



HANDBOOK

ON VICTIMS OF TERRORISM

THE CZECH REPUBLIC

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 Lenval.

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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.

In the Czech Republic there is no history of terrorist victimisation. Only two reported domestic terrorist attacks have been carried out, by the same perpetrator, and they have not caused direct harm to any victim.

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:**
 - VSE (2019) Remembering Victims of Terrorism: A guidance document
- **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
- **On the state of play regarding support for victims of terrorism (particularly in cross-border situations) in the Czech Republic:**
 - German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations

CRISIS RESPONSE STRUCTURE IN THE CZECH REPUBLIC

In the case of a terrorist attack in the Czech Republic, the **Integrated Rescue System (IZS)** would handle the immediate crisis response. So far, IZS experience in providing support to victims derives from other types of, primarily, domestic disasters such as floods, fire, rail or industrial accidents.

The core components of the IZS include, according to the Act No. 239/2000 Coll.¹, the Fire Rescue Service of the Czech Republic, district fire protection units, the Police of the Czech Republic, and emergency medical service providers. These core groups are always prepared for an emergency event announcement, to evaluate the event, and to intervene as necessary at the scene of the emergency. However, the IZS also contains military units, other armed security forces, other rescue forces, accident, emergency, expertise and other services, etc.

IZS activities are coordinated by the operational and information centres of the Fire Rescue Service and by the Directorate-General of the Fire Rescue Service. The Czech Republic is divided into 14 separate territorial areas, each directed by the regional headquarters of the Fire Rescue Service, which administers the regional operational centre. These centres receive emergency calls via the national emergency number.

Various ministries are expected to identify the origin of potential risks, conduct threat analyses and, within the prevention framework and under special legal instruments, address the issues that may cause emergency events; they also determine the appropriate rescue and relief activities to mitigate the consequences of emergency events. The main actor is the Ministry of the Interior, which is in charge of the

preparation for, and response to, emergency events, the IZS and public protection, and for the involvement of the Czech Republic in international rescue operations and external humanitarian assistance abroad, in cooperation with the Ministry of Foreign Affairs. The Ministry of the Interior is tasked with directing the IZS, managing the construction and operation of the IZS information and communication networks and services, providing and operating the unified warnings and notifications system, and organising briefing and training sessions. Moreover, the Ministry of the Interior has developed the Strategy of the Czech Republic for the Fight against Terrorism, which sets priorities, challenges and approaches in response to a terrorist attack.

If an emergency event spreads across the region (nation-wide crisis) or state border (cross-border crisis), or if a district mayor with extended powers or a unit commander asks for help, the Ministry of the Interior coordinates the rescue and relief work. Regional authorities prepare for emergency events, rescue and relief work, and public protection during more localised crises.

In the case of international and cross-border cooperation, the relevant ministries (the Ministry of the Interior, Ministry of Foreign Affairs, Ministry of Health) are ready to offer the services of the IZS (police, firefighters, medical service) as needed.

IZS training courses are held regularly at international, national and regional levels, and include, among other things, evaluating the readiness of a comprehensive response to victims' needs, immediately after a terrorist attack. Training includes evaluation of the course to identify and resolve any weaknesses.

¹ § 4 of the Act No. 239/2000 Coll. The Integrated Rescue System Act and amendments to certain acts

These courses also contain elements on mass media and public communication, defining the role the mass media plays in informing the public about a specific threat.

The Czech Republic has a system of psychological help for victims of crime that includes victims of terrorism. Included is the provision of crisis intervention, 24/7 telephone support by the crisis intervention group, arranging contact between the victim and the external organization providing follow-up psychological, psychosocial and socio-legal assistance. The Czech Republic has a so called “Disaster Victim Identification” team, which consists of various experts who will determine the identity of any deceased victims. If there is a crisis, after police officers have had their first contact with those at the scene and have identified the victims, they are given assistance as necessary – as mentioned above, this is the work of crisis intervention experts (mainly psychologists). Afterwards, the victims are asked about their current needs and are

given information on available support services; if the victim shows interest, these experts can arrange contact with the support service, which may be on site at the time.

The Register of Victim Support Providers is publicly accessible and contains the contact information and a brief description of all registered victim support entities (Probation and Mediation Service centres; accredited NGOs that provide legal information, restorative victims’ programs and psychosocial advice; attorneys providing legal aid to victims). Immediate medical treatment is provided by the emergency rescue service, any subsequent medical treatment is provided within the general public health care system.

The public receive disaster risk information via television and radio broadcasts, websites, social networks, and public notifications such as posters; members of the public have access to preventive educational activities.

Further reading:



- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- 🌐 https://ec.europa.eu/echo/what/civil-protection/disaster-management/czechia_en
- 🌐 Register of Victim Support Providers (in Czech)

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 Halle attack in 2019, 2 people were killed and 2 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 events 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), 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: 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: PARIS ATTACKS, 13 NOVEMBER 2015

Scale

These attacks constitute the deadliest terrorist event in the history of France:

- 131 people died
- 350 people were reported injured, several dozen with permanent consequences
- The actual number of injured is estimated at around 450, some of the wounded never sought medical assistance

Location

A series of coordinated attacks was carried out around the Stade de France, inside the Bataclan concert hall, on several Parisian café terraces spread across the 10th and 11th arrondissements of the capital.

