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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL amending Directive 2012/29/EU establishing minimum
standards on the rights, support and protection of victims of crime, and
replacing Council Framework Decision 2001/220/JHA
- Four-column table

Delegations will find attached the text of the four-column document for the above-mentioned proposal, containing the initial positions of the institutions.

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA

2023/0250(COD)

[Version for Trilogue on December 2, 2024]

21-11-2024 at 16h38

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1	2023/0250 (COD)	2023/0250 (COD)	2023/0250 (COD)	
2	<p>Proposal for a</p> <p>DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>amending Directive 2012/29/EU establishing minimum standards on the rights, support and</p>	<p>Proposal for a</p> <p>DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>amending Directive 2012/29/EU establishing minimum standards on the rights, support and</p>	<p>Proposal for a</p> <p>DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>amending Directive 2012/29/EU establishing minimum standards on the rights, support and</p>	

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	protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA	protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA	protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA	
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 82(2)(c) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 82(2)(c) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 82(2)(c) thereof,	
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	

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6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
7	Having regard to the opinion of the European Economic and Social Committee ¹ , _____	Having regard to the opinion of the European Economic and Social Committee ¹ , _____	Having regard to the opinion of the European Economic and Social Committee ¹ , _____	
	1. OJ C , , p. .	1. OJ C , , p. .	1. OJ C , , p. .	
8	Having regard to the opinion of the Committee of the Regions ¹ , _____	Having regard to the opinion of the Committee of the Regions ¹ , _____	Having regard to the opinion of the Committee of the Regions ¹ , _____	
	1. OJ C , , p. .	1. OJ C , , p. .	1. OJ C , , p. .	
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	

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10	Whereas:	Whereas:	Whereas:	
11	<p>(1) To ensure that victims of crime receive appropriate information, support and protection and are able to participate in criminal proceedings, the Union has adopted Directive 2012/29/EU of the European Parliament and the Council¹.</p> <hr/> <p>1. Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).</p>	<p>(1) To ensure that victims of crime receive appropriate information, support and protection and are able to participate in criminal proceedings, the Union has adopted Directive 2012/29/EU of the European Parliament and the Council¹.</p> <hr/> <p>1. Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).</p>	<p>(1) To ensure that victims of crime receive appropriate information, support and protection and are able to participate in criminal proceedings, the Union has adopted Directive 2012/29/EU of the European Parliament and the Council¹.</p> <hr/> <p>1. Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).</p>	

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12	<p>(2) The Commission has assessed how victims have accessed their rights under Directive 2012/29/EU of the European Parliament and the Council and published its results in the evaluation report¹. The evaluation shows that, although Directive 2012/29/EU has broadly delivered the expected benefits and positively affected victims' rights, specific problems related to victims' rights under this Directive persist. The identified shortcomings include insufficient ability to rely on victims' rights to access information, to support and</p>	<p>(2) The Commission has assessed how victims have accessed their rights under Directive 2012/29/EU of the European Parliament and the Council and published its results in the evaluation report¹. The evaluation shows that, although Directive 2012/29/EU has broadly delivered the expected benefits and positively affected victims' rights, specific problems related to victims' rights under this Directive persist. The identified shortcomings include insufficient ability to rely on victims' rights to access information, to support and</p>	<p>(2) The Commission has assessed how victims have accessed their rights under Directive 2012/29/EU of the European Parliament and the Council and published its results in the evaluation report¹. The evaluation shows that, although Directive 2012/29/EU has broadly delivered the expected benefits and positively affected victims' rights, specific problems related to victims' rights under this Directive persist. The identified shortcomings include insufficient ability to rely on victims' rights to access information, to support and</p>	

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	<p>protection in accordance with each victim’s individual needs, to participate in criminal proceedings and to receive a decision on compensation from the offender during criminal proceedings. This revision of Directive 2012/29/EU of the European Parliament and the Council responds to the shortcomings demonstrated in its evaluation and in numerous consultations.</p> <p>_____</p> <p>1. Commission Staff Working Document, Evaluation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 (SWD/2022/0179 final).</p>	<p>protection in accordance with each victim’s individual needs, to participate in criminal proceedings and to receive a decision on compensation from the offender during criminal proceedings. This revision of Directive 2012/29/EU of the European Parliament and the Council responds to the shortcomings demonstrated in its evaluation and in numerous consultations.</p> <p>_____</p> <p>1. Commission Staff Working Document, Evaluation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 (SWD/2022/0179 final).</p>	<p>protection in accordance with each victim’s individual needs, to participate in criminal proceedings and to receive a decision on compensation from the offender during criminal proceedings. This revision of Directive 2012/29/EU of the European Parliament and the Council responds to the aims to respond to shortcomings demonstrated in its evaluation and in numerous consultations.</p> <p>_____</p> <p>1. Commission Staff Working Document, Evaluation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 (SWD/2022/0179 final).</p>	

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12a		<p><u><i>(2a) Member States should take the necessary measures to ensure that assistance, support and protection are provided to victims in a gender-, trauma-, disability- and child-sensitive approach. Member States should adopt an intersectional approach in the implementation of Directive 2012/29/EU to address the specific needs of victims affected by intersectional discrimination.</i></u></p>		
13	<p>(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should make it possible for victims to</p>	<p>(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should make it possible for victims to</p>	<p>(3) In order to provide victims with seamless and modern means of exercising their rights, the Member States should make it possible for victims to</p>	

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	<p>communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes and to otherwise communicate with competent authorities and with support services through communication and information technologies. Victims should be able to choose the method of communication, and the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without</p>	<p>communicate electronically with national competent authorities. Victims should enjoy the possibility of using electronic tools to receive information about their rights and about their case, report crimes, <u>provide information and submit evidence where feasible</u>, and to otherwise communicate with competent authorities and with support services through <u>reliable, easy to use and safe</u> communication and information technologies <u>in a confidential manner that minimises the risk of harm and supports recovery and access to justice</u>. Victims should be able to choose the method of communication, and</p>	<p>communicate electronically with national competent authorities. Victims should enjoy the possibility of using, where available, electronic tools to receive information about their rights and about their case, report crimes and to otherwise communicate with competent authorities and with support services through information and communication-and information technologies. Victims should be able to choose between the methods the method of communication made available, and the Member States should can provide for such information and communication-and information</p>	

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	<p>however replacing them completely.</p>	<p>the Member States should provide for such communication and information technologies as an alternative to the standard methods of communication, without however replacing them completely. <u>Those methods of communication and information technologies should include for example websites that provide information in different languages, integrated chats, or e-mails and online working tools that respond to different communication needs, such as those related to age and disability.</u></p>	<p>technologies as an alternative to the standard methods of communication, without however replacing them. The in-person method of communication, including those with the competent authorities and with support services, should remain available to victims, if they wish so completely.</p>	

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14	<p>(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other</p>	<p>(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated websites. Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other</p>	<p>(4) In order to ensure comprehensive channels of communication taking into account the complexity of victims' needs in relation to their right to access information, all victims, independently of where in the EU and in what circumstances the crime took place, should be able to access victims' helplines by using the EU-wide 116 006 telephone number or by connecting to the dedicated. Member States can offer such services also through other secure and accessible information and communication technologies, including online applications</p>	

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	<p>specialised helplines – if needed. Such helplines should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC¹, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”.</p> <p>_____</p> <p>1. Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised services of social value (OJ L 049 17.2.2007, p. 30).</p>	<p>specialised helplines – if needed. Such helplines should also refer victims to other specialised helplines, referred to in Commission Decision 2007/116/EC¹⁵⁶, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”. <u>Member States should ensure that support provided by such helplines is without prejudice to the right of victims to receive information on their rights and on their case and to otherwise communicate with competent authorities and with other general or specialised victims’ support services</u></p>	<p>and websites.- Under such helplines, victims should be able to receive the information about their rights, emotional support and be referred to the police or other services, including other specialised specialist helplines – if needed. The helplines can be operated by trained volunteers capable of providing emotional support which can be understood as being an empathetic approach towards victims to make them feel accepted, safe and enable them to express themselves freely. Such helplines should also refer victims to other specialised specialist helplines, referred to in Commission</p>	

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		<p><u><i>through appropriate communication and information technologies. The helplines should be operated by adequately trained and qualified staff in line with existing standards of quality support to ensure a high level of professional service and work in a victim-sensitive manner.</i></u></p> <hr/> <p><i>1. Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised services of social value (OJ L 049 17.2.2007, p. 30).</i></p>	<p>Decision 2007/116/EC¹, such as the harmonised number related to child helpline “116 111”, missing children “116 000” and gender-based violence “116 116”. The helplines should be available in the official language or languages, as determined by national law, of the Member State. Member States are however encouraged to provide this services also in at least one other language most used in the Member State which should be determined by each Member State on the basis of objective criteria. To facilitate offering this service in an additional language, Member States should</p>	

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			<p>consider using modern technologies, such as the translation and interpretation applications, as well as telephone interpreting. The helplines should operate under the general rules for victim support services and should be confidential, free of charge, in the interest of victims.</p> <p>_____</p> <p>1. [1] Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised services of social value (OJ L 049 17.2.2007, p. 30).</p>	
15	(5) The general helpline for victims should not affect the	(5) The general helpline for victims should not affect the	(5) The general helpline for victims should not affect the	

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	<p>operation of the dedicated and specialised helplines such as child helplines and helplines for victims of violence against women and domestic violence as required under Directive (EU) .../...of the European Parliament and of the Council¹ [on combating violence against women and domestic violence]. The general victims' helplines should function in addition to the specialised helplines.</p> <p>_____</p> <p>1. Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).</p>	<p>operation of the dedicated and specialised helplines such as child helplines and helplines for victims of violence against women and domestic violence as required under Directive (EU) .../...of the European Parliament and of the Council¹ [on combating violence against women and domestic violence]. The general victims' helplines should function in addition to the specialised helplines. <u><i>In particular in the context of cross-border crimes, victims should be able to access from another Member State the general and specialised</i></u></p>	<p>operation of the dedicated and specialised helplines such as child helplines and helplines for victims of violence against women and domestic violence as required under Directive (EU) .../...of the European Parliament and of the Council¹ [on combating violence against women and domestic violence]. The general victims' helplines should function in addition to the specialised helplines.</p> <p>_____</p> <p>1. Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).</p>	

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		<p><u><i>helplines of the Member State where the crime was committed.</i></u></p> <p><u><i>⁵⁷ Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).</i></u></p> <p><i>1. Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).</i></p>		
16	(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer	(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated victimisation and ensure safer	(6) Crime reporting in the Union should be improved to fight impunity, avoid repeated repeat victimisation and	

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	<p>societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist victims and by creating safer environments for victims to report crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least until the completion of the first individual assessment as</p>	<p>societies. <u><i>Victims are sometimes not aware that they are victims of a crime while still suffering harm; that is for example often the case for victims of online, gender-based violence and environmental crimes. Member States should create safe environments for victims to report crime in a confidential manner as well as removing or reducing physical, administrative or legal barriers. This is especially relevant as victims least likely to report a crime to the police are usually those most in need of protection, such as children, migrants, people with disabilities and victims of</i></u></p>	<p>ensure safer societies. It is necessary to fight public insensitivity towards crime, by encouraging people who witness the crime to report crimes and assist assisting victims and by creating safer environments for victims to report crime. ForIt is important that Member states ensure that victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities</p>	

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	<p>referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols</p>	<p><u>human trafficking</u>. It is necessary to fight public insensitivity towards crime, by encouraging. People who witness the crime <u>should be encouraged</u> to report crimes and assist victims and by creating safer environments for victims to report <u>such</u> crime. For victims who are irregular migrants in the Union, safe environment to report crime means reducing fear of return procedures being launched as a result of contacts with law enforcement authorities. The personal data of victims who are irregular migrants in the Union should not be transferred to the competent migration authorities at least</p>	<p>at least until the completion of the first individual assessment as referred to in Article 22 of Directive 2012/29/EU. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the third-country nationals, irrespective of their residence status of the victim, neither have any suspensive effect when determining, are not discouraged from reporting and are treated in a non-discriminatory manner as regards their residence status in accordance with the objectives of this Directive. To protect all victims from repeat and</p>	

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	<p>specifically set up for this purpose.</p>	<p>until the completion of the <i>first individual assessment as referred to in Article 22 of Directive 2012/29/EU</i> <u>criminal proceeding</u>. Reporting the crime and participating in criminal proceeding under Directive 2012/29/EU do not create any rights regarding the residence status of the victim, neither have any suspensive effect when determining their residence status. <i>All vulnerable victims, such as child victims or</i> <u>In this regard, Member States should take the necessary measures to ensure that the victim's residence status is not used to influence the victim's cooperation in the criminal</u></p>	<p>secondary victimisation, it is important to apply a victim-centred approach. In particular, it should be ensured that the enforcement of the return procedure under Directive 2008/115/EC of the European Parliament and of the Council¹ does not prevent victims from exercising their right to be heard under this Directive. Member States can, in accordance with Directive 2008/115/EC, decide to grant an autonomous residence permit or other authorisation offering a right to stay for compassionate, humanitarian or other reasons to a third-country national staying</p>	

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		<p><u>investigation, prosecution or trial. Third-party reporting should be offered as an option</u> to victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in line with protocols specifically set up for this purpose <u>an effort to diversify reporting mechanisms at Union level, as it can also help address some of the reasons for the underreporting of crimes in the Union.</u></p>	<p>illegally on their territory and are to comply with the obligation under that Directive to take into account as far as possible the special needs of vulnerable persons during the period for voluntary departure, where such a period was granted pursuant to that Directive.</p> <p>–All vulnerable victims, such as child victims or victims in detention, who are in a situation of intimidation, or are otherwise dependent from the offender or whose mobility is limited should be able to report crime in conditions that take into account their particular situation and in</p>	

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			<p>line with protocols any any relevant protocol or guideline specifically set up for this purpose. It is important that Member States encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further acts of violence are to be expected, to report this to the competent authorities.</p> <hr/> <p>1. Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).</p>	

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16a		<p><u><i>(6a) All vulnerable victims, such as child victims and victims living in accommodation facilities where the victim is not permitted to leave at will, including person with disabilities or older people living in residential institutions or victims in detention, who are in a situation of intimidation, or are otherwise dependent on the offender, or require assistance by staff or authorities for all aspects of daily living, or whose mobility is limited should be able to report crime under conditions that take into account their particular situation and in line with</i></u></p>		

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		<p><u><i>protocols specifically set up for that purpose. The term victims in detention refers to persons living in jails and in detention centres and holding cells for suspects and accused persons, as well as in specialised detention facilities where applicants of international protection or irregular migrants are located. Accommodation facilities where the victim is not permitted to leave at will should be understood to include reception or accommodation facilities where irregular migrants and applicants and beneficiaries of international protection are located, as well as specialised accommodation</i></u></p>		

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		<p><u>for persons with disabilities, children and elderly people from where the victim is not permitted to leave at will. In this regard, special attention should be paid to persons residing in mental health and social care institutions, orphanages and retirement homes, and any other form of public or private custodial setting under control of any judicial, administrative or other public authority, or any private institution from which the victim is not permitted to leave at will. Member States should therefore ensure that a facilitated mechanism for reporting crimes is put in place in such institutions, for example</u></p>		

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		<u><i>through a proactive system of monitoring and outreach through unannounced visits by independent authorities.</i></u>		
16b			(6a) The Member States should facilitate the referral of the victims with a special need for additional psychological support, that has been demonstrated by an individual assessment, to the services that are able to provide such additional psychological support, taking into account the availability of resources and of these services.	

