 Left, **362 Renew**,

(7) Article 16 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Member States shall ensure that, in the course of the criminal proceedings, victims are entitled to ***claim compensation and to*** obtain a decision on compensation by the offender, within a reasonable time.’; **[340 Greens]**

(b) paragraph 2 is replaced by the following:

‘2. Member States shall ensure that their competent authorities pay directly to the victim the adjudicated compensation without undue delay. The competent authorities shall be subrogated to the right of the victim in relation to the offender for the amount of the adjudicated compensation.’;

(8) Article 17 is amended as follows:

***(-a) in paragraph 1, the introductory part is amended as follows:***

***1. Member States shall ensure that victims can exercise fulfil the rights provided under this Directive, irrespective of their Member State of residence. [347 Renew]***  
Member States shall ensure that their competent authorities ~~can~~ take appropriate measures to minimise the difficulties faced where the victim is a resident of a Member State other than that where the criminal offence was committed, particularly with regard to the organisation of the proceedings. For this purpose, the authorities of the Member State where the criminal offence was committed shall, ~~in particular, be in a position:~~ **[AM44 Rapps, 351 EPP]**

***(-aa) in paragraph 1, point (a) is amended as follows:***

(a) ~~to~~ take a statement from the victim immediately after the complaint with regard to the criminal offence is made to the competent authority; **[AM45 Rapps, 352 EPP]**

(b) in paragraph 1, point (b) is replaced by the following:

‘(b) ~~to~~ have recourse to the extent possible ~~to the provisions~~ on video conferencing and telephone conference calls; ***other distant communication technologies, ehannels which allows the transfer of images technologies laid down in Regulation EU/xxx [Digitalisation of Judicial Cooperation]*** to facilitate participation in criminal proceedings of victims who are resident abroad.’; **[AM46 Rapps, 348 Greens, 350 EPP]**

(c) the following paragraph is added:

‘4. Member States shall ensure that the competent authorities may request assistance from Eurojust and transmit to Eurojust the information aimed at facilitating cooperation with the competent authorities of other Member States in cross-border cases.’;

***(8b)(new) In Article 19, paragraph 1 is replaced by the following:***

1. Member States shall establish the necessary conditions to enable avoidance of contact between victims and their family members, ~~where necessary,~~ and the offender, where necessary *or when the victim expresses a justified need*, within premises where criminal proceedings are conducted, unless the criminal proceedings require such contact. *[AM47 Rapps, 355 EPP] This may include the availability of mobile screens in courtrooms [AM 354, Left]*

*(8c)(new) In Article 19, paragraph 2 is amended as follows:*

2. Member States shall ensure that new court premises have separate waiting areas for victims *and shall establish processes for the creation of separate waiting areas in existing court premises..*[354 Left, 356 EPP]

*(8d)(new) In Article 19, the following paragraph 2a is added:*

*2a. Member States shall ensure that victims are duly informed about the availability of conditions that enable avoidance of contact with the offender. [AM48 Rapps, 357 EPP]*

*(8e)(new) The following Article 19a is inserted:*

#### *Article 19a*

##### *Right to protection of the dignity of victims*

*In order to protect the dignity of victims and their family members, as enshrined in the Charter of Fundamental Rights, Member States shall take appropriate measures to protect them ~~[victims and their family members]~~ from secondary and repeat victimisation, ~~to~~ by preventing the glorification of a specific crime or paying tribute to convicted offenders when this would result in the deprivation of the dignity of the victims. ~~or when it would lead to their repeat and secondary victimization or undermine their recovery.~~ [AM49 Rapps, AM358 EPP]*

(9) in Article 21, the following paragraph is added:

*‘3. Member States shall ensure that personal data concerning a victim *or their family members* allowing the offender to identify the victim’s place of residence or to otherwise contact the victim in any way is not provided to the offender either directly or indirectly. *Other personal data of the victim or their family members shall not be provided to the offender unless it is essential for the effectiveness of the criminal proceedings.*; [AM50 Rapps, 361 EPP]. Member States shall also ensure that, to the extent that is necessary to protect the privacy of the victim ~~and proportionate to the need of protecting the privacy of the victim, and without prejudice to the right of the defence~~, competent authorities may*

