



HANDBOOK

ON VICTIMS OF TERRORISM

GERMANY

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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DISCLAIMER

This document has been prepared for the European Commission however it reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

This document is intended to be used by professionals working in governments, NGOs, first responder organisations and second-line support providers at national, regional and local levels in Germany. It should give an overview on the needs of victims of terrorism and the EU and national rules relating to the rights of victims of terrorism without a claim to completeness. The rules and practices reflect the situation in Germany as of 14 September 2021.

SUMMARY

This handbook explores the rights of victims of terrorism as conferred by EU legislation and how these rights have been implemented in Germany. By way of introduction to the topic, firstly, the crisis response structure in Germany will be explained. Here, particular attention will be paid to the division of competences between the federal state (*Bund*) and the individual German states (*Länder*) and their mechanisms of cooperation. Subsequently, key characteristics of terrorist attacks will be identified.

To analyse the rights of victims of terrorism and their application, it is paramount to identify the needs of victims of terrorism. The most important component in that regard is to recognise the individuality of victims' needs.

Notwithstanding the aforesaid, the handbook identifies a number of needs that lay out the

basis of the rights of victims of terrorism as identified by EU legislation. In the first chapter, the handbook's focus lies on the victims' rights to respect and recognition, the rights to access information, support services and justice; the rights to protection and privacy and protection from secondary victimisation and the right to access compensation.

In the second chapter, the rights and needs of two particular groups of victims will be examined: cross-border victims and children.

The third chapter is dedicated to showcasing how support for victims of terrorist attacks is organised in Germany, with a sub-chapter being dedicated to victim identification.

In the last chapter, the EU Centre of Expertise for Victims of Terrorism's (EU CVT) scope and work will be covered.

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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.

The terrorist attack at the Breitscheidplatz Christmas Market in Berlin constituted a turning point in Germany. On 19 December 2016, a lorry drove into the crowded Christmas Market. As a result of the attack, 12 people died, more than one hundred others were injured, several severely. Following the attack, the system of support for victims of terrorism was further improved. Most notably, since 11 April 2018, the permanent position of the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offence committed on National Territory was created. Furthermore, hardship compensation payments for the victims and the bereaved were significantly raised.

Since then, Germany has sadly suffered a number of terrorist and extremist attacks: on 9 October 2019, on Yom Kippur, a man unsuccessfully tried to enter a synagogue to carry out an anti-Semitic attack. In the course of the event, two people were killed and several injured. At the Hanau shootings in February 2020, a far-right extremist killed nine people and injured several more because of their migrant background. On 4 October 2020 in Dresden, a person was killed and another injured in a supposedly Islamist knife attack. Between 2010 and 2020, 57 German nationals were killed in terrorist or extremist attacks abroad, 252 German nationals were injured.

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 the recognition of victims and useful figures:**
 - MEP Maité Pagazaurtundúa (2019) le livre blanc et noir du terrorisme en Europe

THE CRISIS RESPONSE STRUCTURE IN GERMANY

Overview

In Germany, many stakeholders at local, regional and federal levels share responsibilities for disaster preparedness planning and crisis response. However, according to the Basic Law of the Federal Republic of Germany (Grundgesetz, GG), the primary responsibility lies within the mandate of the individual German

states (*Länder*), whereas at the federal level, the primary responsibility is national defence. Therefore, except in the case of national defence matters, the *Länder* are responsible for the all kinds of disaster response, such as terrorist attacks or other man-made hazards and natural disasters. The institutions at the federal level provide support only if requested by the federal states affected by the disaster.



At the federal level, the Federal Ministry of the Interior, Building and Community (Bundesministerium des Inneren, für Bau und Heimat, BMI) is the body coordinating preparedness and response planning within the Federal Government. The BMI is supported by its subordinate authority, the Federal Office for Civil Protection and Disaster Assistance (Bundesamt für Bevölkerungsschutz und Katastrophenhilfe, BBK).

Intergovernmental cooperation in this field is organised via the Inter-ministerial Panel on National Crisis Management (Ressortkreis Nationales Krisenmanagement). This Steering

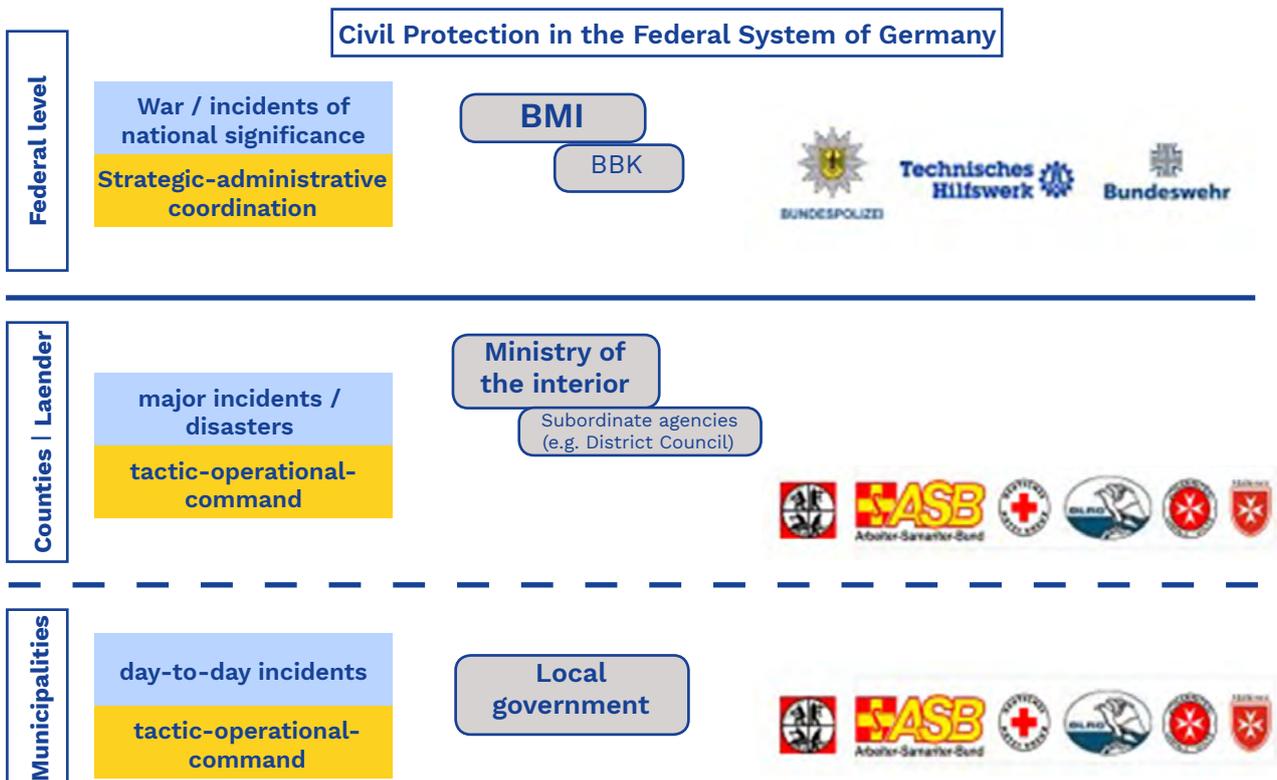
Group is active in preparedness planning, including the exchange of best practice, comparison of plans and strategies, and discussion of exercises: it ensures an all-hazard approach and addresses the continuity of state and governance at the federal level.