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16c		<p><u><i>(6b) In all Member States more effective ways should be developed for reaching victims of crimes that go unreported. The scale of the problem of unreported crime is by nature difficult to assess but is likely to be considerable, especially in relation to less public types of crime, such as domestic violence. While taking into consideration that the problem of underreporting and its causes are complex and that there is no easy solution, Member States are encouraged to exchange best practices and consider innovative measures to increase reporting of crimes, such as the</i></u></p>		

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		<u><i>presence of victim support organisations in police stations.</i></u>		
17	(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core international crimes. In response to the	(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence, <u><i>including victims of online forms of such crimes,</i></u> and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or	(7) Targeted and integrated support services should be available to a broad range of victims with specific needs. Such victims may include not only victims of sexual violence, victims of gender-based violence and victims of domestic violence, but also victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism or victims of core crimes falling within the jurisdiction of the	

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	<p>shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services.</p>	<p>victims of core international crimes. <u>Ensuring referral and access to sexual and reproductive healthcare services, including emergency contraception, post-exposure prophylaxis treatment, testing for sexually transmitted infections and access to abortion care, should be part of the targeted and integrated support services for those victims.</u> In response to the shortcomings identified in the evaluation, Member States should set up specific protocols that will organise the actions of specialist support services to comprehensively address the multiple needs of victims with</p>	<p>International crimesCriminal Court. In response to the shortcomings identified in the evaluation, Member States should can set up specific protocols or guidelines that will organise the actions of specialist support services to comprehensively adequately address the multiple needs of victims with specific needs. Such protocols or guidelines should be set up in coordination and cooperation between relevant stakeholders, such as central authorities in accordance with the internal structure of or division of competences in the Member States, law enforcement, prosecution</p>	

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		<p>specific needs. Such protocols should be set up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services. <u>Victim support services, both governmental and non-governmental, should be granted adequate and stable human and financial resources.</u></p>	<p>authorities, judgesjudicial authorities , detention authorities, in consultation with restorative justice services and victim support services.</p>	
17a		<p><u>(7a) General support services are organisations specialised in supporting victims of crime which offer support to all victims of crime. Those services may include services tailored to</u></p>		

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		<p><u><i>specific groups or offer specific types of services. In parallel, specialist support services are offered to particular groups of victims, based on the type of crime or the personal characteristics of the victim. Central cooperation and coordination of all organisations and services providing support services to victims is crucial to ensure that appropriate victim support services are available to all categories of victims on a reasonably equal basis. Therefore, general and specialist victim support services</i></u></p>		

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		<u><i>need to operate in a coordinated manner.</i></u>		
17b		<u><i>(7b) General and specialised support services shall, as a minimum, be accessible to victims on a non-discriminatory basis before, during and for an appropriate time after criminal proceedings, ensuring, in particular, sufficient proximity of services to victims, including in rural, remote and sparsely populated areas, appropriate opening hours and delivery of services through multiple channels. General and specialised support services should be coordinated in</i></u>		

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		<p><u>particular through referrals in accordance with victims' specific needs, be free of charge and confidential. Psychological support should be available to victims in need of such support for as long as necessary, including by taking into account the assessment by the victim's psychologist and the individual assessment for specific support needs pursuant to this Directive.</u></p>		
18	<p>(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child</p>	<p>(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' life, it is crucial to ensure that all child</p>	<p>(8) To avoid serious consequences of victimisation in early age, that may negatively affect entire victims' entire life, it is crucial to ensure that all</p>	

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	<p>victims receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is</p>	<p>victims, <u>including child witnesses of crime</u>, receive the highest standard of support and protection. Most vulnerable child victims, including child victims of sexual abuse, child victims of trafficking in human beings, <u>children without parental care</u> and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances, <u>such as child victims who are children of persons whose death was directly caused by a criminal offence related to violence against women or domestic violence</u>, should benefit from the targeted and integrated support</p>	<p>child victims receive the highest standard of support and protection. All competent authorities should adopt a child friendly approach. Moreover, it is important that most vulnerable child victims, including in accordance with their individual needs and especially child victims of sexual abuse, child victims of trafficking in human beings and child victims who have otherwise been particularly affected by the crime due to the gravity of crime or to their particular circumstances should benefit from the targeted and integrated support and protection services that includes</p>	

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	<p>effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.</p>	<p>and protection services that includes coordinated and cooperated approach of judicial and social services within the same premises. Such services should be provided in a dedicated space. <u><i>In this regard, the so-called Barnahus model has proven to be a good practice.</i></u> To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is a conflict of interest between the child and the holder of parental responsibility, a provision has been added to ensure that in cases such as reporting of a crime, medical or forensic interviews, referral to</p>	<p>coordinated and cooperated cooperative approach of judicial authorities and social services within. Member States are encouraged where possible to provide for these services in the same premises. Such services should be provided in a dedicated space. To ensure that the child victim is effectively protected in cases where a crime involves the holder of parental responsibility, or there is in a way that includes a conflict of interest between the child victim and the holder of parental responsibility, a provision has been added to ensure that for any act requiring consent in the conduct of criminal</p>	

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		<p>support services or psychological support <u>as well as administrative and legal support</u>, among others, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.</p>	<p>proceedings, in cases such as reporting of a crime, medical or forensic interviews, referral to support services or psychological support, among others as determined by national law, these acts should not be conditional upon the consent of the holder of parental responsibility, always taking into account the best interests of the child.</p>	
18a		<p><u>(8a) Children witnessing crime and consequently suffering physical, mental or emotional harm should benefit from protection under Directive 2012/29/EU. That is</u></p>		

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		<p><u>particularly relevant in the context of gender-based violence and domestic violence. Children who witness domestic violence within the family or domestic unit should have access to special protection and support measures as they suffer direct psychological and emotional harm that impacts their development and they run an increased risk of suffering from physical and mental illness, both in the short and long term.</u></p>		
18b			<p>(8a) Participating in a trial can be an emotionally difficult and challenging experience for</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>the victims. For this reason, all victims who need information and emotional support at court premises where criminal proceedings are held, with a special focus on serious crimes, should be provided with the appropriate information regarding organisational aspects of the trial phase in criminal court proceedings, as well as emotional support. Emotional support can be understood as being an empathetic approach toward the victim to make them feel accepted, safe and enable them to express themselves freely. Emotional support can be offered, for instance, by the</p>	

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			<p>court staff, by trained volunteers, or by competent authorities as defined by Member States. Such assistance does not require the provision of additional facilities or the permanent presence of victims support services in these court premises.</p>	
18c		<p><u><i>(8b) Shelters and other appropriate interim accommodations for victims of crime play a vital role in protecting victims from acts of violence. They not only provide safe and emergency accommodation where victims</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>can seek refuge from violence, but also long-term support to enable victims to rebuild violence-free lives. Shelters and other appropriate interim accommodations should be free of charge or paid for by a dedicated financial allowance for victims. Member States should also ensure that shelters are accessible for victims with reduced mobility and able to provide them with accessible means of information and communication. Member States should also have in place specific shelters and interim accommodations for victims of gender-based violence and domestic violence in line with</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>Directive (EU) 2024/... of the European Parliament and of the Council^{1a} as they are some of the most vital specialised support services for women who are victims of violence and for their children.</i></u></p> <p><u><i>1a Directive (EU) 2024/... of the European Parliament and of the Council of ... on combating violence against women and domestic violence (OJ L ..., ELI ...) [2022/0066 COD].</i></u></p>		
19	(9) For victims to sense that justice is done and to be able to	(9) For victims to sense that justice is done and to be able to	(9) For victims to sense that justice is done and to be able to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>defend their interest, it is important that they are present and able to actively participate in the criminal proceedings. That is why all victims in the Union, independently of their status in the criminal proceeding, which is established by the national law, should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, independently of their status in the criminal proceeding, should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least</p>	<p>defend their interest, it is important that they are present and able to actively participate in the criminal proceedings <u>by being properly assisted at the court premises, including being accompanied by support services throughout the entire court proceedings if the victims so wish</u>. That is why all victims in the Union, independently of their status in the criminal proceeding, which is established by the national law, should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, independently of their status in</p>	<p>defend their interest, it is important that they are present and able to actively participate in the criminal proceedings. That is why All victims in the Union, independently of their status in the criminal proceeding, which is established by the national law, should have a right to an effective remedy under national law in the event of a breach of their rights under this Directive. In addition, all victims in the Union, independently of in accordance with their status in the criminal proceeding, should have a right to request a review of receive information on decisions that were taken during court proceedings and affect</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>decisions on interpretation during court hearings and decisions on special protection measures available to victims with special protection needs. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that such a possibility of revision would not disproportionately prolong the criminal proceeding.</p>	<p>the criminal proceeding, should have a right to request a review of decisions that were taken during court proceedings and affect them directly. Such decisions should include at least decisions on interpretation during court hearings and, <u>and decisions on avoiding contact between the victim and the offender</u>. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the</p>	<p>them directly. Such decisions should include at least decisions on interpretation during court hearings and decisions on regarding special protection measures available to victims with special protection needs. National law can offer the possibility for victims to request a review of such decisions taken during court proceedings. The procedural rules under which victims may request a review of such decisions taken during court proceedings should be determined by national law which should provide for the necessary guarantees that such a possibility of revision would not</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		necessary guarantees that such a possibility of revision would not disproportionately prolong the criminal proceeding. <u>Active participation in criminal proceedings and access to an effective remedy requires that victims are duly updated on the state of play and significant developments in the criminal proceedings.</u>	disproportionally prolong the criminal proceeding.	
19a		<u>(9a) The right to legal aid is essential to guarantee universal access to justice and effective participation for victims in criminal proceedings. Therefore, Member States should provide free legal aid,</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>covering all costs and expenses, for victims who do not have sufficient means to pay such costs and expenses in order to ensure their access to justice. Member States should also provide free legal aid for victims with specific protection needs as identified by the individual assessment pursuant to Article 22 in Directive 2012/29/EU and, in any case, victims of gender-based violence, terrorism or human trafficking, victims of abuse and mistreatment with disabilities and minors due to their situation of vulnerability and the long-lasting harm</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>caused by those criminal offences.</i></u>		
19b			(9a) Protecting the personal data of the victim can be an important means of preventing secondary and repeat victimisation, intimidation and retaliation. The victim can indicate a possible concern regarding a risk for themselves or a third person to be exposed to threats or violence when certain personal contact details would be disclosed to the offender, based on which the competent authority will make a final assessment. If the competent authorities, as	

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			<p>determined by national law, assess ex officio or at the request of the victim that there could be a risk that the victim or a third person may be exposed to threats or violence, certain personal contact details should not be provided to the offender unless not disclosing the information would prejudice the rights of defence.</p>	
20	<p>(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The</p>	<p>(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner. It is essential to ensure that victims receive the support and protection that correspond to their individual needs. The</p>	<p>(10) All victims should be assessed in a timely, adequate, efficient and proportionate manner, in accordance with national procedures. It is essential to ensure that victims receive the support and</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>individual assessment of victims' needs of support and protection should be done in stages. Within the first stage, all victims should be assessed from the first contact with the competent authorities to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence,</p>	<p>individual assessment of victims' needs of support and protection should be done in stages. <u>When assessing the victim's protection and support needs, the primary concern should lie in safeguarding the victim's safety and providing tailored support and protection, taking into account, among other matters, the individual circumstances of the victim, the impact of crime and trauma and their specific vulnerabilities.</u> Within the first stage, all victims should be assessed from the first contact with the competent authorities, <u>whose staff should be adequately trained,</u> to ensure that the most vulnerable victims</p>	<p>protection that correspond to their individual needs. The individual assessment of victims' needs of support and protection should last for as long as necessary, depending on victims' individual needs. It means that it should be done in stages, some victims will only have a contact with a police service, other victims will go through further stages of individual assessment. Victims needs for support and protection may change in the course of the criminal proceedings. Within the first stage, All victims should be assessed from at the earliest stage possible such as the first</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it.</p>	<p>are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by victim support services including psychologists. Such services are best placed to assess the state of victims' well-being. The individual assessment should also take into account the situation of the perpetrator, who may have a history of violence, <u>have access to or</u> be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of</p>	<p>contact with the competent authorities, for instance law enforcement and prosecution authorities, to ensure that the most vulnerable victims are identified at the very early stages of the proceeding. As of the next stages, victims who need such enhanced assessment should be assessed by the competent authorities or any other institution, organisation or body, such as victim support services including and where possible by psychologists. Such services are best placed to assess the state of victims' well-being The contact with helplines should not be considered as the first contact</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p>support, not only of protection. It is essential to identify victims who are in need of special support <u>and who experience discrimination including intersectional forms of discrimination such as on the grounds of sex, gender, gender identity and expression, sex characteristics, age, disability, resident status, religion or belief, language, racial, social or ethnic origin, and sexual orientation</u>, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it. <u>In cases of gender-based violence, including domestic violence, the individual assessments of</u></p>	<p>with competent authorities. The individual assessment should also take into account, on the basis of the available information, the situation of the perpetrator, who may have a history of violence, be in a possession of arms or abusing drugs and as such pose higher risks for victims. The individual assessment of victims' needs should also include the assessment of victims' needs of support, not only of protection. It is essential to identify victims who are in need of special support, so a targeted support such as prolonged free of charge psychological aid is provided to those who need it. Member</p>	