*decide not to publish victims' personal data ~~sensitive information~~ included in judgements or decisions. [360 Greens, 362 Renew]*

**Compromise amendment 5, covering Articles 22, 22a**

Amendments covered: AMs 51-60 Rapps, 363 EPP, 364 Left, 365 Left, 366 Renew, 367 EPP, 368 Renew, 369 Greens, 370 Renew, 371 Left, 372 EPP, 373 EPP, 374 Greens, 375 Left, 376 Greens, 377 Left, 379 Greens, 380 Left, 381 Renew, 382 Left, 383 EPP, 385 SD, 386 EPP, 387 Left, 388 ID, 389 Greens, 391 EPP, 393 Renew, 394 EPP, 395 Renew, 396 Greens, 397 Renew, 398 Greens, 399 EPP, 400 Renew, 401 EPP, 402 EPP, 403 Left,  
Amendments falling:, 378 ID, 384 Renew, 390 Left, 392 ID

(10) Article 22 is amended as follows:

(a) the title is replaced by the following:

**‘Individual assessment of victims to identify specific support and protection needs’;**  
**[AM51 Rapps, 363 EPP, 364 Left]**

(b) paragraph 1 is replaced by the following:

‘1. Member States shall ensure that victims receive a timely and individual assessment, to identify specific ~~support and~~ protection needs ~~throughout the proceedings~~ and to determine whether and to what extent they would benefit from special measures provided for under ~~Article 9(1), point (e), and~~ Articles 18, 23 and 24, due to their particular vulnerability to secondary and repeat victimisation, to ~~degrading or disrespectful treatment humiliation, to~~ intimidation and to retaliation.’; **[AM52 Rapps, 365 Left, 366 Renew, 367 EPP]**

(c) the following paragraph 1a is inserted:

‘1a. The individual assessment shall be initiated upon the first contact of the victim with the competent authorities, and shall last as long as necessary depending on the specific needs of each victim. Where the result of the initial stage of the individual assessment by the first contact authorities demonstrates the need to continue the assessment, such assessment shall be undertaken in collaboration with the institutions and bodies, **including general or specialist victim support services**, depending on the stage of the procedure and victims’ individual needs in accordance with the protocols referred to in Article 26a. **The assessment shall be conducted by specialised trained professionals, in the best interest of the victim, paying special attention to avoid secondary or repeated victimisation**’; **[AM369 Greens, AM370 Renew, 371 Left, 374 Greens]**

**(ca)(new) the following paragraphs are inserted:**

**1b. Member States shall ensure that the individual needs assessment process is coordinated between competent justice and law enforcement authorities working with victims and responsible for the adoption of protection measures. Member States shall take**

*the necessary measures to ensure cooperation and coordination with other involved services providing support for victims, including public or non-governmental organisations, throughout the individual needs assessment process.*[AM53 Rapps, 368 Renew, 372 EPP, 374 Greens, 375 Left]

(d) paragraphs 2 and 3 are replaced by the following:

‘2. The individual assessment shall take into account:

(a) the personal characteristics of the victim, including relevant experiences of discrimination, also when based on ~~a combination of several~~ **intersecting** grounds ~~of discrimination~~, such as sex, gender, age, disability, **resident status**, religion or belief, language, racial, social or ethnic origin, **gender identity and** sexual orientation; [AM54 Rapps, 379 Greens, 380 Left, 381 Renew, 382 Left, 383 EPP]

(b) the type or nature of the crime;

(c) the circumstances of the crime;

(d) the relationship to and the characteristics of the offender.

3. In the context of the individual assessment, particular attention shall be paid to:

(a) victims who have suffered considerable harm **or trauma** due to the severity **and/or repetition** of the crime; [AM55 Rapps, 385 SD, 386 EPP]

(b) victims who have suffered a crime committed with a bias or discriminatory motive which could, in particular, be related to their personal characteristics;

(c) victims whose relationship to and dependence on the offender make them particularly vulnerable.

