

# Guest Editorial for Eucrim 2-2011

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## Editorial

## EDITORIAL

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Dear readers,

With the support of the European Union Agency for Fundamental Rights (FRA), the Hungarian government, under its six-month Presidency of the European Union, hosted a conference in March 2011 on “Protecting Victims in the EU: the Road Ahead.” The conference coincided with the ten-year anniversary of Council Framework Decision 2001/220/JHA on the standing of victims in criminal proceedings, a decade that has seen legislative developments for victims “on paper” but which has suffered from a lack of concrete action for victims in practice in a number of EU Member States. As research by the FRA on vulnerable victim groups has shown, many victims continue to underreport crime, which is exacerbated by the fact that certain groups tend to distrust the police (FRA “EU-MIDIS” survey, see eucrim 4/2010, p. 134). Recognising the need to improve responses to victims, the March conference was used as a platform to announce a “Victims’ Roadmap” under the Hungarian Presidency and as an opportunity for the Commission to promote its renewed focus on victims in the form of the “Victims’ Package” that was opened for consultation in 2010.

The “Victims’ Roadmap” mirrors the existing Council Roadmap for suspected and accused persons in criminal proceedings, as it proposes measures intended to meet victims’ needs and rights in specific fields. In addition, the key component in the Commission’s “Package” will be the newly drafted Victims Directive that will replace the existing Framework Decision within the EU’s post-Lisbon legislative landscape. In parallel, other EU-wide legislative developments – such as the new Trafficking Directive that was adopted by the Council of Ministers in March 2011 – should also improve the standing of particularly vulnerable victim groups, especially child victims of trafficking (the subject of a report by the FRA in 2009).

Along with these legislative and policy developments, there are recent initiatives that set out to improve current knowledge about the extent and nature of victimisation and which give new impetus to victimisation surveys in the EU. The Eurostat-driven “European Safety Survey” is at the heart of this process, as the survey – the results of which should be rolled out from 2013 – intends to shed light on the general population’s experiences of victimisation in the EU. At the same time, targeted surveys, such as the FRA’s first EU-wide survey on violence against women, which is currently being piloted, will provide data in an area that continues to be underresearched and underreported.

Given the continued shortcomings with respect to gleaning comprehensive knowledge about victims and implementing measures for victims *in practice*, a new victim-centred focus in the EU is to be welcomed. Although the Stockholm Programme, as the guiding policy for addressing crime in the EU for the period 2010-2014, *does* address victims of crime – and focuses on particular groups, such as victims of trafficking and terrorism – it does so from the initial stance of fighting serious and organised crime. However, encouragingly, the action plan implementing the Stockholm programme refers to fundamental rights, and herein states that “The Union must resist tendencies to treat security, justice and fundamental rights in isolation from one another.” However, what these “fundamental rights” may mean for victims in practice – for example with respect to principles of access to justice and fair trial – will only become apparent in the coming years, once new legislation and policies have had time to take root. It has yet to be seen whether, in another ten years, there will be further calls for new legislation and policy responses to address ongoing shortfalls for crime victims in the EU. In this regard, evidence from new victimisation surveys, which the FRA will contribute to, and analysis of new “victim-centred” legislation in practice, will underscore how far we have progressed concerning crime victims in the 27 Member States of the EU.

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Editorially reviewed articles published in English, French, or German, are complemented by timely news and analysis of legal and policy developments across Europe.

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