

## ENHANCED ASSISTANCE AND SUPPORT TO VICTIMS AND SURVIVORS THROUGH CHILD-CENTRIC STRUCTURES

*ECLAG Memo 5 on the proposed Recast Child Sexual Abuse Directive*  
October 2024

ECLAG welcomes and supports the [EC proposed recast of Directive 2011/93/EU of February 2024 on Sexual Abuse and Exploitation of Children](#). However, given the wide-reaching and long-lasting effects of these crimes, ECLAG calls for **important amendments** to ensure victims and survivors receive **specific and adequate assistance and support**. In particular, we ask to:

### 1. **Require age-appropriate multidisciplinary and interagency structures for responding to child sexual abuse**

- **Child-friendly multidisciplinary and interagency structures, such as the Barnahus model** provide a safe environment for children, where victims of child sexual abuse and exploitation **receive treatment and participate in criminal proceedings under the same roof** without the risk of repeated re-traumatisation.
- These structures are **the most efficient approach for ensuring child victims of abuse’s wellbeing and rights** due to their holistic, child-centred, and multidisciplinary nature. Promoting the adoption of the Barnahus model is crucial to uphold the **best interests of the child in investigations and criminal proceedings**.
- This coordinated and effective response limits how many times children have to speak about their traumatic experience and has proven to deliver more consistent and accurate statements and information from victims that are useful in the criminal justice process<sup>1</sup>.
- Although ECLAG welcomes the Commission’s recognition of the Barnahus systems in Recital 36, the Directive should **explicitly require the existence of comprehensive support mechanisms through child-friendly multidisciplinary and interagency structures**.
- The Directive shall ensure **immediate assistance and support for victims and survivors** “as soon as a report is made”. Effective and wide-ranging support by **trauma informed** specialists are key for recovery and to prevent long term effects. The Directive should specify that support shall also be **comprehensive, specialized, trauma-informed and gender-sensitive** and ensure **specific protection** measures for **vulnerable victims and survivors** (whether child or not), especially those with disabilities.

→ [See our amendments to Article 18 and 21.](#)

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<sup>1</sup> Council of Europe. (2003). Protection of Children Against Sexual Exploitation and Abuse: Child-friendly, multidisciplinary and interagency response inspired by the Barnahus model. 2.

## 2. Ensure all children have access to child-friendly justice

- **Children are not consistently informed in a child-friendly manner** about their rights, the steps of the proceedings, their role, or the decisions that affect them. **Legal professionals often lack sufficient and appropriate training**, and jurisdictions the necessary **specialization and adaptation** to meet the rights and needs of children.<sup>2</sup>
- The Directive currently provides **limited protection for child victims** in criminal proceedings. ECLAG welcomes Recital 36 ensuring that child victims have access to child friendly justice and that authorities involved in the proceedings receive training. However, the Directive should **ensure victims and survivors have access to appropriate support and protection throughout all stages of proceedings** to prevent their revictimization, and that they have their **best interests taken in primary consideration** in line with Article 24(2) of the EU Charter of Fundamental Rights and the Council of Europe Guidelines on child-friendly justice<sup>3</sup>.
- The Directive should **require that Member States do so by implementing child-friendly justice systems** that are accessible, tailored, age-appropriate, speedy, diligent, gender-sensitive, trauma-informed, focused on the child's need and best interests and respectful of all children's rights.
- **This protection should apply to all children** which are likely to be, for whatever reason and in whatever capacity, brought into contact with all competent bodies and services involved in implementing criminal, civil or administrative law, in accordance with the Council of Europe Guidelines on child-friendly justice. The Directive should in particular ensure that **children alleged as, accused of or convicted** of a crime are handled in accordance with child-friendly justice principles and procedure.

→ See our amendments to Article 21 and 22.

## 3. Strengthen the prevention role and responsibilities of the EU center

- ECLAG welcomes the proposal to strengthen the role of the EU center in supporting Member States in providing assistance to victims. The EU center's role is essential in ensuring consistent and adequate assistance and support across all Member States.

→ See our amendments to Article 21.

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<sup>2</sup> Council of Europe, [Strategy for the Rights of the Child \(2022-2027\)](#), 2022.

<sup>3</sup> Council of Europe, [Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice](#), 2011.

#### 4. Ensure assistance and support for all victims of EU crimes, irrespective of their nationality or residing status

- The Directive should ensure victims and survivors have the **right to assistance and support** for crimes committed in the EU and for proceedings that take place in EU, **irrespective of the nationality or the residing status of the victim**, as established by Victims' Rights Directive 2012/29/EU (Recital 13).
- The Directive must acknowledge in particular that non-EU victims have their abuse spread and hosted by online service providers operating in the EU. Victims not residing in the EU but suffering crimes committed in the EU should therefore be **able to apply for information about their imagery and access support to remove their imagery in the EU**.

→ [See our amendments to Article 21.](#)