



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14.07.1999

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**COMMUNICATION FROM THE COMMISSION  
TO THE COUNCIL, THE EUROPEAN PARLIAMENT  
AND THE ECONOMIC AND SOCIAL COMMITTEE**

**CRIME VICTIMS  
IN THE EUROPEAN UNION**

**REFLEXIONS ON STANDARDS AND ACTION**

## I. THE COMMUNICATION

An Area of Freedom, Justice and Security within the European Union must include true access to justice for the European citizens. Individuals should be able to obtain adequate legal protection irrespective of where they find themselves. The situation and rights of the victims of crime has for too long been neglected. It is now time to put more focus on how their situation can be improved. If a Citizen's Europe is to have relevance, measures must be taken to improve victims rights.

Since the early 1980s, the Council of Europe has adopted various instruments in order to improve the situation of crime victims. The situation of crime victims in the European Union has been addressed on several occasions in the European Parliament and by the European Commission. But it was only in 1998 that it was discussed in the Council of the European Union. Victims' Rights was included in the Action Plan on Freedom, Security and Justice.<sup>1</sup> The plan suggests that a survey of compensation schemes and an assessment of the feasibility of taking action within the Union are issues that should be addressed within five years.

The Commission is of the opinion, that the rights of victims of crime would only be partially addressed by dealing with the compensation issue in isolation. Prevention of crime and the stages preceding victim compensation – assistance to victims and the standing of victims in the criminal procedure – are equally important and need to be exhausted before the victim even comes close to the compensation systems. Points for consideration in the form of proposals are put forward in the Communication for each stage in this process. The social context of victims involves several aspects, from personal assistance to financial support. The importance of victim support has also been demonstrated in respect of women being trafficked for the purpose of sexual exploitation.<sup>2</sup> The opportunity to address the crime victims' issue at the Tampere European Council, 15-16 October 1999, would be properly seized only if these additional issues were included in the discussions.

The number of persons travelling, living or studying in a country other than their own is increasing steadily. Every second European (53 % or close to 200 million Union citizens) travelled on holiday in 1997.<sup>3</sup> The student mobility in Europe comes close to 200.000 students per academic year.<sup>4</sup> Although only a minority of all who travel within Europe will become victims of crime in any given year, those who do will have to avail themselves of the support schemes available in the country where the offence took place. In compliance with the principle of subsidiarity, this Communication

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<sup>1</sup> Action Plan of the Council and the Commission on how best to implement the provisions of the Treaty of Amsterdam on an Area of Freedom, Security and Justice. (OJ C19/1 23.1.99 adopted on 3.12.98)

<sup>2</sup> Communication (COM (1998) 726) on trafficking in women for the purpose of sexual exploitation.

<sup>3</sup> Facts and Figures on the Europeans on Holidays 1997-98. Eurobarometer survey.

<sup>4</sup> Student Mobility within the European Union. A statistical analysis by J-P Jallade & J Gordon of the European Institute of Education and Social Policy for DG XXII of the European Commission, May 1996.

focuses only on the special problems of people falling victim of a crime in a Member State other than their own, but the approach is equally relevant for domestic victims. Although the Commission will occasionally refer to victims as "European citizens", this will, where applicable, also include third country nationals who are legally residing in the European Union.

The Commission has prepared this Communication assisted by a group of experts in the field of crime victim issues, and by the background and legislative information provided through a project funded under the GROTIUS programme.<sup>5</sup>

1. The present Communication sets out a discussion framework concerning this aspect of access to justice, as a contribution by the Commission to the process of establishing an area of freedom, justice and security, ahead of the European Council meeting in Tampere, October 1999. The Commission proposes elements for consideration, in order to achieve better standards and treatment of victims.
2. The Commission invites the European Parliament and the Council to take note of this Communication and to let the Commission have their respective views on the points presented.
3. In order to integrate the results of the discussion launched by this Communication, the Commission invites all interested parties to comment (in writing) no later than 31 December 1999 to:

