

7	Access to justice, including rights of crime victims	145
7.1.	Efforts to strengthen mutual trust: the rule of law and justice	145
7.1.1.	New EU legislation on access to justice and judicial cooperation in criminal matters	146
7.1.2.	European Courts provide guidance on fair trial and defence rights	147
7.2.	EU and Member States progress on the Roadmap on procedural rights in criminal proceedings	147
7.3.	Member States' implementation of victims' rights ...	149
7.3.1.	Improving information provided to victims ..	151
7.3.2.	Building up services and support for victims of crime	152
7.3.3.	A remaining challenge: measuring implementation of victims' rights	153
7.4.	Recognising and responding to women as victims of violence: Europe takes a step forward	153
7.4.1.	Measures to combat violence against women at Member State level	154
	FRA conclusions	156

UN & CoE

1 January – Rule 47 of the ECtHR rules comes into force, introducing more stringent admissibility criteria

January

February

17–21 March – Sub-Committee on accreditation of the international coordinating committee for national human rights institutions (NHRIs) recommends accrediting the NHRIs in the Netherlands and Slovakia with A and B status respectively

6 March – CoE Commissioner for Human Rights publishes human rights comment: ‘Hate speech against women should be specifically tackled’

March

9 April – UN General Assembly adopts Resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system

25 April – Poland ratifies Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) on the abolition of the death penalty, becoming the last EU Member State to ratify the protocol

April

23 May – Poland ratifies Protocol No. 13 to the ECHR concerning the abolition of the death penalty in all circumstances, becoming the last EU Member State to ratify the protocol

May

11 June – ILO adopts new legally binding Protocol on Forced Labour to address gaps in the implementation of the 1930 Forced Labour Convention

26–27 June – CoE holds seminar: ‘Tackling the gaps in research and the lack of data disaggregated by sex concerning women’s equal access to justice’

June

15 July – UN Human Rights Council adopts Resolution 26/22 on enhancing accountability and access to remedy in cases of business involvement in human rights abuses

July

1 August – CoE Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) comes into effect

August

September

9 October – CEPEJ publishes fifth evaluation report on European judicial systems

15 October – World Future Council (WFC), Inter-Parliamentary Union and UN Women award the CoE Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) with the WFC’s Vision Award 2014

16 October – For an initiative concerning online legal aid, the General Council of the Spanish Bar wins the 2014 Crystal Scales of Justice prize for innovative judicial practices

27–31 October – Sub-Committee on accreditation of the international coordinating committee for NHRIs recommends accrediting the NHRIs in Finland and Hungary with A status

October

November

17 December – the Czech Republic is the last of the 28 EU Member States to become party to the Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the UN Convention against transnational organized crime (Palermo Protocol)

December

EU

January

February

14 March – Council of the EU adopts Directive 2014/41/EU on the European Investigation Order in criminal matters and Directive 2014/42/EU on freezing and confiscation of proceeds of crime in the EU

March

28–29 April – FRA, in cooperation with the Greek presidency of the Council of the EU, hosts a seminar in Thessaloniki, ‘Building trust among victims to combat hate crime effectively: exchanging good practices and identifying ways forward’, stressing the need to facilitate reporting by victims or witnesses, including through third-party and anonymous reporting

April

May

6–7 June – Council of the EU adopts conclusions on preventing and combating all forms of violence against women and girls, including female genital mutilation, in which it welcomes the main results of the FRA survey on violence against women launched on 5 March

June

July

August

September

October

November

1 December – transitional period for police and criminal justice measures adopted before the Lisbon Treaty ends, enabling, for example, the European Commission and the CJEU to assess Member States’ levels of implementation

18 December – CJEU delivers its opinion on the draft agreement on the EU’s accession to the ECHR and identifies problems with its compatibility with EU law

December

7

Access to justice, including rights of crime victims



New strategic guidelines in the area of freedom, security and justice by the European Council placed increasing mutual trust, strengthening the protection of victims and reinforcing the rights of accused persons and suspects high on the EU policy agenda. Many EU Member States adopted new laws or reformed existing laws and policies in this area, while efforts continued at UN, Council of Europe and EU level to strengthen the rule of law, judicial independence and the efficiency of justice systems, as cornerstones of a democratic society. The five-year transition period since the entry into force of the Lisbon Treaty came to an end, enabling the European Commission and the CJEU to fully assess the transposition by the Member States of police and criminal justice measures. The most comprehensive EU-wide and worldwide survey to date on women's experiences of violence revealed alarmingly high rates of violence against women and provided much-needed evidence to help Member States develop legal and policy responses to this issue.

7.1. Efforts to strengthen mutual trust: the rule of law and justice

Strengthening trust in judicial decisions irrespective of the Member State in which they are taken and removing obstacles to EU citizens exercising their right to move freely and live in any EU country are two of the priorities that need to be addressed to further progress towards a fully functioning common European area of justice. The European Commission identified these and other priorities in March 2014 to contribute towards the next EU justice and home affairs policy agenda (following the end of the previous EU programme for justice and home affairs, the Stockholm Programme, in 2014).¹

At its June summit, the European Council adopted the new five-year strategic guidelines in the area of freedom, security and justice.² According to the guidelines, mutual trust between EU Member States in one another's justice systems needs to be further enhanced to ensure a more effective European area of justice with full respect for fundamental rights. A high level of mutual trust is a necessary basis for the

proper functioning of many EU legal instruments in this area. The European Arrest Warrant is a good example, which provides for a simplified and improved surrender procedure between EU countries. In this context, the European Council recognised the importance of a sound European justice policy and required further action to: simplify access to justice; strengthen the rights of accused and suspected persons in criminal proceedings; reinforce the protection of victims; and enhance mutual recognition of decisions and judgments. The need to mobilise and draw on the expertise of relevant EU agencies, including FRA, was highlighted.

Access to justice is not just a right in itself; it is also an enabling and empowering right in that it allows individuals to enforce their fundamental rights and obtain redress. Effective and independent justice systems are essential safeguards of the rule of law. The issue of how to further safeguard the rule of law continued to be on the agenda of international and European actors in 2014. The European Commission adopted a new framework for addressing systematic threats to the rule of law in EU Member States.³ Its purpose is to enable the Commission to find solutions to prevent the emergence of a systematic threat to the rule of law that could develop into a "clear risk of a serious

breach” within the meaning of Article 7 of the Treaty on European Union (TEU).⁴ While recognising the importance of this new framework, FRA proposed to broaden the debate and complement the framework with a strategic fundamental rights framework covering all the values mentioned in Article 2 of the TEU. The aim would be to shape an EU internal framework for fundamental rights that mirrors the existing external fundamental rights framework.⁵

In April 2014, the Austrian Presidency of the Committee of Ministers of the Council of Europe held a conference that debated the concept and mechanisms of implementing the rule of law. In this context, FRA underlined the unique role of fundamental rights indicators in monitoring and evaluating such implementation to detect trends in an objective and evidence-based manner (see also the [Focus](#)).⁶

Another notable development in 2014 was the presentation of the second edition of the EU Justice Scoreboard.⁷ This tool, introduced in 2013, aims to enhance the effective functioning of EU national justice systems by bringing together a variety of data to assist in the identification of any shortcomings, and hence support reforms.⁸ Most of the quantitative data used by the scoreboard are provided by the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe.⁹ In addition to using the same indicators as in 2013 for efficiency, quality and independence, the 2014 scoreboard also provides a comparative overview of how national justice systems are organised to protect judicial independence, for example by looking at specific legal safeguards aimed at protecting judicial independence. It also provides fine-tuned data on the length of judicial proceedings relating to competition law and consumer law. The EU will take the findings of the scoreboard into account when preparing its country-specific analyses of the 2014 European Semester and in the context of the Economic Adjustments Programmes.¹⁰

7.1.1. New EU legislation on access to justice and judicial cooperation in criminal matters

Turning to legislative developments at EU level, two directives were adopted in the area of criminal justice, namely:

- Directive 2014/41/EU on the European Investigation Order in criminal matters (Ireland and Denmark are not taking part) replaces several existing instruments with a single instrument intended to allow Member States to carry out investigative measures at the request of another Member State on the basis of mutual recognition. Such investigative measures would include, for example, interviewing witnesses,

intercepting telecommunications and obtaining information or evidence already in the possession of that Member State. It should be noted that some of the issues raised by various expert bodies, including FRA in its 2011 Opinion on the European Investigation Order (EIO) – for example concerning grounds for refusing the execution of an EIO and some of the fair trial safeguards – have been taken into account in the final instrument;¹¹

- Directive 2014/42/EU on the freezing and confiscation of instrumentalities and proceeds of crime (Denmark and the United Kingdom are not taking part) aims to establish minimum common rules on the freezing and confiscation of property in criminal matters. The new directive enables national authorities to quickly and efficiently identify and trace proceeds of cross-border and organised crime, such as drug trafficking, counterfeiting and human trafficking, so as to freeze, manage and confiscate such assets consistently across the EU. Importantly, the directive addresses some of the suggestions made by various expert bodies, including FRA in its 2012 opinion on the subject. These suggestions related, for example, to specific safeguards to ensure access to justice for victims of crime and a provision encouraging the use of confiscated assets for social purposes.¹²

Negotiations on a proposal to establish a European Public Prosecutor’s Office (EPPO), mandated to prosecute crimes against the EU’s financial interests, such as fraud, continued in 2014.¹³ Two elements that were integrated into the proposal are of particular interest:

- the introduction of a collegiate structure of the EPPO;
- concurrent competences for the EPPO and national authorities to investigate and prosecute offences against the Union’s financial interests.

The need to ensure the EPPO’s efficiency and independence was emphasised and will continue to be discussed in 2015. FRA, in its opinion on one of the earlier versions of the EPPO proposal in February 2014, also raised the need to safeguard the EPPO’s independence. FRA further underlined the importance of a judicial review of EPPO activities and raised the issue of where the responsibility for such a review should lie. In addition, it raised a number of other fundamental rights concerns, such as the needs to acknowledge the victim’s role in the decision-making process on whether or not to prosecute, to strengthen victims’ rights in transaction cases and to introduce specific safeguards to strengthen the effective exercise of defence rights, including access to legal representation and legal aid, the principle of no double jeopardy (*ne bis in idem*) and an effective compensation mechanism for wrongful investigation or prosecutions.¹⁴

7.1.2. European Courts provide guidance on fair trial and defence rights

The Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR) also addressed various issues relating to the right to a fair trial and defence rights in criminal proceedings. For instance, the *Baytar* case concerns the questioning in police custody, without the assistance of an interpreter, of an individual who had insufficient command of the national language.¹⁵ The ECtHR finds that, without interpretation, Ms Baytar has not been in a position to appreciate fully the consequences of waiving her rights to keep silent and to legal assistance. Therefore, the ECtHR finds a violation of Article 6 of the ECHR.

