



# HANDBOOK

## ON VICTIMS OF TERRORISM

### BULGARIA

The EU Centre of Expertise for Victims of Terrorism (EUCVT) is set up and run by the European Commission. The tasks of the EU Centre are executed by a consortium led by Victim Support Europe and include ARQ National Psychotrauma Centre, Association française des Victimes du Terrorisme and Fondation Lenal.

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# CONTENT

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## INTRODUCTION

## CRISIS RESPONSE STRUCTURE IN BULGARIA

## TERRORIST ATTACKS

## VICTIMS' NEEDS

### 1. THE RIGHTS OF VICTIMS OF TERRORISM

- 1.1 Victim of terrorism – Definition under national law and Impact
- 1.2 Victims' rights to respect and recognition
- 1.3 Victims' rights to access information
- 1.4 Victims' rights to access support services
- 1.5 Victims' right to access justice – procedural rights
- 1.6 Victims' rights to protection: physical and privacy
- 1.7 Victims' rights to protection: secondary victimisation
- 1.8 Victims' rights in relation to access to compensation

### 2. CONSIDERING PARTICULAR GROUPS OF VICTIMS

- 2.1 Cross-border victims
- 2.2 Children

### 3. ORGANISING SUPPORT

- 3.1 Preparation and organisation of support for victims of terrorist attacks
- 3.2 Organisation of support for victims of terrorism

### 4. EUCVT

# INTRODUCTION

**Recently, the threat of terrorism has hung over the European Union and the rest of the world. The occurrence, on an almost regular basis, of terrorist attacks – whether by suicide bomber or other means – has shaken society to the core, especially as EU citizens are often caught up in such events outside their home borders as well as within EU borders. The impact of terrorism on individuals can be terrible whilst the recovery of victims of terrorist attacks can be affected by the way in which governments, organisations, and individuals respond to the immediate attack and by how victims are supported afterwards.**

The Victims' Rights Directive, together with provisions in the Counter-Terrorism Directive (Title V) and the Directive on Compensation, provide a general framework of rights for victims of terrorism. The Counter-Terrorism Directive goes beyond the Victims' Rights Directive to establish services supporting the specific needs of victims of terrorism. EU Member States are

bound by these instruments, have the obligation to transpose them into national legislation and to ensure that they are correctly applied in practice. In doing so, each Member State must evaluate how to implement these provisions to ensure measures are appropriate to the specific situation and to national circumstances.

Bulgaria is an EU Member State with a low number of terrorist attacks. Statistics<sup>1</sup> on terrorism-related incidences, which occurred in Bulgaria from 1982 to 2016, show a significant annual increase during the 1990's, with a peak in 1996 of 12 separate instances of terrorism-related attacks. The longest consecutive period without an attack, during this timeframe, was from 2003 until 2007. In the past decade, the 2012 Burgas bus bombing stands out - a suicide bomber carried out the attack on a passenger bus transporting Israeli tourists at Burgas Airport, Bulgaria, on 18 July 2012. The explosion killed the Bulgarian bus driver and five passengers, and injured 32 additional passengers.

<sup>1</sup> <https://www.statista.com/statistics/541227/incidences-of-terrorism-bulgaria/>

## Further reading:



- **On rights:**
  - 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. 57–73, hereafter referred to as Victims' Rights Directive
  - Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA, OJ L 88, 31.3.2017, p. 6–21, hereafter referred to as Counter-terrorism directive
  - Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims, OJ L 261, 6.8.2004, p. 15–18, hereafter referred to as Directive on compensation to crime victims
- **On needs:**
  - Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- **On psychosocial support:**
  - Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide
- **On legal support:**
  - Victim Support Europe, APAV (2019) VOCIARE Synthesis Report
- **On organisations of victims of terrorism:**
  - RAN (2017) The power of victims of terrorism: how to give support
- **On the recognition of victims and useful figures:**
  - MEP Maité Pagazaurtundúa (2019) le livre blanc et noir du terrorisme en Europe

# CRISIS RESPONSE STRUCTURE IN BULGARIA

In Bulgaria, the crisis response model is defined in the Disasters Protection Act<sup>1</sup> - *Закон за защита при бедствия* - published in State Gazette No. 102/19.12.2006, last amended in SG No. 77/18.09.2018 (DPA), and Regulation No. 25 of 4 November 1999 for the provision of emergency medical aid<sup>2</sup> - *Наредба № 25 от 4 ноември 1999 г. за оказване на спешна медицинска помощ* - adopted by the Minister of health, published in State Gazette No. 98/12.11.1999, and last amended in SG No. 18/4.3.2014 (Regulation No. 25).

The nationalemergency-responseinfrastructures are laid down in the Disasters Protection Act. Although it does not refer specifically to terrorism, the definition of ‘disaster’ (Article 2) refers to “any significant disruption of the normal functioning of society, caused by natural phenomena and/or human activity, leading to negative consequences for the life or health of the population, property, economy and the environment”.

Specifically, for victims of crime (terrorism included), in Bulgaria, the National Council for Assistance and Compensation to Victims of Crime<sup>3</sup>, under the Ministry of Justice, makes available, for all victims of terrorism, assistance as stipulated by the Crime Victim Assistance and Financial Compensation Act<sup>4</sup> (medical treatment; psychological counselling; free legal assistance; practical help). The National Council for Assistance and Compensation to Victims of Crime also turns to the competent authorities in other countries for assistance, in cases where Bulgarian nationals are victims of crime abroad, and provides assistance to nationals of other countries, who reside in Bulgaria, if they are victims of terrorism.

According to the Crime Victim Assistance and Financial Compensation Act, everyone in Bulgaria, who is a victim of terrorism, has a right to compensation according to the general rules for compensation of victims of crime. Although there is no special scheme to financially compensate victims of terrorism immediately after the terrorist attack has been committed, all guarantees provided for in the special Crime Victim Assistance and Financial Compensation Act are also explicitly available to victims of terrorism.

According to the Crime Victim Assistance and Financial Compensation Act, the Ministry of the Interior authorities, investigators, and victim support organisations shall immediately inform foreign nationals, who are victims of crime including terrorism, in the Republic of Bulgaria, of their rights in a clear manner and in a language they comprehend. People, who are victims of crime in another country, will also be informed of the services they can benefit from, in such cases.

In accordance with the National Plan on counteracting terrorism, adopted by a decision of the Council of Ministers and implementing the provisions of the Act on the Management and Functioning of the System of National Security Protection and of the Counter-Terrorism Act, the Ministry of Foreign Affairs is responsible for communicating with other States and, if there is a terrorist attack, the MFA will be informed and will be in charge of the correspondence with other States and their representations in Sofia. The EU, NATO, and other partner organisations will be notified accordingly.

1 <https://www.lex.bg/laws/ldoc/2135540282>

2 <https://www.lex.bg/laws/ldoc/-549665280>

3 <http://www.compensation.bg/en>

4 <http://www.compensation.bg/en/node/20>

# TERRORIST ATTACKS

**Terrorism evolves constantly as perpetrators, methods and targets are changing. The characteristics of an attack will influence the scale of the response and the impact of the attack on its victims and associated local, regional, national or international communities.**

## Key characteristics

**Influential key characteristics include:**

- scale (a single victim or large numbers of victims)
- location (open or closed environment; one or more points of attack)
- timing (within hours or on consecutive days, during the day/night/rush hour)
- weapons used
- target groups
- degree to which the terrorists are organised

Regardless of the attack characteristics, thorough preparation is required to ensure the crisis is managed in line with the EU rules on victims' rights.

## Scale

The scale of the attack (the number of those killed or wounded) varies from event to event. In the Burgas attack in 2012, 6 people were killed, and 32 people were seriously injured. These figures only confirm the numbers of dead and injured. Those affected will be much larger. The greater the number of victims, the more resources are required during both the emergency response phase (e.g. hospital beds) and in the longer term (e.g. in criminal proceedings, professional mental health services, information and support providers). The larger an attack, the greater the media attention will be on the victims, their families and society.

## Location

In the recent past, attacks have tended to concentrate on a single localised area. However, during the Paris attacks in November 2015, six separate attacks took place in different locations within a short period of time. The multiple sites, in both enclosed and open venues, and numbers of victims created a chaotic environment: identification of victims and securing individual locations required complex management of the various services involved.

## Timing

In the case of multiple, related, terrorist attacks, the timing of any consecutive attack(s) has usually been within a few hours of the first; for instance in 2016, the two attacks in Brussels occurred within an hour of each other. Yet, the attacks in Barcelona, on 17 August 2017, were followed by an attack in Cambrils, about 100 kilometres to the south, the next day. In Asia and the Middle East, follow-up attacks have been timed to hit first responders and helpers.

## Weapons

Bombs are not the only weapon used by terrorists: trucks are driven through crowds; airplanes are taken down by missiles; suicide vests, knives, firearms, chemical, biological, radiological or nuclear (CBRN) agents etc. are used. Each weapon impacts its victims differently and will require a different response: for example, the truck attack in Nice initiated a new approach in defining victims eligible for compensation and the French government delineated zones around the attack location to help establish victim lists.

## Target groups and organisation

Various ideologies motivate terrorists to carry out attacks: e.g. antisemitism (Halle, Germany in 2019; Burgas, Bulgaria in 2012), jihadism (London, UK in 2019), right-wing extremism (Hanau, Germany in 2020), etc. Europol's annual Terrorism Situation and Trend (TE-SAT) Report lists jihadist, ethno-nationalist and separatist, left-wing and anarchist, right-wing and single-issue terrorist groups, in addition to a new grouping of attacks committed by informal organisations or lone wolves.

