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**EU for VICTIMS of CRIME 2009
Launch of the Manifesto for Europe**

Brussels, 20th February 2008

I wish to thank Victim Support Europe for the kind invitation of UNICRI - the United Nations Interregional Crime and Justice Research Institute - to participate in the launching of the Manifesto for Europe. As we very well know, the United Nations as a whole, and the various agencies and institutions comprising the U.N. - including UNICRI itself - attach enormous importance to the respect of human rights in general and those of specific groups of people. That of the victims of crime is by no means an exception. On the contrary, victims of crime have been at the center of U.N. standards and norms related to crime prevention and criminal justice.

A remarkable transformation has occurred in the last two or three decades regarding the way in which the police, judicial authorities and scientists in many countries think about victims of crime. Significant legal and organizational changes have taken place in favor of victims. This has certainly been achieved also thank to the work of many stakeholders at the international, regional and national level, including non-governmental organizations, such as Victim Support Europe. The United Nations have proved to be an invaluable source and driving force in this process.

The *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power* adopted by General Assembly in 1985 recommends measures to be taken at the international and national levels to improve access to justice and fair treatment, restitution, compensation and assistance for victims of crime. The purpose of the General Assembly was to orient the Member States to address crime problems putting the victim at the heart of their interventions, not limiting their efforts to repression and sanctioning, but finding a balance between both the rights of victims and offenders.

According to the Declaration "victim" is a person who has suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of his or her fundamental rights, through acts or omissions that are in violation of criminal laws within Member States.

A person may be considered a victim regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familiar relationship between the perpetrator and the victim.

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The term "victim" also includes, where appropriate, the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist him or her in distress or to prevent victimization.

According to the Declaration, victims should be treated with compassion and respect for their dignity. Indeed, they are entitled to access to the mechanisms of justice and to prompt redress, as provided for by their national legislation, for the harm that they have suffered.

Member States should put into place mechanisms to enable victims to obtain redress through formal or informal procedures that are expeditious, fair, inexpensive and accessible. Victims, on the other hand, should be informed of their rights in seeking redress.

The needs of victims during judicial and administrative processes should be facilitated by:

- (a) Informing victims of their role and the scope, timing and progress of the proceedings;
- (b) Allowing the views and concerns of victims to be presented and considered at appropriate stages of the proceedings where their personal interests are affected;
- (c) Providing proper assistance to victims throughout the legal process;
- (d) Taking measures to minimize inconvenience to victims, in particular protect their privacy and ensure their safety, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;
- (e) Avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting awards to victims.

Victims should receive the necessary material, medical, psychological and social assistance through governmental, voluntary, community-based and indigenous means.

In addition, the Declaration of Basic Principles of Justice for Victims requires Member States to utilize, where appropriate, informal mechanisms for the resolution of disputes - including mediation, arbitration and customary justice or indigenous practices - to facilitate conciliation and redress for victims.

The *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, although not legally binding, has been seen as one of the most important landmark achievements of the international movement to advance the interests on crime victims.

Moreover, the UN General Assembly adopted resolution n° 55/25, namely the United Nations Convention against Transnational Organized Crime (UNTOC) which entered into force on 29 September 2003. The UNTOC is now considered the main international instrument in the fight against transnational organized crime and targets the fight against organized crime while stressing the importance of victims' protection.

Indeed, the UNTOC is further supplemented by three Protocols, which target specific areas and manifestations of organized crime, and two of them give special emphasis on the protection of victims, namely, the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* entered into force on 25 December 2003 and the *Protocol against the Smuggling of Migrants by Land, Sea and Air*, entered into force on 28 January 2004.

The *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* is the first global legally binding instrument with an agreed definition on trafficking in persons (as per Article 3 in its *use of terms*). Undeniably, its definition aims at protecting and assisting the victims of trafficking in persons with full respect for their human rights while the scope of application of the protocol is to prevent, investigate and prosecute the offences contained in the various articles where those offences are transnational in nature, as well as protecting the victims of these offences. The intention behind this definition is thus to protect victims while facilitating the convergence of national approaches in supporting efficient international cooperation in investigating and prosecuting trafficking in persons cases.

The *Protocol against the Smuggling of Migrants by Land, Sea and Air* deals with the rising problem of more and more organized criminal groups who smuggle migrants. In the preventive measures of this Protocol, migrants are contemplated as a group of people to protect from falling victim to organized criminal group. Indeed, their high risk of becoming victims is the linchpin of the entire Protocol which aims at promoting cooperation among Member States so as to protect the rights of smuggled migrants and prevent the worst forms of their exploitation (which often distinguish the smuggling process).

Police, justice, health, social service and other personnel concerned should receive training to sensitize them to the needs of victims, and guidelines to ensure proper and prompt aid. This, for instance, is an area where UNICRI has developed a wide expertise with reference to particular groups of victims of serious crimes, as the victims of trafficking in persons. UNICRI trainings targeted to law enforcement officers and public prosecutors include specific sections on victims' needs and techniques for interviewing the victims, avoiding re-victimization and labeling.

2008 is the 60th anniversary of the Universal Declaration of Human Rights. This should remind us of the serious commitments which the international community has taken. In conclusion, let me stress once again that protection and promotion of crime victims' rights - intended in the most comprehensive way - are issues which can by no means be let aside of criminal justice policies of Member States, but on the contrary should be fully implemented and expanded. In this light, events such as the one organized today by Victim Support Europe are of extreme importance. Thank you.