The ECtHR delivered several judgments on the principle of no double jeopardy (*ne bis in idem*) in 2014. The *Grande Stevens* case concerns administrative and criminal proceedings brought against two companies in respect of allegations of market manipulation in Italy.¹⁶ The ECtHR holds that although the initial proceedings are described as administrative in Italian law, the severity of the fines imposed on the applicants means that the proceedings have effectively been criminal in nature. Since the criminal proceedings brought subsequently concern the same conduct, by the same persons and on the same date, the principle of *ne bis in idem* is violated. The ECtHR judgment confirms that where both criminal sanctions and sanctions formally classified as administrative are applied, the latter will not necessarily be immune from challenge under the principle of no double jeopardy.

In *Lucky Dev v. Sweden*,¹⁷ the ECtHR reiterates that the *ne bis in idem* principle is not confined to the right not to be punished twice for the same offence but extended to the right not to be tried twice for the same offence. It concludes that Ms Dev has been tried again for a tax offence of which she has already been finally acquitted, since the tax proceedings against her have not been terminated and the tax surcharges not quashed even when criminal proceedings against her for a related tax offence have become final.

Finally, in proceedings against Finland involving taxation proceedings in which a tax surcharge has been imposed and criminal proceedings for tax fraud initiated (*Glantz v. Finland, Häkkä v. Finland, Nykänen v. Finland* and *Pirttimäki v. Finland*), the ECtHR confirms that the principle of *ne bis in idem* does not prohibit several concurrent sets of proceedings. In a situation where two parallel sets of proceedings exist, however, the second set of proceedings has to be discontinued after the first set of proceedings has become final.¹⁸

The CJEU also provided further guidance on *ne bis in idem* in 2014 (see also [Chapter 8](#) on Charter case

law). In the *Spasic* case (C-129/14),¹⁹ Mr Spasic has paid a fine of €800 imposed by an Italian court as a sentence for fraud, but he has not served the one-year sentence that was imposed for the same acts. He was being prosecuted in Germany for the same fraud offence. The CJEU Grand Chamber ruled that where a custodial sentence and a fine have been imposed as principal penalties, the payment of the fine alone is insufficient to consider the penalty enforced or in the process of being enforced. Accordingly, custodial and non-custodial penalties are severable for the purpose of applying the double jeopardy rule, which means that paying a fine does not equate to partial satisfaction of a custodial sentence and hence does not exempt the person concerned from being prosecuted in a second Member State. In the *M* case (C-398/12),²⁰ a suspected perpetrator of sexual violence is subject to parallel investigations in Italy (on the basis of the suspect's nationality) and in Belgium (where the crime was allegedly committed). The CJEU holds that the Belgian authorities' finding that there is no ground to refer the case to a trial court, as there is insufficient evidence, is a decision on the merits of the case and bars further prosecution in Italy or indeed in any other EU Member State.

7.2. EU and Member States progress on the Roadmap on procedural rights in criminal proceedings

The Roadmap for strengthening rights of suspected or accused persons in criminal proceedings (the Roadmap), part of the action plan of the Stockholm Programme, provides a step-by-step approach towards establishing a comprehensive EU catalogue of common minimum procedural rights for suspects and accused persons in criminal proceedings. Work on the proposals presented by the Commission in November 2013 continued in 2014, as the European Parliament and the Council of the EU examined them.²¹ Negotiations with the European Parliament and the Council to reach an agreement on the actual wording of proposals concerning legal aid and presumption of innocence (Measure C2) and special safeguards for children suspected or accused in criminal proceedings (Measure E) will commence in early 2015.

The subsequent paragraphs focus on Member State developments in 2014 relating to the first three instruments adopted under the Roadmap. These are Directive 2010/64/EU on the right to interpretation and translation (Measure A), Directive 2012/13/EU on the right to information (Measure B) and

Directive 2013/48/EU on the right of access to a lawyer and communication (Measure C1+D).

Figure 7.1 provides an overview of the various EU instruments under the Roadmap and their current status and, if applicable, indicates which of the EU Member States are not taking part.

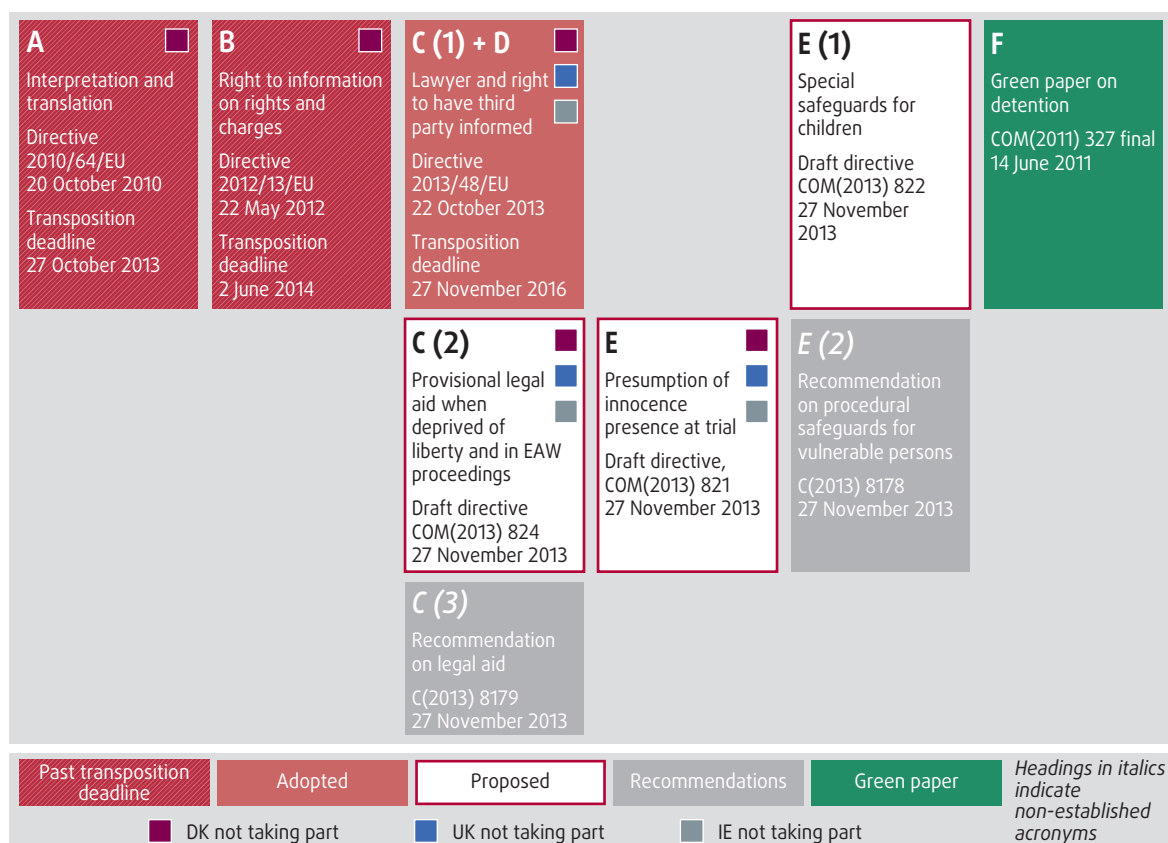
At the national level, many EU Member States adopted various legislative, policy or other measures relating to the two first instruments under the Roadmap, the Directive on the right to interpretation and translation and the Directive on the right to information. These two directives aim to provide common standards of protection to enable suspected and accused persons to follow and actively participate in judicial proceedings, in accordance with existing international standards, in particular those relating to the right to a fair trial guaranteed by Article 47 of the EU Charter and Article 6 of the ECHR.

On the basis of these two instruments, for example, suspects and accused persons have the right to be interviewed, to take part in hearings, to have essential documents and to receive legal advice in their native language or in any other language that they speak or

understand during any part of a criminal proceeding, in all courts in the EU. The Member State, and not the suspect or accused person, will have to meet any translation and interpretation costs. Following an arrest, the authorities will also provide the required information about one's rights in writing, in a letter of rights drafted in simple, everyday language; this will be provided to suspects upon arrest in all cases, whether they ask for it or not, and will be translated if necessary.

The EU Member States that proposed or adopted new legislation or amended existing laws with a view to transposing the Directive on the right to information (Denmark is not taking part²²) in 2014 included **Cyprus**,²³ the **Czech Republic**,²⁴ **Estonia**,²⁵ **Finland**,²⁶ **France**,²⁷ **Hungary**,²⁸ **Italy**,²⁹ **Luxembourg**,³⁰ **Malta**,³¹ the **Netherlands**,³² **Slovenia**,³³ **Spain**³⁴ and **Sweden**.³⁵ In **Lithuania**, the Prosecutor General supplemented the implementing legislation³⁶ with more detailed guidance on the structure and contents of the information on the suspicion and the explanation of rights to be provided to the suspect.³⁷ The implementing law in Poland was supplemented with a series of information templates on the rights of suspected and accused persons, adopted by the Minister of Justice in 2014.³⁸

Figure 7.1: Roadmap on procedural rights in criminal proceedings*



Note: * Roadmap for strengthening procedural rights of suspects and accused persons in criminal proceedings, adopted by the Council on 30 November 2009, and incorporated into the Stockholm Programme.