**The Deputy Director-General**  
**Task Force Justice and Home Affairs, Secretariat General**  
**European Commission**  
**Rue de la Loi 200**  
**B-1049 Brussels**  
**Fax: (+32 2) 296.74.81**  
**E-mail: ADRIAN.FORTESCUE@SG.CEC.BE**

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<sup>5</sup> Crime Victims in the European Union, Anna Wergens, the Crime Victim Compensation and Support Authority, Sweden, and the Swedish Ministry of Justice. The study is available through the Crime Victim Compensation and Support Authority, Box 470, S-901 09 Umeå, tel: +46-90-165710, fax: +46-90-178353. Concerning the GROTIUS programme, see <http://europa.eu.int>.

## II. CRIME VICTIMS IN THE EUROPEAN UNION

### 1. Prevention of victimisation

Preventing victimisation includes preventing criminality as such, situational crime and secondary victimisation.<sup>6</sup> This has led to the adoption of preventive measures, i.a. at airports, railway and underground stations. Information is important as an informed person can reduce the risks of crime e.g. by avoiding risky areas or certain behaviour.

The language problem facing foreigners makes information about customs and risks in the country even more important. Taking the example of tourists, the establishment of specialised services aimed at catering for tourists at high-frequency locations, is a rapid way of addressing the needs of this category. Whereas Spain appears to be the only Member State with a special police operations unit attending to foreign victims in general, the police forces in Amsterdam, the Hague, Dublin, and Lisbon have made available specialised services within the general police operations of these cities. Furthermore, the Amsterdam Airport Schiphol initiated an international working committee with other police forces<sup>7</sup>, to combat pick pocketing. Other best practices for preventing certain types of crime – such as sexual harassment – has been demonstrated by transport and accommodation facilities. Regarding the risks of sexual abuse, which mainly affects young women, the level of legal standards may also indirectly contribute to situational risks, such as short term employment conditions for foreigners, e.g. au pairs, student jobs etc.

#### *The Commission invites*

- the Member States to exchange best practices on crime prevention:
  - through information, for example on risks, cultural habits and traditions etc.
  - through integration of prevention in infrastructure used notably by travellers
  - through training of relevant personnel.

<sup>6</sup> The conclusions of the EU-conference on crime prevention, 11-14 May 1997, Noordwijk, Netherlands, include measures in the field of preventing primary victimisation.

<sup>7</sup> From Heathrow, Manchester, Luton, Gatwick, Stanstead, Frankfurt, Munich, Brussels, Zurich and Athens.

## 2. Assistance to victims

Most Member States have services with some kind of first aid to victims of crime, i.e. emergency security, material, medical, psychological and social assistance. The types and contents of first aid provided varies and are mainly planned for locals and local needs. Travellers, often being victims of property crimes, may need material assistance<sup>8</sup> other than that which is suitable for locals, who normally have other resources accessible including a social network. Just as important as the material support is the emotional support. The psychological effect of a crime can be aggravated if a person is not familiar with the legal system or does not speak the language. This underlines the general problem of languages, as well as the risk for secondary victimisation.

Although the responsibility for assisting crime victims rests with the State, the question as to who is best placed to provide different types of assistance has been answered differently in the Member States, be it assistance by police, social services or NGOs. The cooperation in Europe between NGOs has the advantage of broadening a European perspective on the crime victims-issue and raising this in a wider exchange. The European Forum for Victims' Services is an NGO that has elaborated three sets of guidelines – common standards – on victims' rights. They are the Legal Rights of Victims in the Criminal Procedure, the Social Rights of Victims and Victims' Rights to Standards of Service. These guidelines have an important role, as the Forum's member organisations cover a large part of the EU.

The level of services and information provided by the police vary in the Member States, but as it is often the first contact for victims, it plays an important role. A victim can need assistance with filing the report of the offence, but also information about where and how to get first aid, if the police is not the right instance for this. For foreigners, reporting can be especially difficult if they have to fill in a form with questions in a language other than their own resulting in less than complete statements being made.<sup>9</sup> The first contacts should therefore be handled by persons with knowledge in other languages and cultures. It would be unacceptable if justified complaints are rejected due to language problems. Again this reflects the horizontal nature of the language, information and training problem.