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		<p><u>protection and support needs should take into consideration the fact that victims are often financially dependent on the perpetrator. The individual assessment should be conducted in the best interest of the victim, avoiding secondary or repeated victimisation.</u></p>	<p>States can determine the practical organisation of the individual assessment via any relevant protocol or guideline as provided for in this Directive. Member States should ensure that any personal data is dealt with in accordance with the Union law on data protection, which may require the provision of legislative measures if necessary.</p>	
21	<p>(11) As a result of the enhanced assessment of victims' needs for protection, victims who are in need of physical protection should be able to receive it in a</p>	<p>(11) As a result of the enhanced assessment of victims' needs for protection, victims who are in need of physical protection, <u>in particular victims in life</u></p>	<p>(11) As a result of the enhanced assessment of victims' needs for protection, victims who are in need of physical protection should be able to receive it in a</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>form adapted to their particular situation. Such measures should include the presence of law enforcement authorities or being kept away from the offender on the basis of national protection orders. Such measures may be of a criminal, administrative or civil law nature.</p>	<p><u><i>threatening situations</i></u>, should be able to receive it in a form adapted to their particular situation. Such measures should include the presence of law enforcement authorities or being kept away from the offender on the basis of national <u><i>barring, restraining or or the referral to shelters and other interim accommodations</i></u>. Such measures may be of a criminal, administrative or civil law nature. <u><i>Member States should enhance the awareness about the availability of such protection measures among relevant competent authorities and should ensure that victims are informed about the</i></u></p>	<p>form adapted to their particular situation. Such measures should can, in accordance with national law, include the presence of law enforcement authorities, or other bodies providing physical protection, or to keep the offender or being kept away from the offender victim on the basis of national protection orders. Such measures may be of a criminal, administrative or civil law nature.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>availability of such measures and are informed of their right to apply for them. In order to safeguard the effectiveness of barring, restraining or protection orders, breaches of such orders should be subject to effective, proportionate and dissuasive penalties. Those penalties could be of a criminal, administrative or civil law nature and could include prison sentences, fines or any other legal penalty that is effective, proportionate and dissuasive.</u></p>		
21a		<p><u>(11a) Member States should create a legal and social environment that prioritises the</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><i><u>well-being and dignity of victims while discouraging actions that could perpetuate harm or contribute to a permissive environment for criminal behaviour. For this reason, Member States should protect victims and their families from any form of mistreatment or disrespect, and prevent actions that could further harm their dignity or exacerbate their suffering. That includes preventing legal and social impunity of perpetrators of acts of terrorism and organised crime, as this represents a significant obstacle for the recovery and protection of victims. Member States</u></i></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>should take measures to prevent the glorification of acts of terrorism or organised crime as such assaults on victims' dignity may cause secondary victimisation and undermine recovery. Member States should prevent tributes to those found guilty of terrorist activities or organised crime by a final judgement in order to avoid secondary victimisation and should pay special attention to the victims in cases where they can suffer harassment or might fear to face reprisal or public ostracism.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
21b		<p><u><i>(11b) In order to ensure the right to protection of the dignity of victims, the Member States must tackle the sharing of online material of a criminal offence in order to avoid secondary victimisation and other serious psychosocial consequences for the victim and to prevent the normalisation of violence. Member States should ensure that the identity of victims is protected. Such measures should apply especially to cases of gender-based violence, including sexual assault and rape, which aim to inflict fear and silence women.</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
22	<p>(12) All victims should be able to obtain a decision on compensation from the offender within the criminal proceedings to avoid their engagement in multiple cumbersome and lengthy proceedings in separate civil proceedings. All victims should benefit from the schemes on compensation in which, following a decision on compensation from the offender at the end of the criminal proceeding, they receive, without a delay, the compensation from the state. The state afterwards should be able to recuperate the compensation from the offender. Such approach to compensation</p>	<p>(12) All victims should be able to obtain a decision on compensation from the offender within the criminal proceedings to avoid their engagement in multiple cumbersome and lengthy proceedings in separate civil proceedings. All victims should benefit from the schemes on compensation in which, following a decision on compensation from the offender at the end of the criminal proceeding, they receive, without a delay, the compensation from the state. The state afterwards should be able to recuperate the compensation from the offender. Such approach to compensation</p>	<p>(12) All victims should be able to obtain a decision on compensation from the offender within the criminal proceedings to avoid their engagement in multiple cumbersome and lengthy proceedings in separate civil proceedings. All victims should benefit from the schemes on compensation in which, following a decision on compensation from the offender at the end of the criminal proceeding, they receive, without a delay, the compensation from the state. The state afterwards should be able to recuperate the compensation from the offender. Such approach to compensation</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>saves victims from the risks of secondary victimisation, since victims do not have to contact offenders when receiving compensation. Such facilitated access to compensation from the offender during criminal proceeding does not affect the Member States obligations to ensure the existence of a scheme on compensation to victims of violent intentional crimes committed in their respective territories, which guarantees fair and appropriate compensation to victims under Council Directive 2004/80/EC¹.</p> <p>_____</p>	<p>saves victims from the risks of secondary victimisation, since victims do not have to contact offenders when receiving compensation. Such facilitated access to compensation from the offender during criminal proceeding does not affect the Member States obligations to ensure the existence of a scheme on compensation to victims of violent intentional crimes committed in their respective territories, which guarantees fair and appropriate compensation to victims under Council Directive 2004/80/EC¹.</p> <p>_____</p>	<p>saves victims from the risks of secondary victimisation, since victims do not have to contact offenders when receiving compensation. Such facilitated access to compensation from the offender during criminal proceeding does not affect the Member States obligations to ensure the existence of a scheme on compensation to victims of violent intentional crimes committed in their respective territories, which guarantees fair and appropriate compensation to victims under Council Directive 2004/80/EC¹.</p> <p>_____</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims (OJ L 261, 6.8.2004, p. 15).	1. Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims (OJ L 261, 6.8.2004, p. 15).	1. Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims (OJ L 261, 6.8.2004, p. 15).	
23	(13) Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of the national law enforcement, prosecution, judiciary, restorative services, compensation services and victim support services, it is	(13) Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of the national law enforcement, prosecution, judiciary, restorative services, compensation services and victim support services, it is	(13) Victims cannot effectively benefit from their rights to information, to support and protection in accordance with their individual needs if they are faced with the national justice schemes that lack cooperation and coordination among those who come into contact with victims. Without close cooperation and coordination of relevant stakeholders such as central authorities in accordance with the internal structure of or the division of competences in the Member	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>difficult for victims to effectively execute their rights under Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims.</p>	<p>difficult for victims to effectively execute their rights under Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, <u>as well as non-governmental organisations</u>, are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims.</p>	<p>States, the national-law enforcement, prosecution authorities, judicial authorities, detention authorities, judiciary, in consultation with restorative justice services, compensation services and victim support services, it is difficult for victims to effectively execute exercise their rights under this Directive 2012/29/EU. Other authorities, such as healthcare, education and social services, are encouraged to be part of this cooperation and coordination. This is particularly valid in relation to child victims.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
23a		<p><u><i>(13a) Officials who are likely to come into personal contact with victims should have access to and receive regular, sufficient and appropriate training with regard to implementation of key aspects of Directive 2012/29/EU. Training for competent authorities should be effective, state of the art, interdisciplinary and multi-agency, and should take advantage of new technologies for enhancing engagement and interaction. Trainings should cover at least the identification of the type of harm suffered by victims, prevention of repeat and secondary victimisation,</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>victim-sensitive communication, choice of adequate support and protection measures as well as effective coordination and referrals to victim support services. It should be delivered in cooperation with non-governmental organisations including victims' associations and civil society organisations. In addition to general victims' rights training for competent authorities, there should be dedicated training programmes on dealing with specific categories of victims. Mutual training and exchange of good practices among national authorities, including judicial and law enforcement</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>authorities, and victim support organisations should also be promoted to ensure better support and protection of victims as well as coordination among the involved institutions and organisations. Training should be gender, child, and trauma sensitive, aim to avoid secondary victimisation and develop among other skills empathic communication and active listening. Specific guidelines for law enforcement officers should also be considered a good practice.</u></p>		
23b		<p><u>(13b) Member States should develop practical guidelines for</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>competent authorities to advise victims of their rights, making sure that their rights are upheld. Those guidelines could include a checklist for professionals to be followed in all cases. Such practical guidelines should be in line with training provided to relevant competent authorities as well as with the national protocols to be established in accordance with this directive.</u></p>		
23c		<p><u>(13c) Despite significant improvements achieved since the entry into force of Directive 2012/29/EU, evidence shows that victims still often lack</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>awareness of their rights, undermining the effectiveness of that Directive on the ground and discouraging victims from coming forward and reporting crime. It is therefore imperative that Member States put in place effective awareness-raising campaigns in order to increase the awareness of victims of their rights under that Directive, or further rights under national law, where applicable. At the same time, Member States should work to increase awareness also among the population at large, including in schools. Such campaigns should be conducted via a variety of channels, including</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>the media, social media, posters in public transport, leaflets in courts, hospitals and police stations or mobile applications.</i></u></p> <p><u><i>Moreover, Member States should improve the identification of places to which victims can reach out and find help in exercising their rights under that Directive, for example including through signposting or setting up of public directories and registries, for instance of accredited support organisations or lawyers. When introducing those measures, Member States should aim to develop them equally for all types of crimes.</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
24	<p>(14) National protocols are essential to ensure that victims receive information about their rights and about their case and that victims are adequately assessed to enable them to receive the support and protection that corresponds to each victims' individual needs that change in time. Protocols should be established by legislative measures in a way that corresponds best to national legal orders and the organisation of justice in the Member States. This should regulate the actions on provision of information to victims, facilitating crime reporting for the most vulnerable</p>	<p>(14) National protocols are essential to ensure that victims receive information <u>in a consistent manner</u> about their rights and about their case and that victims are adequately assessed to enable them to receive the support and protection that corresponds to each victims' individual needs that change in time. <u>National protocols are essential tools to achieve well-coordinated individual assessments, avoid secondary victimisation and enhance the coordination and cooperation among competent authorities, general support services, and specialist support</u></p>	<p>(14) National Protocols or guidelines are essential to ensure that for example victims receive information about their rights and about their case and that victims are adequately assessed to enable them to receive the support and protection that corresponds to each victims' individual needs that change in time. Protocols or guidelines of a non-binding nature should be established by legislative measures in a way that corresponds best to national legal orders and the organisation of justice in the Member States. This should regulate These protocols or guidelines can</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>victims, including those in detention and the individual assessment of victims' needs. The legislative measures setting up the protocols should specify essential elements necessary for the processing of data including, the recipients of the personal data and the categories of data that will be processed in the context of operation of the protocols. The protocols should provide for general instructions on how to deal with services and actions under Directive 2012/29/EU in a comprehensive manner without however dealing with individual cases.</p>	<p><u>services, including clear referral pathways</u>. Protocols should be established by legislative measures in a way that corresponds best to national legal orders and the organisation of justice in the Member States. This should regulate the actions on provision of information to victims, facilitating crime reporting for the most vulnerable victims, including those in detention <u>and accommodation facilities where individuals are not permitted to leave at will</u> and the individual assessment of victims' needs. The legislative measures setting up the protocols should specify essential elements necessary for the processing of</p>	<p>cover the actions on provision of information to victims, facilitating crime reporting for the most vulnerable victims, including those in detention and the individual assessment of victims' needs. When it comes to the provision of information to victims, The legislative measures setting up the protocols should specify essential elements necessary for the processing of data can ensure that such information is simple and easy to understand, provided in a timely manner, repeated over time, in multiple formats including orally, in writing and digitally. With regards to victims in detention, the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p>data including, the recipients of the personal data and the categories of data that will be processed in the context of operation of the protocols. The protocols should provide for general instructions on how to deal with services and actions under Directive 2012/29/EU in a comprehensive manner without however dealing with individual cases.</p>	<p>recipients of the personal data and the categories of data that will be processed in the context of operation of the protocols can specify victims’ access to information about their rights, methods of crime reporting and access to support and protection in accordance with their needs. The protocols should guide guidelines can provide for general instructions on how to deal with services and actions under this Directive 2012/29/EU in a comprehensive manner without however dealing with individual cases. In this context, it is important that Member States take, where appropriate, the necessary measures to</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>allow for collection and sharing of information, including information containing personal data of victims between the competent authorities and victim support services to ensure access to information and appropriate support and protection of individual victims. The setting up of the protocols or guidelines should be without prejudice to the already existing methods of cooperation and coordination among the competent authorities and other persons coming in contact with victims in the Member States.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
24a			<p>(14a) Information and communication technologies could include, for instance, emails, internet messaging live chats, video calls and on-line portals with access to information to registered participants. Member States are free to decide which means of communication are the most suitable in relation to the different provisions of this Directive. The information from the first contact with a competent authority can be provided electronically in a standard format. The in-person method of communication, including</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>those with the competent authorities and with support services, should remain available to victims, if they wish so. Where Member States' national systems necessitate specific electronic identification and signature methods, those systems should afford victims residents of other Member States equitable access opportunities in accordance with the e-IDAS Regulation.</p>	
25	<p>(15) Member States should allocate sufficient human and financial resources to ensure an effective compliance with the</p>	<p>(15) Member States should allocate sufficient human and, financial <u>and technical</u> resources to ensure an effective</p>	<p>(15) Member States should allocate sufficient human and financial resources to ensure an effective compliance with the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	measures set out in Directive 2012/29/EU. Special attention should be paid to the establishment of victims' helplines, ensuring smooth functioning of specialist support services and individual assessment of victims' needs for protection and for support, including where such services are provided by non-governmental organisations.	compliance with the measures set out in Directive 2012/29/EU. Special attention should be paid to the establishment of victims' helplines, ensuring smooth functioning of <u>general and</u> specialist support services and individual assessment of victims' needs for protection and for support, including where such services are provided by non-governmental organisations.	measures set out in this Directive 2012/29/EU . Special attention should be paid to the establishment of victims' helplines, ensuring smooth functioning of specialist support services and individual assessment of victims' needs for protection and for support, including where such services are provided by non-governmental organisations.	
26	(16) The Union and the Member States are parties to the UN Convention on the Rights of Persons with Disabilities ¹ and are bound by its obligations to the extent of their respective	(16) The Union and the Member States are parties to the UN Convention on the Rights of Persons with Disabilities [†] and are bound by its obligations to the extent of their respective	(16) The Union and the Member States are parties to the UN Convention on the Rights of Persons with Disabilities ¹ and are bound by its obligations to the extent of their respective	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>competences. Under Article 13 of that Convention the States Parties are obliged to ensure effective access to justice for persons with disabilities on an equal basis with others, hence the needs to ensure accessibility and provide reasonable accommodation so that victims with disability enjoy their rights as victims on equal basis with others. The accessibility requirements set in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council² can facilitate the implementation of that Convention and ensure that the victims' rights laid down by Directive 2012/29/EU are</p>	<p>competences. Under Article 13 of that Convention the States Parties are obliged to ensure effective access to justice for persons with disabilities on an equal basis with others, hence the needs to ensure accessibility and provide reasonable accommodation <u>as well as procedural accommodation</u> so that victims with disability enjoy their rights as victims on equal basis with others. <u>Procedural accommodation consists of all necessary and appropriate modifications and adjustments in the context of access to justice to ensure the participation of persons with disabilities on an equal basis</u></p>	<p>competences. Under Article 13 of that Convention the States Parties are obliged to ensure effective access to justice for persons with disabilities on an equal basis with others, hence the needs to ensure accessibility and provide reasonable accommodation so that victims with disability enjoy their rights as victims on equal basis with others. As defined by Article 2 of the UN Convention on the Rights of Persons with Disabilities, “reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>accessible for persons with disabilities.</p> <hr/> <p>1. OJ L 23, 27.1.2010, p. 37.</p> <p>2. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).</p>	<p><u><i>with others, including for example measures needed to ensure communication with the court.</i></u> The accessibility requirements set in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council²⁶⁰ can facilitate the implementation of that Convention and ensure that the victims' rights laid down by Directive 2012/29/EU are accessible for persons with disabilities.</p> <hr/> <p>⁵⁹ <u><i>OJ L 23, 27.1.2010, p. 37.</i></u></p> <p>⁶⁰ <u><i>Directive (EU) 2019/882 of the European Parliament and</i></u></p>	<p>burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms. The accessibility requirements set in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council² can facilitate the implementation of that Convention and ensure that the victims' rights laid down by this Directive 2012/29/EU are accessible for persons with disabilities.</p> <hr/>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).</u></p> <hr/> <p>1. OJ L 23, 27.1.2010, p. 37.</p> <p>2. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).</p>	<p>1. [1] OJ L 23, 27.1.2010, p. 37.</p> <p>2. [2] Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).</p>	