Source: FRA, 2014

With regard to the Directive on the right to translation and interpretation, its transposition deadline expired in 2013 (Denmark is not taking part³⁹). In 2014, several Member States took new policy initiatives to ensure the effective execution of already adopted national implementing laws. In **Finland**, for example, the Working Group on setting up a register for legal interpreters (at the Ministry of Education and Culture) issued a report on 29 August 2014.⁴⁰ The working group made suggestions on the required qualifications of legal interpreters. In **Germany**, in light of the directive's requirement, the Federal Ministry of Justice – in cooperation with the state (*Länder*) ministries of justice – revised the information sheets that are provided to arrested persons and made them available in a number of languages.⁴¹ On the initiative of the Ministry of Justice in **Latvia**, 30 interpreters will gradually be hired by the court system to implement the directive and ensure assistance with interpretation as envisaged by the national implementing law.⁴²

Despite these positive developments, in 2014 **Spain** faced infringement procedures (initiated by the European Commission) for failing to comply with their transposition obligation under the directive on the right to translation and interpretation.⁴³ It is also worth noting that the **Slovak** Constitutional Court examined the extent and meaning of the right to interpretation. Basing its decision on the existing ECtHR case law in this area, in particular *Kamasinski v. Austria*⁴⁴, the Constitutional Court held that the right for an interpreter did not necessarily guarantee an interpreter speaking one's mother tongue; the interpretation could be into any language that the individual could understand, provided that the individual understood the essence of the accusations, the facts of the case and the information about his or her rights.⁴⁵

Promising practice

Educating legal practitioners on EU defence rights

In November 2014, the NGO Fair Trials International launched a series of innovative e-training courses designed to educate United Kingdom legal practitioners on EU defence rights. The courses provide practical guides on the right to information in criminal proceedings directive, the right to interpretation and translation directive and the role of the CJEU in criminal proceedings. They enable practitioners to focus only on the most relevant areas or to return to particular areas for future reference. Defence lawyers are thus provided with access to practical information and advice they can readily apply to their day-to-day casework.

For more information, see: *Fair Trials International (2014)*, 'Fair Trials launches new defence rights e-training course'

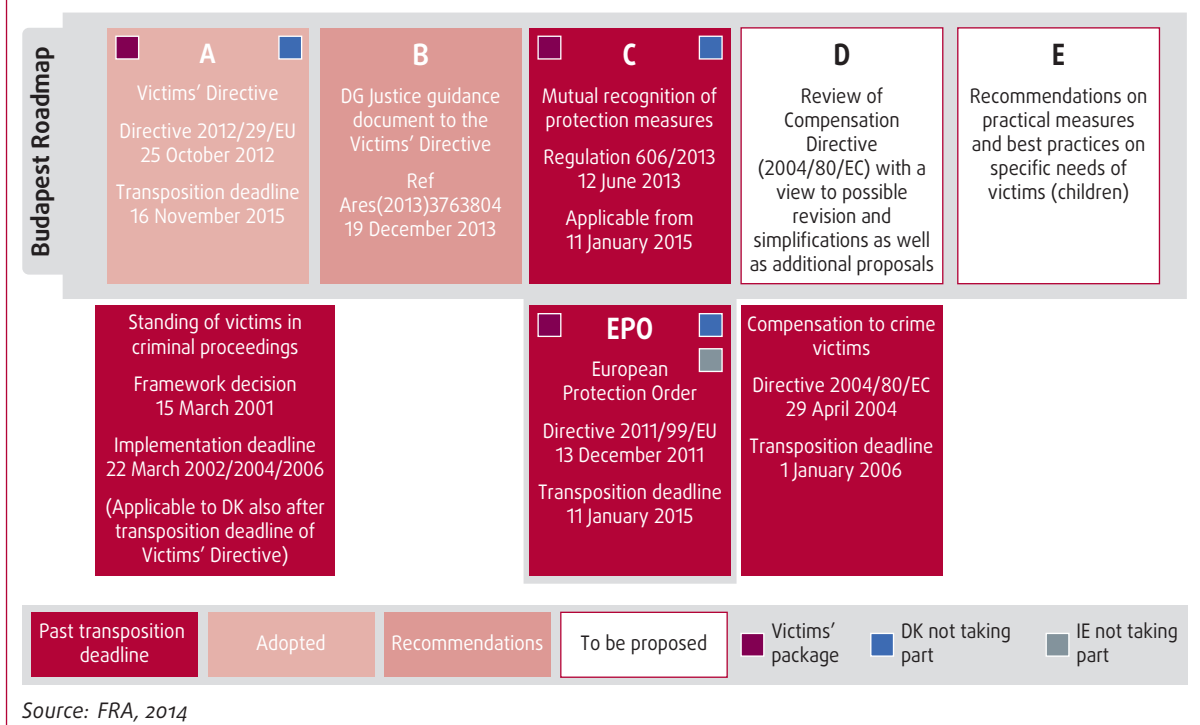
The transposition deadline of the third measure adopted under the Roadmap, the Directive on the right of access to a lawyer and communication, expires only on 27 November 2016 (Denmark is not taking part⁴⁶). In 2014, several Member States took important preliminary legislative steps to ensure the smooth and timely implementation of this directive: the **Czech Republic**,⁴⁷ **France**,⁴⁸ **Greece**,⁴⁹ **Malta**, **Luxembourg**,⁵⁰ the **Netherlands**,⁵¹ **Poland**⁵² and **Spain**.⁵³ **Latvia**, meanwhile, established special drafting committees and working groups to ensure effective transposition. Although **Ireland** has not opted in to this particular directive, the Irish Supreme Court delivered noteworthy judgments on 6 March 2014 in the case of *DPP v. Gormley & White*.⁵⁴ The court established that persons held by Ireland's National Police Service should not be questioned until they have received legal advice, referring both to the need to reform Irish laws to achieve compliance with EU law in this area and ECHR standards.

On a European Commission request, FRA launched, in December 2014, a new project to further explore promising practices and opportunities across the 28 EU Member States for the application of the rights to interpretation, translation and information in criminal proceedings. The research will also examine the fundamental rights implications for the persons concerned.⁵⁵ Preliminary comparative results that will bring insights into these issues are expected in the last quarter of 2015 and/or at the start of 2016.

7.3. Member States' implementation of victims' rights

EU Member States made progress on transposing Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime into national law (Victims' Directive) by the 16 November 2015 deadline. The Victims' Directive, also called the Victims' Rights Directive, is Measure A of the Victim's Package (see [Figure 7.2](#), which depicts the various EU instruments under the Victims' Package and their current status). In January 2015, FRA published the first independent comprehensive assessment of victim support services throughout the EU covering all 28 EU Member States. The agency also published comparative data online, in the form of maps and tables illustrating some of the key aspects of support services for victims of crime.⁵⁶ The report, *Victims of crime in the EU: the extent and nature of support for victims*, identifies many promising practices that Member States looking to improve their victim support structures might turn to for inspiration.⁵⁷

Figure 7.2: EU instruments relating to victims of crime, and in particular to support services



FRA evidence shows that, despite progress, some Member States are still falling short of meeting the Victims' Directive's requirements and will need to take further legislative and policy steps to ensure that they comply with the directive by the transposition deadline.⁵⁸ One particularly challenging aspect is the obligation to provide victims with information about their rights, including their right to support services. This right to information emerges as a vitally important first step towards including victims in proceedings.

Several Member States adopted or initiated legislative changes in 2014 with a view to transposing the directive, and thus took significant steps in advancing the rights of victims in their countries. Some examples of these changes are outlined below. Several other Member States set up working groups to oversee and evaluate the legal changes necessary to implement the Victims' Directive.

Lithuania amended its Criminal Procedure Code to establish additional procedural guarantees for victims, such as the possibility of *in camera* hearings and the introduction of measures to protect child victims and other victims in need of special protection during pre-trial investigations and court hearings (for example, it will be possible for a child to be questioned during a pre-trial investigation by the same person that conducted the primary interrogation and, during court hearings, by the presiding judge, or, if deemed necessary, through a representative).⁵⁹ For more information on special safeguards for child victims of crime

► involved in judicial proceedings, see [Section 6.3](#) on the rights of the child.

A new Code of Criminal Procedure came into force in **Romania** in February 2014.⁶⁰ The new law gives crime victims the rights to be informed about their rights; propose evidence, raise exceptions and provide concluding observations; be updated about the criminal investigation; have access to the case file; be heard; challenge a decision not to prosecute; and have access to legal representation. Certain victims can have access to legal aid, for example if they have limited or no legal capacity, or when the judge deems them in need of legal assistance.

Draft amendments to the Criminal Procedure Law in **Latvia**, proposed in May 2014 by the Ministry of Justice, expand victims' rights. Victims have the right to be informed about how to receive state compensation, about conciliation and protection measures, as well as about the case and available support. Amendments also set out particular rights for victims who require special protection, including minors, persons under guardianship, victims of sexual offences, victims of human trafficking, victims of domestic violence, victims of violent crime and victims of crime motivated by racist, national, ethnic or religious hatred.⁶¹

In **Spain**, new legislative proposals were put forward by the government to ensure the timely transposition of the Victims' Directive.⁶² The draft law on crime victims that was submitted to the Parliament in

September 2014 creates new provisions for victims' rights at trial (the rights to supply evidence, to be accompanied at trial, and to a separate waiting area at court), improves cross-border support measures and obliges the law enforcement authorities to provide victims with information from first contact with the enforcement authorities.

The most important changes introduced into a bill to implement the Victims' Directive in the **Netherlands** are an extension of the definition of 'victim' to include surviving family members and persons dependent on the victim, an obligation of the authorities to refer victims to the relevant support services and a guarantee that victims will receive information on their rights without delay (in particular on the important steps in criminal proceedings), the right to legal aid for victims at all stages of proceedings, and the right of victims to translation and interpretation.⁶³

7.3.1. Improving information provided to victims

Despite the progress made, transposition and implementation of certain provisions of the Victims' Directive – for example the authorities' obligation to provide victims with information on their rights and the support available to them – are proving challenging in some Member States. As noted in the FRA report *Victims of crime in the EU: the extent and nature of support for victims*, the right to receive information is a vital component of victims' rights at all stages of the proceedings. In addition to requiring access to information on the progress of their case (Article 6 of the Victims' Directive), most victims need information about their rights within the criminal proceedings and how to exercise those rights (Article 4 of the Victims' Directive). Lack of information represents a serious obstacle to victims' access to their rights and discourages them from seeking justice.