In this regard, victims of terrorism, organised crime, human trafficking, gender-based violence, including violence against women and domestic violence, sexual violence, **including child sexual abuse**, exploitation or hate crime, ~~undocumented victims who are irregular migrants and victims with a dependent residence status or permit~~, victims of core international crime, and victims with disabilities shall be duly considered. **Online forms of those types of violence shall be taken into consideration** and particular attention shall be paid to victims who fall under more than one of those categories ~~and the online forms of those types of violence.~~; [AM56 Rapps, 387 Left, 388 ID, 389 Greens, 391 EPP, 393 Renew, ]

(e) the following paragraph 3a is inserted:

‘3a. In the context of the individual assessment, particular attention shall be paid to the risk emanating from the offender, including the risk of violent behaviour and of bodily harm, the **access to and** use of weapons, **links to or** involvement in a group of organised crime, drug or alcohol abuse, ~~previous convictions related to~~ child abuse, mental health issues, **risk and** behaviour of stalking, expression of threats or hate speech.’; [AM57 Rapps, 394 EPP, 395 Renew, 396 Greens]

(f) paragraph 4 is replaced by the following:

‘4. For the purposes of this Directive, child victims shall be presumed to have specific ~~support~~ ~~and~~ protection needs due to their vulnerability to secondary and repeat victimisation, to intimidation and to retaliation. To determine whether and to what extent they would benefit from special measures as provided for under Articles **18**, 23 and 24, child victims shall be subject to an individual assessment as provided for in paragraph 1 of this Article. The individual assessment of child victims shall be organised within the framework of targeted and integrated support services referred to in Article 9a, **and shall ~~should~~ take into account the specific needs of children without parental care. Where relevant, the individual assessment shall take into account victim’s family members ~~dependants~~—other than children.**’; [AM58 Rapps, 397 Renew, 398 Greens, 399 EPP]

(g) paragraph 6 is replaced by the following:

‘6. Individual assessments shall be carried out with the close involvement of the victim and shall take into account their wishes including where they do not wish to benefit from special measures as provided for in Articles 8, 9, 9a, 23 and 24.’;

(h) paragraph 7 is replaced by the following

‘7. Competent authorities shall update the individual assessment at regular intervals **and, where relevant, take new or update ongoing measures**, to ensure the ~~support and~~ protection measures relate to the victim’s changing situation. If the elements that form the basis of the individual assessment have changed significantly, **such as in the case of release of the offender from custody**, Member States shall ensure that it is updated throughout the criminal proceedings.’; [AM59 Rapp, 400 Renew, 401 EPP]

**(10a)(new) The following Article 22a is inserted:**

#### **‘Article 22a**

##### ***Individual assessment of victims to identify specific support needs***

**1. Member States shall ensure that victims receive a timely and individual assessment to identify specific support needs throughout the ~~during criminal~~ proceedings, taking into account the individual assessment referred to in Article 22, and to determine whether and to what extent they would benefit from special measures provided for under Article 9(1), point c), due to their particular vulnerability to secondary and repeat victimisation, ~~to degrading or disrespectful treatment humiliation~~, to intimidation and to retaliation.;**

**1a. The individual assessment to identify specific support needs shall be undertaken in collaboration with all relevant competent authorities depending on the stage of the proceedings and relevant support services [369 Greens];**

**1b. Where the individual assessment has identified specific support needs or if the victim requests support, Member States shall ensure that the competent authorities respond to these needs in a timely and coordinated manner. This shall include referrals to general or specialist victims support services for an in-depth assessment of support needs, in line with protocols established pursuant to Article 26a. [368, Renew]**

**2. Competent authorities shall update the individual assessment at regular intervals to ensure the support measures relate to the victim’s changing situation. If the elements that**

*form the basis of the individual assessment have changed significantly, Member States shall ensure that it is updated throughout the ~~criminal~~ proceedings.;*

*2a. 3. Article 22(2) to (5) shall apply to the individual assessment of support needs under paragraph 1 of this Article.’ [AM60 Rapps, 402 EPP, 403 Left, ]*