## Cyberterrorism

The internet can also be used for terrorist purposes too: by threatening individuals, organisations or governments with violence that may result in bodily harm or loss of life, or by large-scale disruption of computer networks. These forms of terrorism are not explicitly addressed in this handbook. However, preparation for such attacks, and support of their victims, are similar to 'offline' terrorist attacks.

### CASE STUDY: 2012 BURGAS AIRPORT ATTACK

On 18 July 2012<sup>1</sup>, a terrorist attack was carried out by a suicide bomber on a passenger bus transporting Israeli tourists at the Burgas Airport in Bulgaria. The bus was carrying 42 passengers arriving on a flight from Tel Aviv. The explosion killed the Bulgarian bus driver, five Israelis and the suicide bomber, and injured another 32 passengers. An 11-year-old child and two pregnant women were among the injured, while another pregnant woman was killed.

In September 2020, a Bulgarian court sentenced *in absentia* two men to life in prison in connection with the bombing.

In the immediate aftermath of the event, the Israeli Government - Magen David Adom, Israel's national emergency medical, disaster, ambulance, and blood bank service – sent

delegations to Bulgaria to help treat the wounded. The first delegation arrived on the night of the attack, the next morning, a transport plane was sent to Sarafovo Airport, where the 32 wounded victims were taken to Israel for treatment. A second Israeli airplane arrived at the site of the terrorist attack carrying specialists to evaluate the remaining wounded, to judge whether it was safe to fly them home. The mission included military medical personnel, who were members of the Airborne Combat Rescue And Evacuation Unit 669<sup>2</sup>. ZAKA<sup>3</sup> personnel were also sent to Bulgaria to properly identify the bodies. At Ben-Gurion International Airport, 24 ambulances and medical staff were deployed to ensure that the injured could be swiftly transferred to local hospitals upon arrival.

### Further reading:



- Europol (2020) TE-SAT Report
- Institute for Economics and Peace (2019) Global terrorism index

<sup>1</sup> <https://www.europol.europa.eu/newsroom/news/europol-supports-investigation-terrorist-attack-burgas-airport-bulgaria>

<sup>2</sup> Unit 669 is the Israel Defense Forces Home Front Command officers

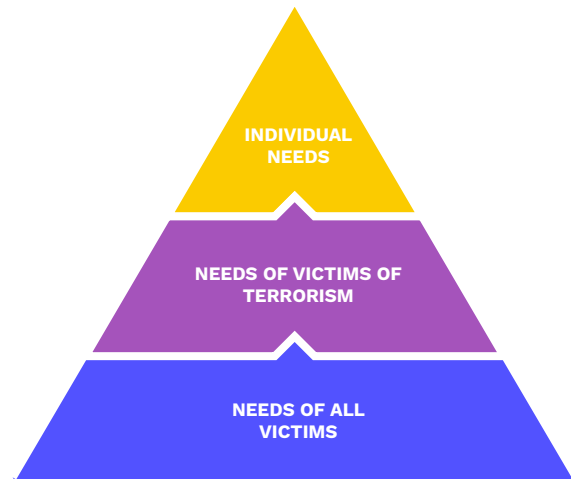
<sup>3</sup> <https://zakaworld.org/>



# VICTIMS' NEEDS

As specified in Recital 27<sup>1</sup> of the Counter-terrorism Directive, Member States should adopt measures of protection, support and assistance in responding to the specific needs of victims of terrorism, in accordance with the Victims' Rights Directive and as specified by the Counter-terrorism Directive. The measures on protection, support, and assistance to victims of terrorism are further developed in Title V of the Counter-terrorism Directive.

Recital 16 of the Victims' Rights Directive specifically addresses the needs of victims of terrorism, who have suffered injuries – whether physical or psychological – from attacks that were intended to harm society. They may need special consideration, support and protection due to the nature of the crime committed against them. Member States should pay attention to the needs of victims of terrorism, and should seek to protect their dignity and security.



## Layers of needs

To understand the needs of victims of terrorism, it is important to comprehend that there are different layers of needs. The first layer consists of the needs of all victims of crime. The second layer consists of specific needs due to the nature of the terrorist attack. The third layer of needs depend on personal and environmental factors of the individual victim.

Emergency support to meet victims' needs immediately following a terrorist attack is critically important: survivors need to be safe and secure, receive emergency medical – and psychological – aid, food and drink. Member States shall ensure that support services addressing the specific needs of victims are in place and easily accessible immediately after a terrorist attack, and for as long as necessary.

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<sup>1</sup> Under EU law, Recitals provide background information and reasoning for the inclusion of particular Articles in legislative acts.

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<sup>2</sup> § 1, point 4 of the Additional Provisions, CPC

**In addition to the emergency support, needs of all victims of crime, including victims of terrorism, are divided into five major categories:**



## Needs of victims of terrorism

Once emergency care has been given to victims of terrorism, their specific needs, as related to the above five categories, can be evaluated. These needs may differ from, or be more intense compared to, victims of other intentional crimes:

1. Recognition and respect: *as victim of terrorism. In Bulgaria, memorials have been organised for victims, including victims of terrorism – the Burgas Airport Attack, to which the public, state representatives, and victims’ families are invited.*
2. Support: *the National Council for Assistance and Compensation to Victims of Crime, under the Ministry of Justice, makes available the assistance stipulated in the Crime Victim Assistance and Financial Compensation Act (information, medical treatment; psychological counselling; free legal assistance; practical help) for all victims of terrorism.*
3. Protection: *physical protection, protection from secondary victimisation. The Bulgarian CPC<sup>2</sup> introduces the notion of “witnesses with specific protection needs”. Such specific protection needs are in place if additional means are required to protect witnesses against secondary or repeated victimisation, retaliation or intimidation, emotional or psychological suffering, or to protect their dignity during questioning.*
4. Access to justice: *safe participation in the criminal justice process of victims of crime is ensured under the Protection of Persons Threatened in Relation to Criminal Proceedings Act (PPTCPA).*
5. Compensation and restoration: *financial compensation and help with the financial impact of a terrorist attack. Restoration includes overall recovery and restorative justice processes. According to the Crime Victim Assistance and Financial Compensation Act, in Bulgaria every person, who is a victim of terrorism, has a right to compensation according to the general rules for compensation of victims of crime. Although there is no special scheme to financially compensate victims of terrorism immediately after the terrorist attack has been committed, all guarantees provided for in the special Crime Victim Assistance and Financial Compensation Act are also explicitly provided for victims of terrorism.*

## Individual needs

Individual victims’ needs will depend on personal characteristics (previous victimisation or stressful life events); (mental) health; social network; socio-economic situation; cross border situation; and daily stressors. These needs will evolve over time, therefore, responding to the needs of victims of terrorism requires an individualised victim-centred approach.

## Further reading:



- Dolci, L. (2018) A Victimless Crime? A Narrative on Victims of Terrorism to build a case for support
- INVICTM (2018) Symposium Report: Supporting Victims of Terrorism
- RAN (2018) Enhancing the resilience of victims after terrorist attacks

# 1. THE RIGHTS OF VICTIMS OF TERRORISM

## 1.1 VICTIM OF TERRORISM – DEFINITION UNDER NATIONAL LAW AND IMPACT

### DEFINITION UNDER EU LAW

#### Victim of Terrorism

Under the Counter-terrorism Directive, a victim of terrorism is defined as follows, in line with the definition offered by the Victims' Rights Directive:

- a natural person who has suffered harm, including physical, mental or emotional harm or economic loss, insofar as that was *directly* caused by a terrorist offence, or
- a family member of a person whose death was *directly* caused by a terrorist offence and who has *suffered harm as a result* of that person's death.

Note: the use of the word 'victim' is not always appreciated by those who survived or were otherwise affected by terror attacks, they may not identify themselves as victims despite severe trauma, but may see themselves as 'survivors', which indeed they are. However, for practical reasons, this handbook will identify those involved by the word 'victim'.

#### Terrorist offence

The Counter-terrorism Directive lists the intentional acts that shall be criminalised as terrorist offences by Member States. These acts are discussed in detail in Subchapter 1.1 of the EU Handbook on Victims of Terrorism.

### DEFINITION UNDER BULGARIAN LAW

Terrorist offences are defined in Bulgarian Criminal Code' – *Наказателен кодекс*, while

1 Promulgated in State Gazette ((SG) No 26/2.04.1968, last amended and supplemented, State Gazette issue No 16 from 22 February 2019, (CC) <https://www.lex.bg/bg/laws/ldoc/1589654529>

victims are defined in the Protection of Persons Threatened in Relation to Criminal Proceedings Act<sup>2</sup> – *Закон за защита на лица, застрашени във връзка с наказателно производство*

An explicit legal definition of the term «victim» does not exist in Bulgarian legislation. Such a definition can be drawn from Article 74 and the subsequent provisions of the Code of Criminal Procedure (hereinafter, CPC) as well as on the existing case law of the Supreme Court of Cassation<sup>3</sup>.

Victims of crime are considered parties that suffered damage, e.g. injured as a result of a crime or whose property was damaged or stolen.

The Criminal Proceedings Code envisages rules for jurisdiction, prosecution and investigation of terrorist offences, as well as some general rules relating to the rights of the victims (when they are a party to legal proceedings). In Bulgaria there are additional laws which determine the rules and procedures for victims support, assistance and protection: Support and Financial Compensation of Victims of Crime Act<sup>4</sup> (SFCVCA), Legal Aid Act (LAA)<sup>5</sup>, Protection of Persons Threatened in Relation to Criminal Proceedings Act (PPTRCPA).

