



# European Protection Order

A brief overview for judicial practitioners

*This leaflet provides basic information on the European Protection Order.*

# What is an EPO?

The European Protection Order (EPO) is a mutual recognition instrument that aims to guarantee protection to all victims of violence who decide to move or travel to another Member State. It applies following criminal conduct, or alleged criminal conduct, by the person causing danger and is based on a national protection order.

The EPO necessitates consultation between the competent authorities to ensure its efficient application throughout its life cycle.



**Directive  
2011/99/  
EU**

## Who can request and issue an EPO?

The EPO is issued, at the request of the protected person by a judicial or equivalent authority in a Member State, to protect a person from a criminal act that may endanger their life, physical, sexual or psychological integrity, dignity or personal liberty.

## What are the protection measures?

The protection measures provided in the EPO Directive are measures that impose prohibitions or restrictions on the person causing danger. These include:



Entering certain localities or areas where the protected person resides or visits.



Contacting the protected person in any form.



Approaching the protected person closer than a prescribed distance.

## Preconditions for issuing an EPO

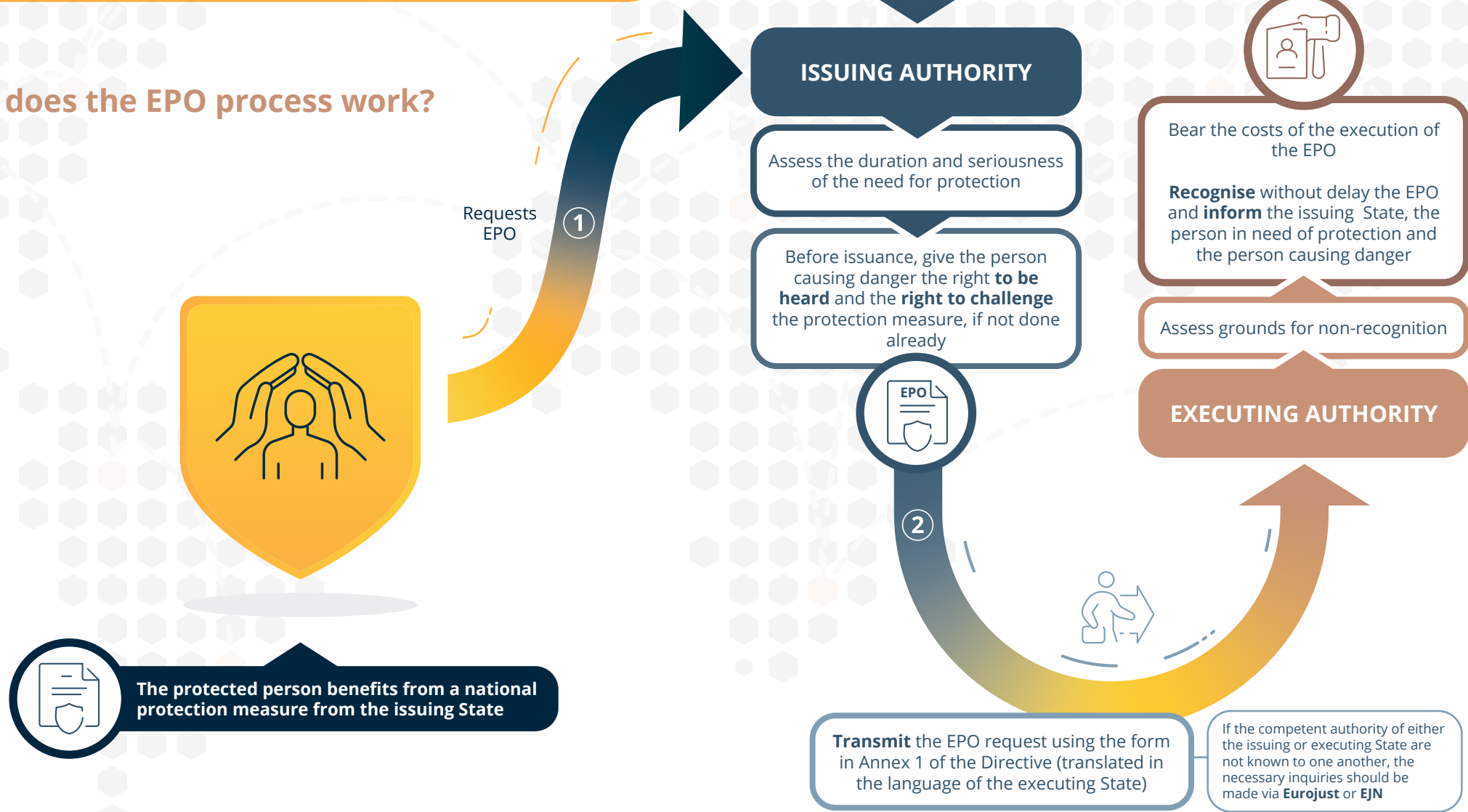
1. The protected person must already benefit from national protection measures issued in the issuing State in accordance with its national law and procedures.
2. The person causing danger must be clearly identified. Under certain conditions, the person causing danger must be given the right to be heard and to challenge the protection measures.