Timing

The terrorists split into several small groups to launch the attacks in a coordinated manner between 9:20 p.m. and 1:40 a.m.

Weapons

The coordinated attacks were perpetrated with automatic weapons and explosives in busy public places, coupled with hostage-taking.

Organisation

The attacks were claimed by the jihadist group Daesh, and were perpetrated by a team of terrorists connected to the Brussels attacks of 22 March 2016.

Further reading:

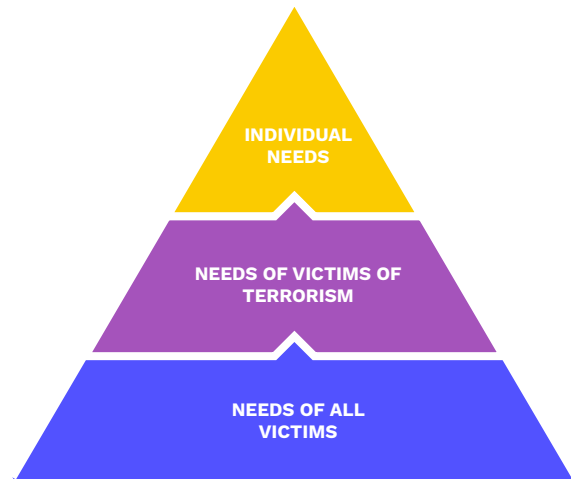
- Europol (2020) TE-SAT Report
- Institute for Economics and Peace (2019) Global terrorism index



VICTIMS' NEEDS

As specified in Recital 27¹ 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.

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

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.
2. Support: medical care, specialised psychological-trauma care, information, practical assistance, legal assistance, communication (media) support, peer support, etc. *In the Czech Republic, the state-run Probation and Mediation Service operates as a generic victim support service with probation officers trained to provide victim support. In a terrorist attack, crisis intervention specialists are available.*
3. Protection: physical protection, protection from secondary victimisation. *In the Czech Republic a range of protective measures are granted to victims with specific protection*

needs - victims of terrorism are included in this category.

4. Access to justice: safe participation in the criminal justice process. *As above.*
5. Compensation and restoration: financial compensation and help with the financial impact of a terrorist attack. Restoration includes overall recovery and restorative justice processes. *In the Czech Republic, in addition to being able to obtain compensation from the offender, a system of state funded financial help for victims of crime is foreseen under the Law on Victims of Crime.*

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 CZECH LAW Victim of Terrorism

In the Czech Republic, there is no special legal definition for a victim of terrorism. Victims of terrorism are, according to the Crime Victims Act No. 45/2013 Coll., as amended, victims of the crime of terrorist attack under section 311 of the Czech Criminal Code (Act No. 40/2009 Coll., as amended). Victims of terrorism are considered particularly vulnerable victims with special protection needs, as expressly indicated in the Crime Victims Act No. 45/2013 Coll. The same status applies to the surviving members of a victim's family if a person's death was directly caused by a terrorist attack.

Terrorist offence

Terrorist offences are defined, as mentioned above, in section 311 of the Czech Criminal Code (Act No. 40/2009 Coll., as amended). Offences include: Terrorism, Common Danger, Endangering the Safety of an Aircraft or Civilian Vessel, Hijacking or Unlawful Seizure of an Aircraft, Sabotage, Damage and Threat to Public Utilities, Murder, Hostage Taking, Extortion, Unlicensed Arming or Possession of Weapons, Unauthorised Production and Possession of Radioactive Substances and Highly Dangerous Substances, and Dissemination of a False Alert Message, etc. Financial, material and other support as well as the preparation of a terrorist attack are also criminalized.

CASE STUDY: DEFINITION OF VICTIM OF TERRORISM UNDER FRENCH LAW

To keep the notion of victim as broad as possible, French law does not define the term ‘victim’ nor does it describe the types of victims. The concept of victims is used for topics related to compensation and responsibility: as per Article 2 of the French Criminal Procedure Code (CPC) on civil action, a victim is a person, who has been injured as a result of an event, which can be qualified as a criminal offence and entails the referral to criminal justice.

More specifically, with regard to the recognition as victim of terrorism under French law, after a terrorist attack the National Anti-Terrorist Prosecutor’s Office draws up a list of victims, including the deceased and injured, but unconscious persons. Other injured victims must be recognized by the Guarantee Fund for Victims of Terrorism and Other Offences (*Fonds de Garantie des victimes de terrorisme et d’autres infractions* – FGTI), which receives claims for compensation from all those, who consider themselves victims of terrorist

attacks and on this basis completes the initial list. The FGTI is competent to decide whether these claims are admissible and if it refuses to compensate someone on the grounds that the person is not a victim of terrorism, the decision may be contested before the Compensation Judge for Victims of Terrorism (JIVAT), who will decide the matter. Based on both the Prosecutor’s Office and FGTI’s lists, the Ministry of Justice (*Service de l’accès au droit et à la justice* – SADJAV) draws up a “shared list” (*liste partagée*), which is then sent to all the actors involved in the accompaniment of victims of terrorism.