### **Compromise amendment 6, covering Articles 23, 24, 25, 25a**

Amendments covered: AMs 61-64 Rapps, 404 EPP, 408 SD, 409 Greens, 411 Greens, 412 SD, 413 EPP, 414 Renew, 415 EPP, 416 Left, 417 NI, 418 Left, 419 EPP, 420 Left, 421 Greens, 422 Renew, **423 SD**, 425 Renew 427 Renew,

Amendments falling: 405 SD, 406 Greens, 407 ID., 410 Renew, 424 Left, 426 Renew, 428 Renew, ~~429 Renew~~

*(10b)(new) in Article 23, paragraph 1 is amended as follows:*

‘1. Without prejudice to the rights of the defence and in accordance with rules of judicial discretion, Member States shall ensure that victims with specific protection needs who benefit from special measures identified as a result of an individual assessment provided for in Article 22(1), may benefit from the measures provided for in paragraphs 2 and 3 of this Article. ***In exceptional circumstances***, a special measure envisaged following the individual assessment ***may shall*** not be made available if operational or practical constraints make this impossible, or where there is an urgent need to interview the victim and failure to do so could harm the victim or another person or could prejudice the course of the proceedings.’ ***[AM61 Rapps, 404 EPP]***

(11) in Article 23, paragraph 2, point (d) is replaced by the following:

‘(d) all interviews with victims of sexual violence, gender-based violence including victims of violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council[1] [*on combating violence against women and domestic violence*], unless conducted by a prosecutor or a judge, being conducted by a person of the same ***gender sex*** as the victim, if the victims so wishes, provided that the course of the criminal proceedings will not be prejudiced.’;

*(11b) in Article 23, paragraph 3, point (c) is amended as follows :*

(c) measures to avoid unnecessary questioning concerning the victim's private life, **including the person's sexual orientation, gender identity or past sexual conducts**, not related to the criminal offence; and" *[408 SD]*

(12) in Article 23, the following paragraphs ~~is~~ **are** added:

‘4. The following measures to ensure victims’ physical protection shall be available for victims with specific protection needs identified in accordance with Article 22(1) during criminal proceedings *[409 Greens]*:

(a) continuous or temporary presence of law enforcement authorities;

(b) barring, restraining or protection orders to provide protection for victims against any acts of violence, including by prohibiting or restraining certain dangerous behaviour of the offender.’;

(c) **access to shelters and other appropriate interim accommodations free of charge or paid for by a dedicated financial allowance for victims.** *[AM62 Rapps, 411 Greens, 412 SD, 413 EPP]*

**4a. Member States shall ensure that competent authorities inform victims of the possibility to apply for barring, restraining or protection orders as well as the possibility to seek cross-border recognition of protection orders pursuant to Directive 2011/99/EU or Regulation (EU) No 606/2013.***[Renew 414]*

(13) ~~in~~ Article 24 **is amended as follows:**

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

**‘(ca) the child’s right to be heard and the best interests of the child are ensured during the criminal investigations and proceedings, in accordance with Article 10’** *[AM63 Rapps, 415 EPP, 416 Left]*

**(b)** the following paragraph is added:

‘3. Where the offence involves the holder of parental responsibility, or there could be any other conflict of interest between the child victims and the holder of parental responsibility, Member States shall take into account the best interest of the child and ensure that any act requiring consent is not conditional upon the consent of the holder of parental responsibility.’;

**(13a) Article 25 is amended as follows:**

#### **‘Article 25**

#### ***Training of practitioners***

1. Member States shall ensure that officials **of public authorities, bodies and institutions** likely to come into contact with victims, such as police officers and court staff, receive both general and specialist training to a level appropriate to their contact with victims to increase their awareness of the needs of victims, **avoid secondary victimisation** and to enable them to **recognise victims, communicate, and** deal with ~~victims~~ **them** in an impartial, respectful, **non-**

*discriminatory, and professional manner and where relevant, also in a trauma-sensitive, gender-sensitive and child-sensitive manner.*

*1a. In order to ensure comprehensive support and protection to victims, Member States shall ~~also consider the development of practical guidelines to help translate the obligations for assessing victims' protection and support needs into practical steps for competent authorities, such as law enforcement authorities.~~*