FRA evidence shows that while the police are legally obliged to provide victims with information on available support services in only 15 EU Member States, in practice the police provide this information in 21 EU Member States.⁶⁴ In some Member States, including Greece, Italy, Lithuania and Spain, the obligation to provide information on available support services applies only to victims of specified offences, such as domestic violence. The provision of information on compensation and on the rights and role of victims in criminal proceedings shows similar patterns. Victims should also understand the information provided; to that end, the availability of information in a variety of languages can be an effective way of reaching more victims in increasingly diverse societies.⁶⁵

Many Member States made significant progress towards improving the provision of information to

victims in 2014. In **Germany**, the Draft law on the rights of victims and introducing psychosocial assistance during court proceedings proposes a provision to ensure that victims receive written acknowledgement of their formal complaint and that victims who do not understand or speak German receive a translation of that acknowledgement. In compliance with the Victims' Directive, victims are entitled to a translator or interpreter during police questioning.⁶⁶ The obligation of the authorities to provide information to crime victims is also to be restructured and expanded. Information must be systematically provided, for example, about support services and about victims' rights to compensation.⁶⁷

The draft bill adapting **French** criminal procedure to the Victims' Directive⁶⁸ introduces an article listing the information that should be provided by a competent authority to the victim on their first contact and an obligation for the police to inform victims about their rights to interpretation and translation. The draft bill also transposes the directive's obligation on individual assessment of victims to identify specific protection needs (Article 22). To ensure effective implementation of this provision, a pilot assessment of victims' needs was carried out across several sites in 2014 in partnership with local NGOs.⁶⁹ Following an assessment of the project, individual monitoring of victims will take place nationwide from 2015.⁷⁰

The provision of information remained, however, a challenge in some countries (such as **Finland, Ireland, Malta** and **Portugal**), and Member States faced other challenges in transposing the directive, such as funding support services (for example in Finland, Ireland and **Slovakia**) and rights of victims at trial (in Malta, Portugal and Slovakia).

According to the President of the Commission for the Protection of Crime Victims in **Portugal**, although the transposition of the Victims' Directive will not entail many changes, there may be room for improvement with regard to specific aspects, such as the authorities' obligation to provide information to crime victims and victims' rights at trial.

In **Finland**, funding victim support services and the provisions relating to cross-border support presented challenges. A partial solution to this funding challenge is the government bill on the victim surcharge that was passed in the Finnish parliament in March 2015 (for further details, see the promising practice on p. 153). Separate waiting areas for victims at court (as stipulated in Article 19 (2) of the Victims' Directive) are not yet systematically available nationwide, although they are being gradually introduced. FRA evidence from the report *Victims of crime in the EU: the extent and nature of support for victims* shows that 14 Member States have separate waiting areas for victims at court.

A report by the Victims' Rights Alliance launched by the **Irish** Minister for Justice and Equality in November⁷¹ identified limited resources and information provision as challenges to the effective implementation of the Victims' Directive.⁷²

Malta's main victim support provider, Victim Support Malta, identifies several potential problems with the Maltese draft bill transposing the directive. It published a position paper highlighting issues such as: no definition of 'competent authority', meaning that the bill ascribes duties to (a) vague and abstract entity or entities; the right to information being made conditional by adding the term 'as may be applicable', counter to the corresponding provision in the directive (Article 4.1); and other issues relating to translation, interpretation, the right to access victim support services, rights of victims during trials and the information received by the victim on criminal proceedings.⁷³

FRA evidence published in 2014 in *Victims of crime in the EU* gives a comparative overview of victims' rights at trial and shows that the role played by victims in criminal proceedings differs across the EU Member States, depending on the definition of 'victim' in the national legal system. This in turn leads to differences between the rights guaranteed to victims during criminal proceedings. This applies, for example, to victims' right to be heard in court (guaranteed in 22 Member States); the right to supply evidence (22 Member States); the right to be questioned and testify at trial in a protected manner (24 Member States); and the right to be accompanied at trial by support persons (guaranteed in 17 Member States).⁷⁴

Promising practice

Improving victims' rights protection: a project improving access to legal aid in selected Member States

A project carried out in Bulgaria, Italy, Latvia, Poland and Spain aimed to identify common criteria for providing legal aid to victims by analysing these countries' legal frameworks and practices on victims' access to legal aid, highlighting best practices and challenges. Bulgaria, Latvia and Poland were selected as pilot countries to develop conceptual tools for the project, including information tools about victims' rights targeting specific groups of people who typically have less access to information (for example citizens living in rural areas) and training tools for practitioners. The European Commission provided financial support through its Criminal Justice Support Programme.

For publications and more information, including country reports, see: <http://victimsrights.eu>

The process of implementing the Victims' Directive is seemingly at quite an early stage in **Slovakia**, and its transposition reportedly requires significant systemic changes. Currently, crime victims have a rather weak position and few rights during criminal proceedings. Implementation of the directive requires the establishment of a coherent and stable victim support mechanism, but the only support system that currently exists in Slovakia is run by several NGOs working in difficult conditions and without state financial support. Victims face additional difficulties in obtaining compensation during criminal proceedings. To do this, courts usually refer victims to civil proceedings, but these require financial resources that many victims do not have. There are also problems with victims' rights during trial. For example, victims are often confronted with the perpetrator when waiting for a trial (see the point in this section about separate waiting areas for victims at court).⁷⁵

Some Member States are still in the process of assessing their current compliance with the directive and will focus on finalising the transposition of any missing provisions by the November 2015 deadline.

7.3.2. Building up services and support for victims of crime

Targeted and practical victim support systems are crucial for any strategy to increase trust in the authorities and reporting rates, as highlighted by FRA evidence published in 2014.⁷⁶ The need to provide victims with a set of services that enable them to exercise their rights is underlined by FRA research on the reporting of people's experiences of crime.⁷⁷ Without such support, provided for in Articles 8 and 9 of the Victims' Directive, it is difficult to improve the investigation and prosecution of crime.⁷⁸ Some Member States unveiled plans in 2014 to develop and expand services and support for crime victims in line with the Victims' Directive, including extending the provision of free psychosocial assistance and strengthening victims' rights at trial.

For example, in **Ireland**, new victim support offices are to be established across the country (in each of the 25 police divisions), to improve the flow of information to and support for victims.⁷⁹ The decision was made following the successful piloting of two Victim Liaison Offices, in Waterford City and Dublin.

The **German** draft law on the rights of victims proposes introducing a legal right to free psychosocial assistance (on application) for all underage witnesses who have been victims of crime.⁸⁰ Such support can also be provided to other categories of victims, for example persons with disabilities, victims of hate crime and victims of human trafficking.⁸¹

The 2014 draft bill adapting the **French** criminal procedure to EU law (in accordance with Article 20 of the Victims' Directive) contains the general provision under which during criminal investigations victims, at their request, may be accompanied by their legal representative and an adult of their choice, unless a reasoned decision has been made by the judicial authority to the contrary. They are informed about this right by the police.⁸²

Promising practice

Providing guidance on victim support

In October 2014, the General Secretariat of the Interministerial Committee for Crime Prevention (SG-CIPD) in France published a guide (with input from numerous victim support NGOs) on victim support and access to rights for victims of domestic violence, child victims of violence, human trafficking victims, the elderly and persons with a disability. The guide provides legal and practical information to professionals working with victims, aiming to help them support victims.

For more information, see: Secrétariat Général du Comité Interministériel de Prévention de la Délinquance (2014), 'Boîte à outils : aide aux victimes et accès au droit', SG-CIPD

Ensuring convicted criminals contribute to the funding of victim support services

As part of its implementation of the Victims' Directive, the Finnish parliament passed a government bill introducing a 'victim surcharge' in March 2015. This initiative introduces a surcharge – €40 or €80 for individual persons, depending on the severity of the crime, and €800 for legal persons – to be paid by convicted persons. The money will go towards funding victim support services, and the fund is expected to generate some €4.5 million annually. Several other Member States are adopting or have already adopted similar schemes, including Belgium, Denmark, Estonia, France, Lithuania, Poland, Portugal, Sweden and the United Kingdom.

For more information, see: FRA (2014), "'Victims of crime funds": contributions by convicted persons'; and Finland, Ministry of Justice (Justitieministeriet) (2014), 'Regeringen föreslår införande av brottsofferavgift'

7.3.3. A remaining challenge: measuring implementation of victims' rights

The Victims' Directive does not deal explicitly with quality and performance, as explained in the FRA report *Victims of crime in the EU: the extent and nature of support for victims*. Recital 63 of the directive, however, stresses that

"to encourage and facilitate reporting of crimes and to allow victims to break the cycle of repeat victimisation, it is essential that reliable support services are available to victims and that competent authorities are prepared to respond to victims' reports in a respectful, sensitive, professional and non-discriminatory manner".

To review whether or not such support is indeed in place, Article 28 of the directive requires Member States to share data regularly on how victims have accessed the rights it guarantees. For victim support to be effective and efficient, quality standards need to be at the core of the design, improvement and continued delivery of victim support.

FRA evidence highlights that 14 Member States have developed quality standards for generic victim support services. Quality safeguards in **Belgian** victim support organisations, for instance, concern specific principles and criteria for staff training.⁸³ Member States develop such standards either as a separate set of norms or as part of obligations under which state-operated or non-state victim support services are provided with instructions and funding. National umbrella organisations and NGOs have also developed standards.

Performance indicators are a particularly valuable aspect of quality standards. For example, FRA evidence shows that in several Member States performance indicators include evidence of victims' satisfaction, gathered through surveys or questionnaires, for example in **France**,⁸⁴ **Croatia**, **Finland**, the **Netherlands**, **Portugal** and the **United Kingdom**.⁸⁵ The FRA report proposes a range of indicators – based on existing standards – to measure the delivery of victim support services.⁸⁶

7.4. Recognising and responding to women as victims of violence: Europe takes a step forward

In the landmark year of 2014, the Istanbul Convention entered into force, and FRA published the largest-ever international survey on violence against women, interviewing 42,000 women and covering 28 EU Member States. The survey asked about women's experiences of physical, sexual and psychological violence during their lifetime (since the age of 15), and in the 12 months before the survey. Women were also asked detailed questions about their experiences of stalking and sexual harassment, and about their childhood experiences of violence by an adult (regarding ► this last issue, see Chapter 6 on the rights of the child). The survey asked women about violence by partners

and non-partners, and about the consequences of violence on their lives. Importantly, the survey asked women whether or not they reported violence and abuse, and about their reasons for not reporting and their satisfaction with the reporting process.