It is also worth noting that the Inter-ministerial Instruction on the assistance to victims of acts of terrorism of 11 March 2019 (*Instruction interministérielle relative à la prise en charge des victimes d’actes de terrorisme*, Prime Minister, N°6070/SG), includes persons having a family tie with the victim, in the notion of beneficiaries, who have the same rights as victims of terrorism.

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
- 🌐 Law on Victims of Crime - Act 45/2013 (in Czech)
- 🌐 Criminal Code - Act No 40/2009 (in Czech)

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.

The first step towards recognition and respect of victims of terrorism is their identification, while subsequent 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 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 only 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.

Victim registration – a necessary pre-condition for recognition and respect

To ensure respect and recognition for all victims, especially in attacks affecting large number of people, it is fundamental for the authorities to plan and execute a rigorous victim registration procedure. This procedure should be designed in such a way as to centralise victim information – including the information and contact details of concerned family members, witnesses and bystanders, first responders and other persons, who might have been impacted by the attack in different ways.

AN OVERVIEW OF RIGHTS IN THE CZECH REPUBLIC

The identification of, and communication to, victims and their families is ensured by the Police of the Czech Republic, which have manuals on, and specifically trained personnel for, these tasks. According to the Police Act, the Police can forward, or make available, information on deceased persons and the personal data of living victims to the competent authorities of other Member States. When a victim consents to having their information forwarded to a special support service, the police will carry out this task to ensure the necessary assistance is available as quickly as possible.

CASE STUDY: VICTIMS' REGISTRATION IN FRANCE

The French Ministry of Justice is engaged in improving its victim registration procedure. A digital tool is currently being designed to list victims of major crises, along with their contact details and details of their family

members, within one single file. This tool will ensure that privacy and data protection rights are respected and the information it contains will only be available to organisations, which assist victims in exercising their rights.

No specific information has been identified in relation to victims'/victims of terrorism's rights to respect and recognition in the Czech Republic.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

CASE STUDY: PRACTICES IN SPAIN WITH REGARDS TO:

- **Identification of victims:** Bearing in mind that, in an event with a high number of victims, the recovery and identification of victims is key to being able to hold the judicial investigation, and the return victims' remains to the families in the shortest time possible, the Spanish Ministry of Justice has prepared a *Guide for Intervention and Identification of Victims* to help family members, professionals and experts involved in the management of the event.
- **Awards:** The *Royal Order of Civil Recognition of Victims of Terrorism* was created with the intention of honouring the deceased, injured or kidnapped in terrorist acts in Spain, relatives up to the second degree of consanguinity, and witnesses.
- **Commemoration:** 27 June has been declared the *Day of remembrance and homage to victims of terrorism* in Spain and since 2005, 11 March has been adopted as the *European Day of Remembrance of the Victims of Terrorism* to commemorate the Madrid bombings of 11 March 2004. On both days, the Spanish Government promotes acts of recognition of the victims of terrorism in coordination with associations, foundations and not-for-profit entities. The Victims of Terrorism Memorial Centre (*Fundación Centro para la Memoria de las Víctimas del Terrorismo*) is a state public sector foundation, affiliated with the Ministry of Interior, set up to commemorate all Spanish victims of terrorism.
- **Monuments** create a physical place where victims can gather to share their individual loss with society. Victims were involved in the planning and development of the memorial monument at the El Pozo station, where 68 out of the 193 victims of the 2004 Madrid attacks died.
- **Honorary citizenship:** Following the 2004 bombings in Madrid, Spanish naturalisation laws were used to extraordinarily grant Spanish nationality to foreign victims of terrorism, to acknowledge their loss and pain. Some victims of the attacks in Catalonia have also obtained Spanish nationality by "letter of nature", an exceptional way to gain nationality.

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
- 🌐 EU Centre of Expertise for Victims of Terrorism, EU Handbook on Victims of Terrorism

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 THE CZECH REPUBLIC

The Register of Victim Support Providers is a publicly accessible online database providing the contact information, and brief description, of the most relevant entities providing victim support in the Czech Republic: the Probation and Mediation Services centres; accredited NGOs providing legal information, restorative programs to victims and psychosocial consultancy; attorneys providing legal aid to victims.

During a crisis, the Police of the Czech Republic, in their first contact with victims, inform them on the current state of the crisis, provide them with information on the attack, the availability of support services and type of help given – always according to the needs of the victim. The Police, and the chosen support service, tell the victim how to obtain monetary assistance. The available on-site medical services provide leaflets for relatives with information on what happened to their loved ones, who they should call for further news, and relevant telephone numbers. This also apply to victims who reside in another Member State.

