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REPORT

on the Commission Green Paper on compensation to crime victims
(COM(2001) 536 – C5-0016/2002 – 2002/2022(COS))

Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

Rapporteur: Roberta Angelilli

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PROCEDURAL PAGE

By letter of 28 September 2001, the Commission forwarded to Parliament its Green Paper on compensation to crime victims (COM(2001) 536 – 2002/2022(COS)).

At the sitting of 16 January 2002 the President of Parliament announced that he had referred the Green Paper to the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs as the committee responsible and to the Committee on Legal Affairs and the Internal Market for its opinion (C5-0016/2002).

The Committee on Citizens' Freedoms and Rights, Justice and Home Affairs appointed Roberta Angelilli rapporteur at its meeting of 21 November 2001.

The committee considered the Commission Green Paper and the draft report at its meetings of 22 May 2002, 18 June 2002, 8 July 2002 and 12 September 2002.

At the last meeting it adopted the motion for a resolution by 27 votes to 1, with 3 abstentions.

The following were present for the vote: Jorge Salvador Hernández Mollar (chairman); Robert J.E. Evans and Giacomo Santini (vice-chairmen); Roberta Angelilli (rapporteur); Niall Andrews, Alima Boumediene-Thiery, Marco Cappato (for Mario Borghezio), Michael Cashman, Ozan Ceyhun, Carlos Coelho, Gérard M.J. Deprez, Giuseppe Di Lello Finuoli, Gerardo Galeote Quecedo (for Charlotte Cederschiöld), Adeline Hazan, Anna Kamanou (for Elena Ornella Paciotti), Timothy Kirkhope, Eva Klamt, Ole Krarup, Alain Krivine (for Ilka Schröder), Baroness Sarah Ludford, Bill Newton Dunn, José Ribeiro e Castro, Martine Roure, Patsy Sørensen, The Earl of Stockton (for The Lord Bethell), Joke Swiebel, Fodé Sylla, Anna Terrón i Cusí, Maurizio Turco, Christian Ulrik von Boetticher and Olga Zrihen Zaari (for Walter Veltroni).

The opinion of the Committee on Legal Affairs and the Internal Market is attached.

The report was tabled on 13 September 2002.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

MOTION FOR A RESOLUTION

European Parliament resolution on the Commission Green Paper on compensation to crime victims (COM(2001) 536) – C5-0016/2002 – 2002/2022(COS))

The European Parliament,

- having regard to the Commission Green Paper (COM(2001) 536) – C5-0016/2002¹),
- having regard to the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (UN General Assembly Resolution 40/34, 1985),
- having regard to the European Convention on the Compensation of Victims of Violent Crimes (Council of Europe, 24 November 1983²),
- having regard to the Council of Europe’s Recommendation on Assistance to Victims of Persecution and the Prevention of Persecution of 17 September 1987,
- having regard to Council Joint Action 97/154/JHA concerning action to combat trafficking in human beings and sexual exploitation of children³,
- having regard to the Vienna 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, in particular paragraphs 19 and 51(c) thereof, adopted by the Justice and Home Affairs Council of 3 December 1998⁴,
- having regard to the Commission communication to the Council, the European Parliament and the Economic and Social Committee entitled ‘Crime Victims in the European Union – Reflections on Standards and Action’ (COM(1999)349)⁵,
- having regard to the conclusions of the Tampere European Council of 15 and 16 October 1999, in particular paragraph 32 thereof,
- having regard to its resolution of 15 June 2000 on the communication from the Commission to the Council, the European Parliament and the Economic and Social Committee entitled ‘Crime Victims in the European Union – Reflections on Standards and Action’⁶,
- having regard to its resolution of 12 December 2000 on the initiative concerning the Council Framework Decision on the standing of victims in criminal procedure⁷,

¹ OJ C 125E, 27.5.2002, p. 31.

² ETS No 116.

³ OJ L 63E, 4.3.1997, p. 2.

⁴ OJ C 19E, 23.1.1999, p. 1.

⁵ OJ C 59E, 23.2.2001, p. 5.

⁶ OJ C 67, 1.3.2001, p. 304.