2 Promulgated in State Gazette No 103 of 23 November 2004, last amendment promulgated in State Gazette No 17 of 26 February 2019 (PPTRCPA), available at: <https://www.lex.bg/laws/ldoc/2135495492>

3 [https://victim-support.eu/wp-content/files\\_mf/1611087108VOCIARE\\_National\\_Report\\_Bulgaria.pdf](https://victim-support.eu/wp-content/files_mf/1611087108VOCIARE_National_Report_Bulgaria.pdf)

4 <https://www.globalwps.org/data/BGR/files/Crime%20Victim%20Assistance%20and%20Financial%20Compensation%20Act.pdf>

5 <https://data.consilium.europa.eu/doc/document/ST-13175-2020-REV-2/en/pdf>

## IMPACT OF TERRORIST ATTACKS ON VICTIMS

All victims of all violent crimes face physical, mental health, and financial consequences; however, the impact on those present at a terrorist attack means the violence of their experience is different from that of their peers.

### Physical consequences

Terrorists intend for their attacks to cause many casualties, as indicated by the weapons they use (firearms, explosives, etc.). Hence, the fatality rate in a terrorist attack is relatively high and injuries tend to be severe.

### Mental health consequences

Victims experience fear and anxiety after a terrorist attack at levels that may not incur psychological problems, but that may have behavioural, relational and financial consequences. Post-traumatic stress is often diagnosed in victims following a terrorist attack. Victims may re-experience the event, have repeated and unwanted intrusive thoughts, hyper arousal, emotional numbing and/or avoidance of stimuli reminding them of the traumatic experience.

### Financial consequences

Victims of terrorism may incur severe injuries, that are linked with a (higher) probability of developing a psychological disorder. This implies that the costs related to victimisation

will be higher (for the victims, their property, their insurers and/or the government).

### Future events

While the risk of involvement in another terrorist attack is relatively small, the perception of this risk may be high. Consequently, victims may experience feelings of insecurity, especially if they suffer from a Post-Traumatic Stress Disorder (PTSD). Perceived risk and the presence of PTSD contribute to psychological damage caused by terrorism.

### Risk groups

Previous physical or psychological trauma, existing mental disorders, lack of social support and low socio-economic status may lead to a greater psychological impact on victims. Children and minority groups have a higher risk of developing psychological problems. Children are at risk when they are too young to be able to express their symptoms verbally or when the ability of parents to support them is diminished. Minority groups have a higher risk when their health literacy is low or if they have experienced similar trauma in the past.

### Loss and grief

The sudden loss and violent death of a loved one in a terrorist attack may lead to complicated psychological reactions in family members, which may be further aggravated by the specifics of a terrorist attack: e.g. having to identify a severely damaged body.

### Further reading:



- Letschert, R.M., Staiger, I., Pemberton, A. (2010) Assisting victims of terrorism: towards a European standard of justice
- Damiani, C., Victime et traumatisme, in Tigrane Tovmassian, L., & Bentata, H. (2013) Le traumatisme dans tous ses éclats, p. 61-70
- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations

## 1.2 VICTIMS' RIGHTS TO RESPECT AND RECOGNITION

### THE RIGHTS UNDER EU LAW

Recognition and respect underpin the healing process of victims as individuals and community members. Under EU law, Member States must ensure that victims are treated in a respectful manner by all those they come into contact with. Recital 16 of the Victims' Rights Directive mentions that victims of terrorism often need social recognition and respectful treatment by society.

Recognition and respect are established by ensuring that actors appreciate the victims' situation, their individual and group circumstances, the nature of the attack and how that can influence victims' behaviour.

Commemorative events and memorials form an integral part of the healing process for victims of terrorism, their families and all those affected.

### Identification of victims and information about victims

The Counter-terrorism Directive requires Member States to have mechanisms and protocols in place that will activate support services for victims of terrorism immediately after an attack and that will facilitate the identification of victims and their families. In the aftermath of a terrorist attack, especially those involving a large number of victims, it is key to establish mechanisms of gathering information from the scene that serves multiple purposes. Identification is necessary to complete several key actions, including to:

- Establish the identity of the deceased and injured;
- Cross-refer these identities to the information received from the concerned public, friends and family members, who fear that their loved ones were at the scene;

- Enable the authorities to make sure that the loved ones are informed about the loss of life or injury of those who were identified at the scene;
- Inform external countries about the fate of their nationals.

### Recognition

Society (local, regional or national government; politicians; media; support providers, and justice/law enforcement actors) can recognise victims of terrorism in many ways: formal written acknowledgement of status as (indirect) victim, remembrance ceremonies, memorials, financial compensation, and/or granting of specific rights. In its EU Strategy on victims' rights, the Commission urges Member States to ensure proper recognition for all victims of terrorism, especially since terrorist attacks are directed at the state and society as a whole.

Commemorative events and memorials form an integral part of the healing process for victims, their families and all those affected. While states may face competing community ideas in the preparation and delivery of such events, it is the wishes and input of the victims that are decisive in the development and realisation of any commemoration: this may be one of the few times victims come together.

Commemoration events provide victims as well as the general public with the opportunity to express feelings and opinions; to experience and receive social support; to show societal acknowledgment and to give meaning to the attack. If done properly, the commemoration can contribute to the victims' recovery process, however, as acts of remembrance may 'dilute' over time, changes in frequency and form should be discussed with the victims. The aim should be to invite all victims and all responders, even those who will not be able to attend due to injuries or geographical distance. Financial reasons should not weigh in on the victims' decision to attend anniversaries.

## Respect

**Treating victims with respect can significantly influence victim satisfaction with government and criminal justice systems. Fundamental to respectful treatment are:**

- the way professionals interact with victims and
- the procedures and infrastructures in place.

The cultural and religious backgrounds of the individual victim of terrorism determine, to a large extent, what the victim considers a respectful treatment.

Respect begins with empathy. Understanding the victims' situation empowers professionals to act in an empathetic manner. However, compassion should be moderated by sufficient professional distance to provide the best possible support.

Respect is not important for individual victims, but also for the entire group victimised. It is particularly important for vulnerable victims or minority groups, the elderly, children and people with disabilities.

## THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

After the Burgas 2012 bomb attack, Bulgaria held a remembrance ceremony, in late August 2012, in honour of the victims of the terrorist attack. Two ceremonies were held, one in Sofia's largest synagogue, which prepared a replica of the Ark that contained the names of the victims, and another ceremony was held in Burgas. Israeli groups were accompanied by guards and police canine units, and security was tight. Many families of the victims of the attack took part in the ceremony.

## GOOD PRACTICE – RECOGNITION OF VICTIMS OF TERRORISM IN SPAIN:

In 2011, Spain adopted special legislation on the rights of victims of terrorism (Law 29/2011). The Preamble states that ‘With this Law, Spanish society [...] pays homage to the victims of terrorism [...]. This Law is therefore a sign of recognition and respect [...], inspired by the principles of memory, dignity, justice and truth.’ Law 29/2011 allows for a variety of educational grants to be awarded, such as exemptions from academic

fees, scholarships and educational support as well as the possibility to grant nationality to foreign victims of terrorism.

In addition, extraordinary or exceptional pensions can be awarded to victims of terrorism and their successors, even if they did not have the right to an ordinary pension under any social security scheme.

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- European Commission (2020) EU Strategy on victims’ rights (2020-2025)
- VSE (2019) Remembering Victims of Terrorism: A guidance document



## 1.3 VICTIMS' RIGHTS TO ACCESS INFORMATION

### THE RIGHTS UNDER EU LAW

**The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum scope of a victims' rights to access information:**

- the information should be easy to understand and available in multiple formats. In choosing the distribution medium particular attention should be paid to reaching vulnerable groups;
- the victims' right to receive advice and information on relevant legal, practical or financial matters as an integral part of the support offered to victims after a terrorist attack;
- the victims' right to receive information from the first contact with a competent authority;
- the victims' right to receive information on the investigation and justice procedures with regard to their case;
- the victims' right to understand and be understood.

### AN OVERVIEW OF RIGHTS IN BULGARIA

Currently, Ministry of the Interior authorities, investigative bodies (Police and Prosecution), and victim support organizations are obliged to offer, from their first contact with victims of crimes, information on their rights. When providing the relevant information, competent authorities shall take into account the condition of the victims, including their age. The information should be offered orally and in writing by means of a standard form, in a language which the victim understands. A special document (protocol) should be drafted for the provision of relevant information to the victim. The document should be drafted in duplicate and shall be registered by the respective body or organization. One copy of the document and

of the standard form are provided to the victim, in a language that the victim understands<sup>1</sup>.

The information is provided verbally and in writing, on an approved form. The authorities are obliged to explain the rights orally and to provide the written form, which is standardized and approved by the Ministry of Justice. The different rights of the victims are listed on the form, with reference to, and information (phone, address and website) of, victim support organisations.<sup>2</sup> The description of the rights is a reproduction of the legal text.

The form is provided in Bulgarian, however, the law<sup>3</sup> states that it should be presented in a language that "the victim understands". Consequently, the form should be translated for citizens of other Member-States, including migrants.