After these initial contacts victims should get information on what will follow and where needed, assistance with which action to take. Since they are, in most cases, strangers to the system in the foreign country, they do not know how to start a procedure, whether they have to bear witness, whether they can claim compensation, whether they have to stay in the country or can go home, etc. Victims may be faced with having to cancel their trips at their own expense in order to give testimony at the proper time, or having to let the whole issue drop. An economic way of pooling the resources and networks available in Europe, would be to encourage services to assist

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<sup>8</sup> E.g. money, temporary accommodation, clothes and telephones facilities.

<sup>9</sup> A special form has been developed in Spain to make the reporting of an offence possible in different languages.

each other, so that e.g. a German-speaking service could be contacted when a German-speaking victim is being assisted in an English-speaking country.

***The Commission believes that the following should be considered:***

- The easy accessibility of assistance services provided for domestic and foreign victims, with agreed standards and quality control, offering immediate free material, medical, psychological and social assistance;
- Information on first aid, the availability of other forms of assistance, on the procedure that will follow, as well as on i.a. the available compensation mechanisms;
- A telephone hotline, or a network of hotlines, bringing together assistance services in the EU, in order to make all relevant information available in several languages.

### 3. Standing of victims in the criminal procedure

It has been shown that victims have difficulties drawing attention to their situation in the criminal procedure, to which the victim is not always a party.<sup>10</sup> If a reported crime is not prosecuted by a public prosecutor, it is in some states possible for the victim to appeal this decision.<sup>11</sup> In other states a possibility to prosecute privately exists.<sup>12</sup> A particular problem facing foreign victims from participating adequately in the procedure, is staying only temporarily in the country of crime, and not being able to wait for a procedure to start. If the prosecutor does not assist with claims<sup>13</sup> the only possibility to get compensation can be through starting a civil procedure. This remedy is time consuming and only becomes effective in the rare cases that the offender has sufficient means to pay for the procedure and the damages. The recourse to a civil procedure can for these reasons not be seen as a real possibility for a victim to get satisfaction.

There are however possibilities for foreign victims to participate in the criminal procedure. Firstly, the use of established fast-track procedures, instituted already in some countries. Normally these are used when young offenders are involved and not because the victim is a foreigner.<sup>14</sup> Another solution, if the victim cannot wait for the procedure to start, is to let the victim submit statements in advance,<sup>15</sup> or from the home country by employing modern technologies, such as video conferencing or telephone hearings.<sup>16</sup> It is important that a system permitting the victim to participate in procedures also provides legal assistance to the victim.<sup>17</sup> This role is carried out in some Member States by witness and victim support services.

Victims have an interest to follow the progress of the case, even after leaving the country concerned, such as whether the offender has been identified, whether a process is started, where and when the defendant will be heard and the verdict of the court. When in court, the primary right is the right to be heard, or if the victim is not a

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<sup>10</sup> In e.g. the Netherlands, Italy and the United Kingdom the victim is never a party in the criminal procedure.

<sup>11</sup> This is possible in e.g. Germany, the Netherlands, Portugal, Italy and Spain.

<sup>12</sup> Only Greece and the Netherlands provide no possibility for the victim to prosecute privately. Cf. *Crime Victims in the European Union* p. 481.

<sup>13</sup> Deliberations are currently taking place in the Council of Europe to draft a Recommendation dealing with the role of prosecutors, including their responsibility to take into account the interests of victims.

<sup>14</sup> Belgium, Germany, Italy, Portugal, Netherlands and Spain, though rarely used in Belgium and Spain, and in the Netherlands mainly for crimes at camping sites or crimes committed by hooligans.

<sup>15</sup> This is possible, although rarely used in crimes against travellers, e.g. in Finland, France, the Netherlands and Portugal.