⁷ OJ C 232, 17.8.2001, p.36

- having regard to the Council Framework Decision of 15 March 2001 on the standing of victims in criminal proceedings¹,
 - having regard to its resolution of 5 September 2001 on the role of the European Union in combating terrorism²,
 - having regard to its resolution of 6 February 2002 on the proposal for a Council Framework Decision on combating terrorism³,
 - having regard to the Council Framework Decision of 13 June 2002 on the definition of terrorist offences,
 - having regard to Rule 47(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinion of the Committee on Legal Affairs and the Internal Market (A5-0309/2002),
- A. whereas the European Union is based on the indivisible, universal values of human dignity, freedom, equality and solidarity, and of respect for human rights and fundamental freedoms, and on the principle of non-discrimination enshrined in Articles 12 and 13 of the Treaty on European Union,
- B. whereas the European Union is founded on the principles of democracy and the rule of law, principles which are common to all the Member States,
- C. whereas the European Union respects fundamental rights, as guaranteed under the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- D. whereas the Charter of Fundamental Rights of the European Union reaffirms the rights that result from the constitutional traditions and international obligations common to the Member States,
- E. whereas the European Union places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice,
- F. whereas the European Union should guarantee its citizens and third-country nationals legally residing in the territories of its Member States that the right to move freely throughout the Union can be enjoyed in conditions of security and justice accessible to all,
- G. whereas, in the territories of the Member States of the European Union, hundreds of thousands of people are victims of crimes that result directly in physical or psychological damage to their person or in material or immaterial injury each year,
- H. whereas persons affected by a crime when happening to find themselves at the scene of

¹ OJ L 82, 22.3.2001, p.1

² OJ C 72E 2002, p. 96

³ Not yet published in the Official Journal

that crime may also be victims, as may those persons who helped to prevent the crime or the effects thereof,

- I. emphasising that terrorism constitutes an attack on democratic society and the rule of law as a whole, which causes indescribable damage to the victims,
- J. having regard to Resolution 1373 (2001) adopted by the UN Security Council on 28 September 2001 after the terrible events of 11 September 2001 in the United States,
- K. whereas, furthermore, the families and dependants of those against whom the crime was committed are sometimes indirect victims, and it will be necessary to identify – in accordance with a clear and precise definition recognised by all the Member States – those who may lawfully receive compensation. Until minimum rules recognised by all the Member States are identified, reference shall be made to the internal legal systems,
- L. recalling that the Court of Justice of the European Communities has established that the principle of non-discrimination, set out *inter alia* in Article 12 of the EC Treaty, guarantees that persons who have been victims in a Member State other than that of which they are a national or in which they are legally resident should, where appropriate, be treated and compensated as if they were a national of the Member State in which the crime was committed,
- M. emphasising that the implementation of a rational and effective crime policy requires that while particular attention should be paid to the treatment and social rehabilitation of offenders, equal attention should be paid to victims and in particular to their interests, ensuring that they are compensated for the loss or damage suffered,
- N. whereas the families and dependants of the persons against whom the crime has been committed, including their de facto partners, are also sometimes indirect victims,
- O. whereas, given that it is rarely possible for compensation to the victim to be obtained from the offender, the State should, for reasons of equity, solidarity and a rational crime policy, compensate victims by making good any loss or damage resulting from the crime,
- P. recalling that great differences exist between the state compensation schemes currently in force in the Member States of the European Union, from Member States that have highly developed schemes down to ones which have made virtually no provision for them at all,
- Q. whereas the lack of convergence between the EU Member State schemes to compensate crime victims creates unjustifiable differences in the treatment and compensation of persons who are the victims of crime, depending on their place of residence or the place at which the crime was committed,
- R. whereas it is essential to adopt measures to improve the assistance provided to crime victims and their families, both in material terms and in medical, psychological and social terms, and to provide the appropriate professional care,
- S. convinced of the need to establish a system of protection for crime victims, and especially cross-border victims, whose basic components are common to all citizens of EU Member