27	(17) Eurojust should ensure that appropriate consideration is given to requests concerning victims' rights in accordance with its mandate under Regulation (EU) 2018/1727 of	(17) Eurojust should ensure that appropriate consideration is given to requests concerning victims' rights in accordance with its mandate under Regulation (EU) 2018/1727 of	(17) Eurojust should ensure that appropriate consideration is given to requests concerning victims' rights in accordance with its mandate under Regulation (EU) 2018/1727 of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA (OJ L 295, 21.11.2018, p. 138).</p>	<p>the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA (OJ L 295, 21.11.2018, p. 138).</p>	<p>the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA (OJ L 295, 21.11.2018, p. 138).</p>	
28	<p>(18) The collection of accurate and coherent data and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union. Introducing a requirement for Member States to collect and report to the</p>	<p>(18) The collection of accurate and coherent data, <u>including both qualitative and quantitative data</u>, and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union <u>and to monitor the</u></p>	<p>(18) The collection of accurate and coherent data and the timely publication of collected data and statistics are fundamental to ensure full knowledge on the rights of victims of crime within the Union. Introducing a requirement for Member States to collect and report to the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. The Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production and dissemination of statistics on victims of crime and in reporting on how victims have accessed the rights set out in this Directive.</p>	<p><u><i>implementation of Directive 2012/29/EU. The statistics should include data relevant to the application of national procedures for victims of crime, including at least the number and type of the reported crime and the number, age, sex, gender and disability, if any, of the victim, and the type of the offence and the nature of the relationship between the victim and the offender. The data should include information on whether victims have suffered a crime due to a bias or discriminatory motive. The collected data should allow the development of qualitative assessments on the remaining</i></u></p>	<p>Commission data when available at central level on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies. The Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production and dissemination of statistics on victims of crime and in reporting on and data available at central level showing how victims have accessed the rights set out in this Directive.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>barriers when reporting crimes and accessing victims' rights.</i></u></p> <p>Introducing a requirement for Member States to collect and report to the Commission data on the application of national procedures on victims of crime every three years in a harmonised way is expected to constitute a relevant step to ensure the adoption of data-informed policies and strategies.</p> <p>The <u><i>reporting of Member States every three-year should be coordinated and harmonised to ensure better comparability of data. To this end, Member States should have a synchronised timeline for reporting the data collected</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>under this Directive. The</u> Fundamental Rights Agency should continue to assist the European Commission and Member States in the collection, production, <u>analysis</u> and dissemination of statistics on victims of crime and in <u>the</u> reporting <u>of information</u> on how victims have accessed the rights set out in this Directive. <u>For the</u> <u>purpose of the analysis of the</u> <u>aggregated data, the budget of</u> <u>the Fundamental Rights Agency</u> <u>of the European Union should</u> <u>be adequately adapted.</u></p>		
28a		<p><u>(18a) Member States should</u> <u>record, collect and transmit data</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>on offline and online gender-based violence, including violence against women, domestic violence, sexual violence and femicide, as well as hate speech and hate crimes, which are disproportionately affecting women, LGBTIQ+ persons and children and are also still widely underreported.</i></u>		
28b		<u><i>(18b) Member States should facilitate the tasks of a victims' rights coordinator as set out in the EU Strategy on victims' rights (2020-2025) with the aim of ensuring consistency and effectiveness of actions in relation to the victims' rights</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>policy. The particular tasks of the coordinator are to ensure a smooth functioning of the Victims' Rights Platform and the implementation of the EU Strategy on victims' rights as well as to synchronise the victims' rights related actions of other Union level stakeholders, notably if relevant to the application of Directive 2012/92/EU.</i></u></p>		
29	<p>(19) The principle of effectiveness of Union law requires that Member States put in place adequate and effective remedies in the event of a breach of a right conferred upon</p>	<p>(19) The principle of effectiveness of Union law requires that Member States put in place adequate and effective remedies in the event of a breach of a right conferred upon</p>	<p>(19) The principle of effectiveness of Union law requires that Member States put in place adequate and effective remedies in the event of a breach of a right conferred upon</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	individuals by Union law. An effective remedy should be available where the rights under Directive 2012/29/EU are undermined or refused in full or in part.	individuals by Union law. An effective remedy should be available where the rights under Directive 2012/29/EU are undermined or refused in full or in part.	individuals by Union law. On the basis of the Charter of Fundamental Rights of the European Union , an effective remedy should be available where the rights under this Directive 2012/29/EU are undermined or refused in full or in part.	
29a			(19a) As a horizontal Directive, this Directive does not affect more far reaching provisions contained in other Union acts which address the specific needs of particular categories of victims, such as victims of trafficking in human beings, victims of sexual abuse, and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			sexual exploitation of children, including child sexual abuse material, victims of violence against women and domestic violence and victims of terrorism, in a more targetted manner.	
30	(20) Since the objectives of this Directive cannot be sufficiently achieved by the Member States due to the need to facilitate judicial cooperation in criminal matters by ensuring trust in equal access to victims' rights no matter where in the EU the crime happened, but can rather by reason of the scale and effects of the envisaged measures, be	(20) Since the objectives of this Directive cannot be sufficiently achieved by the Member States due to the need to facilitate judicial cooperation in criminal matters by ensuring trust in equal access to victims' rights no matter where in the EU the crime happened, but can rather by reason of the scale and effects of the envisaged measures, be	(20) Since the objectives of this Directive cannot be sufficiently achieved by the Member States due to the need to facilitate judicial cooperation in criminal matters by ensuring trust in equal access to victims' rights no matter where in the EU the crime happened, but can rather by reason of the scale and effects of the envisaged measures, be	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	
31	(21) In accordance with Articles 1 and 2 of Protocol No 22 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	(21) In accordance with Articles 1 and 2 of Protocol No 22 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	(21) In accordance with Articles 1 and 2 of Protocol No 22 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	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	taking part in the adoption of this Directive and is not bound by it or subject to its application.	taking part in the adoption of this Directive and is not bound by it or subject to its application.	taking part in the adoption of this Directive and is not bound by it or subject to its application.	
32	<p>(22) [In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland has notified [by letter of ...], its wish to take part in the adoption and application of this Directive.]</p> <p>OR</p>	<p>(22) [In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland has notified [by letter of ...], its wish to take part in the adoption and application of this Directive.]</p> <p>OR</p>	<p>(22) [In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland has notified [by letter of ...27 October 2023], its wish to take part in the adoption and application of this Directive.]</p> <p>OR</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	[In accordance with Articles 1, 2 and 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Directive and is not bound by it or subject to its application.]	[In accordance with Articles 1, 2 and 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Directive and is not bound by it or subject to its application.]	[In accordance with Articles 1, 2 and 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Directive and is not bound by it or subject to its application.]	
33	(23) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU)	(23) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU)	(23) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on [XX XX 2023]²,</p> <p>_____</p> <p>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p> <p>2. [OP: Footnote once available]</p>	<p>2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on [XX XX 2023]²,</p> <p>_____</p> <p>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p> <p>2. [OP: Footnote once available]</p>	<p>2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on [XX XX 2023]²,</p> <p>_____</p> <p>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p> <p>2. [OP: Footnote once available]</p>	
34	(24) Directive 2012/29/EU should therefore be amended accordingly,	(24) Directive 2012/29/EU should therefore be amended accordingly,	(24) Directive 2012/29/EU should therefore be amended accordingly,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
35	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	
36	Article 1	Article 1	Article 1	
37	Directive 2012/29/EU is amended as follows:	Directive 2012/29/EU is amended as follows:	Directive 2012/29/EU is amended as follows:	
38	(1) the following Article is inserted:	(1) the following Article is inserted:	(1) the following Article is inserted:	
39	‘ Article 3a	‘ Article 3a	‘ Article 3a	
40	Victims’ helpline	Victims’ helpline	Victims’ helpline	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
41	1. Member States shall take the necessary measures to establish easily accessible, user friendly, free of charge and confidential victims' helplines which:	1. Member States shall take the necessary measures to establish easily accessible, user friendly, <u>secure</u> , free of charge and confidential victims' helplines which:	1. Member States shall take the necessary measures to establish easily accessible, user friendly, free of charge and confidential victims' helplines which:	
42	(a) provide victims with the information referred to in Article 4(1);	(a) provide victims with the information referred to in Article 4(1);	(a) provide victims with the information referred to in Article 4(1);	
43	(b) offer emotional support;	(b) offer emotional <u>and psychological</u> support;	(b) offer emotional support;	
44	(c) refer victims to specialised support services and/or specialised helplines if needed.	(c) refer victims to <u>relevant services, including general and</u> specialised support services and/or specialised helplines if <i>needed</i> .	(c) refer victims to specialised specialist support services and/or specialised specialist helplines if needed.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
45	<p>2. Member States shall ensure the provision of helplines referred to in paragraph 1 through a telephone helpline connected to the EU harmonised number “116 006” and through other information and communication technologies, including websites.</p>	<p>2. Member States shall ensure the provision of helplines referred to in paragraph 1 through a telephone helpline connected to the EU harmonised number “116 006” and through other information and communication technologies, including websites <u>and real time support via chat-boxes. The centralisation of helplines through the EU harmonised number shall be done without prejudice to the continuation of pre-existing helplines, especially those run by non-governmental organisations.</u></p>	<p>2. Member States shall ensure the provision of helplines referred to in paragraph 1 through a telephone helpline connected to reachable via the EU harmonised number “116 006”, which may operate in addition to any existing national numbers, and may provide such services also and through other secure and accessible information and communication technologies, including online applications and websites.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
45a		<u><i>2a. Member States shall ensure that victims of cross-border crime have access to helplines of their choice, including those of other Member States.</i></u>		
46	3. Member States shall take appropriate measures to ensure the availability of the services referred to in paragraphs 1 and 2 in other languages, including at least the languages most used in the Member State.	3. Member States shall take appropriate measures to ensure the availability of the services referred to in paragraphs 1 and 2 in other languages, including at least the languages most used in the Member State. <u><i>Member States shall ensure the provision of those services in a language that victims can understand, including by means of</i></u>	3. Member States shall take appropriate measures to ensure the availability of the services referred to in paragraphs 1 and 2 in other languages, including at least the official language or languages of the Member States as determined by national law. Member States shall strive to ensure the provision of those services in at	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>telephone interpreting free of charge.</i></u>	least one other language most used in the Member State.	
47	4. Helplines may be set up by public or non-governmental organisations and may be organised on a professional or voluntary basis.;	4. Helplines may <u>shall</u> be set up <u>and operated by organisations specialised in delivering victim support,</u> either <u>by</u> public or non-governmental organisations and may be organised on a professional or voluntary basis.;	4. Helplines may be set up by public or non-governmental organisations and may be organised on a professional or voluntary basis.;	
47a		<u><i>4a. Member States shall take the measures necessary to ensure that helplines provide accessible support to victims of high quality, including by ensuring sufficient human and financial support as well as</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>appropriate operating hours.</u> <u>Those helplines shall be</u> <u>operated by specialised and</u> <u>qualified staff.</u>		
48	(2) the following Article 5a is inserted:	(2) the following Article 5a is inserted:	(2) the following Article 5a is inserted:	
49	Article 5a	Article 5a	Article 5a	
50	Reporting of crime	Reporting of crime	Reporting of crime	
51	1. Member States shall ensure that victims can report	1. Member States shall ensure that victims can report	1. Member States shall ensure that victims can report	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>criminal offences to the competent authorities through easily accessible, user friendly information and communication technologies. Such possibility shall include submission of evidence where feasible.</p>	<p><u>acts which may constitute a</u> criminal offences<u>offence</u> to the competent authorities through <u>free,</u> easily accessible, <u>safe,</u> <u>confidential and</u> user friendly <u>reporting mechanisms,</u> <u>including online reporting mechanisms, using</u> information and communication technologies. Such possibility shall include submission of <u>information and</u> evidence where feasible.</p>	<p>criminal offences to the competent authorities, where appropriate and in addition to already existing methods of crime reporting, through easily accessible, user friendly information and communication technologies. Such possibility shall include submission of evidence where feasible. Such possibilities shall be without prejudice to national procedural rules regarding formalisation of online reporting and submission of evidence.</p>	
52	<p>2. Member States shall take the necessary measures to</p>	<p>2. Member States shall take the necessary measures to</p>	<p>2. Member States shall take the necessary measures to</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further acts of violence are to be expected, to report this to the competent authorities.	encourage <u>and enable</u> any person who knows about or suspects, in good faith, that <u>acts which may constitute a criminal offence</u> have been committed, or that further acts of violence are to be expected, to report this <u>those offences or acts of violence</u> to the competent authorities <u>through the mechanisms referred to in paragraph 1.</u>	encourage any person who knows about or suspects, in good faith, that criminal offences have been committed, or that further acts of violence are to be expected, to report this to the competent authorities.	
52a		<u>2a. Member States shall take the necessary measures to ensure the possibility of third-party reporting mechanism through the mechanisms referred to in paragraph 1.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
52b		<p><u>2b. Where a person other than the victim is making a report of an act which may constitute a criminal offence, Member States shall ensure that the competent authorities take adequate measures for the victim's safety, where necessary.</u></p>		
53	<p>3. Member States shall ensure that victims can effectively report crimes committed in detention facilities. Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, specialised detention facilities for applicants of international protection and</p>	<p>3. Member States shall ensure that victims <u>who are deprived of liberty</u> can effectively report crimes<u>acts</u> <u>which may constitute a criminal offence</u> committed in detention facilities. Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused.</p>	<p>32. Member States shall ensure that victims can effectively report crimes committed in detention facilities. Detention facilities shall include in addition to jails, detention centres and holding cells for suspects and accused, and specialised detention facilities for applicants of international</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	pre-removal centres, and accommodation centres where applicants and beneficiaries of international protection are located.	<u>persons and</u> specialised detention facilities for <u>where</u> <u>irregular migrants or</u> applicants of international protection and pre-removal centres, and accommodation centres where applicants and beneficiaries of international protection are located.	protection and pre-removal centres, and. The possibility to effectively report crimes also applies to accommodation centres where applicants and beneficiaries of international protection are located.	
53a		<u>3a. Member States shall ensure that victims whose liberty is restricted can effectively report acts which may constitute a criminal offence committed in accommodation facilities from where they are not permitted to leave at will, such as reception</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>or accommodation facilities, where irregular migrants or applicants and beneficiaries of international protection are located as well as specialised accommodation for person with disabilities, children and elderly people, including mental health and social care institutions, orphanages and retirement homes, and any other form of public or private custodial setting under control of any judicial, administrative, or other public authority, or any private institution from which the victim is not permitted to leave at will.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
54	<p>4. Where children report criminal offences, Member States shall ensure that the reporting procedures are safe, confidential, designed and accessible in a child-friendly manner and use language in accordance with their age and maturity.</p>	<p>4. Where children report <u>acts which may constitute a criminal offence</u>, Member States shall ensure that the reporting procedures are safe, confidential, designed and accessible in a child-friendly manner and use language in accordance with their age and maturity. <u>If the offence involves the holder of parental responsibility, Member States shall ensure that reporting is not conditional upon that person's consent and that the measures which are necessary to protect the safety of the child are taken by the competent authorities before the person holding the parental</u></p>	<p>43. Where children contact competent authorities to report criminal offences, Member States shall ensure that the reporting procedures are safe, are carried out in a confidential manner in accordance with national law, are designed and accessible in a child-friendly manner and use language in accordance with their age and maturity.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>responsibility is informed about the reporting.</i></u>		
55	5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities, at least until completion of the first individual assessment referred to in Article 22.;	5. <u><i>In accordance with Article 1 of this Directive, Member States shall take the necessary measures to ensure that victims who are third-country nationals, irrespective of their residence status, are able to report acts which may constitute a criminal offence. With due regard to the fact that reporting an act which may constitute a criminal offence and participating in criminal proceeding under this Directive does not create any rights regarding the residence status</i></u>	5. Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes are prohibited from transferring personal data pertaining to the residence status of the victim to competent migration authorities, at least until completion of the first individual assessment referred to in Article 22.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>of the victim, or have any suspensive effect when determining their residence status.</u> Member States shall ensure that the competent authorities coming in contact with a victim reporting crimes <u>acts which may constitute a criminal offence</u> are prohibited from transferring <u>and using</u> personal data pertaining to the residence status of the victim to competent migration authorities, at least until completion of the first individual assessment referred to <u>in criminal proceeding.</u> <u>Member States may at any moment decide to grant an autonomous residence permit or other</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>authorisation offering a right to stay for compassionate, humanitarian or other reasons to a victim in accordance with Article 226(4) of Directive 2008/115/EC.</u></p>		
55a		<p><u>5a. Member States shall take the measures necessary to ensure that at the moment of reporting acts which may constitute a criminal offence, victims are informed about how their personal data may be processed.</u></p>		
55b		<p><u>5b. Member States shall provide for appropriate mechanisms to report safely and</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>confidentially to the relevant competent authorities or bodies, in accordance with national law, acts committed by public officials when exercising their official duties which may constitute criminal offences.</i></u>		
55c		<u><i>(2a) Article 6 is amended as follows:</i></u>		
55d		<u><i>(a) in paragraph 1 the introductory part is replaced by the following:</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
55e		<u><i>1. ‘Member States shall ensure that victims receive without unnecessary delay at least the following information about the criminal proceedings instituted as a result of the complaint with regard to a criminal offence suffered by the victim, unless they express their objection to receiving such information to the competent authorities:’</i></u>		
55f		<u><i>(b) in paragraph 1 the following point is added:</i></u>		
55g		<u><i>(ba) ‘information on the state of play and significant developments in the criminal</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>proceeding and any decisions taken in criminal proceedings that pertain to the victim directly.'</i></u>		
55h		<u><i>(c) in paragraph 2 the following point is added:</i></u>		
55i		<u><i>(ba) 'any decisions taken in criminal proceedings that pertain to the victim directly, at least in relation to those decisions set out in Article 20(1).'</i></u>		
