

(English version)

**Question for written answer E-003059/25
to the Commission
Arkadiusz Mularczyk (ECR)
(23 July 2025)**

Subject: Need for an internal EU instrument for transitional justice for victims of systemic 20th-century crimes

In its response to Question E-002079/2025 ⁽¹⁾, the Commission stated that EU instruments supporting transitional justice, such as NDICI-Global Europe and the Instrument contributing to Stability and Peace, are only applicable within the framework of external action policy and, therefore, outside the EU.

This means that citizens of EU Member States that are still suffering the consequences of systemic 20th-century crimes, including crimes carried out during the Second World War, are not covered by any EU mechanisms enforcing rights or allowing for redress or symbolic reparations.

1. How does the Commission justify this divergence in the light of the EU's commitment to human rights and Directive 2012/29/EU that establishes minimum standards on support and protection of victims of crime?
2. Is the Commission planning to propose that an internal EU instrument for transitional justice be created for victims of systemic human rights violations and historical crimes in Member States?
3. What specific steps could the Commission take to ensure that living EU citizens that are not covered by existing justice mechanisms receive the same opportunity to seek redress as victims of repression and conflicts outside of the EU?

Submitted: 23.7.2025

**Answer given by Mr McGrath on behalf of the European Commission
(14 October 2025)**

The Commission wishes to refer the Honourable Member to its responses provided to parliamentary questions P-002838/2024 ⁽¹⁾, P-000819/2025 ⁽²⁾ and E-002079/2025 ⁽³⁾ and to recall that it is a Member State's responsibility to deal with the sensitive and complex issue of addressing the horrors and crimes committed in the past by totalitarian regimes.

When it comes to the issue of seeking redress in the case raised by the Honourable Member, the Commission would like to clarify that where criminal proceedings take place in a Member State, Article 16 of the Victims' Rights Directive ⁽⁴⁾ applies. It provides for a right to a decision on compensation from the offender in the course of criminal proceedings, except where national law provides for such a decision to be made in other legal proceedings.

The Commission highlights that it provides funding opportunities, including under the Justice programme ⁽⁵⁾, the Citizens, Equality, Rights and Values programme ⁽⁶⁾ and the Technical Support Instrument ⁽⁷⁾ to protect and support victims of crime in the EU and strengthen their rights. None of these instruments, however, is directly related to the funding of transitional justice activities.

¹ https://www.europarl.europa.eu/doceo/document/E-10-2025-002079-ASW_EN.html

⁽¹⁾ https://www.europarl.europa.eu/doceo/document/P-10-2024-002838-ASW_EN.html

⁽²⁾ https://www.europarl.europa.eu/doceo/document/P-10-2025-000819-ASW_EN.html

⁽³⁾ https://www.europarl.europa.eu/doceo/document/E-10-2025-002079-ASW_EN.html

⁽⁴⁾ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, OJ L 315, 14.11.2012, p. 57.

⁽⁵⁾ https://commission.europa.eu/funding-tenders/find-funding/eu-funding-programmes/justice-programme_en

⁽⁶⁾ https://commission.europa.eu/funding-tenders/find-funding/eu-funding-programmes/citizens-equality-rights-and-values-programme/citizens-equality-rights-and-values-programme-overview_en

⁽⁷⁾ https://commission.europa.eu/funding-tenders/find-funding/eu-funding-programmes/technical-support-instrument/technical-support-instrument-tsi_en