States and to all non-EU nationals legally residing therein,

- T. whereas the European Court of Human Rights has established that compensation schemes award a civil right, within the meaning of the Convention for the Protection of Human Rights and Fundamental Freedoms, to crime victims who comply with the conditions and procedures laid down by those schemes,
- U. recalling that the victim of a crime is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal,
- V. whereas there is a need for victims to occupy an important place in criminal proceedings enabling their active participation therein, in accordance with the Council Framework Decision of 15 March 2001 on the standing of victims in criminal proceedings,
- W. recognising the legitimate interest of victims to be heard and to defend their interests with regard to the effects of the crime committed against them,
- X. stressing that crime victims' access to state compensation should not be influenced by where in the European Union the crime was committed,
- Y. emphasising that it is essential to avoid secondary victimisation, since it is unjust for a person who has first been the victim of a crime to then become the victim of a system due to the inadequacy or absence of protection,
- Z. whereas crime victims are often inadequately assisted and at times are even neglected and abandoned to their fate,
- AA. emphasising that compensation for the loss and damage caused to crime victims should be immediate, comprehensive and effective,
- BB. whereas Article 65 of the EC Treaty provides for the possibility of adopting measures in the field of judicial cooperation in civil matters having cross-border implications,
- CC. whereas Article 66 of the EC Treaty lays down that the necessary measures should be adopted to ensure cooperation between the relevant departments of the administrations of the Member States,
- DD. emphasising the importance of treating and attending to victims in a manner respectful of their personal dignity,
- EE. whereas there is a need for the Member States to approximate their laws and regulations to the extent necessary to attain the objective of affording victims of crime a high level of protection, irrespective of the Member State in which they are present,
- FF. emphasising that the conclusions of the Tampere European Council stipulated the political objective of drawing up 'minimum standards on the protection of the victims of crimes, in particular on crime victims' access to justice and on their right to compensation for damages, including legal costs',
- 1. Welcomes the fact that, using its right of initiative, the Commission has taken this

opportunity to launch a debate with a view to achieving progress as regards state compensation for victims of crime;

2. Regrets the great differences that exist between the EU Member States' national schemes to compensate crime victims, which are at the root of unjustifiable differences in the compensation to which European citizens are entitled, since this varies exclusively on the basis of the area in the European Union in which the individual was the victim of the crime;
3. Regrets that the European Union has not adopted any type of Community-level legislative measures which take into account the specific situations of cross-border victims with regard to their right to compensation when they are victims of a crime on the territory of a Member State other than that in which they have their permanent residence;
4. Emphasises that many victims suffer injury twice, first as the victims of a crime and then as victims of an excessively bureaucratic system, which requires greater simplification in order to prevent situations where protection is unavailable or inadequate;
5. Stresses that all the Member States of the European Union should establish minimum state compensation schemes which constitute a supreme guarantee for the victim when they cannot obtain the corresponding compensation from the offender responsible for the crime or through other means such as compulsory or private insurance, thereby avoiding the unjustifiable differences in the rights of European citizens when they are victims of a crime;
6. Points out that there is a need for convergence between the state schemes to compensate victims, with the aim of creating a genuine area of freedom, security and justice for European citizens within the area without internal frontiers established by the internal market, and one in which the free movement of persons is actually guaranteed;
7. Notes the need to establish minimum standards common to the various state schemes to compensate victims, awarding particular attention to victims of terrorism due to the special circumstances that surround them, with the aim of creating a genuine area of freedom, security and justice for European citizens within the area without internal frontiers established by the internal market, and one in which the free movement of persons is actually guaranteed;
8. Underlines the importance of adopting binding Community provisions in future in relation to citizens who are the victims of crime;
9. Calls on the Commission to lay down minimum requirements for subsidiary application of the State's responsibility;
10. Stresses that any system to give victims access to state compensation must also be available, on a non-discriminatory basis, to third-country nationals legally resident in Union territory;
11. Welcomes the fact that the communication from the Commission to the Council and the European Parliament on the updating, for the first half of 2002, of the scoreboard to

review progress on the creation of an area of freedom, security and justice¹ provides for the presentation by the Commission, before the end of 2002, of a proposal for a directive aimed at approximating the compensation to victims systems in all the Member States;