A clear picture emerges from the findings: violence against women is widespread throughout the EU, a statement that applies to all the different forms of violence asked about. The survey revealed that more than one in three women across the EU has experienced some form of physical and/or sexual violence since the age of 15. An estimated 13 million women in the EU had experienced physical violence during the 12 months before the interviews, and an estimated 3.7 million women in the EU had experienced sexual violence in the 12 months before the interviews. More specifically, 22 % of women have experienced physical and/or sexual violence by a partner since the age of 15.

These findings represent extensive human rights abuses that the EU cannot afford to overlook. What is more, the findings show that the overwhelming majority of women who are victims of physical and sexual violence do not report the incident or incidents to the police, and when they do bring their abuse to the attention of any service, they typically turn to the health sector (doctors, clinics and hospitals). Depending on the type of violence and perpetrator, FRA evidence shows that some 61 % to 76 % of women did not report the most serious incident of physical and/or sexual violence to the police or contact any other support services. This means that the vast majority of cases of violence against women are not reported to the police or other services, which results in a situation in which the perpetrators can continue to act with impunity. FRA opinions in the report on the main results from the survey refer to the need for multi-agency cooperation, involving the police and other service providers, to address violence against women and to encourage women to report violence. They also highlight the requirement for specialist victim support services in line with the Victims' Directive and the Istanbul Convention.⁸⁷

There was a positive uptake of the FRA survey results and opinions throughout the year, with some Member States – for example **Austria**,⁸⁸ **Belgium**, **Finland**,⁸⁹ the **Netherlands**⁹⁰ and **Portugal**⁹¹ – making explicit reference to the results in the area of policy. In addition, on 14 October, the Spanish government's Observatory on Domestic and Gender Violence (*Observatorio de la Violencia de Género*) awarded its annual prize to FRA in recognition of its work on violence against women.

Measures to address violence against women were made at EU level, although responses tended to target specific crimes or specific groups of women, such as

victims of female genital mutilation or trafficking for sexual exploitation. Another example of such targeted responses is protection orders that can address abuse in cases of domestic violence. The Victims' Package (see [Figure 7.2](#)) contains two pieces of legislation (Measure C) – the European Protection Order (EPO) and the Regulation on mutual recognition of protection measures in civil matters – that address the needs of victims of domestic violence and stalking, ensuring that victims who are granted protection in one EU Member State can enjoy similar protection in another Member State.⁹² The Victims' Directive (which covers all crime victims) includes specific references to women as victims of domestic and gender-based violence, but within a framework that also refers to other groups of victims who may be in need of special protection, such as victims of hate crime and victims with a disability.

A major development in 2014 was the entry into force of the Istanbul Convention on 1 August 2014. As of 31 December 2014, eight EU Member States were parties to the convention, up from three at the end of 2013 (the five EU Member States that ratified the Convention in 2014 are **Denmark**, **France**, **Malta**, **Spain** and **Sweden**). An additional 15 EU Member States have signed (three during 2014).⁹³ The convention stresses the need for coordinated action between policymakers, government agencies and civil society, and emphasises the need to promote the principle of gender equality and legislate against gender-based discrimination. The FRA survey serves to underpin the need for legislative reform and policy action to address all forms of violence against women. To this end, the Council of Europe has been able to use the survey's findings when promoting the convention's ratification. The survey will be of further use during the monitoring of states parties' compliance with the Istanbul Convention, which will begin once the monitoring mechanism has been set up in 2015.⁹⁴

7.4.1. Measures to combat violence against women at Member State level

EU Member States took action to strengthen legislation in the area of violence against women, including implementing the EPO and the Regulation on mutual recognition of protection measures in civil matters, which both apply from 11 January 2015. As of January 2015, seven Member States had legislation in force implementing the EPO (**Austria**, **Estonia**, **Germany**, **Hungary**, **Malta**, **Spain** and the **United Kingdom**) and 15 Member States had draft legislation at various stages of the legislative process.⁹⁵

A new law that regulates the interim measures issued by a court in cases of domestic violence in the **Czech**

Republic entered into force on 1 January 2014.⁹⁶ The new measure, issued within 48 hours and without formal proceedings, obliges the perpetrator to leave the home and stay away from the victim for one month (with the possibility of extension).

Amendments to several laws introducing temporary protection measures in **Latvia** entered into force in March. The amendments to the Law on Police extended the competences of the police to intervene in domestic violence cases. The police have a duty to prevent immediate danger until the court considers the question of temporary protection against violence;⁹⁷ to enforce the implementation of the decisions of the court or judge regarding temporary protection against violence;⁹⁸ to take a decision about separation; and to forward any application for temporary protection to the court.

The **United Kingdom** (Scotland) passed the Victims and Witnesses (Scotland) Act 2014, which introduced new rights for victims of sexual offences, domestic abuse, human trafficking and stalking.⁹⁹

Promising practice

Mapping protection order legislation

The project Protection Orders in the European Member States (POEMS) aims to map protection order legislation and practice in EU Member States, to identify best practices and possible gaps, and to evaluate the level of protection offered to victims, also in the context of the EPO, with the ultimate goal of enhancing the protection provided to victims. The project was led by the Portuguese Association for Victim Support (*Associação Portuguesa de Apoio à Vítima*, APAV) and the International Victimology Institute Tilburg (Intervict) and co-financed by the European Commission under the Daphne III Programme. POEMS will publish a report on its findings in 2015.

For more information, see: <http://poems-project.com>

Data and measures relating to stalking

Evidence from the FRA survey on violence against women shows that 18 % of women have experienced stalking since the age of 15, with 5 % having experienced it in the 12 months preceding the survey. This corresponds to nine million women in the 28 EU Member States experiencing stalking within a period of 12 months.¹⁰⁰ As of December 2014, 17 Member States have anti-stalking legislation in place, although definitions of the stalking vary widely.¹⁰¹ This is an area that warrants more effective responses by EU Member States in terms of both law and policy, particularly given the scale of stalking.

Notable developments at Member State level include **Malta's** new act introducing the specific crime of stalking and an aggravated offence of stalking involving fear of violence, serious alarm or distress.¹⁰² Anti-stalking legislation was also enacted in **Finland** on 1 January 2014. According to a new provision in the Criminal Code, a person is guilty of stalking if they repeatedly threaten, follow, monitor, contact or in some other way stalk another person in such a way that it is likely to cause fear or anxiety.¹⁰³ Various political parties in **Portugal** proposed draft bills, which the Parliament discussed. The draft bills propose amending the Criminal Code to explicitly criminalise stalking, sexual harassment and forced marriage.¹⁰⁴

Data and measures relating to sexual violence and harassment

EU Member States also made progress in tackling sexual violence in 2014. This is another area in which the 2014 FRA survey findings show the prevalence of incidents to be alarmingly high, with 11 % of the 42,000 women interviewed having experienced some form of sexual violence since the age of 15 (either by a partner or someone else), and one in 20 women saying that they have been raped. In the survey, women who have experienced sexual violence describe a number of psychological consequences such as feeling ashamed, embarrassed or guilty about what had happened. These feelings can lead to victims not reporting incidents to the authorities.¹⁰⁵

With regard to sexual harassment, the FRA findings show that one in two women in the EU has experienced sexual harassment since the age of 15 (meaning, but not limited to: verbal and non-verbal forms of harassment such as unwelcome touching or kissing, sexually suggestive comments or jokes and receipt of unwanted sexually explicit emails or SMS messages). About one in five women (21 %) has experienced sexual harassment in the 12 months preceding the survey. Among women who have experienced sexual harassment at least once since the age of 15, 32 % state that somebody whom they encountered at work – such as a colleague, a boss or a customer – was a perpetrator. The survey also finds that women who were working at the time the interviews took place experienced sexual harassment more frequently than women who have never done paid work or women who were unemployed at the time of the survey. Sexual harassment is also more commonly experienced by women in the highest occupational groups: 75 % of women in the top management category and 74 % of those in the professional category (lawyers, doctors, accountants, etc.) have experienced sexual harassment in their lifetime.

Although **Germany** amended its criminal code in 2014 with a view to ratifying the Istanbul Convention,¹⁰⁶

several lawyer associations as well as the German Institute for Human Rights have criticised the draft law for failing to make changes to the German criminal law provision on sexual abuse and rape.¹⁰⁷ The draft law reportedly does not comply with Article 36 of the Istanbul Convention, which obliges states to criminalise non-consensual vaginal, anal or oral penetration of a sexual nature of the body of another person with any bodily part or object. The Ministers for Gender Equality and Women adopted a resolution asking the government to ratify the Istanbul Convention swiftly and bring the law in line with the provisions of the convention.¹⁰⁸ The Conference of the Ministers of Justice followed a similar line,¹⁰⁹ and the Federal Minister of Justice has reportedly also declared the need for reform of the Criminal Code.¹¹⁰

Amendments to the Criminal Law in **Latvia** entered into force in June, aiming to bring the definitions of rape and sexual violence into line with those in the Istanbul Convention. The legal definition of rape was amended such that sexual violence and rape are punishable in all cases where these acts are conducted against a person's will, with or without physical violence.¹¹¹

Some positive developments could also be identified with regard to legislation on harassment. For instance, in October the **Croatian** government adopted Draft Amendments to the Criminal Code Act, which criminalise psychological violence.¹¹²

France adopted several measures to combat harassment: a circular on the fight against harassment in public sector was issued in March, and on 15 April the Minister of Defence presented a plan to combat harassment, violence and discrimination against women in the army.¹¹³ In August, a new law on equality between women and men was adopted. It included a definition of moral harassment in the Criminal Code and addressed the matter of harassment by email; it also criminalised complicity in sexual harassment, making it an offence to film acts of sexual harassment or share such images.¹¹⁴

Reference to findings from the survey regarding women's experiences of physical, sexual and psychological violence by an adult when they were children can be

► found in [Chapter 6](#).

FRA conclusions

- Evidence collected in 2014 shows that EU Member States adopted various measures following the transposition and implementation of the EU directives on the right to translation and interpretation, and to information in criminal proceedings.

For these rights to become a reality, EU Member States are, however, encouraged to further review their existing laws and complement them with relevant policy measures, as well as exchange promising practices in this area to ensure implementation in practice.

- In the run-up to the transposition deadline of November 2015 for the Victims' Directive, legislation on the rights of victims of crime improved in EU Member States. FRA evidence on the extent and nature of support services for victims shows, however, that the actual situation on the ground needs to be strengthened.