In general, all victims have the right to be given information in an easy to understand format taking into consideration their age, intellectual and moral maturity, literacy and health, including their psychological state. Individualised information should be provided to the victim which corresponds to his or her particular needs, with regard to the nature and seriousness of the crime. Important information (e.g. the authority to whom a crime has been reported, which entities in the Register of Victim Support Providers a victim can turn to) must be provided in writing and orally, in a language the victim understands, or in the official language of the State of which the victim is a citizen.

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 - INTERNATIONAL PRACTICE

In France the Inter-Ministerial Delegation for Victim Support (DIAV) has developed the French government's victim support website: the One-stop Victims' Information and Declaration portal, which clarifies what to do after a terrorist attack and enables victims of terrorism, wherever they live, to find information on their rights, the formalities, and the various bodies involved in providing them with assistance (victim support organisations in particular). This information has been translated into English and Spanish for foreigners involved in terrorist attacks in France and the DIAV intends to launch an online information guide for French citizens, who are victims of a terrorist attack abroad.

In the Netherlands, the 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 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 such as the police, the Public Prosecutor, and the government. An IAC was also 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
- Dusková, S., Matiasco, M. (2019) VOIARE National Report Czech Republic
- 🌐 Register of Victim Support Providers (in Czech)
- 🌐 'One-stop victims' information and declaration portal'
- 🌐 IAC Air Disaster Ukraine

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 to access 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 THE CZECH REPUBLIC

According to the Crime Victims Act, in general, victims have the right to receive a range of services, including information and advice on their rights, information regarding other services and available restorative programs, psychological counselling and social counselling as well as legal information and support. All such services can be provided before, during and after the criminal proceedings, based on the victims' needs, and are provided free of charge to victims with specific protection needs such as victims of terrorism.

In the Czech Republic, the state-run Probation and Mediation Service operates as a generic victim support service with probation officers trained in providing victim support. Free of charge services across the country range from the provision of information, general social and psychological counselling, to help with financial and practical issues, and restorative programs. The Service also carries out an assessment of protection needs and referral to specialized services.

Other NGOs providing victim support are listed in the Register of Victim Support Providers, which is administered by the Ministry of Justice of the Czech Republic and is publicly accessible. The Police are obliged to provide victims with the contact details of a victim support service during their first meeting with the victim; this also applies to other entities involved with the victim.

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. Ideally, those offering help will be proactive: reaching out to victims on a regular basis, finding ways and opportunities to connect with them. Victims need information on available services, but should not be coerced into using them.

CASE STUDY: ESTABLISHING CONTACT WITH VICTIMS

In the Czech Republic, the Police work closely with the NGO Bílý kruh bezpečí (BKB). In practice, the first police officer in contact with the victim provides information on BKB's support services and, if the victim agrees,

their contact details may be handed over by the Police to BKB via a 24/7 hot line. The BKB then contacts the victim within a few hours and provides support according to the victim's specific needs.

Victim assistance centres

It is beneficial to set up a victim assistance centre after large-scale terrorist attacks: a one-stop-shop, where victims can go to get information and support.

GOOD PRACTICE: SETTING UP A VICTIM ASSISTANCE CENTRE AFTER A TERRORIST ATTACK IN FRANCE

In France, the *Centre d'Accueil des Familles* (CAF) was set up under the authority of the prefect of the competent Department in Strasbourg, on 12 December, to provide immediate treatment and support for victims of the terrorist attack of 11 December 2018. It mobilised the resources of local associations of the France Victimes network, SOS Aide aux Habitants FV67 and VIADUQ FV67 to assist the victims. Nearly 700 victims were helped

in the aftermath of the attack. Such centres are set up whenever a terrorist attack causes multiple direct victims. In certain cases (as for the 2015 Paris attacks, the 2016 Nice attack and the 2018 Strasbourg attack) the CAF, as such, closes after the crisis phase, and the new information and support centre (*Espace d'information et d'accompagnement* - EIA) continues to provide support services for the rehabilitation of the attack survivors.

Central contact point within government

The Czech Republic has indicated that discussions concerning the nomination of their single contact points for victims of terrorism are ongoing.

The state-run Probation and Mediation Service operates across the country and provides detailed information on victim counselling and support services, and/or offers such services to anyone, especially economically disadvantaged citizens, free of charge both in the short-term and long-term.

Other types of support

GOOD PRACTICE: OTHER TYPES OF SUPPORT IN FRANCE

- The ONAC-VG (*Office National des Anciens Combattants et Victimes de Guerre*) recognizes the victims of terrorist attacks as war-wounded and provides for their life-long care, financial, educational, and professional help.
- In 2016, a local oversight committee for victims of acts of terrorism (*Comité Local d'Aide Aux Victimes*, CLAV, as of 2017) was created at the level of the Departments of the French Republic. The committee ensures the coordination of all local actors involved in victim assistance to ensure the best possible support to victims of terrorism. For example, the Strasbourg CLAV meets at least once a year to ensure that the needs of victims of the 2018 Strasbourg attack are taken care of, and to discuss any difficulties that victims may face individually. The DIAV oversees the development and activities of all local-level committees.
- The inheritance of those, who died because of an act of terrorism, is exempt from tax.
- Specific health insurance coverage, entailing free care for the length of the convalescence, applies to victims of terrorism.