55j		<u><i>(d) paragraph (5) is replaced by the following:</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
55k		<p><u><i>(5) Member States shall ensure that victims are offered the opportunity to be notified, without unnecessary delay, when the person remanded in custody, prosecuted or sentenced for criminal offences concerning them is released from or has escaped detention, is released under judicial supervision, has been transferred to a different location or accesses prison benefits, reduction of sentences or early termination of the criminal responsibility. Furthermore, Member States shall ensure that victims are informed of any relevant</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>measures issued for their protection in case of release or escape of the offender. Member States shall ensure that this information is provided in a manner minimising the risk of secondary victimisation or psychological harm to the victim.'</i></u>		
55l		<u><i>(2b) Article 7 is amended as follows:</i></u>		
55m		<u><i>(a) paragraph 1 is replaced by the following:</i></u>		
55n		<u><i>(1) Member States shall ensure that victims who do not</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>understand or speak the language of the proceedings concerned are provided with interpretation free of charge in the framework of such proceedings, including at least during any interviews or questioning of the victim during proceedings before investigative and judicial authorities, including during police questioning, and interpretation for their active participation in court hearings and any necessary interim hearings.</i></u></p>		
55o		<p><u><i>(b) paragraph 3 is replaced by the following:</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
55p		<p><u><i>(3) Member States shall ensure that victims who do not understand or speak the language of the proceedings concerned are provided with translations of information essential to the exercise of their rights in criminal proceedings in a language that they understand, free of charge, to the extent that such information is made available to the victims. Translations of such information shall include at least any decision ending the criminal proceedings related to the criminal offence suffered by the victim, reasons or a brief summary of reasons for such</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>decision, except in the case of a jury decision or a decision where the reasons are confidential in which cases the reasons are not provided as a matter of national law.</i></u>		
55q		<u><i>(c) paragraph 4 is replaced by the following:</i></u>		
55r		<u><i>(4) Member States shall ensure that victims who are entitled to information about the time and place of the trial in accordance with Article 6(1)(b) and who do not understand the language of the competent authority, are provided with a translation of the information to</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>which they are entitled, unless they refuse such translation.</i></u>		
55s		<u><i>(d) paragraph 6 is replaced by the following:</i></u>		
55t		<u><i>(6) Notwithstanding paragraphs 1 and 3, an oral translation or oral summary of essential documents may be provided instead of a written translation on condition that such oral translation or oral summary does not prejudice the fairness of the proceedings, the ability of victims to participate</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>in the proceedings or their ability to exercise their rights.</i></u>		
56	(3) Article 8 is amended as follows:	(3) Article 8 is amended as follows:	(3) Article 8 is amended as follows:	
57	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	
58	2. Member States shall ensure that victims are contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim consents to be contacted by support	2. Member States shall ensure that victims are <u><i>promptly</i></u> contacted by the relevant general or specialised support services if the individual assessment referred to in Article 22 <u>22a</u> demonstrates the need for support and <u><i>if</i></u> the victim, <u><i>duly informed of the services that</i></u>	2. Member States shall ensure that victims are contacted by the relevant general or specialised specialist support services if the individual assessment referred to in Article 22 demonstrates the need for support and the victim consents to be contacted by support	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	services or if the victim requests support.;	<u>can be provided</u> , consents to be contacted by support services or if the victim requests support.;	services or if the victim requests support.;	
58a		<u>(aa) paragraph 3 is amended as follows:</u>		
58b		<u>(3) Member States shall take measures to establish free of charge and confidential specialist support services in addition to, or as an integrated part of, general victim support services, or to enable victim support organisations to call on existing specialised entities providing such specialist</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>support. Victims, in accordance with their specific needs, shall have access to such services and family members shall have access in accordance with their specific needs and the degree of harm suffered as a result of the criminal offence committed against the victim. General and specialist victim support services shall operate in a coordinated manner.</u></p>		
58c		<p><u>(ab) the following paragraph is inserted:</u></p>		
58d		<p><u>(3a) Member States shall ensure that the communication between victims and</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>professionals providing support services are adequately protected from undue disclosure.</u>		
59	(b) the following paragraph is added:	(b) the following paragraph <u>paragraphs are</u> added:	(b) the following paragraph is added:	
60	6. Victim support services shall remain operational in times of crisis, such as health crises, significant migratory situations or other states of emergency.;	6. Victim support services shall remain operational in times of crisis, such as health crises, significant migratory <u>humanitarian</u>	6. Member States shall aim to ensure that victim support services shall remain operational in times of crisis, such as health crises, significant migratory situations or other states of emergency with a view	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		situations or other states of emergency;	to address at least the victims' basic needs.';	
60a		<u>6a. Victim support services shall be adequately coordinated and geographically distributed and shall be easily accessible and available, including online or through other adequate means, such as information and communication technologies.</u>		
60b		<u>6b. Member States shall ensure that victim support services, both governmental and non-governmental, are granted</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>sufficient specialised human and financial resources.</u>		
61	(4) Article 9 is amended as follows:	(4) Article 9 is amended as follows:	(4) Article 9 is amended as follows:	
61a		<u>(-a) in paragraph 1, point (a) is replaced by the following:</u>		
61b		<u>(a) information, advice and support relevant to the rights of victims including on accessing national compensation schemes for criminal injuries and legal counselling, including possibilities of legal aid, and on</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>their role in criminal proceedings including preparation for attendance at the trial;</i></u>		
62	(a) in paragraph 1, point (c) is replaced by the following:	(a) in paragraph 1, point (c) is replaced by the following:	(a) in paragraph 1, point (c) is replaced by the following:	
63	(c) emotional and, where available, psychological support once they become aware of a status of a person as a victim. If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22, psychological support shall be available to victims in need of	(c) emotional and, where <i>available</i> , psychological support <u><i>and, if necessary, a referral to these services</i></u> once they become aware of a status of a person as a victim. If the special need for psychological support has been demonstrated by individual assessment referred to in Article 22 <u>22a</u> , psychological support	(c) emotional and, where available, psychological support once they become aware of a status of a person as a victim . If the special need for additional psychological support has been demonstrated by individual assessment referred to in Article 22, Member States shall facilitate the referral of victims	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	such support for as long as necessary.;	shall be available to victims in need of such support for as long as necessary.;	to services able to provide additional psychological support shall be available to victims in need of such support for as long as necessary, as determined by national law, taking into account any relevant protocol or guideline referred to in Article 26a(1).;	
63a		<u>(aa) paragraph 2 is replaced by the following:</u>		
63b		<u>2. Member States shall ensure that victim support services pay particular attention</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>to the personal characteristics of the victim, the type and nature of the crime, the specific needs of victims, particularly those who have suffered considerable harm due to the severity of the crime, or any other circumstances that may require a specific response.</i></u>		
64	(b) in paragraph 3, point (b) is replaced by the following:	(b) in paragraph 3, point (b) is replaced by the following:	(b) in paragraph 3, point (b) is replaced by the following:	
65	(b) targeted and integrated support, including trauma	(b) targeted and integrated support, including trauma	(b) targeted and integrated support, including trauma	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>support and counselling, for victims with specific needs, such as victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council¹ [on combating violence against women and domestic violence], victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism, victims of core international crimes.;</p>	<p>support and counselling <u>as well as access to comprehensive medical care services, including sexual and reproductive healthcare services, especially access to safe and legal abortion care</u>, for victims with specific needs, such as victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council⁶⁴ [on combating violence against women and domestic violence], victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims</p>	<p>support and counselling, for victims with specific needs, such as victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council¹ [on combating violence against women and domestic violence], combating violence against women and domestic violence, victims of trafficking in human beings covered by Directive (EU) .../... of the European Parliament and of the Council (amending Directive 2011/36/EU on preventing and combating trafficking in</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>_____</p> <p>1. Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’;</p>	<p>of exploitation, victims of hate crime, victims of terrorism; <u>and</u> victims of core international crimes;</p> <p>_____</p> <p><u><i>64 Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’;</i></u></p> <p>_____</p> <p><i>1. Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’;</i></p>	<p>human beings and protecting its victims), victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism, victims of corecrimes falling within the jurisdiction of the International Criminal Court .’;</p> <p>_____</p> <p>1. [1] Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
66	(c) the following paragraph is added:	(c) the following paragraph <u>paragraphs are</u> added:	(c) the following paragraph is added:	
67	4. Member States shall provide the protection and specialist support services necessary to comprehensively address the multiple needs of victims with specific needs in line with the protocols referred to in Article 26a(1), point (c).	4. Member States shall provide the protection and specialist support services necessary to comprehensively address the multiple needs of victims with specific needs in line with the protocols referred to in Article 26a(1), point (c).	4. Member States shall provide the protection and specialist support services necessary, in accordance with national procedures referred to Article 22 paragraph 1, to adequately to comprehensively address the multiple needs of victims with specific needs in line with the protocol taking into account any relevant protocol or guideline referred to in Article 26a(1), point (c).'	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
67a		<p><u>4a. Member States shall ensure independent evaluation of the quality of the support services referred to in this Article and shall ensure that the services are adapted accordingly. The evaluation shall not place an undue burden on organisations and shall use a clear and transparent evidence-based methodology that is focused on determining the quality of the support services.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
68	(5) the following Article 9a is inserted in Chapter II:	(5) the following Article 9a is inserted in Chapter II:	(5) the following Article 9a is inserted in Chapter II:	
69	Article 9a	Article 9a	Article 9a	
70	Targeted and integrated support services for children	Targeted and integrated support services for children	Targeted and integrated support services for children	
71	1. Member States shall take the necessary measures to ensure the availability of child-friendly targeted and integrated specialist services for children to provide for age-appropriate support and protection necessary to comprehensively address the	1. Member States shall take the necessary measures, <u>including sufficient and continuous funding</u> , to ensure the availability of child-friendly targeted and integrated specialist services for children to provide for age-appropriate support and protection necessary to	1. Member States shall take the necessary measures to ensure the availability of child-friendly targeted and integrated specialist support services for children to provide for age-appropriate support and protection necessary to comprehensively address the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	multitude of needs of child victims.	comprehensively address the multitude of needs of child victims, <u>including child witnesses of crime</u> .	multitude of needs of child victims.	
72	2. Targeted and integrated support services for child victims shall provide for a coordinated multi-agency mechanism that includes the following services:	2. Targeted and integrated support services for child victims shall provide for a coordinated multi-agency mechanism that includes the following services:	2. Targeted and integrated support services for child victims shall, in accordance with paragraph 4 , provide for a coordinated multi-agency mechanism that includes the following services:	
73	(a) the provision of information;	(a) the provision of information;	(a) the provision of information as referred to in Article 4 ;	
74	(b) medical examination;	(b) medical examination;	(b) medical examination;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
75	(c) emotional and psychological support;	(c) emotional, <u>psychosocial</u> , <u>educational</u> and psychological support;	(c) emotional and psychological support;	
75a		<u>(ca) administrative and legal aid and support;</u>		
76	(d) possibility of crime reporting;	(d) possibility of crime reporting;	(d) possibility of crime reporting;	
77	(e) individual assessment of protection and support needs referred to in Article 22;	(e) individual assessment of protection and support needs referred to in Article 22;	(e) individual assessment of protection and support needs referred to in Article 22;	
78	(f) video recording of testimonies referred to in Article 24(1).	(f) video recording of testimonies referred to in Article 24(1).	(f) video recording of testimonies referred to in Article 24(1) 24(1)(a) .	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
79	3. The services referred to in paragraph 2 shall be provided within the same premises.;	3. The services referred to in paragraph 2 shall be provided within the same premises.;	3. Some or all of the services referred to in paragraph 2 shall may be provided within the same premises.?’;	
79a		<u><i>3a. Member States shall ensure independent evaluation of the quality of the support services referred to in paragraph 2 and shall ensure that the services are adapted accordingly. The evaluation process shall not place an undue burden on organisations and shall use a clear and transparent evidence-based methodology that is focused on</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>determining the quality of the support services.</i></u>		
79b			<p>4. The services referred to in paragraph 2 shall be provided in accordance with victims' individual needs. Particular attention shall be paid to the seriousness of harm suffered by child victims, especially harm from sexual offences.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
80	(6) the following Articles 10a and 10b are inserted:		(6) the following Articles 10a and 10b are inserted:	
81	Article 10a	Article 10a	Article 10a	
82	Right to assistance at the court	Right to assistance at the court	Right to assistance receive information and emotional support at the court premises	
83	Member States shall take the necessary measures to establish assistance at the court premises to provide information and emotional support to victims.	Member States shall take the necessary measures to establish <u>professional</u> assistance at the court premises to provide information and <u>practical and</u> emotional support to victims. <u>throughout the criminal proceedings;</u>	Member States shall take the necessary measures to establish assistance ensure that victims receive at the court premises to provide general information on organisational aspects of the trial phase in criminal court proceedings and emotional	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			support. Such information and support shall be provided if needed in accordance with to victims' individual needs.	
84	Article 10b	Article 10b	Article 10b	
85	Right to a review of decisions taken during court proceedings	Right to a review of decisions taken during court proceedings	Right to a review of information on decisions taken during court proceedings	
86	1. Member States shall ensure that victims are informed without delay of decisions taken in court proceedings that affect them directly and have the right to a review of such decisions. Such decisions shall include at	1. Member States shall ensure that victims are informed without delay of decisions taken in court proceedings that affect them directly and have the right to a review of such decisions. Such decisions shall include at	1. Member States shall ensure that victims, in accordance with their status in the criminal proceedings as defined under national law, are informed without delay of decisions a decision provided for in article 23 (3), taken in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	least decisions pursuant to the following provisions:	least decisions pursuant to the following provisions:	court proceedings that affect them directly and have the right to. Member States may provide the possibility for victims to request a review of such decisions. Such decisions shall include at least decisions pursuant to the following provisions: Article 23(3).	
87	(a) Article 7(1) in relation to decisions on interpretation during court hearings;	(a) Article 7(1) in relation to decisions on interpretation during court hearings <u>proceedings</u> ;	(a) Article 7(1) in relation to decisions on interpretation during court hearings;	
87a		<u>(aa) Article 18 in relation to the measures to protect the dignity of victims during questioning and testifying</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
87b		<u>(ab) Article 19(1)</u>		
88	(b) Article 23(3).	(b) Article 23(3).	(b) Article 23(3).	
88a		<u>(ba) Article 24(1), first subparagraph, point (b)</u>		
89	2. The procedural rules under which victims may request a review of decisions referred to in paragraph 1 shall be determined by national law.	2. The procedural rules under which victims may request a review of decisions referred to in paragraph 1 shall be determined by national law.	2. The procedural rules under which Where victims may request a review of decisions referred to in paragraph 1 a decision under Article 23 (3), the procedural rules for such a review shall be determined by national law.	
90	Member States shall ensure that the judicial decisions on the	Member States shall ensure that the judicial decisions on the	Member States shall ensure that the judicial Decisions on the request under article 23(3) and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	request of such a review are taken within reasonable time.;	request of such a review are taken within reasonable time.;	any consideration of a review of such a review are taken within reasonable time decision shall not unreasonably prolong the criminal proceedings.’;	
90a		<u><i>(6a) Article 13 paragraph (1) is replaced by the following:</i></u>		
90b		<u><i>(1) Member States shall ensure that victims have access to legal aid. The procedural rules under which victims have access to legal aid shall be determined by national law. Member States shall ensure that</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>free legal aid is provided for victims who do not have sufficient means to pay for legal assistance prior to, during and after criminal proceedings.</u></p> <p><u>Where a Member State applies a means test to assess eligibility for free legal aid, it shall take into account all relevant and objective factors, such as the income, capital and family situation of the person concerned, the costs of the assistance of a lawyer and the standard of living in that Member State as well as the relationship to and dependence of the offender.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
90c		<u>(6b) Article 13 (2) is added:</u>		
90d		<u>(2) Member States shall ensure that victims with specific protection needs identified by the individual assessment referred to in Article 22 have access to free legal aid. In any case, Member States shall ensure that victims of gender-based violence, terrorism and human trafficking, and minors and victims of abuse and mistreatment with disabilities have access to free legal aid regardless of their financial situation.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
91	(7) Article 16 is amended as follows:	(7) Article 16 is amended as follows:	(7) Article 16 is amended as follows:	
92	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	
93	1. Member States shall ensure that, in the course of the criminal proceedings, victims are entitled to obtain a decision on compensation by the offender, within a reasonable time.;	1. Member States shall ensure that, in the course of the criminal proceedings, victims are entitled to <u>claim compensation</u> <u>and to</u> obtain a decision on compensation by the offender, within a reasonable time.;	1. Member States shall ensure that, in the course of the criminal proceedings, victims are entitled to obtain a decision on compensation by the offender, within a reasonable time.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
94	(b) paragraph 2 is replaced by the following:	(b) paragraph 2 is replaced by the following:	(b) paragraph 2 is replaced by the following:	
95	<p>2. Member States shall ensure that their competent authorities pay directly to the victim the adjudicated compensation without undue delay. The competent authorities shall be subrogated to the right of the victim in relation to the offender for the amount of the adjudicated compensation.;</p>	<p>2. Member States shall ensure that their competent authorities pay directly to the victim the adjudicated compensation without undue delay. The competent authorities shall be subrogated to the right of the victim in relation to the offender for the amount of the adjudicated compensation.;</p>	<p>2. Member States shall ensure that their competent authorities pay directly to the victim the adjudicated compensation without undue delay. The competent authorities shall be subrogated to the right of the victim in relation to the offender for the amount of the adjudicated compensation.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
96	(8) Article 17 is amended as follows:	(8) Article 17 is amended as follows:	(8) (7)Article 17 is amended as follows:	
96a		<u><i>(-a) in paragraph 1 the introductory part is replaced by the following:</i></u>		