<sup>16</sup> These practices are already tried in France, Germany, Portugal, Spain and the United Kingdom, although not necessarily with foreign crime victims. In Italy a judge can dispose to read statements given by a foreign citizen resident abroad.

<sup>17</sup> The Resolution 40/34, United Nations 1985 Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, states the right to get proper assistance throughout the legal process and to be exposed to minimal inconvenience.

witness, to be present.<sup>18</sup> In all Member States interpreters are provided in court proceedings, especially at questioning of the witness or victim. It is known that lengthy trials may in fact cause further traumatisation for the victim, in other words *secondary victimisation*, i.e. by the treatment a victim receives at any stage following a crime, such as at the police station, hospital or in court.<sup>19</sup> It is imperative that all questioning and treatment by personnel coming in contact with victims take into account their sensitive situation.<sup>20</sup> Foreign victims might feel even more offended if there are no efforts made to understand them or taking them seriously. Facilities for victims, such as separate waiting rooms or special arrangements in court to avoid having to face the offender, are important for a victim, irrespective of whether the victim is to be heard as an injured party or merely as a witness.<sup>21</sup> Journalists and judicial officers are not always aware of the problems the publicity of personal information can cause to a victim<sup>22</sup> and some Member States have made special arrangements to protect victims' privacy and personal safety.<sup>23</sup> When the offence is linked to organised crime as well as other threatening situations, the protection provided to witnesses is crucial for their willingness to participate in the judicial procedure. The 1995 EU Resolution on the protection of witnesses<sup>24</sup> sets out guidelines and suggests special measures for the Member States to implement.

A particular problem concerning victims of property crimes is the recovery of stolen property. Restituted stolen property is usually kept as evidence for a future trial and a victim might have to await the outcome of this before getting back his property. Early restitution is possible in some states by allowing photographs of the stolen property to be introduced as evidence. Long criminal procedures may also in general discourage victims from seeking justice. Victim-offender mediation could therefore be an alternative solution, in the interest of victims, making possible the compensation of

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<sup>18</sup> The United Nation Resolution 40/34 states that the victim should be able to present views and concerns to be considered at appropriate stages of the proceedings where his personal interests are affected, without prejudice to the accused and consistent with the relevant national criminal justice system. The Joint Action of 24 February 1997 concerning action to combat trafficking in human beings and sexual exploitation of children (OJ L 63/2 of 4.3.97.) provides the possibility of issuing permits of stay for this particular kind of victims, in order that they may take part in the ensuing criminal procedure.

<sup>19</sup> In Recommendation R (85) 11, of the Council of Europe makes suggestions for measures to avoid secondary victimisation. These measures pertain to the treatment available at the time of questioning, at all stages of the procedure (police inquiries, pre-trial investigations, court hearing).

<sup>20</sup> The Recommendation R (85) 11, of the Council of Europe states that due consideration must be given to the victim's personal situation, that is, the particular situation produced or influenced by the impact of the offence. Furthermore, the victim's rights as a citizen and as a party in the procedure as well as his human dignity must be respected.

<sup>21</sup> This exist in France, some courts in Germany, Spain, in the higher courts in the United Kingdom, Sweden, and to some extent in Finland.

<sup>22</sup> The Recommendation R. (85) 11, of the Council of Europe, considers it advisable to make journalists aware of the adverse effects of undue publicity and the necessity of rules of professional conduct, just as officers of the criminal justice system should show discretion when dealing with media and the public.

<sup>23</sup> I.a. France, Germany and Spain.