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
- 🌐 Law on Victims of Crime - Act 45/2013 (in Czech)
- 🌐 Dusková, S., Matiasko, M. (2019) VOIARE National Report Czech Republic
- 🌐 Probation and Mediation Service of the Czech Republic
- 🌐 Register of Victim Support Providers (in Czech)
- 🌐 Bílý kruh bezpečí (BKB)
- 🌐 VSE (2018) Behind the Scenes: Family Reception Centre set up for the Victims of the Strasbourg Christmas Market Shooting

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 THE CZECH REPUBLIC

According to the Czech Criminal Procedure Code, apart from being heard in the proceedings, the victim if acting as an injured party may also suggest and submit evidence, has access to the case-file, has the right to be present during other procedural stages, and can join the criminal proceedings to claim compensation.

According to the Crime Victims Act, victims of terrorism are considered particularly vulnerable victims and as such they are granted the right to be questioned in a sensitive manner by trained professionals working within the criminal justice system and in premises adapted to this purpose (special interview rooms). Interviews of a particularly vulnerable victim are carried out so as to prevent unnecessary duplication through the use of audio-visual recording devices.

Victims have the right to be accompanied by a confidant, a person chosen directly by the victim to provide them with support, from practical and legal matters to psychological assistance. The confidant may serve as the person representing the victim's interest.

At any stage of the criminal proceedings, victims can submit a "Victim Impact Statement", in which they describe the impact the crime has had on their life.

Victims who do not speak/understand Czech have the right to obtain information, at any stage of the criminal proceedings, in a language they do understand or in an official language of the state they are citizens of (only in case that there is no interpreter for such a language or dialect in the register of interpreters), and they have the right to be accompanied by an interpreter of the same or opposite sex.

Particularly vulnerable victims are granted access to free professional assistance such as legal aid upon submission of a request to the court. Legal assistance is provided free of charge by lawyers registered in the Register of Victim Support Providers. Other entities listed in the Register of Victim Support Providers, including the Probation and Mediation Service, provide general legal information free of charge.

The opportunity to obtain reimbursement of expenses for the active participation in criminal proceedings applies only to the injured party or witness, however, victims usually fall within the definition of injured party.

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 this participation, which may include holding trials in larger secure locations to accommodate all those involved.

Where criminal proceedings about terrorist attacks and other disasters account for large numbers of victims, there may be a need for more support compared to other criminal proceedings.

CASE STUDY: ADDITIONAL SUPPORT TO VICTIMS DURING CRIMINAL PROCEEDINGS FOR LARGE SCALE ATTACKS IN SPAIN

The trial held following the 2004 Madrid attacks is one of the largest ever held in Spain and took place between 14 February and 2 July 2007 (a total of 57 hearings were held). The trial was attended by 300 witnesses, 60 experts, three victims' associations and 15 private attorneys, who joined the public prosecutor in the criminal charges, and 150 mass media representatives, who reported on the trial.

To ensure support for the victims attending the trial, a pavilion was set up in the Casa de Campo. Social workers, psychologists, and association members accompanied the victims, providing them with emotional and practical support.

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.

INTERNATIONAL EXAMPLES OF PRACTICAL APPLICATION

After the 2016 Brussels terrorist attacks, a parliamentary inquiry was launched to investigate the circumstances leading up to the attack, the response to the attack, and the evolution of radicalisation with the aim of developing recommendations from the lessons learned.

In Germany, the Federal Government Commissioner can act as an intermediary between the victims and those responsible for the criminal investigation in the aftermath of the attack. Even where the investigation is still ongoing, the Commissioner can, for example, set up a meeting between these two parties. During such meetings, victims can directly question those leading the investigation.

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
- Dusková, S., Matiasco, M. (2019) VOIARE National Report Czech Republic
- 🌐 Code of Criminal Proceedings
- 🌐 Register of Victim Support Providers (in Czech)
- BE Inquiry Committee March 2016 Terrorist Attacks (EN/NL/FR)
- Beck, K. (2017) Abschlussbericht des Bundesbeauftragten für die Opfer und Hinterbliebenen des Terroranschlags auf dem Breitscheidplatz (in German)

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 THE CZECH REPUBLIC

The Crime Victims Act provides a definition of victims with specific protection needs, these are particularly vulnerable victims, and victims of terrorism are already included in this category. Therefore, these victims do not require an individual assessment to be granted protection during the proceedings; the law specifically states that if there is doubt as to whether the victim is a particularly vulnerable victim, he or she shall be considered as such. Additionally, a range

of protective measures is available to them and their family members: giving testimony through an audio-visual recording device is foreseen and commonly applied to avoid repeated questioning and contact with the offender, during both the criminal proceedings and in court. Victims can submit a request to the court, medical facility or prison to be informed of the release or escape of the offender; if there are justified concerns about possible dangers or threats to the victim, the prosecuting authorities, Probation and Mediation Service, and prison authorities inform the Police, who then inform the victim and take precautionary measures for their protection.