EU Member States should adopt further measures to establish comprehensive victim support services and enable victims to access those services, for example by providing clear information to victims, ensuring effective referral of victims – particularly certain groups of victims who may have specific protection needs – and training police officers and legal practitioners in how to establish trust and confidence with victims and support them throughout proceedings. In addition, Member States should strengthen efforts to gather data regularly on how crime victims have accessed their rights, including improving data collection and ensuring the effective use of that data to inform relevant policies aimed at combating crime, supporting victims and empowering them to exercise their rights.

- Evidence collected by the FRA survey on violence against women shows alarmingly high rates of incidents of physical and sexual violence, alongside psychological abuse, harassment and stalking, in all 28 EU Member States. In addition, the survey reveals the significant number of women who have experienced abuse in childhood at the hands of an adult.

EU Member States should review their legislation to ensure that it is in line with the Council of Europe's Istanbul Convention and the EU Victims' Directive, both of which set new standards for responding to victims of gender-based violence. In this context, the need for all EU Member States to ratify the Istanbul Convention at their earliest opportunity is to be highlighted. Going further, Member States should develop and implement national action plans to combat violence against women on the basis of the FRA evidence, alongside other data that draw directly on women's experiences of violence.

Index of Member State references

EU Member State	Page
AT	149, 154
BE	147, 153, 154
BG	152
CY	148
CZ	144, 148, 149, 154
DE	147, 149, 151, 152, 154, 155, 156
DK	146, 148, 149, 153, 154
EE	148, 153, 154
EL	144, 149, 151
ES	144, 148, 149, 150, 151, 152, 154
FI	144, 147, 148, 149, 151, 153, 154, 155
FR	148, 149, 151, 153, 154, 156
HR	153, 156
HU	144, 148, 154
IE	146, 149, 151, 152
IT	147, 148, 151, 152
LT	148, 150, 151, 153
LU	148, 149
LV	149, 150, 152, 155, 156
MT	148, 149, 151, 152, 154, 155
NL	144, 148, 149, 151, 153, 154
PL	144, 148, 149, 152, 153
PT	151, 153, 154, 155
RO	150
SE	148, 153, 154
SI	148
SK	144, 149, 151, 152
UK	146, 149, 153, 154, 155

Endnotes

All hyperlinks accessed on 30 April 2015.

- 1 European Commission (2014), *The EU justice agenda for 2020: strengthening trust, mobility and growth within the Union*, COM(2014) 144 final, Brussels, 11 March 2014.
- 2 European Council (2014), *Strategic guidelines for legislative and operational planning for the coming years within the area of freedom, security and justice*, EUCO 79/14, Brussels, 27 June 2014.
- 3 European Commission (2014), *A new EU framework to strengthen the rule of law*, COM(2014) 158 final/2, Brussels, 19 March 2014.
- 4 All EU treaties, legal instruments and case law are available at <http://eur-lex.europa.eu>.
- 5 European Union Agency for Fundamental Rights (FRA) (2014), *'Broadening the rule of law debate: towards a fundamental rights strategy'*, speech by the FRA Director at the seminar 'The future of the European area of justice, rule of law and fundamental rights', Helsinki, 28 April 2014; see also FRA (2014), *Fundamental rights: challenges and achievements in 2013 – FRA Annual report 2013*, Luxembourg, Publications Office of the European Union (Publications Office), 'FOCUS – An EU internal strategic framework for fundamental rights: joining forces to achieve better results'.
- 6 FRA (2014), *'Rule of law conference under Austrian presidency of the Committee of Ministers of the Council of Europe'*, 7 April 2014.
- 7 European Commission (2014), *The 2014 EU Justice Scoreboard*, COM(2014) 155 final, Brussels, 17 March 2014.
- 8 FRA (2014), *Fundamental rights: Challenges and achievements in 2013 – Annual report 2013*, Luxembourg, Publications Office, Chapter 8.
- 9 Council of Europe, CEPEJ (2014), *Study on the functioning of judicial systems in the EU Member States: facts and figures from the CEPEJ 2012–2014 evaluation exercise*, 11 March 2014.
- 10 European Commission (2014), *'The 2014 EU Justice Scoreboard: towards more effective justice systems in the EU'*, press release, 17 March 2014.
- 11 FRA (2011), *Opinion of the European Union Agency for Fundamental Rights on the draft directive regarding the European Investigation Order (EIO)*, FRA Opinion, Vienna, FRA.
- 12 FRA (2012), *Opinion of the European Union Agency for Fundamental Rights on the confiscation of proceeds of crime*, FRA Opinion 03/2012, Vienna, FRA.
- 13 Council of the European Union (2014), *Proposal for a council regulation on the establishment of the European Public Prosecutor's Office: orientation debate*, 28 November; Council of the European Union (2014), *'Main results of the Council'*, press release, 4 and 5 December.
- 14 FRA (2014), *Opinion of the European Union Agency for Fundamental Rights on a proposal to establish a European Public Prosecutor's Office*, FRA Opinion 1/2014, Vienna, FRA.
- 15 ECtHR, *Baytar v. Turkey*, No. 45440/04, 14 October 2014.
- 16 ECtHR, *Grande Stevens and Others v. Italy*, Nos. 18640/10, 18647/10, 18663/10, 18668/10 and 18698/10, 4 March 2014.
- 17 ECtHR, *Lucky Dev v. Sweden*, No. 7356/10, 27 November 2014.
- 18 ECtHR, *Glantz v. Finland*, No. 37394/11, 20 May 2014; *Häkkä v. Finland*, No. 758/11, 20 May 2014; *Nykänen v. Finland*, No. 11828/11, 20 May 2014; and *Pirttimäki v. Finland*, No. 35232/11, 20 May 2014.
- 19 CJEU, C-129/14 PPU, *Criminal proceedings against Zoran Spasic*, 27 May 2014.
- 20 CJEU, C-398/12, *Criminal proceedings against M*, 5 June 2014.
- 21 Council of the European Union (2014), *Proposal for a council regulation on the establishment of the European Public Prosecutor's Office: orientation debate*, 28 November.
- 22 In December 2014, the Danish Government agreed to hold a referendum about its participation before summer 2016; Denmark, Prime Minister's Office (2014), *'Aftale om Danmark i Europol'*, 10 December.
- 23 Cyprus, The Criminal Procedure (Amendment) (No. 3) (*Νόμος που τροποποιεί τον περί Ποινικής Δικονομίας Νόμο, Ποινικής Δικονομίας (Τροποποιητικός) (Αρ. 3)*), No. 186(I)/2014; Cyprus, Law amending the rights of persons arrested and detained of 2005 (*Νόμος που τροποποιεί τον περί των Δικαιωμάτων Προσώπων που Συλλαμβάνονται και Τελούν υπό Κράτηση του 2005*), No. 185(I)/2014; Cyprus, Law amending the laws on the European arrest warrant and the procedures for the handing over of wanted persons between member states of the European Union (*Νόμος που τροποποιεί τους περί ευρωπαϊκού εντάλματος σύλληψης και τις διαδικασίες Παράδοσης Εκζητούμενων μεταξύ των Κρατών Μελών της Ευρωπαϊκής Ένωσης (Τροποποιητικός) (Αρ. 2) Νόμος του 2014*), No. 183(I)/2014.
- 24 Czech Republic, Amendment to Act No. 141/161, Criminal Procedure Code, as amended, Act No. 40/2009, Criminal Code, as amended, Act No. 418/2011, on the criminal liability of legal persons and proceedings against them, as amended by Act No. 105/2013 (*Zákon č. 141/2014 Sb., kterým se mění zákon č. 141/1961 Sb., o trestním řízení soudním (trestní řád), ve znění pozdějších předpisů, zákon č. 40/2009, trestní zákoník, ve znění pozdějších předpisů, a zákon č. 418/2011 Sb., o trestní odpovědnosti právnických osob a řízení proti nim, ve znění zákona č. 105/2013 Sb.*), 19 June 2014.
- 25 Estonia, Amendments to the Code of Criminal Procedure and Related Acts (*Kriminaalmenetluse seadustiku ja sellega seonduvalt teiste seaduste muutmise seadus*), RT I, 21.06.2014, 11, 12 June 2014.
- 26 Finland, Government Bill on the implementation of Directive 2010/64/EU amending the Criminal Procedure Act and other laws (*Hallituksen esitys eduskunnalle oikeudenkäynnistä rikosasioissa annetun lain ja eräiden muiden lakien muuttamisesta*), HE 63/2013, 6 June 2013.
- 27 France, Law No. 2014-535 transposing Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings (*Loi No. 2014-535 portant transposition de la directive 2012/13/UE du Parlement européen et du Conseil, du 22 mai 2012, relative au droit à l'information dans le cadre des procédures pénales*), 27 May 2014; France, Circular presenting criminal procedure provisions of Law No. 2014-535 transposing Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings, entering into force from 2 June 2014 (*Circulaire de présentation des dispositions de procédure pénale applicables le 2 juin 2014 de la loi portant transposition de la directive 2012/13/UE du Parlement européen et du Conseil, du 22 mai 2012 relative au droit à l'information dans le cadre des procédures pénales*), 23 May 2014; France, Schedule of enforcement of the law (*Echéancier de mise en application de la loi*), 6 October 2014.
- 28 Hungary, Law CCXL. of 2013 on penalties, actions, some coercive measures and the implementation of misdemeanour imprisonment and its amendment: LXXII. of 2014 amending the related laws (*A büntetések, az intézkedések, egyes kényszerintézkedések és a szabálysértési elzárás végrehajtásáról szóló 2013.*