Courts, prosecutor offices and investigating authorities are required to provide information to the victims related to their procedural rights and to provide the necessary procedural remedies for the protection of their rights and legal interests<sup>4</sup>. Victims are entitled to receive information on their rights in the criminal proceedings, including how to receive protection for them and their families; and to be informed of the course of the criminal proceedings<sup>5</sup>. The victim is entitled to this information if he/she has explicitly requested to participate in the criminal pre-trial phases and has indicated a formal address in Bulgaria. Under the Code of criminal Procedure (CCP), the right of victims of a crime to receive information and to participate in the pre-trial phases is conditional to their explicit request and the provision of a formal

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1 Article 6 of the Law on Assistance and Financial Compensation of Victims of Crimes (amended in 2016 and 2017)

2 <http://www.compensation.bg/sites/default/files/formularzpp.pdf>

3 Article 6(a) of the Law on Assistance and Financial Compensation of Victims of Crimes

4 According to Article 15(3 and 4) of the CCP

5 In accordance with Article 75 (1) of the CCP

Bulgarian address, therefore, it is possible the victim will not receive information, if he/she is not involved in the proceedings.

Bulgarian law expressly provides that victims must be notified regarding the conditions and procedures for obtaining compensation.

The right to understand and to be understood is included in the provisions of the Law on Assistance and Financial Compensation of Victims of Crimes. The Law introduces an obligation for the Ministry of the Interior, investigative bodies, and victim support organisations to provide information on:

- the options available to access medical care, free psychological assistance and

support, and any kind of specialised support that victims may need;

- the right to legal assistance, the bodies to which they may refer for such assistance, the prerequisites and procedures for granting free legal assistance;
- the bodies to which the criminal offense may be reported, the post-reporting procedures and the option available to the victims under the terms and conditions of these procedures;
- the bodies which may be alerted to a violation of victim's rights acting in the framework of the criminal proceedings in a language that the victims understand.

## THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

In practice, it is essential that information is made available to victims of terrorism at all times. Information reassures victims, helps them understand and make decisions, and aids their recovery. The provision of adequate, timely information about the terrorist attack and its consequences is important to victims and their family members.

State authorities play a crucial role in providing accurate information after an attack. Government information is more effective when it is co-ordinated with civil society actors, media companies, social media, etc.

### Information can be divided into:

1. rights and services, actions and expectations – as required by EU rules;
2. factual and topical information regarding the attack, the current situation, and the condition of loved ones;
3. dealing with the attack (involving reassurance and psycho-education on normal reactions and practical suggestions to encourage healthy behaviour).

## Information centres

It is recommended that victims of terrorism are provided with a centralised, single contact point that coordinates the work of all those involved in the support and protection of victims. Additionally, a dedicated website, providing all relevant information, can act as – or be supported by – a one-stop-shop, a centre where a range of services (e.g., psychosocial, legal, medical and financial) is provided in the immediate aftermath of an attack.

### PROVIDING INFORMATION IN CRISIS - GOOD PRACTICES:

In France, immediately following a terrorist attack affecting a large number of people, the inter-ministerial cell for public information and victim support (*Cellule Interministérielle d'Information du Public et d'Aide aux victimes - C2IPAV or infopublic*) is activated. Infopublic cooperates closely with local authorities and local victim support organisations to set up a family reception centre, which will function as a single physical location where victims and family members receive information on their rights and procedural matters.

In the Netherlands, ARQ (National Psychotrauma Centre) has the ability to set

up a special website within minutes of a crisis event. In the case of a terrorist attack or other large-scale disaster, Victim Support Netherlands (*Slachtofferhulp Nederland*) can set up an online Information and Advice Centre (IAC) within a few hours, providing victims, witnesses and family members with current, complete and reliable information, such as important phone numbers and the latest news from organisations involved such as the police, the Public Prosecutor and the government. An IAC was established after the MH17 plane crash on 17 July 2014.

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations

## 1.4 VICTIMS' RIGHTS TO ACCESS SUPPORT SERVICES

### THE RIGHTS UNDER EU LAW

**The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum scope of a victims' rights to access support services:**

- Ensure victims' access to generic and specialist support services that are confidential, free of charge and easily accessible;
- Provide at least the following support to victims of terrorism: emotional and psychological support, assistance regarding compensation claims and provision of adequate medical treatment;
- Facilitate referral of victims to support services by the competent authority.

This subchapter focuses on the rights in relation to access to support services, as established mainly by the Victims' Rights Directive. Chapter Three describes the organisation of support in the specific context of terrorist attacks and other crisis situations in light of provisions in the Counter-terrorism Directive.

### AN OVERVIEW OF RIGHTS IN BULGARIA

SFCVCA<sup>1</sup> states that support for victims of terrorism must be available 'before the commencement of criminal proceedings, during, or for an appropriate time after the completion of, the criminal proceedings'. However, third country nationals, not covered by international treaties to which Bulgaria is a party, are not covered by the personal scope of SFCVCA. Furthermore, the legislation requires the aforementioned support to address the specific needs of victims (incl. thus those of victims of terrorism).

Bulgarian law determines the different forms of victim support, which are to be confidential and to be provided free of charge. Support includes medical, psychological, and practical assistance and is provided by a number of NGOs, which mostly specialise in services to specific victim groups, and usually operate in larger cities. Victims of terrorism can access the same services that are available to other victims of crime. It is unclear, however, how different specialist services would be able to respond to the needs of victims of terrorism.

SFCVCA<sup>2</sup> expressly refers to medical aid as a form of victim support. Furthermore, the general rules<sup>3</sup> on the provision of medical aid in urgent conditions stipulate that emergency medical aid will be provided immediately after a terrorist attack, the emergency team can offer emergency hospitalisation in a specialised hospital ward.

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1 Article 8

2 Article 8

3 as Article 12(1), Regulation No 25 from 4 November 1999

## THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



### EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

As each victim will undergo a different recovery process, victims' needs change over time and the assistance and support provided has to be adapted to meet these changes.

Victims, especially if they have to deal with serious (mental) health problems after a terrorist attack, will face difficulties in absorbing information. Information on (organisations that provide) assistance and support will be more effective when it is provided on different occasions.

#### Victim assistance centres

##### SETTING UP A VICTIM ASSISTANCE CENTRE AFTER A TERRORIST ATTACK - GOOD PRACTICE:

In France, the “*Centre d’Accueil des Familles*” (CAF) was set up to provide immediate treatment and support to victims of the Strasbourg terrorist attack of 11 December 2018, under the authority of the CIAV (*Cellule Interministerielle d’Aide aux Victimes*) and the administration of the City of Strasbourg, in

cooperation with local associations. Nearly 700 victims were helped in the aftermath of the attack and, after the crisis phase, the centre became a victim support point, where various support services offered rehabilitation assistance to the survivors.

## Central contact point within government

Currently, there is no central point within the Bulgarian government for victims of terrorism.

## Other types of support

Other types of support can be provided by the Ministry of Health, Ministry of Home Affairs, National Security and Law Enforcement, and the Victim Support Agency.

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations

## 1.5 VICTIMS' RIGHT TO ACCESS JUSTICE – PROCEDURAL RIGHTS

### THE RIGHTS UNDER EU LAW

**The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum scope of a victims' rights to access justice:**

- the right to be heard;
- the right to access legal aid, where victims have the status of parties to criminal proceedings;
- the right to reimbursement of expenses resulting from their active participation in the proceedings.

### AN OVERVIEW OF RIGHT TO ACCESS TO JUSTICE IN BULGARIA

The victim's right to be heard is guaranteed mainly in procedural legislation, with children's rights covered by the Child Protection Act<sup>1</sup>. In accordance with the CCP, victims of crimes have the right to be represented and heard during all phases of the legal criminal proceedings trial phase.

Victims with special protection needs have the right to be heard, which is guaranteed by special requirements for the questioning of those victims<sup>2</sup>. In accordance with this provision, questioning shall be conducted by taking measures to avoid contact with the accused, including through a videoconference or telephone conference.

In accordance with the Child Protection Act, during any administrative or judicial proceedings in which a child's rights or interests are concerned, the child must be heard if they

are at least 10 years of age, unless this would be detrimental to their interests. There is an option for the child to be heard under the age of 10, but this is dependent on the maturity of the child. Any decision allowing the child to be heard should be justified. In the trial phase, the victim can participate as a witness, a private complainant, who supports the prosecution alongside the prosecutor, or as a civil claimant, who can claim compensation for the damage caused by the crime.

In Bulgaria, the Legal Aid Act<sup>3</sup> (LAA) and the (CCP), envisage the rules for jurisdiction, prosecution, and investigation of terrorist offences as well as general rules relating to the rights of the victims (when they are a party to legal proceedings). In particular, the LAA stipulates<sup>4</sup> that victims of crimes (including victims of terrorism) have the right to receive, free of charge, primary legal aid consisting of consultations and the preparation of documentation, and legal representation. The consultations and the preparation of documentation can also be used to assist with compensation claims.

Legal advice to victims is provided for in all stages of the criminal proceedings and can take the form of state legal aid if victims fulfil the criteria of the CPC and LAA. The types of legal aid, according to the LAA<sup>5</sup>, provided to victims are: consultation, with a view to reaching an agreement before the start of the trial, or for opening a case; preparation of documents for opening a case; and procedural representation.

