

Commission Unsatisfied with Transposition of Victims' Rights Directive

News

Thomas Wahl

The full potential of the 2012 Victims' Rights Directive ([Directive 2012/29/EU](#)) has not yet been reached. The implementation of the Directive is not satisfactory. This is particularly due to incomplete and/or incorrect transposition. These are the main conclusions of the recent Commission [implementation report](#) that was tabled on 11 May 2020.

The report assesses the extent to which Member States have taken the necessary measures to comply with the Directive – the core instrument of the EU victims' rights policy. The focus has been placed on the core provisions of the instrument, i.e.:

- Scope and definitions;
- Access to information;
- Procedural rights;
- Access to support services;
- Restorative justice;
- Rights to protection.

The Commission stressed that it not only looked at legislative transpositions, but also at non-legislative measures, which the Directive also requires to be taken, e.g., in the fields of support services and practitioners' training on victims' rights and needs. The Commission concludes that most Member States have unsatisfactorily taken measures on access to information, support services, and protection with respect to victims' individual needs. The implementation of provisions related to procedural rights and restorative justice is less problematic. The Commission has 21 ongoing infringement proceedings for incomplete transposition of the Victims' Rights Directive. If necessary, the Commission will open further infringement proceedings for incorrect transposition and/or incorrect practical implementation.

In parallel to the report on the implementation of Directive 2012/29, the Commission presented an implementation report on the Directive on the European Protection Order in criminal matters. The results of the two implementation reports also fed into the new EU's strategy on victims' rights, which the Commission tabled on 24 June 2020.

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