- évi CCXL. törvény és ehhez kapcsolódóan más törvények módosításáról szóló 2014. évi LXXII. Törvény).
- 29 Italy, Legislative Decree No. 101 of 1 July 2014, Implementation of Directive 2012/13/EU on the right to information in criminal proceedings (*Decreto legislativo 1 luglio 2014, n. 101, Attuazione della direttiva 2012/13/UE sul diritto all'informazione nei procedimenti penali*).
- 30 Luxembourg, Chamber of Deputies (*Chambre des députés*), Bill No. 6758 strengthening the criminal procedural guarantees (*Projet de loi renforçant les garanties procédurales en matière pénale*), 23 December 2014.
- 31 Malta (2014), Act IV of 2014, *Various Laws (Criminal Matters) Amendment Act*, 18 March 2014.
- 32 Netherlands, Ministry of Security and Justice (*Ministerie van Veiligheid en Justitie*) (2014), *Implementatie van richtlijn nr. 2012/13/EU van het Europees Parlement en de Raad van 22 mei 2012 betreffende het recht op informatie in strafprocedures (PbEU L 142)*.
- 33 Slovenia, Act amending the Criminal Procedure Act-M (*Zakon o spremembah in dopolnitvah zakona o kazenskem postopku, ZKP-M*), 1 December 2014.
- 34 Spain, Draft Bill amending the Criminal Procedural Law and the Organic Law of the Judiciary 6/1985 of 1 July, to transpose Directive 2010/64/EU, 20 October 2010, on the right to interpretation and translation in criminal proceedings, and Directive 2012/13/EU, 11 May 2012, on the right to information in criminal proceedings (*Proyecto de Ley Orgánica por la que se modifican la Ley de Enjuiciamiento Criminal y la Ley Orgánica 6/1985, de 1 de julio, del Poder Judicial, para transponer la Directiva 2010/64/UE, de 20 de octubre de 2010, relativa al derecho a interpretación y a traducción en los procesos penales y la Directiva 2012/13/UE, de 22 de mayo de 2012, relativa al derecho a la información en los procesos penales*), 5 September 2014.
- 35 Sweden (2014), *Regeringens proposition 2013/14:157, Misstänkta rätt till insyn vid frihetsberövanden*, 6 March 2014.
- 36 Lithuania (2014), Law amending Articles 21, 22 of the Criminal Procedure Code and supplementing its annex (*Lietuvos Respublikos baudžiamojo proceso kodekso 21, 22 straipsnių pakeitimo ir kodekso priedo papildymo įstatymas*), Register of Legal Acts, 2014, No. 2014-05570.
- 37 Lithuania (2014), Order of the Prosecutor General of 24 July 2014 No. I-153 (*Dėl Rekomendacijų dėl pranešimo apie įtarimą parengimo ir nusikalstamų veikų perkvalifikavimo ikiteisminio tyrimo metu patvirtinimo*), Register of Legal Acts, 2014, No. 2014-10494; Lithuania (2014), Order of the Prosecutor General of 9 June 2014 No. I-120 (*Generalinio prokuroro įsakymas dėl baudžiamojo proceso dokumentų formų patvirtinimo*), Register of Legal Acts, 2014, No. 2014-07297.
- 38 Poland, Executive Act of the Minister of Justice on the information template on the rights of persons arrested in criminal proceedings (*Rozporządzenie Ministra Sprawiedliwości z dnia 27 maja 2014 r. w sprawie określenia wzoru pouczenia o uprawnieniach zatrzymanego w postępowaniu karnym*), 27 May 2014; Poland, Executive Act of the Minister of Justice on the information template on the rights of pre-trial detainees in criminal proceedings (*Rozporządzenie Ministra Sprawiedliwości z dnia 27 maja 2014 r. w sprawie określenia wzoru pouczenia o uprawnieniach tymczasowo aresztowanego w postępowaniu karnym*), 27 May 2014; Poland, Executive Act of the Minister of Justice on the information template on the rights of persons arrested on the basis of the European Arrest Warrant (*Rozporządzenie Ministra Sprawiedliwości z dnia 27 maja 2014 r. w sprawie określenia wzoru pouczenia o uprawnieniach zatrzymanego na podstawie europejskiego nakazu aresztowania*), 27 May 2014.
- 39 In December 2014, the Danish Government agreed to hold a referendum about its participation before summer 2016; Denmark, Prime Minister's Office (2014), '*Aftale om Danmark i Europol*', 10 December.
- 40 Finland, Ministry of Education and Culture, Working Group on setting up a register for legal interpreters (2014), *Oikeustulkkien rekisterin perustamista selvittävän työryhmän muistio – Opetus- ja kulttuuriministeriön työryhmämuistioita ja selvityksiä 2014:22*.
- 41 Germany, Bundesministerium für Justiz und Verbraucherschutz (BMJV), '*Belehrungsformulare für festgehaltene Personen*'.
- 42 See the information report on the reallocation of funding envisioned for new political initiatives of the Ministry of Justice and further actions: Latvia, Latvijas Republikas Ministru kabineta sēdes protokollēmums (2014), *Informatīvais ziņojums: par Tieslietu ministrijai jaunajām politikas iniciatīvām paredzētā finansējuma pārdali un turpmāko rīcību*, 27 October 2014.
- 43 European Commission (2014), '*July infringement package: main decisions*', press release, 10 July 2014; Council of the European Union (2014), *Report from the Commission: 31st annual report on monitoring the application of EU law*, 29 October 2014.
- 44 ECtHR, *Kamasinski v. Austria*, No. 9783/82, 19 December 1989.
- 45 Slovakia, Ústavného súdu Slovenskej republiky (2014), *Uznesenie IV. ÚS 337/2014-12*, 19 June 2014.
- 46 In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Directive. In December 2014, the Danish Government agreed to hold a referendum about its participation before summer 2016; Denmark, Prime Minister's Office (2014), '*Aftale om Danmark i Europol*', 10 December 2014.
- 47 Some of the information supplied in this chapter is based on research conducted for the FRA *Annual report 2014* and on the FRA project on victim support services in the EU, which involved fieldwork and desk research.
- 48 France, Law No. 2014-535 transposing Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings (*Loi n° 2014-535 portant transposition de la directive 2012/13/UE du Parlement européen et du Conseil, du 22 mai 2012, relative au droit à l'information dans le cadre des procédures pénales*), 27 May 2014; France, Circular presenting provisions of Law No. 2014-535 transposing Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings, entering into force from the 1st of January 2015 (*Circulaire de présentation des dispositions applicables à compter du 1er janvier 2015 de la loi n° 2014-535 du 27 mai 2014 portant transposition de la directive 2012/13/UE du Parlement européen et du Conseil, du 22 mai 2012 relative au droit à l'information dans le cadre des procédures pénales*), 19 December 2014.
- 49 Greece, Ministry of Justice, Transparency and Human Rights (*Υπουργείο Δικαιοσύνης, Διαφάνειας και Ανθρωπίνων Δικαιωμάτων*), Ministerial Decision, Nr 187/28.1.2014 (OG B' 265/7.2.2014) '*Establishment and members of special drafting committee for the transposition of Directive 2013/48/EU on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty*' (*Σύσταση και συγκρότηση ειδικής νομοπαρασκευαστικής επιτροπής με αντικείμενο την ενσωμάτωση στην εθνική έννομη τάξη της Οδηγίας 2013/48/ΕΕ του Ευρωπαϊκού Κοινοβουλίου και του*