In practice, access to legal aid is limited by the statutory income census – determined as below the poverty threshold. This threshold is

<sup>1</sup> <https://archive.crin.org/en/library/legal-database/bulgaria-child-protection-act-2000>

<sup>2</sup> Article 139 (10) of the CCP

<sup>3</sup> *Закон за правната помощ* – promulgated in State Gazette No 79 of 4 October 2005, with amendments, (LAA) – <https://www.lex.bg/laws/ldoc/2135511185>

<sup>4</sup> Article 8

<sup>5</sup> Article 21

determined by the National Statistical Institute each year and in 2018 was set at BGN 329 (app. €165) per family member<sup>6</sup>. This means that anyone with income above €165 per family member does not qualify for free legal aid.

The right to reimbursement of expenses by the offender is regulated by the CCP. When the defendant is found guilty, the court shall order him to reimburse all costs, including lawyers' fees and other expenses, as well as any costs incurred by the private prosecutor and the civil claimant, if such a request has been made<sup>7</sup>. Therefore, the right of the victim to reimbursement of expenses is not absolute and is implemented only if the victim took part in the proceedings as a civil claimant, or if the defendant is found guilty and the civil claimant has made an explicit request for such reimbursement.

A warrant is issued by the court for the expenses awarded. The award of the expenses must be

included when the court drafts the verdict. The witness is entitled to reimbursement of expenses incurred in connection with his/her appearance before the competent authorities. Therefore, if the victim does not participate in the judiciary stage of the proceedings as civil claimant, the only reimbursement of expenses is for those incurred in a witness capacity.

At the pre-trial phase, the victim may submit a request before the respective first instance court to take measures, under the Code of Civil Procedure, to secure expenses incurred and awarded in a case. At the pre-trial phase the victim cannot be nominated and intervene as a civil claimant, this can happen only at the trial phase.

The expenses subject to reimbursement may include the lawyer's fees for representation of the civil claimant, as well as some judiciary fees.

## THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

### Large scale attacks

Criminal proceedings and trials for large scale attacks are complex. Large numbers of victims and witnesses are involved and all share the right to participate in the trial. States may need to establish special measures to facilitate participation, which may include holding trials in larger secure locations to accommodate all those involved.

<sup>6</sup> [https://victim-support.eu/wp-content/files\\_mf/1611087108VOCIARE\\_National\\_Report\\_Bulgaria.pdf](https://victim-support.eu/wp-content/files_mf/1611087108VOCIARE_National_Report_Bulgaria.pdf)

<sup>7</sup> Article 189 (3)



As trials for terrorist attacks and other disasters involve large numbers of victims, there may be a requirement for more support than at other criminal proceedings.

### **CASE STUDY - ADDITIONAL SUPPORT TO VICTIMS DURING CRIMINAL PROCEEDINGS FOR LARGE SCALE ATTACKS – GOOD PRACTICE:**

In the context of the trial for the Madrid attacks of 11 March 2004, one of the largest ever held in Spain, a special pavilion was set up for social workers, psychologists and

other support staff/volunteers to provide emotional and practical assistance to victims attending the trial in person.

## **Public inquiries**

Victims of terrorist attacks, as other victims, express a need for truth. They want to know what happened, how it happened, who was involved and why. The instigation of formal criminal procedures takes time and victims are often left without answers. A public inquiry can serve as an alternative means of answering the questions of victims and society as a whole.

## **Right to legal aid**

### **PRACTICE IN ROMANIA:**

A promising practice in Romania, whose aim is to facilitate the access to justice of vulnerable groups including victims of crime, is The Pro Bono Network for Human Rights, the largest clearinghouse in the country and run by the NGO ACTEDO. Through the project, the largest pro bono clearinghouse in the country connects individuals that are part of vulnerable groups to pro bono attorneys. Since its launch in December 2014, The Pro Bono Network for Human Rights has grown

to include 78 attorneys nation-wide and has helped over 160 people defend their rights. The project's contribution, to enable vulnerable groups in Romania access justice, was acknowledged with The European Award for Local Pro Bono Impact at The European Pro Bono Forum in Amsterdam in 2016. In addition, several NGOs in Romania, who provide support to victims of crime, also offer free legal assistance and representation in court.

## Right to be heard

### GOOD PRACTICE IN ROMANIA:

A good practice example, again from Romania, is the effective application of the right to be heard: when victims do not speak, or understand, Romanian, the judicial authorities provide a certified interpreter to facilitate communication. These interpreters either work with police stations or prosecutor's offices, or are contacted, whenever needed by the judicial body, from the official list of certified interpreters and translators published on the website of the Ministry of Justice. There are currently 37,670 certified translators and interpreters registered with the Ministry of Justice, covering widely spoken languages such as English, French, Spanish or Arabic as well as languages that are infrequently spoken in Romania, such as Bengali, Norwegian or Urdu.

If there is a scarcity of interpreters and translators of unusual languages, victims are usually provided with interpreters of languages that they do speak, even if not as a mother tongue – in most cases, English or French. However, if the victim only speaks their mother tongue and no interpreters of the language are to be found, authorities usually contact the Embassy of the victim's country of citizenship and request support. Alternatively, in rare cases, they may contact universities or cultural centres to aid with communication, but interpretation in court is limited to certified translators, who are registered with the Ministry of Justice.

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Columban, A. 2019, VOCIARE National Report Romania
- Dimitrova, M. (2019) VOCIARE Report Bulgaria

## 1.6 VICTIMS' RIGHTS TO PROTECTION: PHYSICAL AND PRIVACY

### THE RIGHTS UNDER EU LAW

**The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum victims' rights to protection, in particular physical protection and privacy:**

- Availability of measures for the protection of privacy, personal integrity and personal data of victims and their family members, particularly in the context of criminal proceedings. In balancing these measures against the pluralism and freedom of the media, self-regulatory measures should be encouraged;
- Availability of measures to protect victims and their family members from intimidation and retaliation as well as from the risk of emotional and psychological harm;
- Requirement for an individual assessment of victims' protection needs to determine whether and to what extent the victim would benefit from special measures in the course of criminal proceedings;

### AN OVERVIEW OF RIGHT TO PROTECTION IN BULGARIA

In 2017, the CPC<sup>1</sup> introduced the notion of "witnesses with specific protection needs". Such specific protection needs are activated when additional means are required to protect witnesses against secondary or repeated victimisation, retaliation or intimidation, emotional or psychological suffering, or to protect their dignity during questioning. The victim has the right to participate in the pre-trial phase as a witness or as a victim.

The right of protection is recognised both during the pre-trial proceedings<sup>2</sup> and during the trial<sup>3</sup>—under the "witness protection measures", as well as under the PPTRCPA, which has a set of protective measures, such as: personal physical protection; protection of property; temporary accommodation at a safe place; change of residence, place of work or study, or placement in another penitentiary establishment; full change of identity.

The law explicitly requires that in determining protection of victims, any evidence of a real threat to the life, health or property of that person, in connection with criminal proceedings, needs to be considered and hence special protection must be granted. However, with regard to the risk of intimidation and retaliation, and to the need to protect the dignity and physical integrity of victims of terrorism during questioning and when testifying, no additional information was identified during the desk research.

In Bulgarian national legislation: the CCP<sup>4</sup> amendment on the right of victims to receive a timely individual assessment is regulated in the form of an optional expert's report, which might also be used to identify specific needs for the protection of witnesses in connection with their participation in criminal proceedings. The expert's report only concerns witnesses, the victim having no statutory right to an assessment. However, such an assessment could be carried out if the victim has the status of a witness.

The assessment is then carried out by an expert appointed by the relevant competent authority<sup>5</sup>. The expert's assessment is not a multidisciplinary and comprehensive assessment of the victim's need for protection

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1 § 1, point 4 of the Additional Provisions, CPC

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2 as per Article 75 (1) of CPC

3 Article 123 and 141 of the CPC

4 Article 144(3) of the CCP

5 The prosecutor in the pre-trial phase and the court in the trial phase.

as the experts called by the courts have different specialities, and they “provide the evaluation and make recommendations only in view of his own speciality. The expert’s report is required as evidence in the case - when special expertise in the field of science, art or technique is necessary to clarify certain circumstances of the case, when the court or the body of the pre-trial phase appoints an expert to give their specialist opinion”<sup>6</sup>.

Witnesses with special protection needs, identified through an assessment/expert’s report, may benefit from specific protection measures during the criminal legal proceedings<sup>7</sup>. Witnesses with special protection needs should be questioned only once. The cross-examination

shall be conducted in a way to ensure that contact with the defendant is avoided, including by use of specially equipped premises.

Since witnesses, who have already been interviewed, should remain available and at the disposal of the court after the hearing, when the witness is protected by a secret identity, they shall wait in a suitable room outside the court. Also, the interrogation of a witness with a secret identity can be carried out through an audio-visual conference connection.

It is important to keep in mind that the above mentioned protection measures are applicable only to victims when they participate in proceedings as witnesses.

## THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



### EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

#### Government and the media

While governments may agree that the (social) media, with its various roles, can be a strategic resource at times of crisis, finding the right tone in communicating with the media is a challenge. To be able to practise reliable, respectful messaging, to prevent the spread of rumours and to contribute to the recognition of those affected by terrorist attacks, government

officials must work hard to communicate with the media.

To make communication more manageable, state authorities can proactively approach the media in the aftermath of a terrorist attack. However, to make the best of the relationship, communication frameworks should be defined, key messages prepared, and the timing of press releases coordinated.