Cooperation between the Federation and the *Länder* is currently being stepped up and improved, firstly, to have a stronger united system of damage protection which can respond in an emergency and, secondly, to achieve synergies. For instance, the Federal Government has established the German Joint Information and Situation Centre (Gemeinsames Melde- und

Lagezentrum von Bund und Ländern - GMLZ) at BBK to further improve Federation-Länder crisis management. Its main task is to optimise information and resource management between the Federation, the *Länder*, local authorities and organisations in the event of large-scale hazards and incidents.

Civil protection (in the case of national defence)

Civil protection means all non-military interventions and measures in the case of national defence matters intended to protect the population and public infrastructure. In the field of civil protection, the Federation and the *Länder* rely on voluntary helpers working in civil protection organisations in the Federal Republic of Germany. The participating private and public relief organisations are: the fire services, Workers' Samaritan Federation (ASB), German Red Cross (DRK), St. John's Ambulance Association (Johanniter-Unfall-Hilfe - JUH), German Life-Saving Association (DLRG), Malteser Hilfsdienst (MHD) and the Federal Agency for Technical Relief (Bundesanstalt Technisches Hilfswerk – THW).



Police cooperation at federal and *Länder* levels and victim support (terrorist attacks)

As part of a police task force dealing with a terrorist attack, the Federal Criminal Police Office Germany (Bundeskriminalamt - BKA) unit “Coordination of support for affected persons (victims, witnesses and relatives) in the case of terrorist attacks” (OE41 “KoBe”) is responsible for sampling, saving, evaluating and routing personal data and other information that is needed to support and deliver financial aid. This unit controls whether every person impacted by the event has all relevant information on generic and specialist victim support organisations, including psychosocial support.

In accordance with the current data protection laws, information may be passed onto governmental and private actors, such as the Ministry of Justice, the Federal Public Prosecutor

General, the Federal Foreign Office (for affected persons of other states), WEISSER RING e.V. and others. Furthermore, the Federal Public Prosecutor General has identified a central contact person, for victims of a terrorist attack and their relatives, in the Federal Republic of Germany, the “Public Prosecutor for Victims of Terrorism”.

At the *Länder* level, there are (ad hoc) “support” units (Einsatzabschnitt (EA) Betreuung) of the local police task force that deal with a terrorist attack in the affected federal state. The “support” unit is made up of police officers, who were chosen because of their competence and education, to support those affected by means of a constant team. The “support” unit is also responsible for establishing victim assistance / information centres. All “support” units are in close contact with psychosocial support structures, and oftentimes, there will be a central coordination centre for psychosocial support services.

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 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: in the case of the Halle attack, there were ultimately almost 200 people affected. 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. Something comparable happened in the right-wing terrorist attack in Hanau in 2020, in which the assassin killed his victims at three different crime scenes. In both cases, the multiple sites, in 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 hours of the first, for instance in 2016, two attacks in Brussels occurred within an hour of each other; 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 Hanau in 2020, the perpetrator first targeted several bars in the town centre, before driving to another area in Hanau to continue his attack. In Asia and the Middle East, follow-up attacks have been timed to hit first responders and helpers. The idea of several, successive attacks was also shared by members of the so-called Sauerland Group in 2007. They wanted to carry out several bomb attacks, to ensure the highest possible number of victims, against Americans and U.S. facilities in Germany, around the time of the German Bundestag's decision extending the Bundeswehr's mission in Afghanistan.

Weapons

Bombs are not the only weapon used by terrorists: trucks are driven through crowds (as in the case of the attack on the Christmas market at Breitscheidplatz in Berlin); airplanes are taken down by missiles; suicide vests, knives, firearms, chemical, biological (as with the ricin plot in Cologne in 2018), 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 (Berlin, Germany in 2016; 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 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: 2016 ATTACK ON BREITSCHIEDPLATZ CHRISTMAS MARKET

Scale

In Berlin on 19 December 2016, there were 12 deaths and more than one hundred injured.

Location

The attack took place at Breitscheidplatz in Berlin, where a Christmas market next to the Kaiser Wilhelm Memorial Church was ongoing.

Timing

The attack occurred at 8 PM, when large crowds were visiting the stalls at the Christmas market.

Weapons

The attacker first killed a Polish driver when hijacking his truck. Afterwards, he drove this truck into pedestrians that were visiting the Christmas market.

Target groups and organisation

The attacks were motivated by jihadism. IS (also known as Daesh) claimed responsibility for the attack.

Attacker

After an EU-wide operation, the Tunisian attacker was killed by Italian police in Milan on 23 December 2016.

Victim response

At the time of the attack on Breitscheidplatz, a wide range of victim support organisations were already available. Immediately after the attack, victims received psycho-social emergency care by crisis intervention teams. However, at that time, the referral to more permanent offers of support was not institutionalised. The victims and the bereaved were in need of a coordinator to help them navigate these different services. Therefore, on 8 March 2017, the Federal Government Commissioner for the Victims and Bereaved of the Terrorist Attack on Breitscheidplatz was appointed. He provided the victims with, or directed them to, means of practical, psychological and financial support. Since April 2018, these tasks have been assumed by the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory, who continues to support the victims of the Christmas market attack. Around EUR 3.656.000 have been paid out to the victims and the bereaved in hardship compensation payments alone.

Further reading:



- Europol (2020) TE-SAT Report
- Institute for Economics and Peace (2019) Global terrorism index
- Übersicht islamistische Anschläge in Europa (DE)

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.

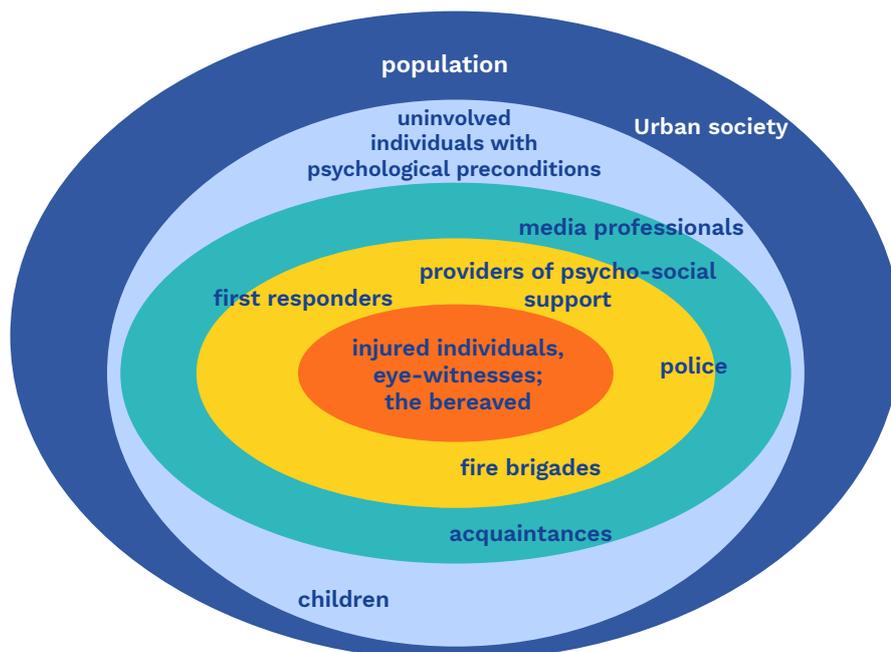
Recital 16 of the Victims' Rights Directive specifically addresses the needs of victims of terrorism, who have suffered injuries – whether physical or psychological – from attacks that were intended to harm society. They may need special consideration, support and protection due to the nature of the 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.

The individual character of victims' needs

Needs of victims of terrorism are highly individual and depend on a variety of factors. These factors include but are not limited to the way in which someone is impacted by a terrorist attack ("circles of impact"), personal characteristics (previous victimisation or stressful life events); (mental) health; social network; socio-economic situation; cross border situation, daily stressors or the consequences the terrorist attack has on an individual's life. These needs will evolve over time, therefore, responding to the needs of victims of terrorism requires an individualised victim-centred approach that is installed long-term.

