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Victims (criminal proceedings)

It is important that victims have a say in criminal proceedings against the offender. While the main purpose of criminal proceedings is to assess the responsibility of the offender(s), in general victims may participate actively and in their own right. The 2012 Directive on Victims' Rights strengthens victims' rights including procedural rights.

The role of victims in criminal proceedings and the relevant law of the Member States differ considerably from one Member State to another. To ensure minimum level of victims' rights in all Member States, the EU has adopted several EU legal instruments setting up common rules aimed at protecting and assisting victims of crime: horizontal instruments dealing with victims' rights in general, more specific instruments on protection measures and financial compensation to victims of crime and on substantive law instruments regarding trafficking in human beings and child sexual exploitation.

Strengthening victims' rights in the EU

- [Directive 2012/29/EU](#) establishing minimum standards on the [rights](#), support and protection of victims of crime ensures that persons who have fallen victims of crimes are recognised, treated with respect and receive proper protection, support and access to justice. The Directive replaces the [2001 Framework Decision](#) on the standing of victims in criminal proceedings and considerably strengthens the rights of victims and their family members to information, support and protection and victims' procedural rights in criminal proceedings. The Directive also requires that the Member States ensure appropriate training on victims' needs for officials who are likely to come into contact with victims and encourage cooperation between Member States and coordination of national services of their actions on victims' rights.

The EU Member States must implement the provisions of the Directive into their national laws by 16 November 2015. DG Justice has issued [a guidance document](#)  (273 Kb)  to assist Member States in this process. This document clarifies every provision of the Directive and suggests possible ways of their implementation. It helps national authorities, practitioners and relevant service providers to understand what is required to make the victims' rights set out in the Directive a reality everywhere in the EU.

- With regard to specific groups of victims, EU legislation further establishes protection and support for victims of [human trafficking](#) and [child victims of sexual exploitation and child pornography](#).
- Regarding strengthening protection of victims of crimes, the EU has adopted two instruments that ensure recognition of protection measures issued in other EU countries. The [2011 Directive on the European Protection Order](#) and the 2013 [Regulation on mutual recognition of protection orders in civil matters](#). Thanks to these instruments victims or potential victims can rely on restraint or protection orders issued in one EU country if they travel or move to another EU country. Both instruments are applicable in the EU since 11 January 2015.

Last update: 07/10/2021

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