

THE EUROPEAN PROTECTION ORDER DIRECTIVE: A CHALLENGE OF PUBLIC COORDINATION



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- **Directive on the European Protection Order (EPO) 29/2011/UE**, is a part of European initiative “victims Package” that was launched by the Commission in May 2011.
- This “victims package” also includes:
 - **Regulation EU 606/2013, of the European Parliament and of the Council, June 12th**, on mutual recognition of protection measures in civil matters
 - **Directive 2012/29/EU**, that establishes minimum standards on the rights, support and protection of victims of crime.





- In the case of the European Protection Order, it guarantees victims of crimes, such as violence, harassment, terrorism or human trafficking, the same level of protection from their aggressors in the entire European Union.
- It expands the victim's national protection to other European country, so the protected person doesn't need to submit other petitions of protection in the European state where she decides to move.

The protection is moved with her.

- The EPO is an important step in order to achieve a “Europe of Justice” but means an important challenge to public authorities.
- In a **national context**, there are several public agents involved in the protection of the women that suffer violence (police, social services, doctors) either national, regional or local.
- The EPO means that we have to include now also foreign authorities
- The key of the success would be:



Public coordination

- **Taking the Spanish example, the national protection order is enacted by a criminal judge, during a criminal proceedings, that take place in a specialized courts.**



- That Spanish protection order (regulated in Organic Law 1/2004) includes
 - ✓ **criminal measures**
 - ✓ **civil measures**
 - ✓ **social rights:** medical assistance, legal aid, etc.

- The implementation of this new European regulation requires information about each European protection system



- This is the first barrier in this process:
 - it's difficult to have access to comparable information at the level of Member States which in turn limits the scope of the Directive.
 - There are likely great differences among the criminal, civil, and protection procedures for a victim in the countries of the European Union

- We should “understand each other” so the EPO is effective.
- In order to know more about every European victim’s protection system we are developing an **international research** in order to get information about the legal treatment of this violence in each country (criminal law, judicial measures, etc.), and also the social aids developed in each country and the authorities involved in that protection process.



- This research is conducted by and **Multidisciplinary Group of Gender Violence of University de Valencia**



- First result of our research:
“**Questionnaire regarding the directive on the European protection order**”
- The questionnaire pretends to know who is involved in the protection of gender violence in every European country.

- First:

- we need to know **who is in charge of the execution of these orders in each country**: if they are judicial, administrative or other type of authorities.
- Does it have **specialized units for victims of domestic and gender violence** that conduct follow-up and regulate the protection order? Do they receive specific training?



- Second:
 - It's necessary to draw clearly the **duty of every agent involved in the protection of the victims** (in the country that draft the order and in the one that has to apply it) in order to determinate who respond in case of a woman's death, or in case of important injuries.
- Third:
 - Identify the **social services that the victim could access** if she decides to ask for a European Protection Order in any European state.



- **We invite you to participate and fill the questionnaire!**

- In conclusion: The implementation of the European Protection Order Directive requires not only the judicial coordination but also the administrative coordination to make real the protection women victims of gender violence. This is a not very well known area of research but essential for the future of the Directive.





THANK FOR YOUR ATTENTION

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