Circles of Impact

Different groups might be impacted by a terrorist attack. In addition, individuals within a group can be affected differently.



Funnel-based model of the psychological impact after a traumatising event (Trichtermodell der psychischen Beanspruchung nach einem traumatischen Ereignis)

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 may experience a wide range of extreme emotions such as fear, anxiety, or sadness, cognitive distortions such as sorrows, and both interpersonal and physiological reactions in the course of and following a terrorist attack. Immediate emotional, cognitive, interpersonal and physiological reactions to a traumatising event are commonly seen as normal responses and do not necessarily imply the involvement of mental disorders. Immediate responses are not reliable predictors of the occurrence of mental disorders in the long-run.

However, intense reactions may negatively impact victims' recovery in the aftermath of a terrorist attack. In cases where emotional or cognitive reactions persist, mental health problems may be diagnosed. Victims suffering from a Post-Traumatic Stress Disorder (PTSD) are likely to vividly 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. PTSD is more often diagnosed in victims following a terrorist attack and other man-made disasters than in victims of, for example, natural disasters.

Risks and protective factors

The severity of the events and victims' exposure to the threat, the perceived helplessness and loss of control during the attack, the extent of physical injury, having lost a close person, panic attacks and psychological dissociation during the events are associated with a greater psychological impact on victims and have been found to pose victims at a higher risk to develop severe mental health problems. Victims who experience an Acute Stress Disorder, suffer from secondary emotions such as shame or disgust, or extensively consume media reports about the attacks are more likely to develop a PTSD following their traumatic experience. Previous physical or psychological trauma, existing mental disorders, lack of social support and low socio-economic status have also been linked with PTSD.

Children and minority groups have a higher risk of developing psychological problems. Children are particularly at risk when the ability of parents to support them is diminished, e.g. because their parents were also victimized in the terrorist attack. Minority groups have a higher risk when their health literacy is low or if they have experienced similar trauma in the past.

However, there are also protective factors that positively influence victims' recovery from traumatic stress such as a solid social environment and social support, personality factors such as hardiness, sense of coherence, internal locus of control, and optimism, financial security and behavioural coping strategies.

Financial consequences

Victims of terrorism may incur severe injuries, that are linked with a (higher) probability of developing a psychological disorder. Both physical injuries and psychological disorders may restrain victims from professional life. In this case, the costs related to victimisation will be higher (for the victims, their property, their insurers and/or the government).

Reaction to specific situations

Victims of terrorist attacks are likely to experience intense insecurity as a result of their traumatisation. In other words, their subjective risk perception may be elevated and victims may be more likely to avoid public places and situations that they associate with increased risk of being victimised. However, it should be noted that avoidance of places or situations that are linked with danger can also be seen as a reasonable and wise reaction to traumatisation.

Loss and grief

The sudden loss and violent death of a loved one in a terrorist attack may lead to complicated and prolonged grief in bereaved persons. Specifics of a terrorist attack, e.g. having to identify a severely damaged body, may negatively impact the grief of the bereaved.

Individual v Societal dimension

Victims of terrorist acts have an increased risk of developing PTSD compared to victims of other potentially traumatising events, and women have an even higher risk compared

to men (though being a woman can be a protective factor in dealing with the terrorist attack as well). This entails consequences and particularities for the traumatised persons. It can be assumed that the needs of traumatised victims of terrorist acts differ from the needs of persons whose trauma relates to other causes. **To put it cautiously, one could distinguish between an individual dimension and a societal dimension in terms of needs.**

Individual dimension:

On the one hand, there may be differences in the symptom expression of PTSD among victims of terror. Current research suggests that avoidance symptoms (emotional numbness, indifference and activity avoidance) are found more frequently and are more pronounced in survivors of terrorism than in other causes of trauma. This should be taken into account in planning the use of specific treatment methods. The risk of secondary traumatisation for professionals in contact with traumatised persons should not go unmentioned at this point. Research shows that medical and psychological staff, who care for and treat victims after acts of terrorism, may be at an increased risk of secondary traumatisation or the development of anxiety symptoms, and this could have a negative effect on the treatment provided. It is possible that these risks and consequences could apply to any professional, so it is recommended for them to be closely screened for PTSD symptoms.

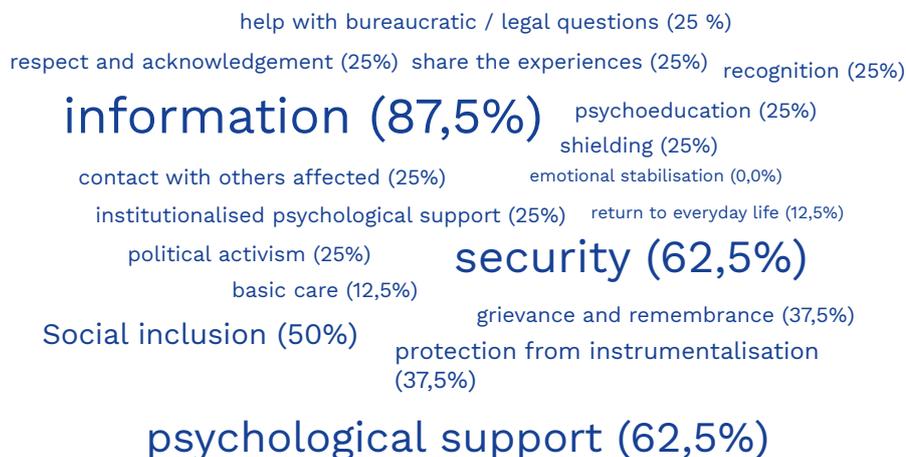
Societal dimension:

It is important to emphasise that terrorist attacks impact society and thus, people who were not present at the scene when the attack occurred. These effects can be both negative and positive in terms of societal growth after the terrorist attacks. Typical negative consequences of terrorist attack are an increase in psychopathological phenomena such as PTSD or depression. However, it should not go unmentioned that the majority of people affected by terrorist attacks, even those who were directly affected, are able to maintain a stable and healthy level of psychological performance. As for positive effects following potentially traumatising terrorist attacks, societies have been found to develop strengths and new abilities, such as an increase in social cohesion or feeling personally prepared for future terrorist attacks. Moreover, societies have been found to show more altruistic and philanthropic behaviour and to experience an increase in certain positive emotions, such as pride, following acts of terrorism.

In summary

As stated above, the needs of an individual victim of terrorism will depend on a variety of factors. Nonetheless, there is evidence that some needs arise with a certain regularity with victims of terrorism:

Specific needs of people affected by terrorist attacks



Furthermore, a victim's needs may change depending on the length of time since the terrorist attack. Immediately after an attack, an individual's need for protection, information and access to support services might prevail. Subsequently, different needs may evolve: e.g. to understand and be understood, to receive information (about their case), to have the right to interpretation and translation, to be heard, legal aid, specific needs in cross-

border cases, individual assessment of victims to identify specific protection needs, the protection of child victims during criminal proceedings and cooperation and coordination of services. 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.