In general, the right to protection of privacy of the victim is regulated by the Crime Victims Act, and by the Criminal Procedure Code, in two cases: firstly, protection of the identity of parties concerned in criminal proceedings. According to the Criminal Procedure Code, the authorities must be careful not to make public information about the parties in the criminal proceedings not directly related to criminal activities, this principle must also be respected by the police authority while communicating with the media. Exceptions are justified e.g. for the purposes of conducting a search for the alleged offender or missing persons, for the purpose of criminal proceedings, and certain legally defined situations, in the public interest and if public interest outweighs the right to privacy of the person concerned. Secondly, the option for a victim (or their proxy, including an accompanying person) to request withdrawal of their personal information from the case-file. Personal information includes the address of the victim (or her/his proxy/trustee), the address of her/his employer or business, details of their personal, family and financial situation.

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 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.

Victims and the media

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.

GOOD PRACTICES OF WORKING WITH THE MEDIA IN SPAIN AND FRANCE

Some institutions and media in Spain, for example, the Spanish Public Radio Television (RTVE), have published recommendations on the treatment of victims of terrorist attacks by the media. In particular, care must be taken to guarantee the use of language and the rigorous reporting of truthful information. According to the recommendations, reporting on victims of terrorism must be done with the utmost respect for their situation and privacy, as well as with recognition of the pain of their relatives.

In France, the French Audiovisual High Council (*Conseil Supérieur de l'Audiovisuel*, CSA) held hearings, namely with victim support associations and other authorities, to draft a Charter of Good Practices for the media in the case of terrorist attacks, which includes a reminder of ethical rules.

Moreover, in the context of the trial for the November 2015 Paris attacks, victims can choose to get a red or green badge cord for the press to know whether they agree or not to be approached.

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
- Code of Criminal Proceedings
- Dusková, S., Matiasco, M. (2019) VOIARE National Report Czech Republic
- Manual del Estilo de RTVE (in Spanish)
- CSA, Précautions relatives à la couverture audiovisuelle d'actes terroristes (in French)
- Procès des attentats du 13-Novembre : témoigner ou oublier, le dilemme des victimes (in French)

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 THE CZECH REPUBLIC

In the Czech Republic, the Crime Victims Act targets specific responsible entities (e.g. the Police, prosecuting authorities, other entities registered in the Register of Victim Support Providers) to apply measures aimed at preventing or reducing secondary victimisation (by e.g. avoiding direct contacts between the victim and the offender, providing the victim with the assistance of a confidant during the criminal proceeding, interviewing the victim in an especially sensitive manner and in special interview rooms, ensuring the interview is carried out in such way that it does not have to be repeated, enabling the victim to submit a Victim Impact Statement, setting legal rules for interviewing and providing explanations of particularly vulnerable victims).

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

CASE STUDY: DEVELOPMENT OF GUIDANCE TO AVOID SECONDARY VICTIMISATION

The “Victims of Terrorism Quality Assistance Guide” resulted from the collaboration, which started in 2015, between the Ministry of the Interior, with its General-Directorate for Support to Victims of Terrorism, and the Spanish Psychological Association (*Consejo General de Colegios Oficiales de Psicólogos - COP*).

The Guide recognises the immense psychological impact caused by a terrorist attack and provides various genres of professionals with information on various victims’ reactions to the

trauma of terrorist victimisation. In addition to psychologists, there are other actors involved in assisting victims. This Guide aims to provide the State Security Forces, the fire brigade, local police officers, social workers, public authorities, consular office staff, members of associations and foundations of victims of terrorism, and any other groups offering assistance to victims, with an efficient tool in the provision of quality victim support and to minimise, or at least not to increase, the psychological damage they suffer.

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
- Dusková, S., Matiasko, M. (2019) VOICIARE National Report Czech Republic
- 🌐 Register of Victim Support Providers (in Czech)
- 🌐 Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide, also available on the [Spanish Ministry of Interior’s website](#)

1.8 VICTIMS' RIGHTS IN RELATION TO ACCESS TO COMPENSATION

THE RIGHTS UNDER EU LAW

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

- the 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 IN THE CZECH REPUBLIC

As well as being able to obtain compensation from the offender, a system of financial help to victims of crime funded by the state is foreseen under Crime Victims Act. Victims have the right to a one-time payment to cover any damage to the victim's situation as a result of the crime. Monetary assistance is only available to certain groups of victims (e.g. those who suffered bodily injury or grave bodily injury, a family member of the deceased). The payment is provided by the Ministry of Justice based on an application from the victim, which must be requested no later than two years from the day the victim learned of the damage caused by the crime, and in any case no later than five years after the crime was committed.