2. Without prejudice to judicial independence and differences in the organisation of the judiciary across the Union, Member States shall ***take the necessary measures to ensure that both general and specialist training is provided for*** ~~request that those responsible for the training of judges and prosecutors involved in criminal proceedings~~ ***and investigations with respect to the objectives of this Directive and appropriate to the functions of the involved staff and authorities*** ~~make available both general and specialist training to increase their awareness of judges and prosecutors of the needs of victims~~ ***and to treat victims in a trauma-sensitive, gender-sensitive and child-sensitive manner, avoiding secondary victimisation.***  
[425 Renew, 421 Greens]

3. With due respect for the independence of the legal profession, Member States shall ***ensure*** ~~recommend~~ that those responsible for the training of lawyers make available both general and specialist training to increase the awareness of lawyers of the needs of victims ***and to treat victims in a trauma-sensitive, gender-sensitive and child-sensitive manner, avoiding secondary victimisation.***

4. Through their public services or by funding victim support organisations, Member States shall encourage initiatives enabling those providing victim support and restorative justice services to receive adequate training to a level appropriate to their contact with victims and observe professional standards to ensure such services are provided in an impartial, respectful, ***non-discriminatory, child sensitive*** and professional manner.

5. In accordance with the duties involved, and the nature and level of contact the practitioner has with victims, training shall ***cover general and specialist training, and shall*** aim to enable the practitioner to recognise victims, ***to understand the needs of victims as well as national law and procedures in relation with victims' rights, to avoid secondary victimisation,*** and to treat them in a respectful, professional and non-discriminatory manner.

***6. Training referred to in paragraphs 1, 2, and 3 shall include specific guidance on co-ordinated multi-agency cooperation, in accordance with Article 26a, allowing for a comprehensive, efficient, and appropriate handling of referrals among the different competent authorities. [427 Renew]***

***7. Member States shall encourage the development of interdisciplinary training among different authorities who are likely to come in contact with victims, where relevant with the cooperation of non-governmental actors, to enhance cooperation and coordination among authorities.***

***8. Training for competent authorities who are in contact with victims to respond to the specific needs of victims of cybercrime, including online forms of violence against women or child sexual abuse, shall be promoted by Member States, ~~with the support of the European Cybercrime Training and Education Group.~~ [64 Rapps, 417 NI, 418 Left, 419 EPP, 420 Left]***

***9. Training activities referred to in paragraphs 1 to 5 and 8 shall be regular. Member States shall take measures to support responsible training bodies and organisations to develop, deliver and ensure the receipt of these trainings as well as its quality and availability throughout the territory."***[421 Greens, 423 S&D]

***'Article 25a***

***Awareness raising and communication of victim's rights (AM 429 Renew, 457 Left)***

***1. Member States shall ensure that regular awareness-raising campaigns are put in place at national level in order to ensure that victims are aware of their rights under this Directive. These campaigns shall be conducted through a variety of channels and ensure the delivery of information to victims in a consistent manner across Member States territories .***

***2. Member States shall establish a dedicated website to provide information to the public on reporting a crime, victim's rights, available victim general and specialist services, functioning of the justice system as well as relevant procedures and application processes. The website shall include easy-to-understand language and be easily accessible, including for persons with disabilities. Member States shall ensure that the content of information communicated to victims is developed in collaboration with civil society organisations and content is consistent and regularly updated to ensure accuracy.(AM 457 Left)***

***2a. Member States shall ensure enhanced measures addressing the needs of victims who face higher barriers to communication, including but not limited to, victims who are residents of a Member State other than where the crime was committed, victims with disabilities, and child victims (AM 457 Left).***

***3. Member States shall ensure that measures are put in place to increase awareness of victims on where to go to obtain help and exercise their rights, including for example by signposting mechanisms promoting easy and rapid identification of places where victims may get help or public registers of accredited support organisations. ~~to allow for an easy and rapid identification of places where victims will be helped to exercise their rights referred to in this Directive.~~***