This handbook will focus on the following needs that victims of terrorism may have and that form the basis of the identified rights in the Victims' Rights Directive as well as Title V of the Counter-terrorism directive:



Needs of victims of terrorism

- 1. Recognition and respect as victim of terrorism:** *The specific role of victims of terrorism as victims of an attack against the state and our societal values is recognised in a variety of ways that will be explained in more detail in the next chapters. Specific measures for the recognition of these victims in Germany include the establishment of central contact points for victims of terrorism at the federal and Länder levels, and the installation of monuments to commemorate victims. Furthermore, victims of terrorist attacks can request hardship payments (Härteleistungen) from the Federal Office of Justice. This financial aid is provided exclusively to victims of extremist and terrorist attacks, and is awarded as an act of solidarity.*
- 2. Support: medical care, specialised psychological-trauma care, information, practical assistance, legal assistance, communication (media) support, peer support, etc.** *In line with EU legislation,*

in Germany, victims of terrorism receive comprehensive support in the immediate aftermath of a terrorist attack and for as long as necessary. For example, in the immediate aftermath of a terrorist attack, there is a 24/7 emergency hotline, for those affected by the attack, offering psycho-social support; specialised units in the police and with the Federal Prosecutor General take care of victims' needs. There are a variety of actors providing medium and long term support, including specialised and general victim support services, and the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory.

- 3. Protection: physical protection, protection from secondary victimisation.** *The specific need for protection has to be taken into account in every single case and at all stages of the procedures, to avoid secondary victimisation. In Germany, this is ensured by various means, for example, through the creation of specific victim support units (EA Betreuung) within the police.*

4. **Access to justice: safe participation in the criminal justice process.** *Victims need to be able to effectively exercise their right to justice. Inter alia, a victim's safety during criminal proceedings in Germany can be ensured by the option to keep one's address, or even identity, confidential according to the level of danger for the victim.*
5. **Compensation and restoration: financial compensation and help with the financial impact of a terrorist attack. Restoration includes overall recovery and restorative**

justice processes: *Victims of terrorism can receive compensation through several channels in Germany. Most notably, emergency hardship payments can be made, only a few days after the attack. Furthermore, victims can apply for benefits under the Crime Victims' Compensation Law; inter alia financial benefits such as a lifelong monthly pension are possible. In addition, immediate assistance at a trauma outpatient clinic (psychotherapeutic intervention) can be obtained.*

Further reading:



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- Lynch, O., & Argomaniz, J. (Eds.). (2016). *Victims of Terrorism: A Comparative and Interdisciplinary Study*. Routledge (Verlag).
- Treibel et al. (2013), Differentielle Bedürfnislagen von Opfern potentiell traumatisierender Ereignisse. *Trauma & Gewalt*, Heft 1, 2013.

1. THE RIGHTS OF VICTIMS OF TERRORISM

1.1 VICTIM OF TERRORISM – DEFINITIONS UNDER EU AND NATIONAL LAW

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. Moreover, the term victim in German, which only includes physically injured and aggrieved persons, is avoided, since its meaning is too restrictive. As it is important to include everyone who is physically or mentally affected by the attack, the term "Betroffener" (affected person/s) is used in Germany. 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, namely terrorist offences (Article 3), offences relating to a terrorist group (Article 4) and offences related to terrorist activities (Articles 5 to 12). These acts are discussed in detail in Subchapter 1.1 of the EU Handbook on Victims of Terrorism.

DEFINITION UNDER GERMAN LAW Victim of Terrorism

In German criminal law, there is no specific legal definition for "victims of terrorism". Victims are referred to as the injured party or an aggrieved person, by using the terms "*Verletzter*" or "*Geschädigter*", or sometimes also "*Opfer*".

The Law on the Further Development of the Code of Criminal Procedure and on the Amendment of other Provisions from 25 June 2021 (Federal Law Gazette I p. 2121), which came into force on 1 July 2021, provides a definition for "victims of crime" (in German: "*Verletzte*") in criminal proceedings, in section 373b of the Code of Criminal Procedure. The written definition adopts the differentiated meanings developed by jurisdiction over the years and aligns it with the requirements of the Victims' Rights Directive.

Section 373b of the Code of Criminal Procedure reads as follows:

"Section 373b Definition of the injured party

(1) For the purposes of this Act, injured persons are those whose legal rights have been directly impaired or who have suffered direct damage as a result of the act, the commission of which is presumed or has been legally established.

(2) The following shall be deemed equivalent to injured persons within the meaning of paragraph (1)

- 1. the spouse or life partner,*
- 2. the cohabitant living in a common household,*
- 3. the relatives in a straight line,*
- 4. the siblings and*
- 5. the dependants*

of a person whose death was a direct consequence of the act, the commission of which is presumed or has been legally established.”

Terrorist offence

The offences defined under Article 3 of the Counter Terrorism Directive are subject to criminal punishment under German law. They are also classified as crimes of terrorism in the list of offences set forth in sections 129a and 89c of the Criminal Code (Strafgesetzbuch – StGB).

In sections 129a and 89c of the Criminal Code, corresponding with the definition of terrorist offences of Article 3 of the Counter-terrorism directive, relevant aspects of a terrorist offence are the intent “to seriously intimidate the population, to unlawfully coerce an authority or an international organisation by force or threat of force, or to destroy or significantly impair the fundamental political, constitutional, economic or social structures of a state or of an international organisation” and the act’s ability, given the nature or consequences of such offences, to “seriously damage a state or an international organisation.”

Further reading:



- Letschert, R.M., Staiger, I., Pemberton, A. (2010) Assisting victims of terrorism: towards a European standard of justice

1.2 VICTIMS' RIGHTS TO RESPECT AND RECOGNITION

THE RIGHTS UNDER EU LAW

Recognition and respect may support 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. Moreover, it is of particular importance for traumatised victims, to regain control over their lives. Victims' preferences and wishes, thus, have to be considered in any actions taken that may affect the victims.

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;
- In accordance with data protection regulations, 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 other 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. Society however honours victims most by considering their individual needs and wishes and as such making sure that victims do not experience secondary victimization through society. 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 may support healing processes for some victims, their families and others 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. Commemorative events should be declined if victims do not wish this kind of official remembrance.

Commemoration events may provide victims as well as the general public with the opportunity to express feelings and opinions; to experience and receive social support and to show societal acknowledgment. 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, as well as the possibility to conclude that form of (public) commemoration. 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. However, if victims prefer not to be contacted, this wish should be respected.

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 background of the individual victim of terrorism may influence 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. In that regard, it is important that professionals exercise self-care.

Respect is important for individual victims, but also for the entire group victimised.

AN OVERVIEW OF RIGHTS AND EXAMPLES ON HOW VICTIMS OF TERRORISM MAY BE RECOGNISED IN GERMANY

Identification and registration of victims

The Disaster Victim Identification (DVI) Germany keeps relatives updated throughout the process of identifying victims, working closely together with crisis intervention teams at the Länder level. In identifying victims, DVI Germany follows DVI international guidelines, in particular, DNA, tooth status or fingerprints must be identical to be able to identify a person beyond any doubt.

In the legal examination of investigation results, public prosecutors for the victims of terrorism must ensure that the victims' legitimate interests are taken into account. They ensure that, where there is an overwhelming probability that the person is killed or injured, relatives are informed before the victim is identified, in accordance with the DVI standard, and that the provisional nature of the identification is indicated in an appropriate and transparent manner. The DVI guidelines take into consideration the special situation of missing individuals. Treating the deceased as well as their bereaved with dignity and respect is regarded as being of the utmost importance to the DVI Germany.

Commemoration events

On 11 March each year, the European Remembrance Day for victims of terrorism is organised with victims, and for victims, together with the European Commission.

Following recent terrorist and extremist attacks (Breitscheidplatz, Halle, Hanau), commemoration events, marking annual anniversaries of the attack and remembering the victims, have been organised, together with the victims, by the local communities, civil society organisations and the central structures for victims of terrorism that have been appointed on level of the *Länder*.