96b		<u><i>(1) Member States shall ensure that victims can exercise the rights provided under this Directive, irrespective of their Member State of residence. Member States shall ensure that their competent authorities take appropriate measures to minimise the difficulties faced where the victim is a resident of a Member State other than that where the criminal offence was</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>committed, particularly with regard to the organisation of the proceedings. For this purpose, the authorities of the Member State where the criminal offence was committed shall:”</i></u>		
96c		<u><i>(-aa) in paragraph 1, point (a) is replaced by the following:</i></u>		
96d		<u><i>(a) take a statement from the victim immediately after the complaint with regard to the criminal offence is made to the competent authority;”</i></u>		
97	(a) in paragraph 1, point (b) is replaced by the following:	(a) in paragraph 1, point (b) is replaced by the following:	(a) in paragraph 1, point (b) is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
98	<p>(b) to have recourse to the extent possible to the provisions on video conferencing and telephone conference calls to facilitate participation in criminal proceedings of victims who are resident abroad.;</p>	<p>(b) to have recourse to the extent possible to the provisions on video conferencing and telephone conference calls <u>other distant communication technologies, which allows the transfer of images</u>, to facilitate participation in criminal proceedings of victims who are resident abroad.;</p>	<p>(b) to have recourse to the extent possible in accordance with Union and national law to the provisions on video conferencing and telephone conference calls to facilitate participation in criminal proceedings of victims who are resident abroad, in accordance with their status under the applicable procedural rules.;</p>	
99	<p>(b) the following paragraph is added:</p>	<p>(b) the following paragraph is added:</p>	<p>(b) the following paragraph is added:</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
100	<p>4. Member States shall ensure that the competent authorities may request assistance from Eurojust and transmit to Eurojust the information aimed at facilitating cooperation with the competent authorities of other Member States in cross-border cases.;</p>	<p>4. Member States shall ensure that the competent authorities may request assistance from Eurojust and transmit to Eurojust the information aimed at facilitating cooperation with the competent authorities of other Member States in cross-border cases.;</p>	<p>4. In accordance with Regulation (EU) 2018/1727,¹ Member States shall ensure that the competent authorities may request assistance from Eurojust and transmit to Eurojust the information aimed at facilitating cooperation with the competent authorities of other Member States in cross-border cases.’;</p> <p>_____</p> <p>1. [1] Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			replacing and repealing Council Decision 2002/187/JHA, OJ L 295, 21.11.2018, p. 138.	
100a		<u><i>(8a) in Article 19, paragraph 1 is replaced by the following:</i></u>		
100b		<u><i>1. Member States shall establish the necessary conditions to enable avoidance of contact between victims and their family members, and the offender, where necessary or when the victim expresses such a need, within premises where criminal proceedings are conducted, unless the criminal proceedings require such contact. This may include the</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>availability of mobile screens in courtrooms.</u>		
100c		<u>(8b) In Articles 19, paragraph 2 is replaced by the following:</u>		
100d		<u>2. Member States shall ensure that new court premises have separate waiting areas for victims and shall establish processes for the creation of separate waiting areas in existing court premises.</u>		
100e		<u>(8c) In Article 19, the following paragraph is added:</u>		
100f		<u>2a. Member States shall ensure that victims are duly</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>informed about the availability of conditions that enable avoidance of contact with the offender.</i></u>		
100g		<u><i>(8g) The following article is inserted:</i></u>		
100h		<u><i>Article 19a</i></u>		
100i		<u><i>Right to protection of the dignity of victims</i></u>		
100j		<u><i>In order to protect the dignity of victims and their family members, as enshrined in the Charter of Fundamental Rights of the European Union, Member States shall take</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>appropriate measures to protect them from secondary and repeat victimisation, including by preventing the glorification of a specific crime or paying tribute to convicted offenders, when this would result in the deprivation of the dignity of the victims.</i></u>		
101	(9) in Article 21, the following paragraph is added:	(9) in Article 21, the following paragraph is added:	(9) (8)in Article 21, the following paragraph is added:	
102	3. Member States shall ensure that personal data concerning a victim allowing the offender to identify the victim's place of residence or to	3. Member States shall ensure that personal data concerning a victim <u>or their family members</u> allowing the offender to identify the victim's	3. Member States shall take the necessary measures to ensure that, if the competent authorities, ex officio or based on a request of the victim,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>otherwise contact the victim in any way is not provided to the offender either directly or indirectly.;</p>	<p>place of residence or to otherwise contact the victim in any way is not provided to the offender either directly or indirectly. <u><i>Other personal data of the victim or their family members shall not be provided to the offender unless it is essential for the effectiveness of the criminal proceedings. Member States shall also ensure that, to the extent that is necessary to protect the privacy of the victim, competent authorities may decide not to publish victims' personal data included in judgements or decisions.</i></u></p>	<p>assess that there could be a risk that the victim or a third person may be exposed to threats or violence, personal data concerning a victim allowing the offender to identify the victim's place of residence or to otherwise other equivalent contact the victim in any way is details are not provided to the offender either directly or indirectly unless not disclosing the information would prejudice the rights of defence.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
103	(10) Article 22 is amended as follows:	(10) Article 22 is amended as follows:	(10) (9) Article 22 is amended as follows:	
104	(a) the title is replaced by the following:	(a) the title is replaced by the following:	(a) the title is replaced by the following:	
105	‘ Individual assessment of victims to identify specific support and protection needs’;	‘ Individual assessment of victims to identify specific <i>support and</i> protection needs’;	‘ Individual assessment of victims to identify specific support and protection needs’;	
106	(b) paragraph 1 is replaced by the following:	(b) paragraph 1 is replaced by the following:	(b) paragraph 1 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
107	<p>1. Member States shall ensure that victims receive a timely and individual assessment, to identify specific support and protection needs and to determine whether and to what extent they would benefit from special measures provided for under Article 9(1), point (c), and Articles 23 and 24, due to their particular vulnerability to secondary and repeat victimisation, to intimidation and to retaliation.;</p>	<p>1. Member States shall ensure that victims receive a timely and individual assessment, to identify specific support and protection needs and to determine whether and to what extent they would benefit from special measures provided for under Article 9(1), point (c), and Articles <u>18</u>, 23 and 24, due to their particular vulnerability to secondary and repeat victimisation, to intimidation and to retaliation.;</p>	<p>1. Member States shall ensure that victims receive a timely and individual assessment, in accordance with national procedures, to identify specific support and protection needs and to determine whether and to what extent they would benefit from special measures provided for under Article 9(1), point (c), in relation to additional psychological support, 9a and Articles 23 and 24, due to their particular vulnerability to secondary and repeat victimisation, to intimidation and to retaliation.?’;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
108	(c) the following paragraph 1a is inserted:	(c) the following paragraph 1a is inserted:	(c) the following paragraph 1a is inserted:	
109	1a. The individual assessment shall be initiated upon the first contact of the victim with the competent authorities, and shall last as long as necessary depending on the specific needs of each victim. Where the result of the initial stage of the individual assessment by the first contact authorities demonstrates the need to continue the	1a. The individual assessment shall be initiated upon the first contact of the victim with the competent authorities, and shall last as long as necessary depending on the specific needs of each victim. Where the result of the initial stage of the individual assessment by the first contact authorities demonstrates the need to continue the	1a. The individual assessment shall be initiated upon at the earliest stage possible such as at the first contact of the victim with the competent authorities, and shall last as long as necessary depending on the specific needs of each victim. Where the result of the initial stage of the individual assessment by the first contact	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>assessment, such assessment shall be undertaken in collaboration with the institutions and bodies depending on the stage of the procedure and victims' individual needs in accordance with the protocols referred to in Article 26a.;</p>	<p>assessment, such assessment shall be undertaken in collaboration with the institutions and bodies, <u>including general or specialist victim support services</u>, depending on the stage of the procedure and victims' individual needs in accordance with the protocols referred to in Article 26a. <u>The assessment shall be conducted by specialised trained professionals, in the best interest of the victim, paying special attention to the avoidance of secondary or repeated victimisation</u>;</p>	<p>authorities demonstrates the need to continue the assessment, such assessment shall be undertaken where appropriate in coordination in collaboration with the institutions and bodies depending on the stage of the procedure and victims' individual needs in accordance with the protocols any relevant protocol or guideline referred to in Article 26a.';</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
109a		<p><u><i>1aa. Member States shall ensure that the individual needs assessment process is coordinated between competent justice and law enforcement authorities working with victims and responsible for the adoption of protection measures. Member States shall take the measures necessary to ensure cooperation and coordination with other involved services providing support for victims, including public or non-governmental organisations, throughout the individual needs assessment process.</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
110	(d) paragraphs 2 and 3 are replaced by the following:	(d) paragraphs 2 and 3 are replaced by the following:	(d) paragraphs 2 and 3 are replaced by the following:	
111	2. The individual assessment shall take into account:	2. The individual assessment shall take into account:	2. The individual assessment shall take into account:	
112	(a) the personal characteristics of the victim, including relevant experiences of discrimination, also when based on a combination of several grounds such as sex, gender, age, disability, religion or belief, language, racial, social or ethnic origin, sexual orientation;	(a) the personal characteristics of the victim, including relevant experiences of discrimination, also when based on a combination of <i>combination of</i> several <i>intersectional</i> grounds, such as sex, gender, age, disability, <i>resident status</i> , religion or belief, language,	(a) the personal characteristics of the victim, including relevant experiences of discrimination, also when based on a combination of several grounds such as sex, gender, age, disability, religion or belief, language, racial, social or ethnic origin, sexual orientation;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		racial, social or ethnic origin, <u>gender identity and</u> sexual orientation;		
113	(b) the type or nature of the crime;	(b) the type or nature of the crime;	(b) the type or nature of the crime;	
114	(c) the circumstances of the crime;	(c) the circumstances of the crime;	(c) the circumstances of the crime;	
115	(d) the relationship to and the characteristics of the offender.	(d) the relationship to and the characteristics of the offender.	(d) the relationship to and the characteristics of risks emanating from the offender.	
116	3. In the context of the individual assessment, particular attention shall be paid to:	3. In the context of the individual assessment, particular attention shall be paid to:	3. In the context of the individual assessment, particular attention shall be paid to:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
117	(a) victims who have suffered considerable harm due to the severity of the crime;	(a) victims who have suffered considerable harm <u>or trauma</u> due to the severity <u>or repetition</u> of the crime;	(a) victims who have suffered considerable harm due to the severity of the crime;	
118	(b) victims who have suffered a crime committed with a bias or discriminatory motive which could, in particular, be related to their personal characteristics;	(b) victims who have suffered a crime committed with a bias or discriminatory motive which could, in particular, be related to their personal characteristics;	(b) victims who have suffered a crime committed with a bias or discriminatory motive which could, in particular, be related to their personal characteristics;	
119	(c) victims whose relationship to and dependence on the offender make them particularly vulnerable.	(c) victims whose relationship to and dependence on the offender make them particularly vulnerable.	(c) victims whose relationship to and dependence on the offender make them particularly vulnerable.	
120	In this regard, victims of terrorism, organised crime, human trafficking, gender-based	In this regard, victims of terrorism, organised crime, human trafficking, gender-based	In this regard, victims of terrorism, organised crime, human trafficking, gender-based	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>violence, including violence against women and domestic violence, sexual violence, exploitation or hate crime, victims of core international crime and victims with disabilities shall be duly considered. Particular attention shall be paid to victims who fall under more than one of those categories.;</p>	<p>violence, including violence against women and domestic violence, sexual violence, <u>including child sexual abuse</u>, exploitation or hate crime, <u>victims who are irregular migrants and victims with a dependent residence status or permit</u>, victims of core international crime and victims with disabilities shall be duly considered. <u>Online forms of those types of crime shall be taken into consideration and</u> particular attention shall be paid to victims who fall under more than one of those categories.;</p>	<p>violence, including violence against women and domestic violence, sexual violence, exploitation or hate crime, victims of corecrimes falling within the jurisdiction of the International crimeCriminal Court and victims with disabilities shall be duly considered. Particular attention shall be paid to victims who fall under more than one of those categories.’;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
121	(e) the following paragraph 3a is inserted:	(e) the following paragraph 3a is inserted:	(e) the following paragraph 3a is inserted:	
122	<p>3a. In the context of the individual assessment, particular attention shall be paid to the risk emanating from the offender, including the risk of violent behaviour and of bodily harm, the use of weapons, involvement in a group of organised crime, drug or alcohol abuse, child abuse, mental health issues, behaviour of stalking, expression of threats or hate speech.;</p>	<p>3a. In the context of the individual assessment, particular attention shall be paid to the risk emanating from the offender, including the risk of violent behaviour and of bodily harm, the <u>access to and</u> use of weapons, <u>links to or</u> involvement in a group of organised crime, drug or alcohol abuse, child abuse, mental health issues, <u>risk and</u> behaviour of</p>	<p>3a. In the context of the individual assessment, particular attention shall be paid to the risk emanating from the offender, including as referred to in 2, d). That risk may include the risk of violent behaviour and of bodily harm, the use of weapons, involvement in a group of organised crime, drug or alcohol abuse, child abuse, mental health issues, behaviour of stalking,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		stalking, expression of threats or hate speech.?’;	expression of threats or hate speech.?’;	
123	(f) paragraph 4 is replaced by the following:	(f) paragraph 4 is replaced by the following:	(f) paragraph 4 is replaced by the following:	
124	4. For the purposes of this Directive, child victims shall be presumed to have specific support and protection needs due to their vulnerability to secondary and repeat victimisation, to intimidation and to retaliation. To determine whether and to what extent they	4. For the purposes of this Directive, child victims shall be presumed to have specific <i>support and</i> protection needs due to their vulnerability to secondary and repeat victimisation, to intimidation and to retaliation. To determine whether and to what extent they	4. For the purposes of this Directive, child victims shall be presumed to have specific support and protection needs due to their vulnerability to secondary and repeat victimisation, to intimidation and to retaliation. To determine whether and to what extent they	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>would benefit from special measures as provided for under Articles 23 and 24, child victims shall be subject to an individual assessment as provided for in paragraph 1 of this Article. The individual assessment of child victims shall be organised within the framework of targeted and integrated support services referred to in Article 9a.;</p>	<p>would benefit from special measures as provided for under Articles <u>18</u>, 23 and 24, child victims shall be subject to an individual assessment as provided for in paragraph 1 of this Article. The individual assessment of child victims shall be organised within the framework of targeted and integrated support services referred to in Article 9a <u>and shall take into account the specific needs of children without parental care. Where relevant, the individual assessment shall take into account the victim's family members other than children.</u></p>	<p>would benefit from special measures as provided for under Articles 23 and 24, child victims shall be subject to an individual assessment as provided for in paragraph 1 of this Article. The individual assessment of child victims shall be organised within the framework of targeted and integrated support services referred to in Article 9a.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
125	(g) paragraph 6 is replaced by the following:	(g) paragraph 6 is replaced by the following:	(g) paragraph 6 is replaced by the following:	
126	6. Individual assessments shall be carried out with the close involvement of the victim and shall take into account their wishes including where they do not wish to benefit from special measures as provided for in Articles 8, 9 ,9a, 23 and 24.;	6. Individual assessments shall be carried out with the close involvement of the victim and shall take into account their wishes including where they do not wish to benefit from special measures as provided for in Articles 8, 9 ,9a, 23 and 24.;	6. Individual assessments shall be carried out with the close involvement of the victim and shall take into account their wishes including where they do not wish to benefit from special measures as provided for in Articles 8, 9 ,9a, 23 and 24.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
127	(h) paragraph 7 is replaced by the following	(h) paragraph 7 is replaced by the following	(h) paragraph 7 is replaced by the following	
128	<p>7. Competent authorities shall update the individual assessment at regular intervals to ensure the support and protection measures relate to the victim’s changing situation. If the elements that form the basis of the individual assessment have changed significantly, Member States shall ensure that it is updated throughout the criminal proceedings.;</p>	<p>7. Competent authorities shall update the individual assessment at regular intervals <u>and, where relevant, take new or update ongoing measures,</u> to ensure the support and protection measures relate to the victim’s changing situation. If the elements that form the basis of the individual assessment have changed significantly, <u>such as in the case of release of the offender from custody,</u> Member States shall</p>	<p>7. Competent authorities Member States shall updateensure that the individual assessment at regular intervals is reviewed according to the individual needs of the victim to ensure the support and protection measures relate to the victim’s changing individual needs situation. If the elements that form the basis of the individual assessment have changed significantly, Member</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		ensure that it is updated throughout the criminal proceedings.;	States shall ensure that it is updated throughout the criminal proceedings.?’;	
128a		<u><i>(10a) The following Article is inserted:</i></u>		
128b		<u><i>Article 22a</i></u>		
128c		<u><i>Individual assessment of victims to identify specific support needs</i></u>		
128d		<u><i>1. Member States shall ensure that victims receive a timely and individual assessment to identify specific support needs throughout the proceedings, taking into</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>account the individual assessment referred to in Article 22, and to determine whether and to what extent they would benefit from special measures provided for under Article 9(1), point (c), due to their particular vulnerability to secondary and repeat victimisation, to intimidation and to retaliation.</u></p>		
128e		<p><u>2. The individual assessment referred to in paragraph 1 shall be undertaken in collaboration with all relevant competent authorities depending on the stage of the proceedings and relevant support services.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
128f		<p><u>3. Where the individual assessment referred to in paragraph 1 has identified specific support needs or if the victim requests support, Member States shall ensure that the competent authorities respond to these needs in a timely and coordinated manner. This shall include referrals to general or specialist victim support services for an in-depth assessment of support needs, in line with protocols established pursuant to Article 26a.</u></p>		
128g		<p><u>4. Competent authorities shall update the individual assessment referred to in</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>paragraph 1 at regular intervals to ensure the support measures correspond to the victim's changing situation. If the elements that form the basis of the individual assessment have changed significantly, Member States shall ensure that it is updated throughout the proceedings.</i></u>		
128h		<u><i>5. Article 22(2) to (5) shall apply mutatis mutandis to the individual assessment referred to in paragraph 1 of this Article.</i></u>		
128i		<u><i>(10aa) In Article 23, paragraph 1 is replaced by the following:</i></u>	(10) In Article 23, paragraph 1 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
128j		<p><u>1. Without prejudice to the rights of the defence and in accordance with rules of judicial discretion, Member States shall ensure that victims with specific protection needs who benefit from special measures identified as a result of an individual assessment provided for in Article 22(1), may benefit from the measures provided for in paragraphs 2 and 3 of this Article. In exceptional circumstances, a special measure envisaged following the individual assessment may not be made available if operational or practical constraints make this</u></p>	<p>'1. Without prejudice to the rights of the defence and in accordance with rules of judicial discretion, Member States shall ensure that victims with specific protection needs who benefit from special measures identified as a result of an individual assessment provided for in Article 22(1), may benefit from the measures provided for in paragraphs 2, 3 and 4 of this Article. A special measure envisaged following the individual assessment shall not be made available if operational or practical constraints make this impossible, or where there is</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>impossible, or where there is an urgent need to interview the victim and failure to do so could harm the victim or another person or could prejudice the course of the proceedings."</i></u>	an urgent need to interview the victim and failure to do so could harm the victim or another person or could prejudice the course of the proceedings.'	