In addition, an injured party, whose claim to compensation was granted in the criminal or civil proceedings, may submit an application to the Ministry of Justice and be paid through the proceeds of the criminal property sanction (e.g. confiscation of assets), if this was imposed on the offender during the proceeding.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS

RECOGNITION
& RESPECT

SUPPORT
INCLUDING
INFORMATION

PROTECTION

ACCESS TO
JUSTICE

COMPENSATION
& RESTORATION

EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

CASE STUDY: FUNCTIONING OF THE COMPENSATION SCHEME IN FRANCE

Victims are in direct contact with the FGTI and can be accompanied throughout the compensation process by France Victimes' support associations as well as other victims' associations, such as AFVT and FENVAC, in addition to the victims' lawyers, where appropriate. In the immediate aftermath of a terrorist attack, the FGTI makes a provisional payment to cover costs arising immediately after the attack (between 24 and 48 hours after). In this context the FGTI also covers the funeral costs for the bereaved families and directly contacts funeral services to assist families with this process. In any case, within one month of receiving a valid claim from the victim, the FGTI will pay an initial amount; additional amounts can be paid, based on costs incurred and foreseeable

final damages. New types of harm have been recognized, such as the harm of anxiety about imminent death. It is also possible for a team to visit the location of the attack, even if it is abroad, to assist victims and family members with the preparation of the compensation claim.

In addition, through the online one-stop-shop developed by the DIAV, victims can complete an online form with their personal information and supporting documentation, which will facilitate their application for compensation and reimbursement of costs. Foreigners involved in terrorist attacks in France can also access this information in English and Spanish.

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
- Dusková, S., Matiasco, M. (2019) VOIARE National Report Czech Republic
- *Fonds de Garantie des Victimes de Terrorisme et d'autres Infractions* (FGTI)

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 THE CZECH REPUBLIC

In general, residents of another Member State, who are victims of a crime that occurred in the Czech Republic, are entitled to the same rights as Czech nationals and access to support services is established under the Crime Victims Act, regardless of their nationality. In this case, law enforcement authorities provide victims with practical information in a language they understand. Similarly, victim support services provide counselling and other professional assistance.

Compensation schemes

The Ministry of Justice is the competent authority deciding on requests of monetary assistance from victims residing in another Member State and suffering a crime within the Czech Republic. In other cross-border cases involving Czech nationals, who are victims abroad, the Ministry is obliged to provide the necessary cooperation in assisting with victims to meet the application requirements in the Member State where the crime was committed.

Participation in criminal proceedings

The opportunity for victims, who are injured parties, to obtain reimbursement of expenses, incurred as a result of active participation in the proceedings, is provided for in the Criminal Procedure Code. This is equally applicable to non-Czech citizens who acquire this status.

Translation of official documents

The victim is entitled to the translation of the information provided by the law enforcement authorities into a language the victim claims to understand or in the official language of the state of which he or she is a citizen, if it is possible. The victim is also entitled to the translation of the final decision of the criminal proceeding, including its reasoning, upon request. Translation of other information may be provided to the victim upon their justified request and if the authorities deem that the translation is necessary in order to enable the victim to enjoy their procedural rights. The victim must be informed in an understandable manner, taking into account his or her age,

intellectual and moral maturity, literacy and health condition including psychical state; individual pieces of information should be provided to the victim in scope which corresponds his or her particular needs, with regard to the nature and seriousness of the crime.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

CASE STUDY: SPANISH APPROACH TO CROSS-BORDER ASSISTANCE TO FOREIGN NATIONALS AND NATIONALS VICTIMS ABROAD

Generally, cross-border victims in Spain receive the same treatment and are granted the same rights as Spanish nationals, who are victims of a terrorist act in Spain. In the case of foreign victims, the initial needs assessment will determine if the victim is to remain in Spain or return to their country of origin. If the victim remains in Spain, they are treated the same way as a Spanish victim would be, enjoying all available resources to meet their needs. This includes support from members of the National Network of Psychologists for Support to Victims of Terrorism, some of whom speak English and French. If the victim of an attack in Spain returns to their country of origin, the Ministry of the Interior will pay for their psychological support.

In the 2017 attacks in Catalonia, Spain, many foreign victims were involved. Assistance, repatriation, information, and the subsequent processing of compensation claims were coordinated with the consulates of their countries of origin.

In the immediate aftermath, Spanish victims of attacks abroad, are supported by consular officers and, when is possible, team members of the Directorate General for Support to Victims of Terrorism - the specialist Spanish Governmental body - travel to the country where the attack occurred.

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
- Dusková, S., Matiasco, M. (2019) VOCIARE National Report Czech Republic

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 that 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

Children as direct victims

According to the Crime Victims Act, children (persons under the age of 18) are identified as victims with specific protection needs (particularly vulnerable victims). Children's testimonies are often video-recorded to protect them from repeated questioning. They can only be heard once in the proceedings, and are entitled to the presence of a Child Protection Authority or other person specialized in communicating with children during their testimony. Parents may also be present, if their presence is helpful during the questioning.

Those included may propose the postponement of a procedural step to a later time; furthermore, they may, during the execution of such a step, propose its suspension or termination, if it might adversely affect the questioned child. Hearings should take place, when possible, in premises specifically designed for children (special interview rooms) and should be conducted by a person with the relevant training.

In accordance with the Criminal Procedure Code, no information leading to the possible identification of the child victim can be made public. Publishing photographs, audio-visual records or other information about the course of trial hearing or a public session, which would enable identification of the child, is prohibited.