Where appropriate, and in the interest of the victims and the bereaved, meetings with the Federal President and other high ranking politicians may take place. For example, to remember the Christmas market attack in Berlin, victims and the bereaved are invited to a private gathering to reconnect with each other. The Federal Government Commissioner, other victim support actors and psychosocial support services are present to offer help where it is needed. Afterwards, at the Breitscheidplatz public memorial, citizens, politicians and other public figures have the opportunity to pay their respects. During the evening, the bells of the Kaiser-Willhelm-Memorial Church ring at the exact time of the attack, one chime for each individual that lost their life.

Physical Monuments

Monuments create a physical place where victims can gather to share their individual loss with society. Such monuments preserve collective memory to be shared with future generations.

For example, on the Breitscheidplatz in Berlin, a monument was unveiled in 2017, one year after the attack on the Christmas Market. A bronze crack crosses the square, and the names of the victims are engraved in the steps of the stairs in front of the Kaiser-Wilhelm- Memorial Church. The monument was created together with the victims and the bereaved.

In Halle, because of a sturdy wooden door the attacker could not enter the Jewish synagogue in October 2019. This wooden door has been turned into a work of art, and a memorial, by the Jewish community.

State compensation and Pensions

The Act on Compensation of Victims of Violent Crime (Gesetz über die Entschädigung für Opfer von Gewalttaten - OEG) has been in place in Germany since 1976 and provides for independent state-subsidised compensation – over and above the general social security systems and welfare assistance. Anyone who becomes a victim of an intentional, unlawful act of violence, for example a terrorist attack, within the territory of the Federal Republic of Germany and suffers from impaired health as a result is entitled to file for compensation. The same applies to the surviving dependents of anyone who died as a result of a violent act. The aim is to compensate the health and economic consequences of terrorist attacks. Victims may

also be entitled to compensation if the attack was committed abroad.

Compensation is provided for all physical and psychological health impairments resulting from a terrorist attack, as well as for the economic damages of such health impairment.

The OEG provides various individual benefits - curative and medical treatment, long term care, aids (e.g. prostheses, dental prostheses, wheelchairs), funeral grants and death benefits, other welfare benefits in the event of economic need - including entitlement to a monthly pension if there are permanent health impairments (for a graduated recognised degree of resulting impairments, from 30% to 100%; pensions ranging from € 156 to € 1.389, as of 2021); the pension is paid independently of the applicant's existing income and assets and is adjusted on an annual basis, in line with statutory pension insurance increases.

Hardship payments

In Germany, victims of terrorism and extremism may receive so called hardship payments. Such payments are granted as an act of solidarity with the victims. Furthermore, in the event of a terrorist attack, the Federal Government Commissioner for the Victims and Bereaved will directly contact all those affected by the attack (victims, bereaved, endangered eye-witnesses) offering his support.

CASE STUDY – 2020 HANAU ATTACKS

Good practice examples on recognition of the victims and bereaved:

- *The bereaved families were received in Berlin by the German Federal President. They also met with the Minister-President of Hesse and other political functionaries.*
 - *The “Medal for Civil Courage” was awarded posthumously by the State Government of Hesse and presented to the parents of one of the people killed.*
 - *A commemorative stone with a memorial cross was erected at one of the crime scenes for a person killed there. It was unveiled in a ceremony with members of the victim's family.*
- *The city of Hanau is planning to erect a memorial for the deceased and has organised an international competition for artists to create a design for it. The jury, made up of the victims' family members, has selected eight artists from the 118 submissions, who have now been asked to create models. The jury will decide on a winner in September. The memorial is to be unveiled on 19 February 2022, the second anniversary of the attack. Public commemorations took place six months after the crime and on its anniversary.*

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



Further reading:



- European Commission (2020) EU Strategy on victims' rights (2020-2025)
- Brochure: Information for individuals missing a person and individuals bereaved of a loved one (11 languages)
- The social-compensation law was recently reformed within the new law regulating social compensation law (SGB XIV). It was promulgated in the Federal Law Gazette in December 2019 and will largely enter into force in January 2024.

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 the 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 GERMANY

The victim's right to information was strengthened by the German Third Victims' Rights Reform Act (3. Opferrechtsreformgesetz). This legislation stipulates that the aggrieved parties should be informed regularly in writing about their rights in and outside criminal proceedings and as far as possible in a language they understand from their first contact with the police or other competent authority (Sections 406i to 406k of the Code of Criminal Procedure). Victims who do not

understand or speak German, will get the help of an interpreter. The public prosecutor should verify whether this information was properly given to aggrieved parties.

Victims should also be informed of their right to be notified, upon application and to the extent that their interests are at stake, of the termination of the proceedings, the place and time of the court hearings, as well as of the charges brought against the defendant and the outcome of any court proceedings (section 406i in conjunction with section 406d paragraph 1 of the Code of Criminal Procedure).

In addition, victims shall be informed of their right to obtain support and assistance from victim support services, for example: advice, provision with or allocation of accommodation in a shelter or the offer of therapeutic services, such as medical or psychological support, or other available psychosocial support (section 406j number 5 of the Code of Criminal Procedure).

All victims may also get access to the case file, either directly or through their legal representation. Access can be denied, to avoid any significant delay in the investigation or if access poses a risk to the purpose of the investigation; access has to be denied if opposing interests are identified by the defendant or other persons worthy of protection (section 406e Code of Criminal Procedure).

In practice, a number of measures have been taken at the Federal and Länder level to ensure access to information by victims and family members following a terrorist attack. Some of these measures are discussed in the section examples on how these rights have been implemented in Germany.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES ON HOW THESE RIGHTS HAVE BEEN IMPLEMENTED IN GERMANY

In practice, it is essential that victims of terrorism can access the information they need, in a way that they are able to process. Information can help reassure victims understand and make decisions, and recover. 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. Furthermore, competent authorities should ensure that victims seek appropriate help from victim support organisations.

Information can be divided into:

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

The organisation of information provision following a terrorist attack

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.

Germany pursues such a **centralised approach** to providing victims with information that is relevant to them at a given time. At the same time, a variety of actors cooperate closely to help ensure that on the one hand information does not get lost and on the other hand, victims are not overburdened with information from different sources.

From the **police side**, as part of a police task force dealing with a terrorist attack, the Federal Criminal Police Office Germany (BKA) special unit “Coordination of support for affected persons (which means victims, witnesses and relatives) in cases of terrorist attacks» (OE41 “KoBe”) is responsible for sampling, saving, evaluating and routing personal data and further information that is needed to support and deliver financial aid. This unit also checks that an affected person **is given all relevant information on generic and specialist victim support organisations**, including psychosocial support.

In the event of a major incident, the “**Public Prosecutor for Victims of Terrorism**” visits the site before the question of whether the event was a terrorist attack has been clarified and before the Federal Public Prosecutor General formally takes over the investigation. This means that the he or she is on the scene early after an attack as part of the one-stop-shop-idea.

Furthermore, the **Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory**, the **victim commissioners and central contact points of the Länder** can be present within hours after the attack took place to offer victims practical support and to act as an intermediary between the victims and other actors involved.

Victim information / victim assistance centres

In the immediate aftermath of a terrorist attack, information is provided **at victim information or 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. The victim’s assistance centre can be

found in proximity to the crime scene, and is the responsibility of the local police service and its “support” unit. The “support” unit (Einsatzabschnitt (EA) Betreuung) of the local police task force dealing with a terrorist attack in the affected federal state is a unit of police officers, who were chosen because of their competence and education, to support those affected persons by means of a constant team.