There must be a balance between respecting the privacy and needs of victims and their relatives, and informing the public through

<sup>6</sup> [https://victim-support.eu/wp-content/files\\_mf/1611087108VOCIARE\\_National\\_Report\\_Bulgaria.pdf](https://victim-support.eu/wp-content/files_mf/1611087108VOCIARE_National_Report_Bulgaria.pdf)

<sup>7</sup> Article 281 of the CPP

media channels. Information from government sources must respect the dignity and security of victims, particularly children. Secondary victimisation must be avoided. In the medium- to long-term, personalised information should be made available to victims and relatives prior to a formal report being made publicly available through media channels.

## TERRORIST ATTACKS, MEDIA AND VICTIMS' PROTECTION – GOOD PRACTICE:

In France, the French Audiovisual High Council (*Conseil Supérieur de l'Audiovisuel*, CSA) held hearings with victim support associations and other authorities, to draft a Charter of

Media Good Practices during terrorist attacks, which included a reminder of existing ethical guidelines.

## Victims and the media/ right to privacy

It is difficult to balance the freedom of the media, the general populations' need for information and the privacy protection of victims. While speaking out in the media can be empowering for victims and helpful to the general public, intrusive media attention may violate their privacy and negatively affect the lives of those portrayed, even in the future. Information may be(come) distorted or manipulated, by journalists or others using news footage.

For example, in the aftermath of an attack or disaster, broadcast and print media show images of the scene of the attack and, potentially, of victims and witnesses. These images will likely

be shown again in light of commemorations and remembrance activities of this attack or disaster, which is retraumatising to victims and victims' families. It is advised that victim support organisations are sensitised about the recurrence of distressing images in order that this can be dealt with in a victim-sensitive manner.

It is difficult to restrict harmful information flows on social media channels. However, these can be useful tools for victims and law enforcement agents in the aftermath of an attack. For example, Twitter users started posting pictures of cats after a request from the Belgian authorities not to share information on ongoing police activity during the Brussels lockdown following the Paris attacks in November 2015.

## Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- UNESCO (2017) Terrorism and the Media: A handbook for journalists
- Dimitrova, M. (2019) VOIARE Report Bulgaria

## 1.7 VICTIMS' RIGHTS TO PROTECTION: SECONDARY VICTIMISATION

### THE RIGHTS UNDER EU LAW

According to the Victims' Rights Directive and the Counter-terrorism Directive, Member States should ensure that measures are available to protect victims and their family members from secondary victimisation.

Terrorist attacks result in deaths, physical and psychological injuries or material damages that affect those involved. This is called primary victimisation: the direct consequences of the violent act. If, in the aftermath of an attack, victims receive poor or inadequate assistance from the staff and institutions in charge of their care (public authorities, first-responders, state security forces, social workers, lawyers), their suffering can be aggravated. This is known as secondary victimisation, re-victimisation or double victimisation.

### Causes

**The effect of an attack on victims can be magnified in many ways:**

- repetition of statements in police interviews;
- lack of information;
- government, police or hospital staff engrossed solely in the immediate events without attending to the shock suffered by the victims;
- experts questioning the credibility or mental health of victims;

- delay in judicial procedures, confrontation with terrorists in the court room, having to recount publicly and in detail their traumatic experience;
- media exposure;
- lack of support from colleagues/peers in the workplace, school, university.

### Solutions

It should be kept in mind that many solutions reflect the understanding that victims of terrorism are in an abnormal situation and require greater care. Such solutions can include the training of professionals on how to engage with victims of terrorism, specific procedures, nomination of staff solely for these cases, forward planning, and ensuring victims' participation.

### AN OVERVIEW OF RIGHT TO PROTECTION FROM SECONDARY VICTIMISATION IN BULGARIA

Victims, who have been recognised by the status of "witnesses with specific protection needs", are guaranteed protection against secondary or repeated victimisation, retaliation or intimidation, emotional or psychological suffering, and to have their dignity protected during questioning (§ 1, point 4 of the Additional Provisions, CPC). However, only victims, who participate in criminal proceedings as witnesses, can benefit from this protection.

## THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



### GOOD PRACTICE – USE OF NON-DEFERRABLE EVIDENCE IN ITALY:

It is worth mentioning the “*incidente probatorio*” (Article 392 1-bis of CCP), which ensures the acquisition and utilization of non-deferrable evidence. This was originally foreseen for child victims and was gradually extended to particularly vulnerable complainants, such as victims of organized crime. The aims of the “*incidente*

“*probatorio*” are to foster a rapid removal of the traumatic experience, avoid intimidation/retaliation, and reduce questioning to a minimum. At the same time, it aims to avoid the alteration or distortion of the vulnerable person’s testimony, by formally recognising the evidence submitted, as soon as possible after the criminal act.

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?

## 1.8 VICTIMS' RIGHTS IN RELATION TO ACCESS TO COMPENSATION

### THE RIGHTS UNDER EU LAW

**The Victims' Rights Directive, the Counterterrorism Directive and the Compensation Directive set out the following minimum scope of a victims' rights in relation to compensation:**

- Member States' obligation to set up a compensation scheme for victims of violent intentional crimes committed in their respective territories, which guarantees fair and appropriate compensation to victims and applies to cross-border situations;
- Provision of advice, support and assistance to victims, including cross-border victims, regarding compensation claims.

### AN OVERVIEW OF RIGHTS BULGARIA

Transposed national legislative provisions (CPC and Protection of Persons Threatened in Relation to Criminal Proceedings Act) have measures in place to protect victims of offences (including of terrorism) and their family members. Furthermore, Bulgaria's financial compensation law for victims of crime, namely the Support and Financial Compensation of Victims of Crime Act - *Закон за подпомагане и финансова компенсация на пострадали от престъпления*<sup>1</sup> and the Rules for the implementation of Support and Financial Compensation of Victims of Crime

Act - *Правилник за прилагане на закона за подпомагане и финансова компенсация на пострадали от престъпления*<sup>2</sup> expressly provide that victims must only be notified of the conditions and procedures for obtaining compensation.

Access to victim support and compensation under the SFCVCA, covers Bulgarian and EU citizens as well as foreign citizens (subject to any international treaties to which Bulgaria is a party). The transposed law does not refer to the residency of the victims, this is narrower in scope than the Directive (by referring to foreign citizens and also covering 'foreigners under international treaties').

Victims, who are non-Bulgarian citizens, are entitled to a one-off financial compensation payment under the Law on Assistance and Financial Compensation for Victims of Crimes<sup>3</sup>, provided they meet the legal requirements.

In the trial phase, the victim can participate as a witness, a private complainant who supports the prosecution alongside the prosecutor, or as a civil claimant who can claim compensation for the damage caused by the crime.

The national law has provisions for cooperation between the National Council and the competent authorities of other countries in providing support of Bulgarian/foreign victims.

1 State Gazette No 105 of 22 December 2006, last amendment promulgated in State Gazette No 63 of 4 August 2017, (SFCVCA) - <https://www.lex.bg/laws/ldoc/2135540550>

2 State Gazette No 103/27.12.2016 (Rules for implementation of SFCVCA) - <https://www.lex.bg/bg/laws/ldoc/2136974859>

3 Article 3(3) - third country nationals not covered by international treaties to which Bulgaria is a party are not covered by the scope of SFCVCA, therefore, they would benefit from compensation.



## THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



### EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

#### EMERGENCY PAYMENTS AND COMPENSATION TO VICTIMS OF TERRORISM – GOOD PRACTICE:

In France, between 24 and 48 hours after a terrorist attack, the Guarantee Fund for Victims of Terrorist Acts and Other Offences (FGTI) pays a provisional compensation sum to cover immediate costs. Thereafter, and at the latest within one month from receiving

a valid claim from the victim, the FGTI will pay out an initial amount with additional amounts paid based on costs incurred and foreseeable final damages. Additional types of harm, such as anxiety, have been recognized for compensation payment eligibility.

#### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- VSE (2019) A Journey from Crime to Compensation
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Dimitrova, M. (2019) VOciare Report Bulgaria

## 2. CONSIDERING PARTICULAR GROUPS OF VICTIMS

### 2.1 CROSS-BORDER VICTIMS

#### THE RIGHTS UNDER EU LAW

**The Victims' Rights Directive, the Counter-terrorism Directive and the Compensation Directive set out the following minimum scope:**

- Appropriate measures should be taken to minimise the difficulties faced where the victim is a resident of a Member State other than that where the criminal offence was committed;
- Expenses, incurred as a result of their active participation in criminal proceedings and according to their role in the relevant criminal justice system, should be reimbursed;
- Member States should ensure that victims of terrorism, who are residents of a Member State other than that where the terrorist offence was committed, have effective access to information as well as access to support services;
- Appropriate action should be taken to facilitate cooperation between Member States to improve victims' access to the rights.

#### AN OVERVIEW OF RIGHTS IN BULGARIA

Confidentiality and free of charge victim support services are guaranteed by the SFCVCA. However, third country nationals, not covered by international treaties to which Bulgaria is a party, are not protected by the scope of SFCVCA, and therefore, they cannot access free of charge victim support.

The current legal framework makes no differentiation in the treatment of cross-border victims and Bulgarian citizens. The competent

body responsible for providing assistance to cross-border and Bulgarian citizens is the National Council for Support and Financial Compensation of Victims of Crime. When citizens from other Member-States and third countries claim financial compensation for a crime committed in Bulgaria, the responsible body to consider the claim is the Ministry of Justice.

CPC protection measures<sup>1</sup> are applicable to citizens of other member states and third countries as well. The court shall inform the victims of the possibility of a European protection order being issuing. In accordance with the Law on European Protection orders, the court of first instance may issue such European Protection orders to cross-border victims.

