

Victim Support Europe Contribution

Modernising judicial cooperation
between EU countries – use of digital
technology

Victim Support Europe

MARCH 2022 | [HTTPS://VICTIM-SUPPORT.EU/](https://victim-support.eu/)



With Financial support from
the Justice Programme
of the European Union

Victim Support Europe welcomes this initiative by the European Commission to modernise judicial cooperation in the EU, ensuring digitalisation and access to justice for all. However, **we regret that the initiative does not take a victim-centered approach and has not presented any specific measures for protecting and promoting victims' rights.** This is despite the large number of victims in cross-border situations engaged in civil or criminal judicial proceedings, which is often the case of victims of terrorism, cybercrime, trafficking in human beings or organised crime, for example.

The European Commission has demonstrated a strong commitment to victim's rights, adopting several important directives, such as the Victims' Rights Directive, the Anti-Trafficking Directive, the Compensation Directive and the Directive on Combatting Terrorism. More recently the European Commission took another important step in proposing a Directive on combating violence against women and domestic violence. These have **placed victims' rights at the center of their concerns**, and we believe their efforts should be coordinated with those of this initiative to provide a unified, effective response to victims in cross-border cases. Historically, victims' rights have been neglected by governments, laws and institutions. We strongly believe in the importance of **formally acknowledging victims' rights in legislation which impacts their experience of justice.**

VSE encourages the European Commission, Council and Parliament to incorporate into the proposed Directive the following:

- Reflect the **linkage between the Victims' Rights Directive and other EU legislations** related to victims' rights and the current proposal;
- Encourage Member States to ensure that in implementing the current Directive and in digitalising the justice system, victims' rights are promoted and facilitated.
 - o This would include ensuring victims are properly informed, supported and protected. The objectives of the digitalisation should be to improve victims' rights including by empowering victims, enabling better communication between victims and authorities, enhancing information provision.
 - o Only effective victim participation in justice proceedings, including technical tailored support, a simple language they can comprehend, flexibility and safety in terms of evidence provision, and other proposed measures, can guarantee that their rights are effectively implemented.
- Ensure that secondary victimisation is minimised while victims' safe and active participation in proceedings is enhanced. The risks related to the modernisation of judicial cooperation should not overcome the rights and needs of victims of crime.
- Ensure safeguards are foreseen for victims in providing evidence through digital means
- Ensure that civil society, and in particular victim support services, should be included in the development of digital tools and procedures as well as the training of professionals in the process of modernising judicial cooperation.

Additional details on our recommendations can be found in our previous submission.

Victim Support Europe is the leading European umbrella organisation advocating on behalf of all victims of crime, no matter what the crime, no matter who the victim is. VSE represents 65 member organisations, providing support and information to more than 2 million people affected by crime every year in 30 countries. Founded in 1990, VSE has been advocating for 30 years for a Europe, and a world, where all victims have strong victims' rights and services, whether they report the crime or not. We work towards this mission through advocacy to improve European and International laws, through research and knowledge development and through capacity building at the national and local level.