At the information centre:

- all affected persons are protected;
- they can be calmed, receive food and drinks;
- they receive medical and psychological first care;
- they are registered;
- their status as a victim or as a witness is registered;
- they are informed;
- registration is carried out
- they receive first information about victim’s support;
- there is a first interview by the police officers.

CASE STUDY – 2020 HANAU ATTACKS

In Hanau, the police set up an information centre (Betroffeneninformationszentrum) in a primary school for people affected by the attack to get support and psychological counselling immediately following the attack. At the same time, several officials initiated other services: these were the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory, the Commissioner of the Hesse Land Government for Victims of mass attacks and Terrorist Offences, along with a team from his office, and two representatives for victim support named by the City of Hanau (the head of the municipal Department of Health and

the chair of the Hanau Medical Association). Soon after, victim support at a municipal level was transferred to two full-time caseworkers from the Hanau city council’s department for diversity.

It has proved worthwhile to have a support structure set up at federal, state and municipal levels and it is particularly important to have a direct local point of contact. This offers traumatised people the opportunity to discuss even small concerns with a person they may already know and trust. The victims were also supported by several NGOs.

Helpline

A **central emergency number** is available free of charge. This 24/7 emergency hotline is set up by the Federal Government Commissioner to offer victims psychological support immediately after an attack, usually in German and English. In addition, a specialised **“darksite” page** would be displayed, on the website of the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory, with all information relevant to victims of a particular attack. This specialised website is currently available in German and in English. Information on how to reach the emergency hotline and the darksite is distributed through the Federal Government Commissioner’s **twitter account**.

It is important to remember that some victims may not have the capacity to immediately absorb information after a terrorist attack. Moreover, victims’ need for information may change over time. Therefore, victims should have additional means to access the information relevant to them. Victim support organisations, the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory and his counterparts in the Länder provide victims with information for as long as necessary. For example, victims may continue – even after weeks or months have passed – to use the specialised emergency number to contact the Secretariat of the Federal Government Commissioner for information and medium-term or long-term support. To that end, the number is available Monday - Friday 8:00 - 17:00.

Online access to information

Victims of terrorist attacks, and of crime in general, may also find information on their rights, practical advice and directions to further offers of support **online**; for example on the victim protection platform of the Federal Ministry of Justice and for Consumer Protection (www.hilfe-info.de). The website contains information on all post-crime victim-related issues, including assistance and counselling options, financial, practical, psychological and forensic medical support services, and the criminal proceedings. Victims can use a browser to find a victim support organisation in

their area. The victim protection platform also contains numerous video and audio interviews as well as explanatory videos to make the information easily accessible to victims. The victim protection platform is available in German and English. In the event of a terrorist attack in Germany, a special section aimed at the victims of that particular attack will be displayed.

The NGO WEISSER RING e.V.’s website, www.weisser-ring.de, offers information to victims of crime on their different support services, e.g. personal support at one of the local branches, a victims’ helpline and online counselling. The website also contains information on legal rights and how to receive compensation; victim supporters may help applicants complete their claims and enforce those rights. On www.infovictims.de, a webpage based on an EU funded project, victims may also find information on support and their rights. This webpage was designed to explain the different rights victims in Germany have in a non-legal language. The webpages are updated on a regular basis.

Information leaflet

The Federal Ministry of Justice and Consumer Protection publishes several leaflets for victims of crime and victims of terrorism, most notably, the brochures **“Help after a terrorist attack”** and **“I am the victim of a crime. What are my rights?”** The brochure “Help after a terrorist attack” provides information and contact details on practical, financial and psychosocial offers of support. In addition to German, the brochure is currently available in 9 further languages (English, Russian, Italian, Hungarian, French, Polish, Arabic, Turkish, Spanish). The brochure “I am the victim of a crime. What are my rights?” is available in German and 29 other languages.

Further reading:



- ⊕ The Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory
 - Darksite (only in the event of a terrorist attack in Germany)
 - Comprehensive information for all victims of crime:
 - ⊕ hilfe-info.de (EN)
 - Comprehensive information for all victims of crime:
 - ⊕ [Infovictims](https://www.infovictims.de) (DE)
 - Brochure: Help after a terrorist attack (EN)*nb.: This brochure also includes contact details of all central contact points on level of the *Länder*.
 - Brochure: I am victim of a crime. What are my rights? (29 Languages)
 - Gesetz zur Stärkung der Opferrechte im Strafverfahren (3. Opferrechtsreformgesetz)

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 victim's 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.

AN OVERVIEW OF RIGHTS AND EXAMPLES ON HOW THESE RIGHTS HAVE BEEN IMPLEMENTED IN GERMANY

In Germany, depending on their needs, victims of terrorism can be referred to organisations providing generic or specialist support, including psychosocial support, adequate medical treatment and assistance regarding compensation claims. There are different state and non-governmental actors that provide this support to victims at the *Länder* level and at the level of the federal state; they may offer short-term and long-term support or may be specialised in one of the two forms. There are also organisations that specialise in supporting Germans who become victims of a terrorist attack abroad or that offer support to all victims affected in a domestic attack. These providers of support include inter alia:

- non-governmental victim support services that may operate at federal, *Länder* or regional levels and may offer immediate and / or long-term support to all victims

Generic and specialist support services for victims of all crimes are provided confidentially and free of charge. They are accessible by phone, chat, email and in person. At Federal and *Länder* levels, there are support services specifically aimed at victims of terrorism and their needs.

Under Germany's federal structure, the German states are responsible for providing generic victim support services, but there are no authorities that deal with victim support exclusively. Some states give financial support to victim support organisations, whose services are provided by special victim protection officers in police stations, and local and regional victim support facilities (generic and specialist). In addition, victim support services are provided by nationwide non-profit organisations, such as WEISSER RING e.V. and 'Arbeitskreis der Opferhilfen in Deutschland e.V.'.

Throughout Germany, victims can receive help wherever they are, information and other support is free of charge. There is a well-functioning system for providing information to victims, for referring them to supporting organisations and to accessing help. A criminal complaint is not a precondition for the victim to receive help.

WEISSER RING E.V.

WEISSER RING e.V. is a nationwide, non-governmental victim support organisation. To ensure that support can be offered to victims whenever they need it, WEISSER RING has around 400 field offices in 18 state associations nationwide.

WEISSER RING e.V. provides help in the following ways:

- Support and personal counselling for victims
- Accompanying the victim to court
- Assistance in dealing with paperwork and other official matters
- Arranging for assistance from other organisations
- Issuing assistance cheques by (amongst other measures) paying the victim's fee for an initial visit to an attorney of the victim's choice
- By underwriting the cost of an initial trauma counselling session, in the case of emotional stress arising from the criminal act
- By underwriting the cost of a legal medical investigation
- Underwriting the cost of additional attorney fees, particularly via the following measures
 - helping the victim to assert his/her statutory social claims to government assistance in accordance with (amongst

other laws) crime victim's compensation act (Opferentschädigungsgesetz/OEG)

- protecting the victim's rights during criminal proceedings (victim's attorney)

Aside from the information websites provided by federal and state authorities, the victim support organisation WEISSER RING e. V. offers online counselling for victims via online chat. The online counselling is anonymous, free of charge and available throughout Germany. All encrypted data is stored on an external server and kept absolutely confidential. Enquirers will receive a personal answer to their request within 72 hours. The counsellors arrange for help and provide victims with further information about their options.

WEISSER RING e. V. also operates the 116 006 hotline, victims can reach out to receive help between 7 am and 10 pm. 116 006 is a pan-European information number for victims of crime, supported by the Federal Network Agency, and operated by WEISSER RING. Victims receive counselling on help and support measures. The service cooperates with other support providers to arrange individualised help as quickly as possible.