**Compromise amendment 7, covering Articles 26a, 26b, 26c, 26d, 27a, 28, 28a, 28b, 29 & Article 2- Transposition, Article 3 - Entry into force**

Amendments covered: AMs 65-77 Rapps, **251 Left, 429 Renew**, 431 Renew, 433 EPP, 436 Left, 437 Renew, 443 Renew, 444 Greens, 445 Left, 447 EPP, 448 Renew, 450 EPP, 451 EPP, 452 Left, 453 Greens, 454 EPP, 455 ECR, **457 Left**, 458 Renew, 459 Greens, 460 Renew, 461 Left, 462 EPP, 464 EPP, 470 EPP, 471 Greens, 472 Renew, 473 EPP, 474 EPP, 475 Greens, 476 EPP, 477 Renew, **478 Renew**, 479 EPP, 484 EPP. 485 EPP, 486 Renew

Amendments falling: 430 Left, 432 Greens, 434 Left, 435 Left, 438 SD, 439 NI, 440 Renew, 441 EPP, 442 Renew, 446 NI, 449 SD, 456 Renew, ~~457 Left~~, 463 SD, 465 Left, 466 SD, 467 Left, 468 SD, 469 ID, ~~478 Renew~~, 480 EPP, 481 EPP, 482 EPP, 483 EPP, 487 Greens, 488 SD

(14) the following articles are inserted in Chapter 5:

‘Article 26a

**Protocols ~~through~~ for national coordination and cooperation [431 Renew]**

1. Member States shall establish and implement specific protocols on the *efficient and consistent* organisation of services and actions under this Directive by the competent authorities, *victims support services, bodies and institutions dealing with victims of crime*, and other persons coming in contact with victims. The protocols shall be drawn up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services *and in consultation with civil society organisations and relevant professional organisations*. The specific protocols shall aim as a minimum at ensuring that: *[AM65 Rapps, 432 Greens, 433 EPP, 434 Left, 435 Left, 436 Left, 437 Renew, 438 SD, ]*

(a) victims receive information that is adapted to their changing individual needs; whereas such information shall be simple and easy to understand, provided in a timely manner, repeated over time, in multiple formats including orally, in writing and digitally;

(b) victims who are in detention including jails, detention centres and holding cells for suspects and accused *persons*, as well as specialised detention facilities *for applicants of international protection* where *irregular illegal-migrants or* applicants and beneficiaries of international protection are located, ~~and pre-removal centres~~.

*(ba) victims in accommodation facilities where they are not permitted to leave at will, such as reception, or accommodation facilities, where irregular illegal-migrants or applicants and beneficiaries of international protection are located, as well as specialised accommodation for person with disabilities, children and elderly people, including mental health and social care institutions, orphanages and retirement homes, 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. [AM66 Rapps, 444 Greens, 447 EPP, 448 Renew]*

(i) receive the information about their rights;

(ii) can rely on facilitated crime reporting;

- (iii) have access to support and protection in accordance with their individual needs;
- (c) individual assessment of victims' needs for support and protection as referred to in Article 22, and provision of support services for victims with specific needs, take into account the victims' individual needs at different stages of the criminal procedure, ***including through the effective coordination and cooperation among competent authorities, general support services, and specialist support services during this process, including through clear referral protocols.*** [AM67 Rapps, 442 Renew, 443 Renew, 450 EPP]
- (d) ***competent authorities who are likely to come into contact with victims are trained in a targeted and regular manner to ensure victims are identified and receive appropriate support and protection in accordance with Article 25.***[AM68 Rapps, 451 EPP]
2. Member States shall ensure that the protocols referred to in paragraph 1 are reviewed at regular intervals to ensure their effectiveness, and at least once every two years.
3. Member States shall take the necessary legislative measures to allow for collection and sharing of information ***in accordance with Regulation (EU) 2016/679***, including information containing personal data of victims between the competent authorities and victim support services to ensure access to information and appropriate support and protection of individual victims. [AM69 Rapps, 452 Left, 453 Greens, 454 EPP, 455 ECR]