According to an Order of the Minister of the Interior<sup>2</sup>, determining the procedure for notification of a victim by the order of the Law on Assistance and Financial Compensation for Victims, the official assigned to work on a case involving a crime shall immediately inform the victims of the options for the protection of their rights and interests. This refers to all victims, even those who are not Bulgarian citizens. The official should also inform cross-border victims how to protect their rights and interests, and which competent authorities they may contact.

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1 Following prosecutor referral, with the consent of the victim or at the request of the victim, the court of first instance may prohibit the defendant:

1. from directly approaching the victim;
2. from making contact with the victim in any form, including by telephone, by electronic or ordinary mail and fax;
3. from visiting certain settlements, areas or sites in which the victim resides or visits.

2 Order of Minister of Interior number I-93 dated 18.01.2013.

Correspondingly, the foreign offices of Bulgaria in the Member States of the European Union should inform Bulgarian victims of crime, in writing, about the competent authorities in that particular State, which they may contact to obtain assistance and financial compensation.

Free psychological assistance is provided to victims during, or within an appropriate time after the end of, criminal proceedings. Victims who are non-Bulgarian citizens are also entitled to a one-off financial compensation under the Law on Assistance and Financial Compensation for Victims of Crimes, provided they meet the legal requirements<sup>3</sup>.

## Participation in criminal proceedings

Regardless of the time limits set forth in the CCP, the criminal proceedings are often delayed. The CCP<sup>4</sup> allows the defendant and the victim of crime to submit a claim for accelerated consideration of the proceedings. This right is provided to the benefit of both Bulgarian and non-Bulgarian citizens, and the aim of the legislator has been to ensure compliance with, among other laws, the Victims' Directive to provide equal opportunities for victims from other Member States and third countries.

## Identification and support

### GOOD PRACTICE: ITALY

The opportunity to transfer victims' data across borders is enabled through bilateral agreements with other countries via liaison officers, who share information on the investigation and news about the victims of the terrorist attack. For example, various

collaborative activities have taken place after events that occurred abroad, these include carrying out DNA research and the identification of victims by specialized Italian government personnel.

## THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



<sup>3</sup> Article 3(3) - third country nationals not covered by international treaties to which Bulgaria is a party are not covered by the scope of SFCVCA, therefore, they would benefit from compensation.

<sup>4</sup> Chapter 26

## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

### CASE STUDY: EMERGENCY PSYCHOLOGICAL ASSISTANCE PROVIDED TO ITALIAN VICTIMS OF TERRORIST ATTACK ABROAD

On 18 March 2015, a terrorist attack took place at the Bardo Archaeological Museum in Tunisia. Among the victims, from two MSC cruise tour groups, four Italian citizens were killed, and eleven were injured.

Immediately after the attack, the Italian EMDR (Eye Movement Desensitisation and Reprocessing) Association identified six English and French speaking psychotherapists, who were dispatched directly to Tunisia to support the victims and their families, as well as other passengers from the cruise. Two more EMDR specialists, in cooperation with

the ships' HQ Health Department, boarded the vessels to be able to reach the tourists, who returned to the ships and continued their cruise as well as the other passengers who remained in Tunisia.

Two of those killed and several of the wounded were from Turin. A few days after the terrorist attack, the Municipality of Turin entrusted the association of volunteer Psychologists for the People (*'Psicologi per i Popoli' Torino*) with the task of providing psychological support to the survivors and their families. The group was composed of five professionals, selected on the basis of their skills, who worked for about a year before the Mental Health Service took charge. The team relied on the municipal Civil Protection, which already had a group of emergency psychologists.

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Dimitrova, M. (2019) VOCIARE Report Bulgaria

## 2.2 CHILDREN

### THE RIGHTS UNDER EU LAW

**The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum scope:**

- Member States should ensure that the child's best interests are their primary consideration and the specific protection needs of child victims are assessed;
- Special protection measures for child victims should be available in light of judicial proceedings;
- The public dissemination of information that could lead to the identification of a child victim should be prevented.

### IMPACT OF TERRORIST ATTACKS ON CHILDREN

Most children respond sensibly and appropriately to disaster, especially if they experience protection, support, and stability from their parents and other trusted adults. Like adults, they may exhibit a wide range of reactions in the aftermath of a terrorist attack: headaches and stomach pain. It must be noted that children's fears may also stem from their imagination as, unlike adults, they are less able to judge which fears are real and which are not; however, their fears should be taken seriously. Information for children and adolescents should be provided in an age-appropriate manner. For child survivors of terrorism: remember to also ask about the health and wellbeing of their brothers and/or sisters.

### THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Over the last 10 years, child-friendly practices have been developed across the different regions of Bulgaria<sup>1</sup>. A child-friendly environment (pleasant, protective, and rights based) is used whenever a child is to be heard in the criminal legal proceedings. Since 2007, multidisciplinary and inter-institutional training has been conducted, at the local level, in three Bulgarian districts where the first specialized facilities for questioning children (“Blue Rooms<sup>2</sup>”) were set up with the aim to create a welcoming atmosphere, to provide video recording facilities, and to avoid contact between the victim and the perpetrator. There are 27<sup>3</sup> “Blue Rooms” in Bulgaria, many of which are based in municipal social service facilities for children and families at risk. A team of psychologists and social workers has been trained to work with children in these locations.

As a safeguard, in the CCP, there is a special provision that minors (children up to the age of 14) and witnesses with specific protection needs should only be interviewed once. There is an exception, further questioning may take place if the victim’s testimony cannot be read<sup>4</sup>, this new interview is of the utmost importance in revealing the truth. Questioning shall only be conducted when measures are taken to avoid contact with the defendant, including in the above specially equipped premises.

Due to their vulnerability, child witnesses and victims of crime are questioned using a camera to record the interview. Under-age witnesses or victims up to age of 14 are questioned in the presence of a psychologist or teacher, or

in the presence of his/her parents. Cross-examination of minors aged between 14 and 18 implies the presence of the above-mentioned specialists, but the presence of the parents is not mandatory, though they may take part in the proceedings as per the decision of the competent authority<sup>5</sup>.

The protection of children in ‘emergency’ cases falls within the competence of the Ministry of Interior and its structures. ‘Emergency’ cases are those where the child was the victim of a crime, or where there was an immediate danger for the child’s health or life, or where the child is involved in a crime. Emergency protection measures can take several forms: placing the child in a special room, to prevent him/her from coming into contact with persons who may have negative influence or who may harm the child; or placement in special institutions or social services and, if there is a need, protection by a permanent bodyguard, or returning the child to the parents or caregivers.

The Child Protection Agency and the Child Protection Departments at the regional Social Assistance departments have complementary functions in such cases. However, the CCP does not perceive children as vulnerable participants in the legal proceedings and there is no mandatory assessment of the victim’s protection needs. Nevertheless, there are separate safeguards<sup>6</sup> put into place to ensure a child’s participation and understanding of the criminal legal proceedings. For example, minors aged up to 14 years should be questioned only once during the criminal legal proceedings (one time interview and avoiding contact with the offender).

When considered witnesses with special protection needs, minors and victims of crime, are examined using a camera recording. Minors up to the age of 14 are questioned in the presence of a psychologist or teacher, or in the presence of their parents. Interviewing minors between 14 and 18 years can be carried out without trained specialists or parents being present.

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1 [https://victim-support.eu/wp-content/files\\_mf/1611087108VOCIARE\\_National\\_Report\\_Bulgaria.pdf](https://victim-support.eu/wp-content/files_mf/1611087108VOCIARE_National_Report_Bulgaria.pdf)

2 “Each Blue Room consists of two rooms, separated by Venetian glass and equipped with specialized audio and video equipment. One room provides a relaxed and inviting atmosphere for the child and the other houses the specialized equipment for conducting the interview and creating the video and audio recordings. The data collected during the questioning is recorded through cameras in the “Blue Room” onto a computer in a room behind the so-called Venetian mirror and is used in pre-trial and court proceedings” - [https://victim-support.eu/wp-content/files\\_mf/1611087108VOCIARE\\_National\\_Report\\_Bulgaria.pdf](https://victim-support.eu/wp-content/files_mf/1611087108VOCIARE_National_Report_Bulgaria.pdf)

3 2016. National Network for Children, Participation of children in the criminal justice system; <http://nmd.bg/det-sata-tchast-ot-sadebni-proizvodstva-se-izslushvat-v-27-vsini-stai/>

4 Article 281 of the CCP

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5 The prosecution in the pre-trial phase and the court in the trial phase.

6 Article 140 of the CCP, article 263(3) of the CCP and article 280(6) of the CCP.

## Interaction between TV broadcasting or written media and children

### GOOD PRACTICE EXAMPLE - ITALY:

In accordance with the Italian National Press Federation's Charter of Journalists' duties to minors and vulnerable subjects, journalists shall respect the principles enshrined in the 1989 UN Convention on the Rights of the Child and the rules enshrined in the Treviso Charter for the protection of the child, both as an active protagonist and as a victim of a crime. In particular, journalists:

a. shall not publish the name or any detail that may lead to the identification of minors involved in the news;

- b. shall avoid possible exploitation by adults, who are inclined to represent and give priority solely to their own interests;
- c. shall assess, in any event, whether the dissemination of the information concerning the child would actually serve the child's interest.

## Interaction between caregivers and children

### GOOD PRACTICE EXAMPLE - CROATIA:

Good practice example – Croatia: In criminal proceedings involving children, all information and announcements need to be confirmed by the child, through their explicit statement that they understood the meaning of the information. In this process, the participation of a professional supporter is fundamental, since they are tasked with explaining to the child, in an appropriate manner, the

meanings of different procedural steps and announcements.