- Συμβουλίου της 22ας Οκτωβρίου 2013, σχετικά με το δικαίωμα πρόσβασης σε δικηγόρο στο πλαίσιο ποινικής διαδικασίας και διαδικασίας εκτέλεσης του ευρωπαϊκού εντάλματος σύλληψης, καθώς και σχετικά με το δικαίωμα ενημέρωσης τρίτου προσώπου σε περίπτωση στέρησης της ελευθερίας του και με το δικαίωμα επικοινωνίας με τρίτα πρόσωπα και με προξενικές αρχές κατά τη διάρκεια της στέρησης της ελευθερίας, τη σύνταξη της σχετικής αιτιολογικής έκθεσης, της έκθεσης αξιολόγησης συνεπειών ρυθμίσεων και του πίνακα αντιστοίχισης των προτεινόμενων με το σχέδιο νόμου διατάξεων με τις διατάξεις της Οδηγίας), 7 February 2014.
- 50 Luxembourg, Chamber of Deputies (*Chambre des députés*), Bill No. 6758 strengthening the criminal procedural guarantees (*Projet de loi renforçant les garanties procédurales en matière pénale*, n° 6758), 23 December 2014.
- 51 See the explanatory memorandum for the 2015 budget of the Ministry of Security and Justice: Netherlands, Ministerie van Veiligheid en Justitie (2014), *Vaststelling van de begrotingsstaten van het Ministerie van Veiligheid en Justitie (VI) voor het jaar 2015, Memorie van toelichting*, 8. Wetgevingsprogramma.
- 52 Poland, Ministry of Justice (*Ministerstwo Sprawiedliwości*), Draft act on free-of-charge legal aid and legal information (*Ustawa o nieodpłatnej pomocy prawnej i informacji prawnej*), 12 December 2014.
- 53 Spain, Draft bill on free legal aid (*Proyecto de ley de asistencia jurídica gratuita*), 7 March 2014.
- 54 Ireland, Supreme Court, *People (DPP) v. Gormley & White*, IESC 17, 6 March 2014.
- 55 FRA (2014), *Annual work programme 2015*, Vienna, FRA, p. 46.
- 56 See <http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/victims-support-services>.
- 57 FRA (2014), *Victims of crime in the EU: the extent and nature of support for victims*, Luxembourg, Publications Office.
- 58 *Ibid.*
- 59 Lithuania, Law amending Articles 9, 185, 186, 275, 276, 283 and the Annex to the Criminal Procedure Code, (*Lietuvos Respublikos baudžiamoji proceso kodekso 9, 185, 186, 275, 276, 283 straipsnių ir priedo pakeitimo įstatymas*), No. 2014-10422; Lithuania, Law amending Articles 9, 154, 186, 280, 283 and the Annex to the Criminal Procedure Code (*Lietuvos Respublikos baudžiamoji proceso kodekso 9, 154, 186, 280, 283 straipsnių ir priedo pakeitimo*), No. 2014-03403.
- 60 Romania, Law No. 135/2010 on the Code of Criminal Procedure (*Legea nr. 135/2010 privind Noul Cod de Procedură Penală*), 15 July 2010.
- 61 See Sile, S. (2014), 'Cietušo tiesību divas ēras', Providus Center for Public Policy, 24 July.
- 62 Spain, Draft Law 121/000115 on the standing of the victim in criminal proceedings (*Proyecto de ley 121/000115 del Estatuto de la víctima del delito*), 5 September 2014; Spain, Draft Law 121/000084 on legal aid in criminal proceedings (*Proyecto de ley 121/000084 de asistencia jurídica gratuita*), 7 March 2014; see also Spain, Ministerio de Justicia, Secretaría General de la Administración de Justicia (2014), *Plan de Acción 2012-2015*, and Draft Law 121/000065 amending Organic Law 10/1995 regarding the Criminal Code (*Proyecto de Ley Orgánica 121/000065 por la que se modifica la Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal*), 4 October 2013.
- 63 Netherlands, State Secretary for Security and Justice (*Staatssecretaris van veiligheid en Justitie*) (2014), *Implementatie van richtlijn 2012/29/EU van het Europees Parlement en de Raad van 25 oktober 2012 tot vaststelling van minimumnormen voor de rechten, de ondersteuning en de bescherming van slachtoffers van strafbare feiten, en ter vervanging van Kaderbesluit 2001/220/JBZ* (PbEU 14 november 2012, L 315).
- 64 For more information, see the table 'Authorities' obligation to provide information to crime victims'.
- 65 For updated information and details, see *Ibid.* and FRA (2014), *Victims of crime in the EU: the extent and nature of support for victims*, Luxembourg, Publications Office.
- 66 Germany, Federal Ministry for Justice and Consumer Protection (*Bundesministerium für Justiz und Verbraucherschutz*, BMJV) (2014), Draft law on the rights of victims and introducing psychosocial assistance during court proceedings (*Entwurf eines Gesetzes zur Stärkung der Opferrechte im Strafverfahren*), 11 September, p. 12.
- 67 *Ibid.*, pp. 9–17.
- 68 France, Draft bill adapting the French criminal procedure to the European Union law in the version adopted by the Senate (*Projet de loi portant adaptation de la procédure pénale au droit de l'Union européenne adopté par le Sénat*), 5 November 2014.
- 69 France, Ministry of Justice (*Ministère de la justice*) (2014), 'Lettre aux magistrats et aux fonctionnaires de justice', No. 11, March 2014.
- 70 France, Ministère de la justice (2014), 'Améliorer l'accompagnement et l'indemnisation des victimes', 10 April; France, Ministère de la justice (2014), 'L'aide aux victimes: une politique prioritaire du ministère de la Justice'; France, Sénat (2014), 'Compte rendu de la séance du 5 novembre 2014'.
- 71 For more details, see FRA (2014), *Fundamental rights: Challenges and achievements in 2013 – Annual report 2013*, Luxembourg, Publications Office, Section 9.1.1.
- 72 Victims Rights Alliance (2014), *The implementation and enforcement of the Victims' Rights Directive in Ireland: ensuring the consistency of victims' rights for all victims of crime*, November, p. 10.
- 73 Victim Support Malta (2014), 'Position paper on Bill No. 66: Victims of Crime Bill', press release, 11 November.
- 74 See the table 'Victims' rights at trial'.
- 75 See also the conclusions from the seminar 'Crime victims and their rights' (*Obete kriminality a ich práva*), organised by the Society for Criminal Law and Criminology and the Ministry of Justice of the Slovak Republic at Paneuropean University in Bratislava in Slovakia on 6 November 2014.
- 76 FRA (2014), *Victims of crime in the EU: the extent and nature of support for victims*, Luxembourg, Publications Office.
- 77 FRA (2009), *EU-MIDIS – European Union minorities and discrimination survey – Main results report*, Luxembourg, Publications Office; FRA (2013), *EU LGBT Survey – European Union lesbian, gay, bisexual and transgender survey – Results at a glance*, Luxembourg, Publications Office; FRA (2013), *Discrimination and hate crime against Jews in EU Member States: experiences and perceptions of antisemitism*, Luxembourg, Publications Office; FRA (2014), *Violence against women: an EU-wide survey – Main results report*, Luxembourg, Publications Office.
- 78 FRA (2014), *Victims of crime in the EU: the extent and nature of support for victims*, Luxembourg, Publications Office.
- 79 *Irish Times* (2014), 'Garda reach out to crime victims with new support centres', 25 November 2014.
- 80 Germany, Bundesministerium für Justiz und Verbraucherschutz (BMJV) (2014), Draft law on the rights

- of victims and introducing psychosocial assistance during court proceedings (*Entwurf eines Gesetzes zur Stärkung der Opferrechte im Strafverfahren*), 11 September. The crimes are listed under 397a German Criminal Procedure Code.
- 81 FRA (2014), research conducted for the FRA *Annual report 2014*.
- 82 France, Draft bill adapting the French criminal procedure to the European Union law in the version adopted by the Senate (*Projet de loi portant adaptation de la procédure pénale au droit de l'Union européenne adopté par le Sénat*), 5 November 2014.
- 83 FRA (2014), *Victims of crime in the EU: the extent and nature of support for victims*, Luxembourg, Publications Office, p. 91. For comparative data, see the table 'Quality standards'.
- 84 France, Ministry of Finance and Public Accounts (*Ministère des Finances et des Comptes Publics*) (2014), *Missions, programmes, objectifs, indicateurs: PLF 2014*, p. 57.
- 85 Victim Support England and Wales (2012), *Trustees' annual report 2011–12*.
- 86 FRA (2014), *Victims of crime in the EU: the extent and nature of support for victims*, Luxembourg, Publications Office.
- 87 FRA (2014), *Violence against women: an EU-wide survey – Main results report*, Luxembourg, Publications Office.
- 88 Austria, Ministry of Education and Women's Affairs (*Bundesministerium für Bildung und Frauen, BMBF*) (2014), *Nationaler Aktionsplan zum Schutz von Frauen vor Gewalt – Maßnahmen der österreichischen Bundesregierung 2014 bis 2016*, Vienna, BMBF.
- 89 Finland, Ministry for Foreign Affairs (*Ulkoasiainministeriö*) (2014), *Valtioneuvoston ihmisoikeusselonteko 2014*. The Government human rights report 2014 refers on p. 27 to the FRA Violence against women survey, and in particular to the results of the survey regarding Finland.
- 90 Römken, R., de Jong, T. and Harthoorn, H. (2014), *Violence against women: European Union survey results in the Dutch context*, Amsterdam, Atria Institute on Gender Equality and Women's History.
- 91 Portugal, opening statement, *Universal Periodic Review, second cycle – Portugal, 19th Session*, 30 April 2014.
- 92 European Commission (2015), *Better protection for victims of violence anywhere in the EU*, Press release, IP/15/3045, 9 January 2015.
- 93 See www.conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=210&CM=&DF=&CL=ENG.
- 94 Council of Europe, Gender Equality Commission (2014), *Report analysing the results of the fourth round of monitoring the implementation of Recommendation Rec(2002)5 on the protection of women against violence in Council of Europe member states*, Strasbourg, CoE.
- 95 Bulgaria, Croatia, the Czech Republic, Greece, Finland, France Italy, Latvia, Lithuania, the Netherlands, Poland, Portugal, Sweden, Slovakia and the United Kingdom (Scotland).
- 96 Czech Republic, Law on Special Judicial Proceedings (*Zákon o zvláštních řízeních soudních*), 12 September 2012.
- 97 Latvia, Amendments to the Law on Police (*Grozījumi likumā 'Par policiju'*), 6 March 2014, amended Section 10, para. 1, clause 21.
- 98 *Ibid.*, Clause 22.
- 99 United Kingdom (Scotland), *Victims and Witnesses (Scotland) Act 2014*, 17 January 2014.
- 100 FRA (2014), *Violence against women: an EU-wide survey – Results at a glance*, Luxembourg, Publications Office, Section 2.4.
- 101 Austria, Belgium, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, Luxembourg, Malta, the Netherlands, Sweden, Slovakia and the United Kingdom.
- 102 Malta, *Act No. XXIV of 2014*, 1 August 2014, pp. 10–12, Article 215AA (stalking) and Article 215BA (aggravated stalking).
- 103 Finland, *Finnish Criminal Code (2014)*, Section 25 7 (a).
- 104 Portugal, Draft Law 663/XII/4th of the Left Block Parliamentary Group (*Projeto de Lei nº 663/XII/4ª do Grupo Parlamentar do Bloco de Esquerda*).
- 105 FRA (2014), *Violence against women: an EU-wide survey – Main results report*, Luxembourg, Publications Office.
- 106 Germany, Bundesministerium für Justiz und Verbraucherschutz (BMJV) (2014), Draft Act amending the criminal code – implementation of European requirements regarding sexual criminal law (*Entwurf eines Gesetzes zur Änderung des Strafgesetzbuches – Umsetzung europäischer Vorgaben zum Sexualstrafrecht*); Germany, Bundestag, Plenarprotokoll 18/67, 14 November 2014, 6351D; Germany, Bundestag, BT-Drs. 18/3202, 12 November 2014.
- 107 Rabe, H. and Normann, J. (2014), *Schutzlücken bei der Strafverfolgung von Vergewaltigungen*, Berlin, Deutsches Institut für Menschenrechte; Deutscher Juristinnenbund (DJB) (2014), *Stellungnahme vom 25.07.2014*.
- 108 Germany, 24th Conference of the Ministers for Gender Equality and Women (24. Konferenz der Gleichstellungs- und Frauenministerinnen und -minister, -senatorinnen und -senatoren der Länder, GFMK), 'Umlaufbeschluss 3/2014', 27 August 2014.
- 109 Germany, 85 Conference of the Ministers of Justice (85. Konferenz Justizministerinnen und Justizminister) (2014), *Beschluss TOP II.1 – Reform des § 177 StGB*, Berlin, 6 November 2014.
- 110 *Frankfurter Rundschau* (2014), 'Maas will Vergewaltigungsparagrafen verschärfen', 6 November 2014.
- 111 Latvia, Amendments to the Criminal Law (*Krimināllikums*), 14 June 2014.
- 112 Croatia, *Prijedlog zakona o izmjenama i dopunama Kaznenog zakona, s Konačnim prijedlogom zakona*.
- 113 France, Circular No. SE1-2014-1 on the fight against harassment in public services (*Circulaire n° SE1-2014-1 relative à la lutte contre le harcèlement dans la fonction publique*), 4 March 2014; France, Ministère de la Défense (2014), *Lutte contre le harcèlement dans les armées : le rapport d'enquête*, 16 April 2014.
- 114 France, *Loi n° 2014-873 pour l'égalité réelle entre les femmes et les hommes. Étude d'impact*, 1 July 2013.