



# European Protection Order: victims of violence must be safe throughout Europe

**Victims of violence who have been granted legal protection should also be protected if they move from one EU Member State to another, believe the EP Civil Liberties and the Women's Rights Committees, which voted on Wednesday on over 150 amendments to a proposal for a European Protection Order. MEPs want to broaden the scope of this initiative to all victims of violence, ensuring legal protection across borders and guaranteeing assistance to victims and family members.**

The proposal for a European Protection Order (EPO) aims to ensure that any protection provided by the law to a victim in one Member State continues if he or she moves to another EU country. Although most protection orders concern women who are victims of gender violence, any other victim – a child or adult of either sex – who has suffered violence at the hands of an identified aggressor should also be covered, argued Teresa Jiménez-Becerril Barrio (EPP, ES) and Carmen Romero López (S&D, ES), the two MEPs piloting this legislation through Parliament.

The directive should apply to victims, or potential victims, who need to be protected against an act or behaviour of another person "which may, in any way, endanger his life, physical or psychological integrity and dignity, personal liberty or sexual integrity", say MEPs, who want the directive to cover harassment, stalking and other forms of indirect coercion.

It should also include people who face risks to do with forced marriage, honour killing, female genital mutilation, paedophilia, human trafficking, organised crime or terrorism, MEPs add.

## Protection without borders

Legal protection measures exist in all Member States, but they cease to have effect when someone crosses a border. Under the new legislation, "a judicial or equivalent authority" (criminal, civil or administrative) in a Member State where a protection measure has been issued could also issue an EPO at the request of the protected person enabling a competent authority in another Member State to protect that person in its territory.

Given the different judicial systems in the Member States, MEPs believe that any cooperation mechanism will require a "high degree of flexibility". The State where the person moves, "while under a general obligation to act, should be allowed to give effect to this order in the way which is most appropriate in the light of its own legal system", MEPs say, adding that the EPO must be executed within 20 days.

## Keeping aggressors away and informing victims

The person causing danger could, for example, be banned from entering places or defined areas where the protected person lives, "works, studies or that he or she visits". Approaching the protected person closer than a prescribed distance or any form of contact, "including by phone, electronic or ordinary mail, fax, through other persons or any other means", should also be prohibited or regulated, say MEPs.

# Press release

The national authority which adopts a protection measure should, MEPs insist, inform the protected person, their legal representative, guardian or tutor of the possibility of requesting an EPO when they decide to move to another EU country or even if they are already living abroad. Member States should ensure that no financial costs are imposed on victim or potential victims if they request the issuing of an EPO.

## Family and children

The country where the protected person moves should take "all necessary measures to ensure that execution of the European protection order also covers the protected person's entire family", say the EP committees. They emphasise that particular attention should be paid to cases where children are concerned.

## Next steps

Today's "orientation vote" is intended to serve as guidance for the EP rapporteurs in their negotiations with the Council, which will continue over the coming months. The European Protection Order is also on the draft agenda of the Justice and Home Affairs ministers meeting on 8 October 2010. "The fact that the judicial systems of Member States are different and that the proceedings may be criminal, civil or administrative needs to be overcome", was a further point mentioned by the rapporteurs.

*Result of the vote: 64 in favour, 1 against and 6 abstentions*

*In the chair:*

*Eva-Britt Svensson (GUE/NGL, SE) - Women's Rights Committee*

*Juan Fernando López Aguilar (S&D, ES) - Civil Liberties Committee*

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