129	(11) in Article 23, paragraph 2, point (d) is replaced by the following:	(11) in Article 23, paragraph 2, point (d) is replaced by the following:	(11) in Article 23, paragraph 2, point (d) is replaced by the following:	
129a				
130	(d) all interviews with victims of sexual violence, gender-based	(d) all interviews with victims of sexual violence, gender-based	(d) all interviews with victims of sexual violence, gender-based	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>violence including victims of violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council¹ [on combating violence against women and domestic violence], unless conducted by a prosecutor or a judge, being conducted by a person of the same sex as the victim, if the victims so wishes, provided that the course of the criminal proceedings will not be prejudiced.;</p>	<p>violence including victims of violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council⁶⁵ [on combating violence against women and domestic violence], unless conducted by a prosecutor or a judge, being conducted by a person of the same sex<u>gender</u> as the victim, if the victims so wishes, provided that the course of the criminal proceedings will not be prejudiced.;</p> <p><u>⁶⁵ Directive (EU) .../... of the European Parliament and of</u></p>	<p>violence including victims of violence against women and domestic violence covered by Directive (EU) .../... of the European Parliament and of the Council¹ [on combating violence against women and domestic violence], unless conducted by a prosecutor or a judge, being conducted by a person of the same sex as the victim, if the victims so wishes, provided that the course of the criminal proceedings will not be prejudiced.;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’	<p><u><i>the Council on combating violence against women and domestic violence (OJ ...).’</i></u></p> <hr/> <p><i>1. Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’</i></p>	1. Directive (EU) .../... of the European Parliament and of the Council on combating violence against women and domestic violence (OJ ...).’	
130a		<u><i>(11a) in Article 23, paragraph 3 (c) is replaced by the following:</i></u>		
130b		<u><i>(c) measures to avoid unnecessary questioning concerning the victim's private life, including the person's sexual orientation, gender identity or past sexual conducts,</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>not related to the criminal offence; and</u>		
131	(12) in Article 23, the following paragraph is added:	(12) in Article 23, the following paragraph is <u>paragraphs are</u> added:	(12) in Article 23, the following paragraph is added:	
131a				
132	4. The following measures to ensure victims' physical protection shall be available for victims with specific protection needs identified in accordance	4. The following measures to ensure victims' physical protection shall be available for victims with specific protection needs identified in accordance	4. The following Measures to ensure victims' physical protection shall be available for victims with specific protection needs identified in accordance with Article 22(1) during	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with Article 22(1) during criminal proceedings:	with Article 22(1) during criminal proceedings:	criminal proceedings. Those measures may include:	
133	(a) continuous or temporary presence of law enforcement authorities;	(a) continuous or temporary presence of law enforcement authorities;	(a) continuous or temporary presence of law enforcement authorities or other bodies providing physical protection in accordance with national law;	
134	(b) barring, restraining or protection orders to provide protection for victims against any acts of violence, including by prohibiting or restraining certain dangerous behaviour of the offender.;	(b) barring, restraining or protection orders to provide protection for victims against any acts of violence, including by prohibiting or restraining certain dangerous behaviour of the offender.;	(b) barring, restraining or protection orders to provide protection for victims against any acts of violence, including by prohibiting or restraining certain dangerous behaviour of the offender. in accordance with national law .';	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134a		<u><i>(ba) access to shelters and other appropriate interim accommodations free of charge or paid for by a dedicated financial allowance for victims.</i></u>		
134b		<u><i>4a Member States shall ensure that competent authorities inform victims of the possibility to apply for barring, restraining or protection orders as well as the possibility to seek cross-border recognition of protection orders pursuant to Directive 2011/99/EU or Regulation (EU) No 606/2013.</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134c		<u><i>(12a) in Article 24 paragraph (1), the following point is added:</i></u>		
134d		<u><i>(ca) the child's right to be heard and the best interests of the child are ensured during the criminal investigations and proceedings, in accordance with Article 10';</i></u>		
135	(13) in Article 24, the following paragraph is added:	(13) in Article 24, the following paragraph is added:	(13) in Article 24, the following paragraph is added:	
135a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
136	<p>3. Where the offence involves the holder of parental responsibility, or there could be any other conflict of interest between the child victims and the holder of parental responsibility, Member States shall take into account the best interest of the child and ensure that any act requiring consent is not conditional upon the consent of the holder of parental responsibility.;</p>	<p>3. Where the offence involves the holder of parental responsibility, or there could be any other conflict of interest between the child victims and the holder of parental responsibility, Member States shall take into account the best interest of the child and ensure that any act requiring consent is not conditional upon the consent of the holder of parental responsibility.;</p>	<p>3. Where the offence involves the holder of parental responsibility, or there could be any other responsibility in a way that includes a conflict of interest between the child victims and the holder of parental responsibility, Member States shall take into account the best interest of the child and ensure that, as determined by national law, any act requiring consent is not conditional upon the consent of the holder of parental responsibility.?’;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
136a		<u>(13a) Article 25 is amended as follows:</u>		
136b		<u>(a) paragraph 1 is replaced by the following:</u>		
136c		<u>1. Member States shall ensure that officials of public authorities, bodies and institutions likely to come into contact with victims, such as police officers and court staff, receive both general and specialist training to a level appropriate to their contact with victims to increase their awareness of the needs of</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>victims, to avoid secondary victimisation and to enable them to recognise victims, communicate, and deal with them in an impartial, respectful, non-discriminatory, and professional manner and where relevant, also in a trauma-sensitive, gender-sensitive and child-sensitive manner.</i></u>		
136d		<u><i>(b) the following paragraph is inserted:</i></u>		
136e		<u><i>1a. In order to ensure comprehensive support and protection to victims, Member States shall develop practical guidelines to help translate the</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>obligations for assessing victims' protection and support needs into practical steps for competent authorities, such as law enforcement authorities.</i></u>		
136f		<u><i>(c) paragraph 2 is replaced by the following:</i></u>		
136g		<u><i>2. Without prejudice to judicial independence and differences in the organisation of the judiciary across the Union, Member States shall take the measures necessary to ensure that both general and specialist training is provided for judges and prosecutors involved in criminal</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>proceedings and investigations with respect to the objectives of this Directive and appropriate to the functions of the involved staff and authorities to increase their awareness of the needs of victims and to treat victims in a trauma-sensitive, gender-sensitive and child-sensitive manner, avoiding secondary victimisation.</i></u>		
136h		<u><i>(d) paragraph 3 is replaced by the following:</i></u>		
136i		<u><i>3. With due respect for the independence of the legal profession, Member States shall ensure that those responsible</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>for the training of lawyers make available both general and specialist training to increase the awareness of lawyers of the needs of victims and to treat victims in a trauma-sensitive, gender-sensitive and child-sensitive manner, avoiding secondary victimisation.</u>		
136j		<u>(e) paragraph 4 is replaced by the following:</u>		
136k		<u>4. Through their public services or by funding victim support organisations, Member States shall encourage initiatives enabling those providing victim support and</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>restorative justice services to receive adequate training to a level appropriate to their contact with victims and observe professional standards to ensure such services are provided in an impartial, respectful, non-discriminatory, child sensitive and professional manner.</i></u>		
136l		<u><i>(f) paragraph 5 is replaced by the following:</i></u>		
136m		<u><i>5. In accordance with the duties involved, and the nature and level of contact the practitioner has with victims, training shall cover general and specialist training, and shall</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>aim to enable the practitioner to recognise victims, to understand the needs of victims as well as national law and procedures in relation to victims' rights, to avoid secondary victimisation, and to treat them in a respectful, professional and non-discriminatory manner.</i></u>		
136n		<u><i>(g) the following paragraphs are added:</i></u>		
136o		<u><i>5a. Training referred to in paragraphs 1, 2, and 3 shall include specific guidance on co-ordinated multi-agency cooperation, in accordance with Article 26a, allowing for a</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>comprehensive, efficient and appropriate handling of referrals among the different competent authorities.</i></u>		
136p		<u><i>5b. Member States shall encourage the development of interdisciplinary training among the staff of the different authorities who are likely to come in contact with victims, where relevant with the cooperation of non-governmental organisations, to enhance cooperation and coordination among authorities.</i></u>		
136q		<u><i>5c. The Member States shall promote training for the staff of</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>competent authorities, who are in contact with victims, to enable them to respond to the specific needs of victims of cybercrime, including online forms of violence against women or child sexual abuse.</i></u>		
136r		<u><i>5d. Training activities referred to in paragraphs 1 to 5 and 8 shall be carried out regularly. Member States shall take measures to support bodies and organisations responsible for carrying out such training activities to develop, deliver and ensure the receipt of such training activities as well as its quality and availability</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>throughout the territory of the Member States.</u>		
136s		<u>(13b) the following article is inserted:</u>		
136t		<u>Article 25a</u>		
136u		<u>Awareness raising and communication of victims' rights</u>		
136v		<u>1. Member States shall ensure that regular awareness-raising campaigns are carried out at national level in order to ensure that victims are aware of their rights under this Directive. These campaigns shall be</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>conducted through a variety of channels and ensure the delivery of information to victims in a consistent manner across the territories of Member States.</u>		
136w		<u>2. Member States shall establish a dedicated website to provide information to the public on reporting a crime, victims' rights, available general and specialist victim support services, functioning of the justice system as well as relevant procedures and application processes. The website shall be written in plain language and be easily</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>accessible, including for persons with disabilities.</u></p> <p><u>Member States shall ensure that the content of information communicated to victims is developed in collaboration with civil society organisations and that the content is consistent and regularly updated to ensure accuracy.</u></p>		
136x		<p><u>3. Member States shall ensure enhanced measures addressing the needs of victims who face higher barriers to communication, including but not limited to victims who are residents of a Member State other than where the crime was</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>committed, victims with disabilities and child victims.</i></u>		
136y		<u><i>4. Member States shall ensure that measures are put in place to increase the awareness of victims on where to obtain help and exercise their rights, including by signposting mechanisms promoting easy and rapid identification of places where victims may get help or public registers of accredited support organisations.”</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
137	(14) the following articles are inserted in Chapter 5:	(14) the following articles are inserted in Chapter 5:	(14) the following articles are inserted in Chapter 5:	
138	Article 26a	Article 26a	Article 26a	
139	Protocols through national coordination and cooperation	Protocols through <u>for</u> national coordination and cooperation	Protocols or guidelines through national coordination and cooperation in the Member States	
140	1. Member States shall establish and implement specific protocols on the organisation of services and actions under this Directive by the competent authorities and other persons coming in contact with victims.	1. Member States shall establish and implement specific protocols on the <u>efficient and consistent</u> organisation of services and actions under this Directive by the competent authorities. <u>victim support</u>	1. Member States shall establish and implement specific non-binding protocols or guidelines on the organisation of services and actions under this Directive by the competent authorities and other persons	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>The protocols shall be drawn up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services. The specific protocols shall aim as a minimum at ensuring that:</p>	<p><u>services, bodies and institutions dealing with victims of crime</u> and other persons coming in contact with victims. The protocols shall be drawn up in coordination and cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services and victim support services <u>and in consultation with civil society organisations and relevant professional organisations</u>. The specific protocols shall aim as a minimum at ensuring that:</p>	<p>coming in contact with victims. The protocols or guidelines shall be drawn up in coordination and cooperation between relevant stakeholders, such as central authorities, in accordance with the internal structure of or division of competences in the Member States, law enforcement, prosecution authorities, judicial authorities judges, detention authorities, in consultation with restorative justice services and victim support services with a view to respond to the victims' individual needs. Member States are encouraged to ensure that, as a minimum, through the specific protocols</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			shall aim as a minimum at ensuring that or guidelines :	
141	(a) victims receive information that is adapted to their changing individual needs; whereas such information shall be simple and easy to understand, provided in a timely manner, repeated over time, in multiple formats including orally, in writing and digitally;	(a) victims receive information that is adapted to their changing individual needs; whereas such information shall be simple and easy to understand, provided in a timely manner, repeated over time, in multiple formats including orally, in writing and digitally;	(a) victims receive information that is adapted to their changing individual needs; whereas such information shall be simple and easy to understand, provided in a timely manner, repeated over time, in multiple formats including orally, in writing and digitally;	
142	(b) victims who are in detention including jails, detention centres and holding cells for suspects and accused, as well as specialised detention facilities for applicants of	(b) victims who are in detention including jails, detention centres and holding cells for suspects and accused, as <i>well as persons</i> , specialised detention facilities for <i>where</i>	(b) victims who are in detention including jails, detention centres and holding cells for suspects and accused, as well as specialised detention facilities for applicants of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	international protection and pre-removal centres or in other institutions, including accommodation centers where applicants and beneficiaries of international protection are located:	<i><u>irregular migrants or</u></i> applicants of international protection <i>and</i> <i>pre-removal centres or in other institutions, including accommodation centers where applicants and beneficiaries of international protection</i> are located.	international protection and pre-removal centres or in other institutions, including accommodation centers where applicants and beneficiaries of international protection are located, as referred to in article 5, paragraph 3	
142a		<i><u>(ba) victims in accommodation facilities where they are not permitted to leave at will, such as reception or accommodation facilities, where irregular illegal migrants or applicants and beneficiaries of international protection are located, as well as specialised accommodation</u></i>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>for person with disabilities, children and elderly people, including mental health and social care institutions, orphanages and retirement homes, and any other form of public or private custodial setting under control of any judicial, administrative or other public authority, or any private institution from which the victim is not permitted to leave at will.</i></u>		
143	(i) receive the information about their rights;	(i) receive the information about their rights;	(i) receive the information about their rights;	
144	(ii) can rely on facilitated crime reporting;	(ii) can rely on facilitated crime reporting;	(ii) can rely on facilitated crime reporting;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
145	(iii) have access to support and protection in accordance with their individual needs;	(iii) have access to support and protection in accordance with their individual needs;	(iii) have access to support and protection in accordance with their individual needs;	
146	(c) individual assessment of victims' needs for support and protection as referred to in Article 22, and provision of support services for victims with specific needs, take into account the victims' individual needs at different stages of the criminal procedure.	(c) individual assessment of victims' needs for support and protection as referred to in Article 22, and provision of support services for victims with specific needs, take into account the victims' individual needs at different stages of the criminal procedure, <u>including through the effective coordination and cooperation among competent authorities and general and specialist victim support services during this process, including through clear referral protocols.</u>	(c) individual assessment of victims' needs for support and protection as referred to in Article 22, and provision of support services for victims with specific needs, take into account the victims' individual needs at different stages of the criminal procedure.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
146a		<u><i>(ca) competent authorities who are likely to come into contact with victims are trained in a targeted and regular manner to ensure victims are identified and receive appropriate support and protection in accordance with Article 25.</i></u>		
146b			(d) the protection and specialist support services necessary to adequately address the multiple needs of victims with specific needs as referred to in Article 9(4) are provided.	
147	2. Member States shall ensure that the protocols referred	2. Member States shall ensure that the protocols referred	2. Member States shall ensure that the protocols or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to in paragraph 1 are reviewed at regular intervals to ensure their effectiveness, and at least once every two years.	to in paragraph 1 are reviewed at regular intervals to ensure their effectiveness, and at least once every two years.	guidelines referred to in paragraph 1 are reviewed at regular intervals where necessary to ensure their effectiveness, and at least once every two years. such as in case of significant changes of national law	
148	3. Member States shall take the necessary legislative measures to allow for collection and sharing of information, including information containing personal data of victims between the competent authorities and victim support services to ensure access to information and	3. Member States shall take the necessary legislative measures to allow for collection and sharing of information <u>in accordance with Regulation (EU) 2016/679</u> , including information containing personal data of victims between the competent authorities and victim support services to ensure access	3. Member States shall take the necessary legislative measures to allow for collection and sharing of information, including information containing personal data of victims between the competent authorities and victim support services to ensure access to information and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	appropriate support and protection of individual victims.	to information and appropriate support and protection of individual victims.	appropriate support and protection of individual victims.	
149	Article 26b	Article 26b	Article 26b	
150	Use of electronic means of communication	Use of electronic means of communication	Use of electronic means of information and communication technologies	
151	1. Member States shall ensure that victims of crime may exercise their rights provided for in Article 3a, Article 4(1), Article 5(1), Article 5a, Article 6(1), (2), (4), (5) and (6) and Article 10b using electronic means of communication.	1. Member States shall ensure that victims of crime may exercise their rights provided for in Article 3a, Article 4(1), Article 5(1) <u>and (3)</u> , Article 5a, Article 6(1), (2), (4), (5) and (6) and Article 10b using electronic means of communication.	1. Member States shall ensure that victims of crime may exercise their rights provided for in Article 3a, Article 4(1), Article 5(1), Article 5a (1) and (4) , Article 6(1), (2), (4), (5) and (6) and as well as Article 10b in relation to informing victims about decisions taken in court	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			proceedings, by using electronic means of, where available information and communication technologies.	
152	2. Victims of crime shall not be prevented from accessing or otherwise using national systems offering the electronic means of communication referred to in paragraph 1 on the basis that they are residents of another Member State.	2. Victims of crime shall not be prevented from accessing or otherwise using national systems offering the electronic means of communication referred to in paragraph 1 on the basis that they are residents of another Member State.	2. Victims of crime shall not be prevented from accessing or otherwise using, where available, the services provided by national systems offering the electronic means of information and communication technologies referred to in paragraph 1 on the basis that they are residents of another Member State.	
