

EU Regulation on Mutual Recognition of Protection Measures in Civil Matters

In its 3244th meeting, held in Luxembourg on 6 June 2013, **the JHA Council adopted the regulation on mutual recognition of protection measures in civil matters**, proposed by the Commission in 2011 (see our post by *Marta Requejo* here). The text of the regulation, subject to the ordinary legislative procedure, had been previously adopted by the European Parliament at first reading on 22 May 2013, introducing a number of amendments to the Commission's proposal that were the result of a compromise reached with the Council (the full procedure file is available on the OEIL website; the key events of the legislative history have been reported by *Pietro Franzina* and *Ilaria Aquironi* on Aldricus).

Here's an excerpt of the Council's press release:

The regulation will enter into force on the twentieth day following that of its publication in the Official Journal and shall apply from 11 January 2015. The United Kingdom and Ireland have decided to take part in the application and the adoption of this instrument.

Denmark will not be bound by it or subject to its application.

What's new?

The regulation will apply to protection measures ordered with a view to protecting a person when there exist serious grounds for considering that that person's life, physical or psychological integrity, personal liberty, security or sexual integrity is at risk, for example as to prevent any form of gender-based violence and violence in close relationships, such as physical violence, harassment, sexual aggression, stalking, intimidation or other forms of indirect coercion. It is important to underline that this regulation will apply to all victims irrespective of whether they are victims of gender-based violence.

The national legal traditions in the area of protection measures are highly

diverse. In some national laws protection measures are regulated by civil law, in others by criminal law and some regulate them under administrative law.