12. Warmly welcomes the Green Paper presented by the Commission, by means of which a consultation was launched on possible ways forward at Community level for improving the possibilities for compensation to crime victims in the European Union, thereby fulfilling the political mandate given by the Tampere European Council, in particular paragraph 32 of the conclusions thereof;
13. Calls on the Commission to examine whether it needs to put in place further measures by means of which EU citizens who are the victims of offences such as those defined in paragraph 19 will also benefit from compensation measures when the crimes were committed on the territory of third countries and the third country itself does not provide compensation;
14. Supports the Commission's initiative as concerns first establishing minimum standards for compensation to crime victims, with the aim of fixing the restrictions on state compensation to victims that Member States should be allowed to set in place, before achieving harmonisation, which should nevertheless remain the long-term goal;
15. Is aware that it would be desirable to achieve a high degree of harmonisation between the compensation to victims schemes established by the Member States, in order to avoid differences between them, but is also conscious that the differences in the level of pecuniary compensation are the result, among other things, of the differences in the standards of living between the Member States;
16. Believes that a Community-level action regarding compensation to the victims of crimes on European Union territory should, as a minimum, target the following objectives:
 - (a) guarantee all citizens and legal residents of the European Union the possibility of obtaining compensation, on the basis of Community criteria, when they are the victims of crime: in other words, both in cases where they are crime victims in the Member State of their habitual residence and cases where, in exercising their right to free movement, they are present in another Member State in a cross-border situation;
 - (b) adopt the necessary measures to limit the unfair effects that result from the great differences that currently exist between levels of compensation in the different Member States, which at present make it possible for two people who have been victims of the same crime, in identical circumstances, to receive completely different amounts in payment for similar injuries, with such differences depending exclusively on the Member State in which they were victims of the crime;
 - (c) lay down appropriate measures to reflect the specific situations of cross-border victims, so that crime victims' access to state compensation is not manifestly influenced by where on European Union territory the crime was committed;

¹ (COM(2002)261 of 30 May 2002, p. 34).

- (d) create a European body for crime victims, whose role would be to coordinate the various national bodies involved in attending to the victim and to draw up rules applicable at Community level;
17. Indicates that the minimum standards should be adopted without prejudice to the Member States maintaining or setting in place rules that are more generous to crime victims, and that no Member State should be able to use these standards to justify any reduction in the level of performance already established;
 18. Takes the view that the minimum standard should define as victims eligible for compensation, where this is payable, not only direct victims (persons against whom the crime is committed) but also indirect victims (dependants or relatives of the direct victim). Urges that thought should also be given to whether 'bystanders' (persons incidentally affected by the crime) and 'Samaritans' (persons who help the victim or the police prevent a crime or apprehend the offender) should also be eligible for compensation;
 19. Takes the view that a minimum standard should contain a clear and precise definition, shared by all the Member States, of the types of crime and damage liable to give rise to compensation, bearing in mind, in particular, that compensation should always be awarded for the damaging consequences of a crime when that crime was committed with intent to cause death, serious injury or invalidity, or if death, injury or invalidity occurred at any rate as a result of a violent and intentional crime;
 20. Takes the view that the minimum standard should lay down a list of the injuries for which compensation will be awarded, which should in all events include physical and psychological personal injury, as well as the material losses suffered as a result of the crime;
 21. Stresses that in order to be complete and efficacious, any such compensation must cover both material and non-material damage;
 22. Agrees that in those cases where the offender is unknown or where he or she could not be prosecuted, a minimum standard should lay down the degree of proof that the victim must furnish, when applying for compensation, with regard to having been the victim of a crime and the injury having been occasioned as a result of that crime;
 23. Takes the view that a minimum standard should include, and provide a common definition of, the immaterial damages - such as pain and suffering, as well as damage to health, day-to-day relations and sex life - suffered by the crime victim, but that the assessment of the actual compensation for these non-pecuniary damages should be based on criteria similar to those of individual Member States' national laws in the area of civil liability;
 24. Agrees that it would be desirable for a minimum standard to define not only the circumstances of permanent disability but also eligibility for compensation, but considers that, without prejudice to full compensation for any actual material damage suffered, it would be more appropriate for the compensation for immaterial damage to be determined and calculated in accordance with the national laws governing such cases;

