



**EUROJUST**

European Union Agency for  
Criminal Justice Cooperation

# Eurojust support in the protection of victims of crime in cross-border cases

# Protection of victims' rights

Victims of crime in the EU are entitled to a series of rights, regardless of their nationality, residence, the type of crime and the place where it was committed.

The complexity of cross-border cases makes it especially challenging for judicial authorities to protect victims' rights. Involving Eurojust early in the process helps to overcome these difficulties, in particular, when a case:

- impacts victims within the context of a cross-border investigation;
- involves victims of different countries in a national investigation.

Challenges faced by practitioners and solutions to them can be found in the [report on Eurojust's casework on victims' rights](#). Many of the best practices are reflected in this leaflet. Supplemental information is available on [Eurojust's dedicated webpages](#).

## Main legal instruments providing rights to victims of crime:

- [Directive 2012/29/EU](#) establishing minimum standards on the rights, support and protection of victims of crime.
- [Directive 2004/80/EC](#) relating to compensation to crime victims, including standard forms for the transmission of applications and decisions on compensation, adopted by [Commission Decision 2006/337/EC](#).
- [Directive \(EU\) 2017/541](#) on combating terrorism.
- [Directive 2011/36/EU](#) on preventing and combating trafficking in human beings and protecting its victims.
- [Directive 2011/93/EU](#) on combating the sexual abuse and sexual exploitation of children and child pornography.
- [Directive \(EU\) 2019/713](#) on combating fraud and counterfeiting of non-cash means of payment.

## ✓ Checklist

*This checklist is not exhaustive and is intended to serve as an aide-memoire. It highlights the rights that are specifically relevant in cross-border cases.*



### Right to information

- Identify the victims.
- Ensure victims are made aware of their rights in a language they understand.
- Provide information and updates about the proceedings.



### Right to be heard

- When conducting investigative acts, make sure that victims' needs are assessed and followed up on.
- Assess the type of consequences of the crime (physical, mental, emotional, financial).
- Use of the same interpreter and specialised personnel for interviews.



### Right to protection/support

- Conduct individual assessment of victims to identify specific protection needs: during pre-trial investigation and after the completion of the proceedings
- Inform how to get support, including, for example, access of victim supporters to proceedings (victim support service, close family).
- Ensure necessary support is provided (e.g.: medical, practical, psychological) and protection measures are in place.
- Consider the use of video conferencing or written statements to minimise the risk of secondary victimisation.



### Right to compensation

- Exchange information on assets for the purpose of confiscation.
- Inform victims in other jurisdictions that they can make claims in their country of residence.
- Communicate the standard [compensation form](#).
- Give victims information on the outcome of the criminal proceedings (including information on the compensation decision).

# Eurojust's added value

The following are examples of how Eurojust can assist national authorities to ensure that rights of crime victims are respected. Note that the best practices should be used at any stage of a case supported by Eurojust, according to the specifics of the case.



At an early stage of a case Eurojust can:

- help identify the victims (particularly when they are numerous or located in various countries);
- ascertain the procedural status of victims (victim/witness/suspect/party).



A coordination meeting at Eurojust can help:

- elaborate a victims' strategy (consider type of damage, number of victims, agree on the questions and on the information needed);
- exchange information regarding victims' statements, as admissible evidence;
- coordinate the communication of documents reflecting their rights to the victims;
- agree on specific investigative measures;
- consider victims' rights when deciding on transfer of proceedings or other judicial cooperation instruments;
- determine the best place to prosecute based on the nationality/interest/location of the victim.



A joint investigation team (JIT) may be used to:

- consider dedicated funding (travel, interpretation, etc.) for victims;
- consider the use of video recording, videoconferencing and written statements to minimise the risk of secondary victimisation;
- second JIT members to participate in victims' interviews;
- include the victims' interests in the objectives of the JIT (e.g. identification, remediation).

Eurojust can assist in drafting the JIT agreement



Coordination centres can:

- help ensure that victims' needs are taken into consideration (shelter, protection measures, support services).



Eurojust can facilitate compensation/remediation by:

- assisting in the identification of victims entitled to compensation;
- helping to categorise victims per type of damage and amount of financial loss;
- facilitating the dissemination of compensation forms.

# Additional information regarding support to victims of crime

The **EU Victims' Rights Platform** ensures a horizontal approach to victims' rights. It was inaugurated on 22 September 2020 at a high-level conference on victims' rights co-organised by the European Commission and the German Presidency. The EC Coordinator for victims' rights ensures the smooth functioning of the platform and organises its meetings. The [platform](#) includes key stakeholders such as the European Network on Victims' Rights and other national networks (e.g. the EU Network of National Contact Points for Compensation), the EU Counter-Terrorism Coordinator, Eurojust, the Fundamental Rights Agency and representatives of civil society such as Victim Support Europe. The complete [list of members](#) can be accessed through the platform.

The **European Network on Victims' Rights (ENVR)** is set up for professional collaboration between national public experts – policymakers and practitioners – acting in the area of victims' rights. ENVR contributes to the enforcement of victims' rights in cross-border cases by: (a) providing information about the available national support services online through its 'Find my victim support service' available at [www.envr.eu](http://www.envr.eu); and (b) providing information on the national state compensation schemes. ENVR can be contacted at: [envr@envr.eu](mailto:envr@envr.eu).

**Victim Support Europe (VSE)** is the European network of victim support providers and professionals, bringing together more than 70 victim support organisations from more than 30 countries. With their members, VSE can: (a) ensure cross-border referral to victims of crimes via [info@victimsupporteurope.eu](mailto:info@victimsupporteurope.eu) or via VSE's intranet; (b) provide support to justice practitioners with training and capacity building; and (c) work with professionals to develop new services for victims – inside the justice system or complementary to it.



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