153	3. Where national systems offering electronic means of	3. Where national systems offering electronic means of	3. Where national systems offering electronic means	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>communication require the use of electronic identification, signatures and seals, Member States shall allow the use of notified electronic identification schemes, qualified electronic signatures, and qualified electronic seals of any other Member States as provided for in Regulation (EU) No 910/2014 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).</p>	<p>communication require the use of electronic identification, signatures and seals, Member States shall allow the use of notified electronic identification schemes, qualified electronic signatures, and qualified electronic seals of any other Member States as provided for in Regulation (EU) No 910/2014 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).</p>	<p>ofinformation and communication technologies require the use of electronic identification, signatures and seals, Member States shall allow the use of notified electronic identification schemes, qualified electronic signatures, and qualified electronic seals of any other Member States as provided for in Regulation (EU) No 910/2014 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. [1] Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).	
154	Article 26c	Article 26c	Article 26c	
155	Rights of victims with disabilities	Rights of victims with disabilities	Rights of victims with disabilities	
156	1. Member States shall ensure that victims with disabilities benefit on equal basis with others from electronic means of communication as referred to in Article 26b of this Directive by complying with the accessibility requirements set out in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council ¹ .	1. Member States shall ensure that victims with disabilities benefit on equal basis with others from electronic means of communication as referred to in Article 26b of this Directive by complying with the accessibility requirements set out in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council ¹ .	1. Member States shall ensure that victims with disabilities benefit on equal basis with others from electronic means of information and communication technologies as referred to in Article 26b of this Directive by complying with the accessibility requirements set out in Annex I to Directive (EU)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>_____</p> <p>1. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).</p>	<p>_____</p> <p>1. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).</p>	<p>2019/882 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. [1] Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).</p>	
157	<p>2. Member States shall ensure that victims with disabilities can access on equal basis with others, any procedure as well as the support services and protection measures covered by this Directive in line with the accessibility requirements set out in Annex I to Directive (EU) 2019/882.</p>	<p>2. Member States shall ensure that victims with disabilities can access on equal basis with others, any procedure as well as the support services and protection measures covered by this Directive in line with the accessibility requirements set out in Annex I to Directive (EU) 2019/882.</p>	<p>2. Member States shall ensure that victims with disabilities can access on equal basis with others, any procedure as well as the support services and protection measures covered by this Directive in line with the accessibility requirements set out in Annex I to Directive (EU) 2019/882.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
158	Member States shall ensure that reasonable accommodation is provided for victims with disabilities upon request.	Member States shall ensure that reasonable accommodation is <u>and procedural accommodations are</u> provided for victims with disabilities upon request.	Member States shall ensure that reasonable accommodation is provided for victims with disabilities upon request.	
159	Article 26d	Article 26d	Article 26d	
160	Remedies	Remedies	Remedies	
161	Member States shall ensure that victims have an effective remedy under national law in the event of a breach of their rights under this Directive.;	Member States shall ensure that victims have an effective remedy under national law in the event of a breach of their rights under this Directive.;	Member States shall ensure that victims have an effective remedy under national law in the event of a breach of their rights under this Directive.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
162	(15) the following Article 27a is inserted:	(15) the following Article 27a is inserted:	(15) the following Article 27a is inserted:	
163	Article 27a	Article 27a	Article 27a	
164	Specific obligations in relation to victims of violence against women and domestic violence	Specific obligations in relation to victims of violence against women and domestic violence	Specific obligations in relation to victims of violence against women and domestic violence	
165	When Member States adopt the measures to comply with this Directive, they shall ensure that it is done without affecting the obligations under Directive (EU) .../... [on combating violence against women and domestic violence], which are applicable	When Member States adopt the measures to comply with this Directive, they shall ensure that it is done without affecting the obligations under Directive (EU) .../... [on combating violence against women and domestic violence], which are applicable	When Member States adopt the measures to comply with this Directive, they shall ensure that it is done without affecting the obligations under Directive (EU) .../... [on combating violence against women and domestic violence], which are applicable	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in relation to such victims in addition to the obligations set out in this Directive. In particular, Member States shall ensure that	in relation to such victims in addition to the obligations set out in this Directive. In particular, Member States shall ensure that	in relation to such victims in addition to the obligations set out in this Directive. In particular, Member States shall ensure that	
166	(a) the victims' helpline as referred to in Article 3a of this Directive does not affect the operation of dedicated and specialised helplines for victims of violence against women and domestic violence as required under Article 31 of Directive (EU) .../... [on combating violence against women and domestic violence];	(a) the victims' helpline as referred to in Article 3a of this Directive does not affect the operation of dedicated and specialised helplines for victims of violence against women and domestic violence as required under Article 31 of Directive (EU) .../... [on combating violence against women and domestic violence];	(a) the victims' helpline as referred to in Article 3a of this Directive does not affect the operation of dedicated and specialised helplines for victims of violence against women and domestic violence as required under Article 31 of Directive (EU) .../... [on combating violence against women and domestic violence];	
167	(b) the obligation to take measures pursuant to Article	(b) the obligation to take measures pursuant to Article	(b) the obligation to take measures pursuant to Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	5a(2) of this Directive does not affect Member States' obligation to take targeted measures to encourage the reporting of acts of violence against women or domestic violence set out in Article 16(1) of Directive (EU) .../... [on combatting violence against women and domestic violence];	5a(2) of this Directive does not affect Member States' obligation to take targeted measures to encourage the reporting of acts of violence against women or domestic violence set out in Article 16(1) of Directive (EU) .../... [on combatting violence against women and domestic violence];	5a(2) of this Directive does not affect Member States' obligation to take targeted measures to encourage the reporting of acts of violence against women or domestic violence set out in Article 16(1) of Directive (EU) .../... [on combatting violence against women and domestic violence];	
168	(c) the obligation to take measures pursuant to Article 5a(3) of this Directive does not affect Member States' obligation to take specialised measures to ensure the reporting of occurrences of violence against women or domestic violence in	(c) the obligation to take measures pursuant to Article 5a(3) of this Directive does not affect Member States' obligation to take specialised measures to ensure the reporting of occurrences of violence against women or domestic violence in	(e) the obligation to take measures pursuant to Article 5a(3) of this Directive does not affect Member States' obligation to take specialised measures to ensure the reporting of occurrences of violence against women or domestic violence in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reception and detention centres set out in Article 35(4) of Directive (EU).../... [on combatting violence against women and domestic violence];	reception and detention centres set out in Article 35(4) of Directive (EU).../... [on combatting violence against women and domestic violence];	reception and detention centres set out in Article 35(4) of Directive (EU).../... [on combatting violence against women and domestic violence];	
169	(d) the obligation to take measures pursuant to Article 5a(4) of this Directive does not affect Member States' obligation to take targeted measures under Article 16(4) of Directive (EU) .../... [on combatting violence against women and domestic violence];	(d) the obligation to take measures pursuant to Article 5a(4) of this Directive does not affect Member States' obligation to take targeted measures under Article 16(4) of Directive (EU) .../... [on combatting violence against women and domestic violence];	(d) the obligation to take measures pursuant to Article 5a(4) of this Directive does not affect Member States' obligation to take targeted measures under Article 16(4) of Directive (EU) .../... [on combatting violence against women and domestic violence];	
170	(e) as regards victims of violence against women or domestic violence, the	(e) as regards victims of violence against women or domestic violence, the	(e) as regards victims of violence against women or domestic violence, the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	provisions of [Articles 18 and 19 of Directive (EU) .../... [on combating violence against women and domestic violence] shall apply in addition to the rules set out in Article 22 of Directive 2019/29, as amended by this Directive’	provisions of [Articles 18 and 19 of Directive (EU) .../... [on combating violence against women and domestic violence] shall apply in addition to the rules set out in Article 22 of Directive 2019/29, as amended by this Directive’	provisions of [Articles 18 and 19 of Directive (EU) .../... [on combating violence against women and domestic violence] shall apply in addition to the rules set out in Article 22 of Directive 2019/29, as amended by this Directive’	
171	(f) the protocols on individual assessment of victims’ needs for support and protection as referred to in Article 26a in conjunction with Article 22 of this Directive do not affect Member States’ obligations to issue guidelines and establish dedicated mechanisms for victims of violence against	(f) the protocols on individual assessment of victims’ needs for support and protection as referred to in Article 26a in conjunction with Article 22 of this Directive do not affect Member States’ obligations to issue guidelines and establish dedicated mechanisms for victims of violence against	(f) the protocols on individual assessment of victims’ needs for support and protection as referred to in Article 26a in conjunction with Article 22 of this Directive do not affect Member States’ obligations to issue guidelines and establish dedicated mechanisms for victims of violence against	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	women and domestic violence provided for in Article 23, point (b), and Article 40(2) of Directive (EU) .../... [on combating violence against women and domestic violence].;	women and domestic violence provided for in Article 23, point (b), and Article 40(2) of Directive (EU) .../... [on combating violence against women and domestic violence].;	women and domestic violence provided for in Article 23, point (b), and Article 40(2) of Directive (EU) .../... [on combating violence against women and domestic violence].;	
171a		<u><i>(fa) the use of barring, restraining and protection orders to provide protection for victims as referred to in Article 23 of this Directive do not affect Member States' obligations to ensure the physical integrity of victims of violence against women and domestic violence</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>and their dependants provided for in Article 21 of Directive (EU) .../... [on combating violence against women and domestic violence].</i></u>		
171b		<u><i>(fb) the obligation to take measures pursuant to Article 25 of this Directive does not affect Member State's obligation to take targeted measures under Article 37 of Directive (EU) .../... [on combating violence against women and domestic violence]’.</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
172	(16) Article 28 is replaced by the following:	(16) Article 28 is replaced by the following:	(16) Article 28 is replaced by the following:	
173	Article 28	Article 28	Article 28	
174	Provision of data and statistics	Provision of data and statistics	Provision of data and statistics	
175	1. Each Member State shall take the necessary measures to establish a system for the collection, production and dissemination of statistics on victims of crime. The statistics shall include data relevant to the application of national procedures on victims of crime, including at least the number and	1. Each Member State shall take the necessary measures to establish a system for the collection, production and dissemination of statistics on victims of crime. The statistics shall include data relevant to the application of national procedures on victims of crime, including at least the number and	1. Each Member State shall take the necessary measures to establish a system for the collection, production and dissemination of statistics on victims of crime. The statistics shall include data, when available at central level, relevant to the application of national procedures on victims	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>type of reported crimes and the number, the age, sex of the victims and the type of the offence. They shall also include information on how victims have accessed the rights set out in this Directive.</p>	<p>type of reported crimes and the number, the age, sex, <u>gender and disability, if any</u>, of the victims and, the type of the offence <u>and the nature of the relationship between the victim and the offender</u>. They shall also include information on how victims have accessed the rights set out in this Directive <u>and whether victims have suffered a crime due to a bias or discriminatory motive as set out in Article 22. Such statistics shall allow for developing qualitative analysis, including on remaining barriers when reporting crimes and accessing victims' rights.</u></p>	<p>of crime, including at least which may include the number and type of reported crimes and the number, the age, sex of the victims and the type of the offence. They shall also include information on data available at central level showing how victims have accessed the rights set out in this Directive. For the purposes of the statistics referred to in this provision, Member States may use data collected on the basis of relevant Union instruments.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
176	<p>2. Member States shall collect the statistics referred to in this Article on the basis of common disaggregation developed in cooperation with the Commission (Eurostat). They shall transmit this data to the Commission (Eurostat) every three years. The transmitted data shall not contain personal data.</p>	<p>2. Member States shall collect the statistics referred to in this Article on the basis of common disaggregation developed in cooperation with the Commission (Eurostat) <u>and the Victims Rights' Coordinator) and experts in the field of victims' rights</u>. They shall transmit this data to the Commission (Eurostat) every three years. <u>Member States shall have a synchronised timeline for this reporting to ensure data comparability</u>. The transmitted data shall not contain personal data.</p>	<p>2. Member States shall endeavour to collect the statistics referred to in this Article on the basis of common disaggregation developed in cooperation with the Commission (Eurostat). They shall transmit this data to the Commission (Eurostat) every three years. The transmitted data shall not contain personal data.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
177	3. The European Union Agency for Fundamental Rights shall support Member States and the Commission in the collection, production and dissemination of statistics on victims of crime and in reporting on how victims have accessed the rights set out in this Directive.	3. The European Union Agency for Fundamental Rights shall support Member States and the Commission in the collection, production and dissemination <u>and qualitative analysis</u> of statistics on victims of crime and in reporting on how victims have accessed the rights set out in this Directive.	3. The European Union Agency for Fundamental Rights shall support Member States and the Commission in the collection, production and dissemination of available statistics on victims of crime and in reporting on on available data showing how victims have accessed the rights set out in this Directive.	
178	4. The Commission (Eurostat) shall support Member States in the data gathering referred to in paragraph 1, including by establishing common standards on counting units, counting rules, common	4. The Commission (Eurostat) shall support Member States in the data gathering referred to in paragraph 1, including by establishing common standards on counting units, counting rules, common	4. The Commission (Eurostat) shall support Member States in the data gathering referred to in paragraph 1, including by establishing common standards on counting units, counting rules, common	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	disaggregation, reporting formats, and on the classification of criminal offences.	disaggregation, reporting formats, and on the classification of criminal offences.	disaggregation, reporting formats, and on the classification of criminal offences.	
179	5. The Member States shall make the collected statistics available to the public. The statistics shall not contain personal data.	5. The Member States shall make the collected statistics available to the public <u>in an easily accessible manner. In compliance with Regulation (EU) 2016/679</u> the statistics shall not contain personal data.	5. The Member States shall make the collected statistics available to the public. The statistics shall not contain personal data.’;	
180	6. The collection of data under paragraph 1 shall not affect the dedicated data collection under Article 44 of Directive (EU) .../... [on combating violence against women and domestic violence].;	6. The collection of data under paragraph 1 shall not affect the dedicated data collection under Article 44 of Directive (EU) .../... [on combating violence against women and domestic violence].;	6. The collection of data under paragraph 1 shall not affect the dedicated data collection under Article 44 of Directive (EU) .../... [on combating violence against women and domestic violence].;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
180a		<u><i>(16a) The following Articles are inserted:</i></u>		
180b		<u><i>Article 28a</i></u>		
180c		<u><i>Coordination of the EU strategy on victims' rights</i></u>		
180d		<u><i>1. In order to ensure consistency and effectiveness of actions in relation to victims' rights policy, Member States shall facilitate the tasks of Victims' Rights Coordinator, established by the Commission.</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
180e		<p><u>2. The Victims' Rights Coordinator shall in particular ensure a smooth functioning of the Victims' Rights Platform and implementation of the EU Strategy on victims' rights and this Directive as well as synchronise victims' rights related actions of other Union level stakeholders, notably where relevant to the application of this Directive.'</u></p>		
180f		<p><u>Article 28b</u></p>		
180g		<p><u>Resources</u></p>		
180h		<p><u>Member States shall ensure adequate and stable</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>human, technical and financial resources for the full and timely implementation of this Directive, including for public and non-governmental organisations' support services.'</i></u>		
181	(17) Article 29 is replaced by the following:	(17) Article 29 is replaced by the following:	(17) Article 29 is replaced by the following:	
181a				
182	Article 29	Article 29	Article 29	
183	Reporting by the Commission and review	Reporting by the Commission and review	Reporting by the Commission and review	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
184	By [six years after adoption], the Commission shall submit a report on the application of this Directive to the European Parliament and the Council. The report shall assess the extent to which the Member States have taken the necessary measures to comply with this Directive, including the technical implementation.	By ... [six years after <u>the adoption of this Directive</u>], the Commission shall submit a report on the application of this Directive to the European Parliament and the Council. The report shall assess the extent to which the Member States have taken the necessary measures to comply with this Directive, including the technical implementation. <u>The Commission shall take into consideration the findings of the European Union Agency for Fundamental Rights and Eurostat in that report.</u>	By [six years after adoption], the Commission shall submit a report on the application of this Directive to the European Parliament and the Council. The report shall assess the extent to which the Member States have taken the necessary measures to comply with this Directive, including the technical implementation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
185	The report shall be accompanied, if necessary, by a legislative proposal.;	The report shall be accompanied, if necessary, by a legislative proposal.;	The report shall be accompanied, if necessary, by a legislative proposal.;	
186	Article 2 Transposition	Article 2 Transposition	Article 2 Transposition	
187	1. Member States shall take the necessary measures to comply with this Directive [by two years after the entry into force] with the exception of the provisions necessary to comply with Article 26b which shall be adopted and published [by four	1. Member States shall take the necessary measures to comply with this Directive [by two years after the entry into force] with the exception of the provisions necessary to comply with Article 26b which shall be adopted and published [by four	1. Member States shall take the necessary measures to comply with this Directive [by two years after the entry into force] with the exception of the provisions necessary to comply with Article 26b which shall be adopted and published [by four	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	years after the entry into force]. They shall immediately inform the Commission thereof.	years after the entry into force]. They shall immediately inform the Commission thereof.	years after the entry into force]. They shall immediately inform the Commission thereof.	
188	When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.	
189	2. Member States shall communicate to the Commission the text of the main measures of national law which they adopt in	2. Member States shall communicate to the Commission the text of the main measures of national law which they adopt in	2. Member States shall communicate to the Commission the text of the main measures of national law which they adopt in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the field covered by this Directive.	the field covered by this Directive.	the field covered by this Directive.	
190	Article 3 Entry into force	Article 3 Entry into force	Article 3 Entry into force	
191	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
192	This Directive is addressed to the Member States in accordance with the Treaties.	This Directive is addressed to the Member States in accordance with the Treaties.	This Directive is addressed to the Member States in accordance with the Treaties.	
193	Done at Brussels,	Done at Brussels,	Done at Brussels,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
194	For the European Parliament	For the European Parliament	For the European Parliament	
195	The President	The President	The President	
196	For the Council	For the Council	For the Council	
197	The President	The President	The President	