The Ministry of the Interior has equipped 60 “children's rooms” across the country, which are reserved for interviews with children. 50 police officers have received special training on how to conduct child-focused interviews, based on international best policing practices.

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?

## 3. ORGANISING SUPPORT

### 3.1 PREPARATION AND ORGANISATION OF SUPPORT FOR VICTIMS OF TERRORIST ATTACKS

#### THE RIGHTS UNDER EU LAW

**The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum requirements for the preparation and organisation of support for victims in terrorist attacks:**

- Organise training on how to interact with victims and on victims' needs for practitioners that come into contact with victims;
- Ensure that mechanisms or protocols are in place allowing for the establishment of support services for victims of terrorism within the framework of the national emergency-response infrastructures;
- Ensure a comprehensive response network tailored to the specific needs of victims of terrorism.

It should be noted that the availability of an extensive response network depends on Member States' past experiences with terrorist attacks and some Member States have not yet developed protocols for the establishment of a specific response network to terrorist attacks. Where such specific response network is not available, it is our understanding that existing crisis response structures can be adapted to terrorist attacks.

#### AN OVERVIEW OF RIGHTS IN BULGARIA

Under the [Law of the Ministry of the Interior](#), officials of the Ministry, as well as the police, are required to have appropriate professional qualifications for the implementation of the Ministry's tasks and activities. According to the same law, these officials are obliged to maintain and regularly improve their professional training and qualifications. However, the relevant legislation does not prescribe compulsory training for police officers on how to work with children and victims of crime (including victims of terrorism), or on issues related to victims' rights.

Under the [Judiciary Act](#), junior judges should complete, and pass, a full course of compulsory initial training at the National Institute of Justice, where courses on child victims of crime were introduced.

In accordance with the Law on Assistance and Financial Compensation of Victims of Crime, the National Council for Assistance and Financial Compensation for Victims of Crime organizes and conducts training of different groups of professionals who assist victims of crime.

Furthermore, the Act on Support and Financial Compensation for Victims of Crime and its Implementation Rules introduce an obligation for the National Council for Support and Financial Compensation for Victims of Crime to carry out and coordinate international cooperation in support of victims of crime.



## **PREPARATION AND TRAINING – NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES**

### **Training**

As a complementary measure to ensure that judicial authorities carry out adequate needs' assessments for victims of crime, the state should provide comprehensive training programmes to all professionals who come in contact with victims. These programmes should have an interdisciplinary approach and should include elements of victim and child psychology, sociology, and victimology. Moreover, these training programmes should bring together professionals from different sectors, such as police officers, magistrates, attorneys as well as psychologists and social workers, to ensure a multifaceted approach to dealing with victims.

## **EMERGENCY RESPONSE PHASE – NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES**

Within the emergency response activities, for events such as terrorist attacks, local public administration authorities have the obligation to ensure support for victims of crime, at the request of the authority coordinating the emergency response. Public authorities and institutions are obliged to collaborate by exchanging personal data, to identify victims of crime, in emergency response activities.

## **MEDIUM- AND LONG-TERM – NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES**

In general terms, there are a number of associations and other public as well as private institutions that can provide long term humanitarian and personal assistance.

With regard to international good practices in long-term monitoring and assistance for victims of terrorism, close cooperation, in particular between Belgium and Spain, has enabled victims of terrorism and their loved ones to be assisted on their return to their country of residence, to be informed of their rights, and the services in place to support them (compensation, medical and psychological support, etc.).

## 3.2 ORGANISATION OF SUPPORT FOR VICTIMS OF TERRORISM

### THE RIGHTS UNDER EU LAW

**The Victims' Rights Directive and the Counter-terrorism Directive set out the following minimum requirements for the organisation of support for victims of terrorist attacks:**

- The availability of support services immediately following a terrorist attack, and for as long as necessary. These support services should be confidential, free of charge and easily accessible to all victims of terrorism;
- The establishment of free confidential specialist support services in addition to, or as an integrated part of, general victim support services, victim support organisations should be able to call on existing specialised entities providing such care, as necessary;
- Ensure that mechanisms or protocols are in place that allow for the activation of support services for victims of terrorism within the framework of the national emergency-response infrastructure.

### AN OVERVIEW OF RIGHTS IN BULGARIA

In Bulgaria, the crisis response model is defined in the [Disasters Protection Act - Закон за защита при бедствия](#) - published in State Gazette No 102/19.12.2006, last amended SG No. 77/18.09.2018 (DPA), and [Regulation No. 25 from 4 November 1999 for provision of emergency medical aid](#) - *Наредба № 25 от 4 ноември 1999 г. за оказване на спешна медицинска помощ* - adopted by the Minister of health, published in State Gazette No. 98/12.11.1999, and last amended SG No. 18/4.3.2014 (Regulation No 25).

The national emergency-response infrastructures are laid down in the Disasters Protection Act. Although it does not refer specifically to terrorism, the definition of 'disaster' (Article 2) refers to "any significant disruption of the normal functioning of society, caused by natural phenomena and/or human activity, leading to negative consequences

for the life or health of the population, property, economy and the environment".

[The Bulgarian National Council for Assistance and Compensation to Victims of Crime](#) under the Ministry of Justice makes available the assistance stipulated in [the Crime Victim Assistance and Financial Compensation Act](#) (medical treatment; psychological counselling; free legal assistance; practical help) for all victims of crime, including terrorism. The National Council for Assistance and Compensation to Victims of Crime also turns to the competent authorities in other countries for assistance in cases where Bulgarian nationals are victims of crime abroad, and provides assistance to nationals of other countries, who reside in Bulgaria, if they are victims of terrorism.

As detailed under the Compensation section, according to the Crime Victim Assistance and Financial Compensation Act, in Bulgaria every person, who is a victim of terrorism, has a right to compensation according to the general rules for compensation of victims of crime. Although there is no special scheme to financially compensate victims of terrorism immediately after the terrorist attack has been committed, all guarantees provided for in the special Crime Victim Assistance and Financial Compensation Act are also explicitly provided for the victims of terrorism.

According to the Crime Victim Assistance and Financial Compensation Act, the Ministry of the Interior authorities, investigators, and victim support organisations shall immediately inform foreign nationals, who are victims of crime, including terrorism, in the Republic of Bulgaria, of their rights in a clear manner and in a language which they comprehend.

A similar procedure is followed for those who are victims of crime in another country, persons affected will be informed about the services they can benefit from in such cases.

In accordance with the National Plan on Counteracting Terrorism, adopted by a decision of the Council of Ministers and implementing the

provisions of the Act on the Management and Functioning of the System of National Security Protection and of the Counter-Terrorism Act, the Ministry of Foreign Affairs (MFA) is responsible for the communication with other States and,

in the eventual event of a terrorist attack, the MFA will be informed and will be in charge of correspondence with other States and their representations in Sofia. The EU, NATO, and other partner organisations will be notified accordingly.

## THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Whilst it is evident that victims have a right to support, it is not always clear how that support should be organised in any given country: who should provide it, how should it be made available, and what services should be offered? There is no one-size-fits-all answer to these questions. Each Member State will find solutions that take into account their specific national circumstances. Victim support can be provided by the state, by victim support organisations, or by a combination of both.

## Victims' associations

Peer groups are valued because of the understanding and shared experience of those involved. Peer groups can therefore provide support that is particularly beneficial to those affected. These groups are largely formed spontaneously thanks to individual contacts between those affected, experiences they exchange and mutual support.

## Certified psycho-trauma experts

Most EU Member States have active National Psycho-trauma Centres equipped to support persons suffering from PTSD and other disorders.

The EUCVT has compiled a list of Psycho-trauma experts, based in Europe, who have all been invited to join the online Hub with a view to exchanging best practices and increasing expertise at the national level.

## Further reading:



- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations

## 4. EUCVT

In January 2020, the European Commission set up the EU Centre of Expertise for Victims of Terrorism (the EUCVT) as a two year pilot project to offer expertise, guidance and support to national authorities and victim support organisations.

Expertise is available on all matters related to victims of terrorism: e.g. on their needs, their rights according to EU legislation, the psychological consequences of terrorist attacks and therapies available for victims, and judicial processes.

During the term of the pilot project, national authorities (departments of justice, of health, of the interior; national organisations of the police, public prosecution or law courts; national first responders; NGOs that support victims of terrorism) may contact the EUCVT for expertise, guidance and/or support.

The EUCVT is unable to provide direct help and assistance to individual victims of terrorism. However, victims that contact the EUCVT will be referred to the authority or service provider in the appropriate Member State (or in other countries as required) that can support them.

### Website

- Basic information on the rights of victims, on the needs of victims and on available support for victims of terrorism is available on EUCVT's website.
- The website also contains key documents on victims of terrorism, links to online resources, video statements of victims of terrorism and the professionals involved in their support.

### Experts

- The EUCVT has an extensive network of experts, including victims of terrorism, practitioners and researchers from Member States and around the world. The EUCVT will connect you with the relevant experts as required.
- EUCVT experts are available, at short notice, to deliver advice in person in EU Member States. The costs involved shall be borne by the Member State making the request for assistance.

### Contact details

[eucvt@victimsupporteurope.eu](mailto:eucvt@victimsupporteurope.eu)

### Further reading:

 [EU Centre of Expertise for Victims of Terrorism](#)

