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WORKING DOCUMENT

From: To:	Presidency Delegations
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA - Issue of sexual and reproductive healthcare services

Delegations will find in the annex a Presidency note on the above.

ANNEX

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Presidency note

At the JHA Counsellors meeting on 1 July, delegations were debriefed by the Presidency on the outcome of the trilogue held on 25 June on the revision of the Victims' Rights Directive ("the draft directive"). The trilogue has highlighted in particular that, for parts of the Parliament, the issue of sexual and reproductive healthcare services, including an explicit reference to abortion care, is of particular importance and is an essential element of any future compromise agreement on the draft directive.

In view of this issue's importance for the future of the negotiations, the Presidency considers it is important to have a dedicated discussion on the matter within the Council. In the Presidency's view, this would provide a clear picture of the Council's position on this issue, as well as detailed arguments in support of the position. The Presidency's intention is then to convey this position and the detailed supporting arguments to the Parliament when negotiations pick up again.

Delegations will find the current wording of art. 9(3)(b) from the four-column table attached to this note.

At the JHA Counsellors meeting on 16 July, delegations will be invited to reply to the questions set out below. The Presidency considers it is important to provide detailed arguments and explanations of the Council's position in order to move forward in the negotiations.

Question to delegations:

- **In light of the above and with a view to come back to the Parliament with comprehensive arguments, what are Member States' position and supporting arguments for the inclusion/non-inclusion of a reference to access to sexual and reproductive care in the draft directive, in order to ensure that these services are available in the Member States?**

- **In light of the above and with a view to come back to the Parliament with comprehensive arguments, what are Member States' position and supporting arguments for the inclusion/non-inclusion of a specific reference to abortion care in the draft directive?**

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Commission Proposal

Art. 9(3)(b)

(b) targeted and integrated support, including trauma support and counselling, for victims with specific needs, such as victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence covered by Directive (EU) …/… of the European Parliament and of the Council [on combating violence against women and domestic violence], victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism, victims of core international crimes.

EP Mandate

Art. 9(3)(b)

(b) targeted and integrated support, including trauma support and counselling ***as well as access to comprehensive medical care services, including sexual and reproductive healthcare services, especially access to safe and legal abortion care***, for victims with specific needs, such as victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence covered by Directive (EU) …/… of the European Parliament and of the Council [on combating violence against women and domestic violence], victims of trafficking in human beings, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism, victims of core international crimes.

Council Mandate

Art. 9(3)(b)

(b) targeted and integrated support, including trauma support and counselling, for victims with specific needs, such as victims of sexual violence, victims of gender-based violence, including violence against women and domestic violence covered by Directive (EU) …/… of the European Parliament and of the Council [~~on combating violence against women and domestic violence~~ ***on combatting violence against women and domestic violence***], victims of trafficking in human beings ***covered by Directive (EU) …/… of the European Parliament and of the Council (amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims)***, victims of organised crimes, victims with disabilities, victims of exploitation, victims of hate crime, victims of terrorism, victims of ~~core~~ ***crimes falling within the jurisdiction of the I***nternational ~~crimes~~ ***Criminal Court***.