<sup>24</sup> Resolution of the Council of 23 November 1995 on the protection of witnesses in the fight against organised crime. OJ C 327 of 7.12.95.

damages or the recovering of lost property outside a normal criminal procedure.<sup>25</sup> For foreign victims mediation has two advantages. Firstly, the immediate use of mediation, by the police or the prosecutor. This ideally solves the problem - e.g. to get back (part of) stolen property or reimbursement of its value before leaving the country concerned - before it is even reported as a crime. It can of course only be done when the offender is caught during the time the victim stays in the country. Secondly, third party mediation, i.e. where an intermediary person acts on the victim's behalf in an effort to reach a mediated agreement, is of benefit when the victim already has returned to his/her home country. This is probably only relevant when property crime is involved and then only in the cases where the offender has been caught and has sufficient means to give a mediation prospects of success. If a third party - a representative of the victim, a lawyer or an organisation - can start or continue an attempted mediation between offender and victim, the victim will not have to assist in a criminal procedure, nor will he have to seek justice at a distance.

***The Commission believes that the following should be considered:***

- The treatment of victims with respect and dignity in the criminal procedure, including the protection of their privacy and safety, in accordance with the Council of Europe Recommendation R (85) 11 on the position of the victim in the framework of criminal law and procedure;
- The availability of contact persons in court to assist victims and witnesses with matters in relation to the procedure and/or, depending on the jurisdiction, other services available for support and advice;
- The use of e.g. existing fast-track procedures, and possibilities for leaving statements beforehand or from the home country, in order to make it possible for a foreign victim to participate adequately in a procedure;
- The availability of court premises, such as separate waiting rooms, assuring that a victim or witness does not have to confront the offender more than necessary;
- The restitution of stolen property to victims as early as possible;
- Additional research and experiments in victim-offender mediation with evaluation of the particular interests of victims, as well as practical arrangements for mediation.

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<sup>25</sup> Mediation exists in some Member States, at different levels; police level (E.g. in Finland, the Netherlands and the United Kingdom), prosecutor level (e.g. in Finland, France, Germany and the Netherlands) and court level (e.g. in Germany, Spain, Italy and the United Kingdom). The United Nations Resolution 40/34 e.g. recommends that informal mechanisms for the resolution of disputes, including mediation, should be utilised where appropriate to facilitate conciliation and redress for victims.

#### 4. Compensation issues

The Action Plan on Freedom, Security and Justice point 51(1) focuses on Compensation schemes and the need for a comparative study of the national schemes. In this context the need for full EU ratification of the 1983 European Convention on Compensation to Victims of Violent Crimes, as well as further action including harmonisation of compensation schemes and cooperation between national schemes will probably also be considered.

The possibilities of claiming compensation in the Member States differ. In some Member States the courts are unable to order compensation to the victim instead of, or in combination with other penalties. Moreover certain costs and damages like pain and suffering may be restricted.<sup>26</sup> A problem is that offenders seldom are able to pay damages imposed on them, which is one of the reasons that the introduction of State compensation mechanisms. Before a victim can claim compensation from the state, all other possibilities must normally be exhausted, the investigation terminated and an effort made to obtain compensation from the offender.<sup>27</sup> There are also considerable divergences between the existing state compensation schemes as regards the types of crimes covered. Only a few of the State compensation schemes provide for compensation to property crime victims, but with far-reaching restrictions.<sup>28</sup> For non-residents this results in a more or less random-effect on how much compensation they get, if getting any compensation at all.

To provide for the compensation of victims of violent crimes the Council of Europe established an instrument in 1983 for the introduction or development of compensation schemes with minimum provisions for compensation to victims by the State in whose territory the crime was committed.<sup>29</sup> Most EU Member States have adopted or are on the way to adopt instruments providing for such compensation, although not all have ratified or even signed the Convention.<sup>30</sup> The Court of Justice of

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<sup>26</sup> Council of Europe Recommendation, R (85) 11, recommends that the court shall have a possibility to oblige the defendant to pay compensation to the victim. It also notes that compensation may be a penalty in its own right, or used in combination with other penalties, and it states that the court shall have all necessary information on the damages and the losses suffered by the victim, so that it may take that into consideration, as well as possible compensation already obtained from the offender, or all serious attempts made to arrange such compensation. In the case when it is possible for the court to apply probational release of an offender, the conditions for release shall include the fulfilment of the offender's compensatory obligations towards the victim. If compensation is part of the penalty, it should be executed in the same way as fines and be given priority over other claims for which the offender is responsible. The victim shall furthermore get all available help to execute the claim for compensation.