In offering its services, WEISSER RING shows public commitment to improving the legal and social situation of victims, to strengthening the concept of prevention of crime, and to supporting compensation and victim-offender mediation.

- **state organisations specialised in providing support to victims of terrorism, notably,**

- » the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory, who offers immediate and long-term support to all those affected by a domestic terrorist crime, and his equivalents at the Länder level

In Germany, the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory acts as a central contact point for all those affected by a terrorist attack. This includes the families

of the bereaved, those hurt by the attack (physically or psychologically), and eyewitnesses. Similarly, in the *Länder*, there are victim commissioners and central contact points that offer support to those affected at a more regional / local level. In the event of a terrorist attack, there is a close cooperation between the Federal Government Commissioner, his equivalents in the *Länder* and victim support organisations to avoid a duplication of efforts.

Together, the Federal Government Commissioner, and his equivalents in the *Länder*, proactively contact victims after

an attack to offer support. They direct the victims to financial, psychological and practical means of support and find solutions tailored to the individual victim's needs. A 24/7 emergency hotline is set up by the Federal Government Commissioner to offer victims psychological support immediately after the attack. The Federal Government Commissioner is not only available after a terrorist attack but also in the medium and long-term. The Commissioner may – for example – offer support in translating application forms or may direct the victims to the appropriate financial or psychological help mechanisms.

- » NOAH (Koordinierungsstelle Nachsorge, Opfer- und Angehörigenhilfe) a federal Central Coordination Centre offers psychosocial support for Germans affected by large-scale events abroad, especially upon their return to Germany

The Central Coordination Centre NOAH was set up to provide psychosocial support for Germans affected by large-scale events abroad – such as terrorist attacks. The Central Coordination Centre NOAH also supports the Germany-based relatives of those affected by an attack on foreign soil. The Central Coordination Centre NOAH is thus a victim assistance centre after large-scale terrorist attacks abroad for Germans – including after their return back to home. At this one-stop-shop, those affected can receive information and psychosocial support.

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 and when information can be provided in a written format. 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. There are several ways in which victims of terrorism may receive psychological support. State and non-governmental actors – where they do not, or to the extent that they do not, provide psychosocial support themselves – may, where appropriate, direct victims to the following (additional) offers of psychosocial support, including:

- » Access to immediate psychosocial support for victims of violent crimes

As of 1 January 2021, under the new Social Compensation Act (adopted on 19 December 2019) victims of violence can obtain access to emergency aid in outpatient trauma clinics. In the trauma outpatient clinics, (adult) victims are entitled to up to 15 sessions. Children and adolescents are entitled to up to 18 sessions. If necessary, further psychotherapeutic treatment is possible.

- » Access to support for victims of violent crimes, in light of criminal proceedings

During criminal proceedings, victims of severe violent crimes, who are joint plaintiffs and have the right to a lawyer free of charge, can also be assigned a psychosocial assistant without having to cover the expenses. The psychosocial assistant provides all kinds of support, apart from legal support, before, during and after the trial: for example, gives information about the procedures, shows the victim where the interviews will take place, accompanies the victim to court etc.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



Further reading:



- ⊕ Arbeitskreis der Opferhilfen in Deutschland
- ⊕ Weißer Ring e.V.
- ⊕ Online counselling by WEISSER RING e.V. (DE)
- ⊕ The Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory (DE)
- ⊕ NOAH
 - Comprehensive information for all victims of crime:
 - ⊕ hilfe-info.de (EN)
 - Comprehensive information for all victims of crime:
 - ⊕ [Infovictims](http://Infovictims.de) (DE)
- ⊕ Online Datenbank für Betroffene von Straftaten (DE/EN/ES/FR/RU/TR/AR) *nb.: On this website, victims can find the victim support organisation best suited to their need and closest to them
 - Brochure: Help after a terrorist attack (ENG) *nb.: This brochure also includes contact details of all central contact points on level of the *Länder*.
 - Brochure: Psychosocial support in court proceedings
 - Brochure: Reactions to traumatic events (DE)

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 victim's rights to access justice:

- the right to be heard;
- the right to access to 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 RIGHTS IN GERMANY

As a rule, the victim of an attack has the legal status of witness and is therefore not a litigant or party to the criminal proceedings in Germany. A witness has both rights and duties, for example, the duty to testify truthfully. During the criminal procedure, these rights can be divided **into the right to information, the right to protection, the right to support and the right to participate**. To what extent these rights apply in detail will be explained in the following paragraphs. A witness's rights also serve to prevent any additional victimisation that may arise during the course of the criminal prosecution.

Victims as witnesses

As stated above, victims of terrorism are regularly witnesses in the criminal proceedings against the perpetrators.

If they wish, victims can be accompanied on visits to the police, prosecution or court by a lawyer, or a person of trust, or a psychosocial assistant. Accompaniment by a person of trust can only be prohibited, when the purpose of the investigation might be endangered.

All victims, who are witnesses, can be assigned a lawyer as legal assistance for the duration of their testimony, if they are vulnerable and, therefore, unable to exercise their rights themselves (section 68b paragraph 2 Code of Criminal Procedure).

Witnesses are asked to give their statement in a coherent manner (section 69 paragraph 1 sentence 1 Code of Criminal Procedure). Victims must be given the opportunity to explain how the consequences and impact of the crime affected them (section 69 paragraph 2 sentence 1 Code of Criminal Procedure).

Witnesses receive reimbursement of expenses in accordance with the provisions of the Judicial Remuneration and Compensation Act. This includes travelling costs, costs for overnight accommodation and compensation for loss of earnings.

Victims as joint plaintiffs

As victims of a crime that is directed against their life or, at least, against their physical integrity, victims of terrorism have the opportunity to join the prosecution as joint plaintiffs, which, among others, gives them the right to pose questions or make a request for evidence (see section 397 Code of Criminal Procedure). Victims of crimes against their lives, who are entitled to be joint plaintiffs, have the right to be assigned a lawyer by the court, free of charge, already before they join the prosecution's indictment (sections 397a paragraph 1 no. 2, 406h paragraph 3 sentence 1 no. 1 Code of Criminal Procedure). In other crimes, e.g. assault, there is the option to receive legal aid; if victims are financially disadvantaged, access to legal aid is then conditional to a means test (section 397a paragraph 2 Code of Criminal Procedure).

Victims claiming for damages

Victims claiming compensation for financial damages, as well as for pain and suffering, from the defendant by “Adhäsionsklage” (adhesion claims) can receive legal aid, under the rules of civil law, if they do not have the necessary means to cover the expenses themselves.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF HOW THESE RIGHTS HAVE BEEN IMPLEMENTED IN GERMANY

Large scale attacks

Criminal proceedings and trials for large scale attacks are complex. Large numbers of victims and witnesses are involved. States may need to establish special measures to facilitate participation, which may include holding proceedings in a larger, secure, location to accommodate 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: 2019 ATTACK IN HALLE, GERMANY

Crime scene

On October 9, 2019 (Yom Kippur), a right-wing extremist tried to penetrate a synagogue in Halle, a town in Eastern Germany, in order to kill the 51 persons gathered there. After he failed to do so, he shot a passer-by in front of the building and shortly afterwards shot a guest of a kebab restaurant. During his escape he shot and injured two others before he was finally arrested by the police.

Criminal proceedings

On April 16, 2020 the Public Prosecutor General of the Naumburg Higher Regional Court, Karlsruhe/Germany, charged the assassin with, among other things, two counts of murder, and the attempted murder of a total of 68 people.

