



EUROPEAN COMMISSION

Brussels, 31.5.2012  
C(2012) 3629 final

*Dear President,*

*The European Commission welcomes the broad support expressed in the Opinion of the Romanian Senate to the Commission's Proposal for a Directive of the European Parliament and the Council establishing minimum standards on the rights, support and protection of victims of crime {COM(2011) 275 final}, and apologises for the long delay in replying. In reply to the drafting suggestions on the text of the draft Directive, as proposed by the Romanian Senate, the European Commission would like to provide the following comments:*

*Concerning Article 2 (b) of the proposal, the definition of "family members" is currently in negotiation in the Council Working Party. It is important to bear in mind that the purpose of this provision is to clearly define the group of persons (family members), who are entitled to certain rights, support and protection under the Directive. For the reason of legal certainty the Commission has included in its Proposal the definition of non-marital cohabitee and the definition of registered partner. In absence of the definition of the spouse, relatives in direct line, brothers and sisters and dependants of the victim it will be the national legislation of the Member States that will apply.*

*Concerning Article 21(2) of the proposal, the Commission considers that when vulnerable victims are offered certain measures during criminal investigations, it goes without saying that it will be for vulnerable victims themselves to decide whether they will avail of these measures or not.*

*The Commission is looking forward to continuing the political dialogue with the Romanian Senate.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*

*Mr Vasile BLAGA  
President of the Senate  
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