#### Article 26b

#### Use of electronic means of communication

1. Member States shall ensure that victims of crime may exercise their rights provided for in Article 3a, Article 4(1), Article 5(1), **(3)**, Article 5a, Article 6(1), (2), (4), (5) and (6) and Article 10b using electronic means of communication. [458 Renew]
2. Victims of crime shall not be prevented from accessing or otherwise using national systems offering the electronic means of communication referred to in paragraph 1 on the basis that they are residents of another Member State.
3. Where national systems offering electronic means of communication require the use of electronic identification, signatures and seals, Member States shall allow the use of notified electronic identification schemes, qualified electronic signatures, and qualified electronic seals of any other Member States as provided for in Regulation (EU) No 910/2014 of the European Parliament and of the Council[2].

#### Article 26c

#### Rights of victims with disabilities

1. Member States shall ensure that victims with disabilities benefit on equal basis with others from electronic means of communication as referred to in Article 26b of this Directive by complying with the accessibility requirements set out in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council[3].

2. Member States shall ensure that victims with disabilities can access on equal basis with others, any procedure as well as the support services and protection measures covered by this Directive in line with the accessibility requirements set out in Annex I to Directive (EU) 2019/882.

Member States shall ensure that reasonable accommodation *and procedural accommodations are is*-provided for victims with disabilities upon request. [459 Greens, 460 Renew]

#### Article 26d

#### **Remedies**

Member States shall ensure that victims have an effective remedy under national law in the event of a breach of their rights under this Directive.’;

(15) the following Article 27a is inserted:

#### ‘Article 27a

#### **Specific obligations in relation to victims of violence against women and domestic violence**

When Member States adopt the measures to comply with this Directive, they shall ensure that it is done without affecting the obligations under Directive (EU) .../... [on combating violence against women and domestic violence], which are applicable in relation to such victims in addition to the obligations set out in this Directive. In particular, Member States shall ensure that

(a) the victims’ helpline as referred to in Article 3a of this Directive does not affect the operation of dedicated and specialised helplines for victims of violence against women and domestic violence as required under Article 31 of Directive (EU) .../... [on combating violence against women and domestic violence];

(b) the obligation to take measures pursuant to Article 5a(2) of this Directive does not affect Member States’ obligation to take targeted measures to encourage the reporting of acts of violence against women or domestic violence set out in Article 16(1) of Directive (EU) .../... [on combatting violence against women and domestic violence];

(c) the obligation to take measures pursuant to Article 5a(3) of this Directive does not affect Member States’ obligation to take specialised measures to ensure the reporting of occurrences of violence against women or domestic violence in reception and detention centres set out in Article 35(4) of Directive (EU).../... [on combatting violence against women and domestic violence];

(d) the obligation to take measures pursuant to Article 5a(4) of this Directive does not affect Member States’ obligation to take targeted measures under Article 16(4) of Directive (EU) .../... [on combatting violence against women and domestic violence];

(e) as regards victims of violence against women or domestic violence, the provisions of [Articles 18 and 19 of Directive (EU) .../... [on combating violence against women and

domestic violence] shall apply in addition to the rules set out in Article 22 of Directive 2019/29, as amended by this Directive’

(f) the protocols on individual assessment of victims’ needs for support and protection as referred to in Article 26a in conjunction with Article 22 of this Directive do not affect Member States’ obligations to issue guidelines and establish dedicated mechanisms for victims of violence against women and domestic violence provided for in Article 23, point (b), and Article 40(2) of Directive (EU) .../... [on combating violence against women and domestic violence].’;

***(g) the use of barring, restraining and protection orders to provide protection for victims as referred to in Article 23 of this Directive do not affect Member States’ obligations to ensure the physical integrity of victims of violence against women and domestic violence and their dependants provided for in Article 21 of Directive (EU) .../... [on combating violence against women and domestic violence]. [AM70 Rapps, 461 Left, 462 EPP]***

***(h) the obligation to take measures pursuant to Article 25 of this Directive does not affect Member State’s obligation to take targeted measures under Article 37 of Directive (EU) .../... [on combating violence against women and domestic violence]’[AM71 Rapps, 464 EPP]***

(16) Article 28 is replaced by the following:

