



Submission to the call for evidence for the EU Strategy on Victims' Rights

La Strada International

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Introduction

La Strada International welcomes the European Commission's initiative to develop a new EU Strategy on Victims' Rights for the coming years. The first EU Strategy on Victims' Rights (2020–2025) and the 2012 Victims' Rights Directive established an important foundation for strengthening victims' rights across the European Union. The forthcoming Strategy, alongside the amended Victims' Rights Directive (2026), should build on these achievements while placing a stronger emphasis on effective implementation and on closing the persistent gap between rights guaranteed in law and victims' ability to exercise those rights safely and effectively in practice. The new Victim Rights Strategy should complement existing EU legislation and national efforts, address implementation gaps and focus EU action on areas where it provides clear added value. It should also recognise the capacity constraints faced by victim-support organisations, public authorities

La Strada International is a European NGO platform against human trafficking, working from a human rights-based perspective to prevent human trafficking and protect and realise the rights of trafficked persons. The Platform brings together 33 organisations across 24 European countries, including EU and non-EU countries, and its members support approximately 5,000 presumed victims of human trafficking each year. Drawing on more than 30 years of frontline experience, our members work directly with victims, provide specialised support, identify gaps in protection and access to justice, and monitor the implementation of European and international standards.

Our experience with human trafficking provides important lessons for victims' rights more broadly, especially as many of the persons we assist are never formally recognised as victims and as such their access to protection and support is limited. Victims of human trafficking and victims of other forms of severe exploitation or abuse, frequently face barriers to reporting, identification, support, justice, protection and compensation, especially when they are undocumented and have no lawful residence status.

We therefore welcome the Commission's five proposed priorities for the new Strategy: ensuring more effective and accessible crime reporting and greater awareness of victims' rights; timely, tailored and sustained access to support; effective access to justice and meaningful participation; appropriate protection and preparedness, including in response to emerging and digital forms of crime; and effective compensation and restoration.

1. More effective crime-reporting systems, including through greater societal awareness

Underreporting remains one of the most significant barriers to protecting victims and holding perpetrators accountable. It is well-acknowledged that victims may not report because of fear of retaliation, disbelief, secondary victimisation, financial consequences, loss of employment, detention or deportation. This is particularly acute for undocumented victims and migrant workers. A person who has experienced severe forms of violence or exploitation, may reasonably fear that approaching the police or another authority could expose them further violence or to immigration enforcement.

A victims' rights system cannot be effective if reporting a crime places the victim at risk. The Strategy should therefore strongly promote safe, confidential and accessible reporting for all victims, including people with insecure or irregular residence status.

We recommend that the EU and Member States;

- Establish clear firewalls between victim support and justice systems and immigration enforcement, ensuring that a victim's residence status is not shared with or used by immigration authorities for enforcement purposes because the person reports a crime or seeks protection. Reporting should never expose victims to detention, deportation, retaliation or other adverse consequences.
- Strengthen and encourage third-party reporting mechanisms, allowing victims to report through trusted NGOs, health services, labour organisations and other intermediaries. Member States should establish clear legal and practical frameworks for third-party reporting, including protocols for cooperation between NGOs and law enforcement, safeguards for confidentiality and data protection, and clear procedures for follow-up. Specialised NGOs should receive adequate funding, training and institutional support to safely fulfil this role, while ensuring that victims retain control over their information and participation in criminal proceedings.

- Provide reporting and support information in languages and formats that victims understand and through channels accessible to vulnerable and isolated groups.
- Ensure reporting procedures are safe, child-sensitive, trauma-informed and accessible to persons with disabilities.

Awareness of rights and reporting mechanisms

Victims cannot exercise rights they do not know they have. The EU should support sustained awareness-raising about victims' rights, available support and reporting mechanisms, with particular attention to migrants, refugees, children and other groups facing heightened barriers.

- As the Directive requires, information should be available in relevant languages. It should be disseminated through trusted actors, including civil society organisations, labour organisations, health services and community-based organisations.
- The Strategy should also support public awareness informing victims that they can report crimes without fear of immigration enforcement or other adverse consequences.

2. Timely access to support tailored to victims' needs and available for as long as necessary

Victims should be recognised as rights holders and have access to support based on their individual needs, rather than on their ability or willingness to cooperate with criminal justice authorities.