Use the dedicated form for requesting an EPO (Annex 1). ➔



Annex 1

## How does the EPO process work?



# Interaction with other mutual recognition instruments:



**Interaction with Regulation 606/2013.** This Regulation establishes a mechanism for the direct recognition of protection orders issued as a civil law measure between Member States. The Regulation addresses the fact that national protection measures can differ in nature. Due to separate legal bases in EU law for mutual recognition of civil law measures and criminal law measures, two distinct instruments were therefore necessary to ensure the application of the most common types of protection measures within the EU.

- ▶ The EPO Directive and the Regulation are meant to work in tandem. One does not supersede the other.

## Council Framework Decisions

**Council Framework Decision 2008/947/JHA<sup>2</sup> applies to convicted persons** in cases mainly involving probation or alternative sanctions. It entails restrictive measures, some of which are similar to the protection measures in the EPO Directive.



**Council Framework Decision 2009/829/JHA<sup>3</sup> applies to suspects awaiting trial under non-custodial supervision.** It aims, inter alia, at improving the protection of victims during criminal proceedings by imposing restrictive measures on the suspect, some of which are similar to the protection measures provided in the EPO Directive.



As a result, the two Framework Decisions and the EPO may apply exclusively or in conjunction, depending on the situation. The following table summarises four case scenarios that can be envisaged:

Scenario	Description	Applicable instrument
1	The protected person moves to another State, but the person causing danger stays in the State that issued the national protection measure.	The EPO Directive applies.
2	The protected person and the person causing danger each move to a different State.	Either one of the two Framework Decisions applies together with the EPO Directive, but there is no overlap.
3	Both the protected person and the person causing danger move to the same State.	The applicable Framework Decision applies to the suspect or the convicted person.  If an EPO is issued in addition, the Framework Decision takes precedence over the EPO (Article 20(2) of the EPO Directive).
4	The protected person stays in the issuing State, but the person causing danger moves to another State.	One of the two Framework Decision applies (on probation measures and/or supervision measures).



<sup>1</sup> Regulation 606/2013 on the mutual recognition of protection measures in civil matters.

<sup>2</sup> Council Framework Decision 2008/947/JHA on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions.

<sup>3</sup> Council Framework Decision 2009/829/JHA on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention.

## Other useful resources:

Joint report by Eurojust and EIGE on the European Protection Order, February 2025.

*The joint report provides the latest information on the use and relevance of the EPO and the challenges and best practices related to its implementation.*



**Joint Report  
on the EPO**

European Parliament Resolution of 19 April 2018 on the implementation of Directive 2011/99/EU on the EPO (**P8\_TA(2018)0189**).

Report from the Commission to the European Parliament and the Council on the implementation of Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European Protection Order (**COM/2020/187 final**).

European Protection Order Directive 2011/99/EU, European Implementation Assessment, European Parliamentary Research Service, **PE 603.272 – September 2017**.

Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the application of Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters (**COM/2022/127 final**).

**The EU Strategy on Victims' Rights** (2020-2025).

**Directive 2024/1385/EU** on combating violence against women and domestic violence. Member States shall, inter alia, inform victims of the possibility to apply for protection measures and to seek their cross-border recognition pursuant to the EPO Directive or Regulation (EU) No 606/2013.

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PDF: Catalogue number: QP-01-25-002-EN-N • ISBN: 978-92-9404-400-6 • DOI: 10.2812/2495506  
Print: Catalogue number: QP-01-25-002-EN-C • ISBN: 978-92-9404-401-3 • DOI: 10.2812/7661097



Eurojust is an agency of the European Union