Interactions between TV broadcasting or written media and children

GOOD PRACTICE

In France, a Charter for Child Protection, promoting the engagement of the media in protecting the image and the identity of child

victims, was signed by the members of the media, the Ministry of Solidarities and Health, and UNICEF in February 2012.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- Dusková, S., Matiasko, M. (2019) VOIARE National Report Czech Republic
- Charte protection de l'enfant dans les medias (in French)

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 of 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 experience in terrorist attacks and some Member States have not yet developed protocols for the establishment of a specific response network. Where such a 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 THE CZECH REPUBLIC

PREPARATION AND TRAINING – NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES Planning and co-operation

The integrated Rescue System (IZS), within the national crisis response structure, holds regular exercises in each region and also nationally. Among these exercises is included a preparedness check, to ensure that a response is in place to address victims' needs following a terrorist attack. The Police have established a methodology on treating victims after an attack.

Training

With specific regard to short-term crisis intervention, the Fire Rescue Service and the Police have trained hundreds of intervention specialists and dozens of psychologists, who may be called to provide psychological and/or social support to victims and their families.

EMERGENCY RESPONSE PHASE – NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

In the Czech Republic, the IZS experience in providing support to victims has, so far, only been related to domestic disasters, such as floods or train, fire or industrial accidents.

In case of a terrorist attack in the Czech Republic, the IZS would handle the crisis response. All sections of the core emergency-

response system (the Fire Rescue Service of the Czech Republic, district fire protection units, the Police of the Czech Republic and emergency medical service providers) would need to be on site. According to the type of terrorist attack, other IZS components, such as military forces, other armed security forces, other rescue forces, accident, emergency, expertise and other services, would also be present.

GOOD PRACTICE - BÍLÝ KRUH BEZPEČÍ

The non-governmental organisation, “Bílý kruh bezpečí”, also participates in regional police crisis intervention activities, which include

engagement by post-traumatic intervention and crisis intervention teams, and crisis aid phone-line and victims’ phone-line operators.

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

Long-term support is provided within the system of general support services (provided by organisations such as the BKB, the state-run Probation and Mediation Service, and other non-governmental organisations) and by the providers of general medical services. For longer-term psychological help, victims would be referred for clinical psychological care in the framework of the standard public health system. In practice, humanitarian NGOs such as the Czech Red Cross are sometimes involved in the provision of this type of support.

Further reading:



- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Dusková, S., Matiasco, M. (2019) VOciare National Report Czech Republic

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 THE CZECH REPUBLIC

According to the Crime Victims Act, victims have the right to receive a range of services, including information and advice relating to their rights, information regarding available services and restorative programmes, psychological counselling, social counselling and legal information. All these services can be provided before, during and after the criminal proceedings and are provided free of charge to victims with specific protection needs.

The Register of Victim Support Providers is publicly accessible and contains the contact information and brief descriptions of many relevant victims support providers. Among these, the Probation and Mediation Service, as a generic state-run victim support service, provides services free of charge to all victims; Bílý kruh bezpečí, the largest non-state service with a network of offices around the country, provides legal information, psychological and social counselling as well as practical information.

In addition to these general services, there are several specialized services, focusing on particular groups of victims, however none specifically addresses the needs of victims of terrorism.

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 their 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.

VICTIMS' ASSOCIATIONS IN FRANCE

In 1986, under the initiative of Robert Badinter, France decided to give the task of victim support to specific associations, to complement the State's mission, for better consideration of the victims' needs. Victim support associations in France provide multidisciplinary and long-lasting support to victims.

France Victimes is a federation of 130 victim support associations, encompassing more than 850 locations across France to welcome and support victims. This network of associations, made of over 1.500 professionals, allows close

and local intervention, global and personalised help, for as long as the victim needs it, in three main fields: legal, psychological, and social support. Their services are anonymous and free of charge.

The French Association of Victims of Terrorism (AfVT) was created in February 2009, specifically to allow victims of terrorist attacks benefit from personalized psychological and legal support to address the trauma they may have developed because of an attack as well as to prevent secondary victimization.

CERTIFIED PSYCHO-TRAUMA EXPERTS

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

GOOD PRACTICE: PSYCHOSOCIAL SUPPORT IN SPAIN AND FRANCE

In Spain, in April 2016, the Ministry of the Interior and the General Council of Spanish Psychologists presented the new National Network of Psychologists for the Care of Victims of Terrorism made up of 230 professionals, who will provide countrywide assistance and support to victims of terrorism.

In France, the National Center for Resources and Resilience (CN2R) was created under an initiative of the Inter-Ministerial Delegation for Victim Support (Délégation Interministérielle de l'Aide aux Victims - DIAV) with the intention to carry out research and share knowledge on psycho-trauma, to improve the support provided to all victims.

Further reading:



- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Dusková, S., Matiasco, M. (2019) VOIARE National Report Czech Republic
- 🌐 Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide
- 🌐 National Center for Resources and Resilience (CN2R)

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

Further reading:

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