‘Article 28

### **Provision of data and statistics**

1. Each Member State shall take the necessary measures to establish a system for the collection, production and dissemination of statistics on victims of crime. The statistics shall 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, the age, sex, ***gender and disability***, if any, of the victims, ~~and~~ ***the type of the offence and the nature of the relationship between the victim and the offender***. They shall also include information on how victims have accessed the rights set out in this Directive ***and whether victims have suffered a crime due to a bias or -discriminatory motive as specified in Article 22. Such statistics shall allow for developing qualitative analysis, including on remaining barriers when reporting crimes and accessing victims’ rights*** [AM72 Rapps, 470 EPP, 471 Greens, 472 Renew]

2. Member States shall collect the statistics referred to in this Article on the basis of common disaggregation developed in cooperation with the Commission (Eurostat ***and the Victims Rights’ Coordinator***) ***and experts in the field of victims’ rights***. They shall transmit this data to the Commission (Eurostat) every three years. ***Member States shall have a synchronised timeline for this reporting to ensure data comparability***. The transmitted data shall not contain personal data. [AM73 Rapps, 473 EPP, 479 EPP]

3. The European Union Agency for Fundamental Rights shall support Member States and the Commission in the collection, production and dissemination ***and qualitative analysis*** of statistics on victims of crime and in reporting on how victims have accessed the rights set out in this Directive. [AM74 Rapps, 474 EPP, 475 Greens,]

4. The Commission (Eurostat) shall support Member States in the data gathering referred to in paragraph 1, including by establishing common standards on counting units, counting rules, common disaggregation, reporting formats, and on the classification of criminal offences.

5. The Member States shall make the collected statistics available to the public *in an easily accessible manner*. The statistics shall not contain personal data *in compliance with Regulation (EU) 2016/679*. [AM75 Rapps, 476 EPP, 477 Renew]

6. The collection of data under paragraph 1 shall not affect the dedicated data collection under Article 44 of Directive (EU) .../... [on combating violence against women and domestic violence].’;

(16a) *The following Articles 28a are inserted:*

*‘Article 28a*

*Coordination of the EU strategy on victims’ rights*

*1. In order to ensure consistency and effectiveness of actions in relation to victims’ rights policy, Member States shall facilitate the tasks of an European Commission Victims’ Rights Coordinator.*

*2. In particular, the Victims’ Rights Coordinator shall ensure a smooth functioning of the Victims’ Rights Platform and implementation of the EU Strategy on victims’ rights and this Directive as well as ~~and~~ synchronise victims’ rights related actions of other Union level stakeholders, notably where relevant to the application of this Directive.’ [76 Rapps, 484 EPP]*

*‘Article 28b*

*Resources*

*Member States shall ensure adequate and stable human, technical and financial resources for the full and timely implementation of this Directive, including for public and non-governmental organisations support services.’ (AM 478 Renew, 409 Greens, 187 SD, 291 SD, 226 Left, 265 Renew, 251 Left, 197 Greens, 420 Left, 421 Greens, 261 Greens, 266 EPP)*

(17) Article 29 is replaced by the following:

*‘Article 29*

**Reporting by the Commission and review**

By [six years after adoption], the Commission shall submit a report on the application of this Directive to the European Parliament and the Council. The report shall assess the extent to which the Member States have taken the necessary measures to comply with this Directive, including the technical implementation. *The Commission shall take into consideration the*

***findings of the European Union Agency for Fundamental Rights and Eurostat in the report on the application of this Directive. [AM77 Rapps, 485 EPP, 486 Renew]***

The report shall be accompanied, if necessary, by a legislative proposal.’

Article 2

**Transposition**

1. Member States shall take the necessary measures to comply with this Directive [by two years after the entry into force] with the exception of the provisions necessary to comply with Article 26b which shall be adopted and published [by four years after the entry into force]. They shall immediately inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main measures of national law which they adopt in the field covered by this Directive.

Article 3

**Entry into force**

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

This Directive is addressed to the Member States in accordance with the Treaties.

Done at Brussels,

For the European Parliament

For the Council

The President

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[1] Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’

[2] Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).

[3] 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).