<sup>27</sup> In Belgium and Denmark a victim must become a civil party or make a claim in the course of the criminal proceedings.

<sup>28</sup> Only Finland and France appear to have a positive policy on this.

<sup>29</sup> European Convention on the Compensation of Victims of Violent Crimes, Council of Europe, 24 November 1983.

<sup>30</sup> Belgium, Greece and Portugal have signed the Convention but not yet ratified it. Italy, Austria, Ireland and Spain have not signed the Convention. In Italy and Greece no general state compensation scheme exist.

the European Community has judged that the access to such mechanisms may not be restricted to nationals.<sup>31</sup>

Because of the many restrictions and often short time limits to claim compensation from the State, few victims get compensated. Procedures to get the compensation are normally long, while the victim is most often in need of help in direct connection with the crime and not months or years after. This raises the question of immediate compensation, i.e. the possibilities to obtain advance compensation from the State,<sup>32</sup> covering a minimum set of costs and injuries, pending the procedures to obtain compensation from the offender, or the possibility for victims to get compensation from their own compensation fund and the latter being reimbursed by the offender or the State.<sup>33</sup> Applying for State compensation in a foreign country can be difficult for the victim considering the language problem and the fact that the victim has left the country. A mechanism similar to that established for applications for legal aid<sup>34</sup> could be a way to overcome these obstacles.

***The Commission believes that the following should be considered:***

- Ratification by all EU Member States of the 1983 Convention on Compensation to Victims of Violent Crimes;
- Compensation to victims as early as possible, e.g. through advance payments;
- Assistance to victims in the debt collection of damages from the offender;
- Cooperation between the Member States, where relevant, to facilitate applications for state compensation, by letting victims apply via the compensation authority in their home country.

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<sup>31</sup> The Cowan case (ECJ 186/87) ruled out any national compensation scheme that made this service – compensation – available only to nationals, thus excluding other EC nationals. State compensation shall not be limited to people with residence permits or nationals of countries that have entered into a reciprocal agreement with that state.

<sup>32</sup> Advance payment is an option in some states offering compensation, existing in e.g. Austria, Belgium, Finland, France, Luxembourg, Portugal and Spain. The relevant law in the Netherlands is based on the principle that compensation should be arranged at the earliest possible stage, and could serve as an example for other Member States. In *Victims' rights in the process of criminal justice*, the European Forum states that victims should be offered opportunities to apply in advance for compensation from the offender, when cases are dealt with in a criminal court. When an offender is given time to pay, compensation ordered should be paid directly from public funds to the victim, so that the offender's debt is owed to the State, and assistance should always be given by the State in the collection of compensation from the offender.

<sup>33</sup> Dutch law in this respect is based on the principle that compensation should be arranged at the earliest possible stage.

<sup>34</sup> Through the Council of Europe 1997 European Agreement on the transmission of applications for legal aid.

## 5. General issues

Although figuring to various degrees within the issues above, there are three general problems facing the treatment of crime victims; the need for information, the need for training of staff dealing with victims and, as regards foreign victims, the problem of language. The information problem works in two different ways. Firstly, the potential victims are seldom given sufficient information to enable them to make intelligent choices and avoid known risks. Secondly, the decision- and policy makers are not necessarily informed regularly about victims' issues in general and foreign victim issues in particular. There is a need for more precise statistics on foreign victims and on crime risks in different countries,<sup>35</sup> to complement research already done.<sup>36</sup>

With the exception of police personnel, there is hardly any training efforts in the EU vis-à-vis the categories of professionals that come into first contact with victims<sup>37</sup>, neither generally nor on language training in particular, nor on other specific needs of non-resident victims.

Only a few Member States provide general information in languages other than the national language(s), although general information for crime victims is available in most Member States. Little if any difference is made between providing information to a domestic and a foreign victim. Turning to the types of information provided, it appears that no comprehensive crime victim information is provided in all Member States.<sup>38</sup> The language problem presents itself also in the context of the quality of reception foreign victims receive.