La Strada International particularly stresses the importance of unconditional support, for victims of human trafficking and related crimes, access to specialised support, shelter or residence rights remains closely linked in practice to criminal investigations and victims' cooperation. Victims may be expected to provide statements before they have had sufficient time to recover or make an informed decision. The EU Anti-Trafficking Directive establishes an important principle that assistance and support to trafficking victims should not be conditional on their willingness to cooperate in criminal proceedings. The Victims' Rights Strategy should reinforce this principle and promote it more broadly, including its implementation in practice.

We recommend that the EU and Member States:

- Ensure timely, unconditional and needs-based access to support, irrespective of whether a victim reports a crime or cooperates with proceedings. Support should be available before,

during and after criminal proceedings and should not depend on whether an investigation results in prosecution or conviction.

- Ensure that support remains available for as long as necessary, including after criminal proceedings have ended.
- Invest in sustainable, high-quality victim-support systems, including safe accommodation, legal assistance, healthcare and psychosocial support.
- Strengthen access to trauma-informed mental health and psychosocial care, recognising that recovery often requires long-term support.
- Ensure individual needs assessments take account of intersecting vulnerabilities, including age, gender, disability, residence status, economic vulnerability and dependence on the perpetrator.
- Strengthen national referral systems while ensuring that formalisation does not create additional barriers to support.
- Specialised civil society organisations are often the first point of contact for victims and provide essential services that public systems cannot always provide. Their role must therefore be recognised and sustainably funded.
- Ensure access to both general and specialised services, including services for victims of human trafficking and gender-based violence.
- Ensure that undocumented and otherwise hard-to-reach victims can access support through outreach and community-based services.

3. Effective access to justice for victims and ensuring their voices are heard

Formal rights do not amount to effective access to justice unless victims have the practical means to understand and exercise them. Victims frequently encounter barriers including lack of information, language barriers, financial constraints, lengthy proceedings and a shortage of lawyers with expertise in victims' rights and intersecting areas such as migration and labour law. These difficulties can be particularly severe for victims in immigration detention or facing removal. Fear of immigration enforcement can prevent them from reporting crime, seeking support or participating in proceedings.

Victims of crime may be compelled to commit criminal, administrative or other offences as a direct consequence of their exploitation or abuse. This is particularly evident in case of forced criminality, where victims can be treated first as offenders rather than as persons subjected to serious exploitation. Despite existing European and international standards, victims continue to be investigated, prosecuted, detained or sanctioned for offences they were compelled to commit.

The Strategy should strongly promote:

- Free and effective legal aid for victims where necessary to exercise their rights, regardless of nationality or residence status.
- Access to specialised legal assistance, including for victims facing overlapping criminal, migration, labour and civil law issues and access to legal advice for victims in immigration detention.
- Clear and accessible information about rights and procedures in languages and formats victims understand.
- Measures to reduce excessive delays in criminal proceedings.
- Effective safeguards against secondary victimisation, intimidation and retaliation and appropriate procedural measures enabling vulnerable victims to participate safely in proceedings.
- Training for police, prosecutors, judges, lawyers, labour inspectors, immigration authorities and victim-support professionals on victims' rights and trauma-informed approaches.
- Early and effective application of the non-punishment principle.
- Secure and autonomous residence solutions for victims where necessary for their protection and access to justice.

4. Appropriate protection and preparedness, including in times of crisis and in response to new forms of crime

Victim protection should extend beyond the immediate criminal justice process. Systems must be capable of responding to continuing risks of harm, changing patterns of crime and situations that increase vulnerability. The Strategy should promote strong victim-centred, child-sensitive and trauma-informed justice and protection systems that are prepared for crises and emerging forms of crime.

Wars, displacement, public health emergencies and other crises can increase vulnerability to violence, trafficking and exploitation while disrupting access to support and justice. The Strategy should promote continuity of victim support and referral systems during crises and ensure that victims who move between Member States do not lose access to protection. Such emergency victim support should be build on and embedded in existing support mechanisms with involvement of all relevant national actors, to ensure effective use of resources and sustainability of actions.

Digital technologies increasingly affect how victims are recruited, exploited, harassed, controlled or defrauded. This is particularly relevant to the crime of human trafficking, where technology can facilitate recruitment, control and exploitation across borders, but is also relevant for other victims of crime.

