



EUROPEAN COMMISSION

*Brussels, 06.05.2014
C(2014) 2987 final*

*Mr Michael LAMPEL
President of the Bundesrat
Dr Karl Renner-Ring 3
A – 1017 WIEN*

Dear President,

The Commission would like to thank the Bundesrat for its Opinion concerning the Commission's Proposal for a Directive on procedural safeguards for children suspected or accused in criminal proceedings {COM (2013) 822 final}.

The existing EU Directives on procedural safeguards in criminal proceedings apply to all suspects or accused persons, including children. They do not, however, take sufficient account of the specific needs children may have in criminal proceedings, e.g. difficulties to understand and follow the proceedings, the increased risk of ill-treatment due to their vulnerability, or the need not to allow for children to waive their right to access to a lawyer.

The proposed Directive guarantees and promotes the rights of the child, bearing in mind international guidelines and recommendations on child-friendly justice, and forms a central part of the EU Agenda for the Right of the Child¹. As emphasised in the Opinion of the Bundesrat, the training of professionals who deal with cases involving children is an important aspect to ensure that the particular needs of children of different age groups are taken into account in criminal proceedings and that these proceedings are adapted to them. The Commission particularly appreciates that the Bundesrat shares the objective of the proposal.

The considerations the Bundesrat has set out with regard to certain provisions of the proposal are also part of the discussions in the Council. The Commission expects to see significant progress in the discussions on this legislative instrument in the Council so that negotiations between the European Parliament and Council can begin in the second half of the year.

¹ An EU Agenda for the Rights of the Child – Communication of the Commission to the European Parliament and Council of 15.2.2011 – COM(2011) 60 final

The Commission hopes that these clarifications address the issues raised by the Bundesrat and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Johannes Hahn
Member of the Commission*