25. Considers that a minimum standard should lay down that the crime victim's right to obtain compensation and to the concrete determination thereof should be established without taking into account their financial situation;
26. Believes that the subsidiary character of state compensation, in relation to other possible sources of compensation to crime victims, should be defined by establishing, in the first place, the offender's criminal and civil liability and, failing this, owing to the offender being unknown or insolvent, a sequence of possible sources of compensation, culminating in state compensation, as a safety net for all citizens. However, this general principle should be applied in a flexible manner in order to prevent secondary victimisation. It would therefore be appropriate to indicate that the victim should exhaust all the other possibilities afforded by other forms of compensation to a reasonable extent before turning to the State;
27. Recommends that the compensation awarded by social security systems or equivalent systems should be deducted from the state compensation awarded to the victim, except in cases of permanent disability, where both types of assistance should be applicable;
28. Advocates the creation of a European Fund whose task would be to guarantee the payment of compensation to crime victims in accordance with the Community criteria;
29. Is of the opinion that it would be inappropriate for a minimum standard to lay down the possibility of the crime victim being awarded an advance payment on their compensation;
30. Asks that a minimum standard include criteria related to the victim's behaviour in relation to the crime, to his or her involvement in criminal activity in general, or other considerations of justice or public policy, for the purposes of granting, reducing or refusing state compensation;
31. Takes the view that the mutual assistance model set out in the Commission's Green Paper contains all the components needed to facilitate cross-border victims' access to state compensation, since on the one hand it applies the principle of territoriality, meaning that the State responsible for paying the state compensation is the one in which the crime was committed, while on the other hand facilitating victims' administrative dealings from their State of residence, which is the one responsible for communicating with the State responsible for payment;
32. Calls on the Commission to propose a system, based on the principle of territoriality, of mutual assistance between Member States to give cross-border victims access to compensation which gives the victim the right to obtain assistance from a competent authority in his Member State of residence when a claim for compensation has to be submitted in another Member State;
33. Calls for this mutual assistance system to be supplemented by a list of competent issuing and receiving authorities in each Member State, accompanied by information as to how claims should be submitted in accordance with the relevant national provisions; considers that both this list and the harmonised compensation claims forms should be available on the Internet;

34. Asks that a minimum standard provide for the means to ensure comprehensive and easily accessible information for European citizens, including information campaigns conducted at European, national, regional and local level in, as a minimum, all the official languages of the European Union;
35. Stresses the importance of organising extensive public information campaigns about the Community scheme for compensation of victims of crime with a view to establishing in the Union an area of freedom, security and justice which also takes into account the needs of victims;
36. Asks that a minimum standard lay down the obligation for all the police authorities, and all the relevant departments and offices in the EU, to provide information on crime victims' rights to state compensation, in all the official languages of the European Union;
37. Asks that a minimum standard provide for the creation of a European victim support freephone line which would operate around the clock in all the official languages of the European Union and, amongst other services, would provide victims with information on their right to state compensation;
38. Recommends that a minimum standard should provide for the drawing-up of harmonised multilingual forms, in all the official languages of the European Union, since these are valuable tools which accelerate and facilitate administrative formalities and also, as a consequence, the process of granting compensation to crime victims in every Member State;
39. Calls on those Member States that have not yet done so, which is to say Austria, Belgium, Greece, Ireland and Italy, to ratify the European Convention on the Compensation of Victims of Violent Crimes, which was signed in Strasbourg on 24 November 1983 and is the reference legal instrument with respect to the need to introduce minimum standards for compensation to crime victims;
40. Calls on the Commission to lay down criteria for identifying the resources needed for the compensation of crime victims, if necessary by providing for a European Solidarity Fund in this area;
41. Calls on the Commission to carry out a comparative study to pinpoint the best practices in the Member States in the area of dedicating resources to the compensation of crime victims and in that of solidarity funds;
42. Instructs its President to forward this resolution to the Council and the Commission, and the parliaments and governments of the Member States.

EXPLANATORY STATEMENT

This report is being tabled without an explanatory statement and without a financial statement because the main points, which have no financial implications, have been justified in a very wide range of recitals.

22 May 2002

OPINION OF THE COMMITTEE ON LEGAL AFFAIRS AND THE INTERNAL MARKET

for the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

on the Commission Green Paper: Compensation to crime victims
(COM(2001) 536 – C5-0016/2002 – 2002/2022 (COS))

Draftsman: Fiorella Ghilardotti

PROCEDURE

The Committee on Legal Affairs and the Internal Market appointed Fiorella Ghilardotti draftsman at its meeting of 19 February 2002.

The committee considered the draft opinion at its meetings of 23 April and 22 May 2002.

At the latter meeting it adopted the following conclusions by 20 votes to 1.

The following were present for the vote: Giuseppe Gargani, chairman; Willi Rothley, Ioannis Koukiadis and Bill Miller, vice-chairmen; Fiorella Ghilardotti, draftsman; Janelly Fourtou, Marie-Françoise Garaud, Evelyne Gebhardt, Malcolm Harbour, Heidi Anneli Hautala, Klaus-Heiner Lehne, Kurt Lechner, Neil MacCormick, Toine Manders, Hans-Peter Mayer, Arlene McCarthy, Manuel Medina Ortega, Giacomo Santini (for Paolo Bartolozzi, pursuant to Rule 153(2)), Marianne L.P. Thyssen, Rijk van Dam and Diana Wallis.