The EU and EU Member States should:

- Ensure European and national action plans and strategies include measures and actions to respond to emergencies
- Strengthen research into technology-facilitated victimisation and emerging forms of crime.
- Ensure victim-support organisations and public authorities have the necessary digital expertise and capacity or a supported to obtain this
- Enhance safe digital reporting mechanisms while maintaining non-digital alternatives.
- Ensure digital tools are easy accessible to victims with different levels of digital literacy and do not prevent access to protection and support
- Ensure privacy and data protection are embedded by design in reporting, referral and monitoring systems.

5. More effective compensation and restoration

Compensation should be understood as an essential element of justice, restoration and recovery. However it remains an area where the gap between formal rights and victims' lived experience is particularly significant. Even where a court awards compensation, victims may never receive payment because perpetrators conceal assets, fail to comply with orders or are unable to pay. Foreign victims may also leave the country before proceedings conclude.

The Strategy should therefore encourage Member States to align in practice with the requirements of the (amended) Victim Rights Directive and other EU law and ensure that compensation is actually accessible and enforceable.

We recommend that the EU and Member States:

- Strengthen mechanisms for enforcing compensation orders.
- Provide legal aid and practical assistance for victims seeking compensation and enforcement.

- Ensure recovered criminal assets and appropriate corporate fines can be used to compensate victims.
- Establish or strengthen national compensation funds and ensure all victims of crime have access, regardless of nationality or residence status.
- Ensure victims are not required to pursue perpetrators themselves through lengthy and potentially retraumatising enforcement procedures and encourage or consider advance payment of compensation where perpetrators fail to pay.
- Address unpaid wages and other financial losses as part of effective remedies for exploited workers.

Cross-cutting conditions for an effective Strategy

Specialised civil society organisations are indispensable to effective victims' rights systems. NGOs identify victims who may otherwise remain outside formal systems, provide specialised support and legal assistance, facilitate referrals, monitor implementation and contribute practical expertise to policymaking.

Next to NGOs, people with lived experience should be meaningfully involved in designing and evaluating victims' rights policies. Participation must be voluntary, informed, safe and adequately compensated and should never instrumentalise survivors to support predetermined political positions.

The EU and Member States should:

- Ensure meaningful participation of people with lived experience and specialised NGOs in implementation and monitoring of the Strategy.
- Involve NGOs in National Referral Mechanisms and cross-border referral systems.
- Protect the independence and operating space of civil society.
- Ensure sustainable funding for frontline victim support, outreach, legal assistance and monitoring and guarantee fair access for grassroots and specialised organisations to EU and national funding.
- Reduce unnecessary administrative and reporting burdens.

Implementation, monitoring and funding

The new Strategy should focus on impact and victims' rights should be measured by whether victims can safely report crimes, obtain timely support, access justice, participate in proceedings and receive effective remedies.

The EU should support monitoring of:

- access to support and legal aid and effectiveness of referral mechanisms.
- reporting rates and barriers to reporting;
- use of third-party reporting mechanisms;
- compensation awarded and actually paid;
- access to protection and residence solutions where relevant;
- victims' experiences of secondary victimisation; and
- An impact assessment of the Strategy and implementation of the Victims' Rights Directive should be undertaken to determine whether EU action has resulted in measurable improvements in victims' access to rights.

Furthermore, data collection must fully respect privacy and data protection. Information about victims must never increase their vulnerability or expose them to immigration enforcement.

Finally, sufficient and sustainable funding is essential. Victim-support organisations and public authorities already face significant capacity constraints. The EU and EU member states should prioritise funding for victim support, safe accommodation, legal aid, trauma care, training and independent monitoring. Funding should be evidence-based and victim-centred and should avoid unnecessary duplication between European and international initiatives.

Conclusion

La Strada International strongly supports the Commission's five proposed priorities for the forthcoming EU Strategy on Victims' Rights. The Strategy should translate these priorities into concrete, measurable actions that address the persistent gap between victims' rights in law and their lived experiences in practice.

The Strategy should guarantee effective access to justice and legal assistance for all victims, including those facing intersecting migration, labour and other legal barriers. It should also ensure that victims'

voices are heard, respected and meaningfully reflected throughout justice processes, through systems that are accessible, trauma-informed and non-discriminatory.

The new EU Strategy presents an important opportunity to ensure that victims' rights are not merely recognised on paper, but can be exercised safely, effectively and without discrimination. Delivering on this commitment is essential to upholding victims' dignity and supporting their recovery and access to justice.