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<sup>35</sup> The fact that there is a need for statistics has been established i.a. by the European Commission, Communication (COM (97) 332 final) Report from the Commission on community measures affecting Tourism (1995/96).

<sup>36</sup> See Victim Survey, Hauber, Amsterdam, 1994; Victim Survey on airport travellers in Malaga, 1995; Secondary analysis of the ICVS database, asking victims where the incident occurred, Jan J. M. Van Dijk, Umeå, 1998.

<sup>37</sup> Police, prosecutors, judges, health, social services etc.

<sup>38</sup> Victims should ideally be informed of: a) the legal system/ the proceedings in general, b) the possibilities to join the criminal process to claim for damages, c) the possibilities to make a civil suit, d) the rights and possibilities to claim compensation, and about the procedures for this, e) the proceeding of the case, f) the possibilities to appeal the verdict and the procedure for this, g) the right/possibilities to interpreter, legal counsel and other assistance, h) the act/decision (when and where it will be available), i) the decision to prosecute or not to prosecute, to reduce or discontinue charges and the procedure to appeal against this, j) where and when the defendant will be heard, k) where to get support/assistance, l) the possibility for victim-offender mediation.

***The Commission believes that the following should be considered:***

- A survey among travellers on their experience of crime, through Commission programme funding, identifying i.a. the specificity of crime targeting travellers, its forms, its causes and its consequences;
- The development of a framework for education and training and the promotion of exchange of good practice in such training, not least multicultural training, in transnational initiatives of the relevant industries and those resulting from EU funded initiatives and programmes;
- The possibilities of providing multi-language information relevant to crime victims through existing EU-conduits such as the Europe Direct and the Dialogue with Citizens' initiative should be explored.

(Annex) **The Commission believes that the following should be considered**

**1. Prevention of victimisation:**

- Inviting Member States to exchange best practices on crime prevention.

**2. Assistance to victims:**

- The easy accessibility of assistance services provided for domestic and foreign victims, with agreed standards and under quality control, offering immediate material, medical, psychological and social assistance, free of charge at the point of delivery;
- Information on first aid, the availability of other forms of assistance and on the procedure that will follow;
- A telephone hotline, or a network of hotlines, bringing together assistance services in the EU, in order to make all relevant information available in several languages.

**3. Victims' access to and standing in their own process:**

- Treatment of victims with respect and dignity at all levels of the criminal procedure, including the protection of their privacy and safety;
- The availability of contact persons in court to assist victims and witnesses with matters in relation to the procedure and/or, depending on the jurisdiction, other services available for support and advice;
- The use of e.g. existing fast-track procedures, and possibilities for leaving statements beforehand or from the home country, in order to make it possible for a foreign victim to participate adequately in a procedure;
- The availability of court premises, such as separate waiting rooms, assuring that a victim or witness does not have to confront the offender more than necessary;
- The restitution of stolen property to victims as early as possible;
- Additional research and experiments in victim-offender mediation with evaluation of the particular interests of victims, as well as practical arrangements for mediation.

**4. Victims' access to compensation:**

- Ratification by all EU Member States of the 1983 Convention on Compensation to Victims of Violent Crimes;
- Compensation to victims as early as possible, e.g. through advance payments;
- Assistance to victims in the debt collection of damages from the offender;
- Cooperation between the Member States, where relevant, to facilitate applications for state compensation, by letting victims apply via the compensation authority in their home country.

**5. Information, language and training:**

- A survey among travellers on their experience of crime through Commission programme funding;
- The development of a framework for education and training and the promotion of exchange of good practice in such training, not least multicultural training, in transnational initiatives of the relevant industries and those resulting from EU funded initiatives and programmes;
- The possibilities of providing multi-language information relevant to crime victims through existing EU-conduits such as the Europe Direct and the Dialogue with Citizens' initiative.

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