

Looking at the Victims' Rights Directive through a gender lens



When EIGE put on its gender glasses to analyse the Victims' Rights Directive from the point of view of victims of gender-based violence and their access to justice, it found many positive provisions. However, most are quite general, which can create doubt and cause difficulties in understanding the text. Furthermore, the lack of clarity in some provisions leaves interpretation open to Member States. This means that support and protection for victims may not always be implemented in the best possible way.

The Victims' Rights Directive was launched by the EU Commission in 2011, with the aim to ensure that every victim of crime in Europe can receive the same level of rights, protection, support and access to justice, regardless of their nationality and place where the crime occurred. The Directive also sets out practical measures to ensure victims' rights are upheld across the EU.

EIGE's analysis of the Directive determines which provisions benefit victims of gender-based violence, as well as those that can be counterproductive, or cause unintended effects. It is targeted at national policy makers, to assist them implement the Directive in a gender-sensitive way, considering the specific needs of victims of gender-based violence.

One of the clear strengths of the Directive is the right to access victim support services. Article 8 states that victims shall have access to confidential victim support services, free of charge and which act in the interest of victims before, during and for an appropriate time after the criminal proceedings. Despite these positive measures, drawbacks still exist. For example, this provision does not stress the need for an adequate geographic distribution of support centres or facilities for people with a disability. As a result, this could mean that victims of gender-based violence who have a disability or live in rural areas may have difficulty in accessing support services.

From a gender perspective, one of the most concerning issues with the Directive is that it only protects victims of criminal offences as defined by individual Member States. However not all forms of gender-based violence are considered a crime and therefore not all victims will benefit from protection under the Directive.

For a more in depth analysis of all 26 articles in the Directive, you can consult EIGE's report ['An analysis of the Victims' Rights Directive from a gender perspective'](#).

For more information, please contact Jurgita Peciuriene at Jurgita.Peciuriene@eige.europa.eu