SHORT JUSTIFICATION

The Commission's Green Paper provides a wide-ranging review of the subject of compensation to crime victims from public funds with a view to establishing how it may be improved. The three objectives for possible action at Community level identified in the Green Paper are to be welcomed.

In a world of increasing travel across frontiers, thousands of people cross the borders of their State of residence every day and enter other Member States in order to live, work, study or simply stay there. In enjoying this freedom of movement, however, citizens also risk becoming victims of crime.

Astonishingly, although the European Union has succeeded in creating a single market and an area of freedom, security and justice, it has not yet set up appropriate mechanisms to compensate victims of crime.

Your rapporteur welcomes the approach adopted by the Green Paper, which seeks to identify, at Community level, the principles underlying the levels of compensation provided, and in particular the type of damage or injuries covered by such compensation, while taking on board various aspects of existing schemes in the Member States.

Your rapporteur considers that it is essential to exploit the synergy between the protection of victims of crime and the provision of more information on victims' rights.

However, your rapporteur wishes to express concern about the following points:

- *Damage and injuries covered by compensation:* Any such compensation should cover both material and non-material damage caused to the victim.
- *Legal certainty:* Generous time-limits should be set for the submission of claims for state compensation; similar provisions must apply concerning the *dies a quo* (the date from which the time-limit is calculated) in order to avoid disparities in the way cases are treated. Moreover, it is crucial that harmonised compensation claims forms are drawn up in all the Community languages.
- *Procedural matters:* The minimum procedural guarantees that should apply to all applicants for compensation must include, among others, the right to impartial judgment, the right to be represented by a lawyer, the right of access to the procedure, the right to a personal interview before any decision is taken, the right to contact, at any stage of the procedure, authorities, organisations or individuals providing legal assistance, the right to obtain a written decision within a set time limit, the right of an applicant to be informed of his legal situation, in a language that he understands, at all decisive stages of the procedure, so as to enable him to consider possible further action, and the right to appeal to a judicial authority.
- *Cross-border situations:* In cases in which the crime is committed in a State other than the victim's state of residence, the victim may encounter even more difficulties in asserting his rights. In particular, in such situations, the victim should have the right to

submit a claim for compensation to an authority in his Member State of residence, which would forward the claim to the competent authority in the Member State in which the crime was committed. The system set up to allow judicial cooperation between Member States for the service of documents and the taking of evidence¹ could be applied, provided that the minimum procedural guarantees were upheld.

CONCLUSIONS

The Committee on Legal Affairs and the Internal Market calls on the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, as the committee responsible, to incorporate the following points in its motion for a resolution:

1. Welcomes the fact that, using its right of initiative, the Commission has taken this opportunity to launch a debate with a view to achieving progress as regards state compensation for victims of crime;
2. Underlines the importance of adopting binding Community provisions in future in relation to citizens who are the victims of crime;
3. Stresses that in order to be complete and efficacious, any such compensation must cover both material and non-material damage;
4. Calls on the Commission to treat as the main priority the issues relating to time-limits for submission of claims for compensation, procedural guarantees and the introduction of harmonised claim forms in all the Community languages;
5. Calls on the Commission to lay down minimum requirements for subsidiary application of the State's responsibility;
6. Calls on the Commission to propose a system, based on the principle of territoriality, of mutual assistance between Member States to give cross-border victims access to compensation which gives the victim the right to obtain assistance from a competent authority in his Member State of residence when a claim for compensation has to be submitted in another Member State;
7. Calls for this mutual assistance system to be supplemented by a list of competent issuing and receiving authorities in each Member State, accompanied by information as to how claims should be submitted in accordance with the relevant national provisions; considers that both this list and the harmonised compensation claims forms should be available on the Internet;
8. Stresses the importance of organising extensive public information campaigns about the Community scheme for compensation of victims of crime with a view to establishing in

¹ Council Regulation (EC) No 1348/2000 of 29 May 2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (OJ L 160, 30.6.2000, p. 37), and Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States and the taking of evidence in civil or commercial matters (OJ L 174, 27.6.2001, p. 1).

the Union an area of freedom, security and justice which also takes into account the needs of victims;

9. Stresses that any system to give victims access to state compensation must also be available, on a non-discriminatory basis, to third-country nationals legally resident in Union territory.