The proceedings included around 40 joint plaintiffs. Among them were relatives of the deceased and members of the Halle Jewish community. Due to the large number of participants in the process, the trial took place in the largest courtroom in the state of Saxony-Anhalt, the former library of the Magdeburg Regional Court, which covers more than 300 square meters. The trial took place under high security measures.

Judgement

The Naumburg Higher Regional Court sentenced the assassin to life imprisonment with subsequent preventive detention on December 21, 2020.

Bringing victims and investigators together

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 may take time.

Therefore, 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 when the investigation is still ongoing, the Commissioner can for example set up a meeting between these two parties. During such meetings, victims can direct their questions to those leading the investigation.

Further information



- Kilchling, M. (2018) Opferschutz innerhalb und außerhalb des Strafrechts
- Helmken, K. (2020) Das Opfer im Strafverfahrensrecht
- Beck, K. (2017) Abschlussbericht des Bundesbeauftragten für die Opfer und Hinterbliebenen des Terroranschlags auf dem Breitscheidplatz (DE)

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 RIGHTS IN GERMANY

German law stipulates a number of protection measures for victims in the context of criminal procedures.

According to section 48a paragraph 1 of the German Code of Criminal Procedure, the special protection needs of any victim of crime have to be continually checked, from the beginning and throughout all stages of the criminal procedure. This regulation obliges all involved in criminal investigations, authorities and courts, to individually assess the injured person's need for protection at the first contact with the criminal prosecution authorities. This assessment is carried out by the person responsible for the respective measure to be taken, e.g. the interviewing police officer, the prosecutor, or

the judge. The extent of the assessment and the protective measures are always dependent on the individual victim's requirements in each case. Victims are at the centre of the assessment; they will be asked about their needs and wishes, including their request not to receive special protective treatment, which will be respected.

Under section 68 Code of Criminal Procedure, witnesses have the option to divulge limited information about their personal circumstances for their own protection. Under section 68a Code of Criminal Procedure, non-essential questions about the personal circumstances of the witnesses may be waived. Vulnerable witnesses, who are not able to adequately safeguard their interests and rights themselves, have the right to be assigned a lawyer, free of charge, to assist them during their testimony (section 68b paragraph 2 Code of Criminal Procedure).

Whenever issues concerning the personal sphere of life of a witness have to be discussed and the interest in public discussion does not outweigh the interests of the witness that are worthy of protection - whereby the stress due to a public hearing for the victim must especially be considered - the exclusion of the public is obligatory, as soon as the witness applies for it (section 171b of the Courts Constitution Act). The public can also be excluded by the court, when there has to be taken care of a hazard to a witness' or another person's life, limb or freedom (section 172 no. 1a of the Courts Constitution Act).

If, the witness, who is to be interviewed, is believed to be in grave danger, the judge can decide that the prosecutor, the defendant and his/her lawyer are placed in a separate room, to which the interview is transmitted simultaneously (section 168e of the Code of Criminal Procedure). During the trial itself, section 247a of the Code of Criminal Procedure allows a witness be placed in a separate room, during his or her interview, if testifying in the

courtroom in front of the other trial participants will negatively impact the wellbeing of that witness. The statement of the witness is simultaneously transmitted to the courtroom.

In the immediate aftermath of an attack, or even when a terrorist attack is ongoing, victims'

may require physical protection. If this is the case, security measures are carried out by local police in the *Länder*; victims can contact the "support" police units ("EA Betreuung") to organise such protection.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF HOW THESE RIGHTS HAVE BEEN IMPLEMENTED IN GERMANY

Government and the media

Communication plays a major role in managing a crisis. It is important to deliver information on existing help – financial and non-material support – for victims and to express compassion for the affected persons and the families. Not only press releases and website articles are used to share information, the governments social media accounts are important platforms to inform the public in real time during a terror attack. Tweets and share pics – for example with a hotline for victims – might be embedded in liveblogs of news websites which enhances the reach of content published on government accounts.

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 news outlets and the press.

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.

In Germany, the media is self-regulated by the German Press Council (*Deutscher Presserat*), which was founded in 1956 by journalists and publishers. The *Pressekodex* sets out the ethical standards of journalism. For example, it controls the protection of victims:

“Guideline 8.2 – Protection of Victims

A victim’s identity has to be protected in a very special way. The identity is not relevant for the public understanding of the sequence of events, disasters or accidents. The victim’s name and photo can only be published if the victim, his / her family or another authorized person agreed or if the victim is a public figure.”

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 recurring of distressing images in order that this can be dealt with in a victim-sensitive manner.

Further, the restriction of harmful information flows on social media channels is even more difficult. However, it can also be a useful tool to victims and law enforcement in the aftermath of an attack.

Nowadays, it is seen as good practice for the police and victim support organisations to draw the victim’s attention to the fact that they are not obliged to talk to the media, and that it is their decision whether to do so or not. They should also be made aware of the risks of some social media activities. Victims should be made aware that the media attention generated by a terrorist attack and the consumption of media reports can be harmful to their well-being.

It is important to restate this information before other critical events, such as an anniversary or the start of the trial.

Further reading:

- UNESCO (2017) *Terrorism and the Media: A handbook for journalists*
- 🌐 [Deutscher Presssekodex \(DE\)](#)



1.7 VICTIMS' RIGHTS TO PROTECTION: SECONDARY VICTIMISATION

THE RIGHTS UNDER EU LAW

According to the Victims' Rights 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, victim support organisations), 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 interrogations;
- lack of information;
- government, police or hospital staff engrossed solely in the immediate events without attending to the psychological consequences suffered by the victims;
- experts questioning the credibility or mental health of victims or even their status as 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 people at 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 may require greater care. Such solutions can include 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 RIGHTS IN GERMANY

See above, in subchapter 1.5 and 1.6, in the section on rights in Germany. There is more information on practical measures aimed at preventing the secondary victimisation of victims of terrorism in the examples of how these rights have been implemented in Germany.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF HOW THESE RIGHTS HAVE BEEN IMPLEMENTED IN GERMANY

Public Prosecutor for Victims of Terrorism

The Federal Public Prosecutor General has set up a central contact person for victims, of a terrorist attack in the Federal Republic of Germany, and their relatives – the “Public Prosecutor for Victims of Terrorism”. He or she is responsible for legal victim issues, while direct victim support is performed by the police, doctors, psychologists etc.

The task of the Public Prosecutor for Victims of Terrorism is to cooperate closely with the law enforcement authorities and the public prosecutor’s offices of the *Länder*, in the event of an attack, to immediately gather reliable information on the victims. He or she should be available to victims’ relatives or legal advisors as a single point of contact and should be able to deal with their concerns promptly and efficiently.

To ensure there is no delay in the gathering, and passing on, of information, the “Public Prosecutor for Victims of Terrorism” should visit the site of a major incident even before it is known whether the event was a terrorist attack and before the Federal Public Prosecutor General formally takes over the investigation.

After the proceedings have been taken over by the Federal Public Prosecutor General, the “Public Prosecutors for Victims of Terrorism” will, for instance, act as a contact point for the Federal Government Commissioner for Victims

and the central contact for the *Länder* and the ministries, to coordinate the compilation of «victim lists» (in cooperation with the Federal Criminal Police Office).

The public prosecutors for victims of terrorism shall ensure that, when there is a distinct probability that a person has been killed or injured, relatives are informed before the person is identified in accordance with the DVI standard.

After the acute phase of an attack, the victim prosecutors should continue to be the central point of contact for victims, relatives and legal advisers on questions of victim protection in criminal proceedings. It is known that the, often traumatised, victims welcome the fact that they have a single point of contact during the investigation. The police authorities have also taken this into account in their concepts to avoid “secondary victimisation”. In this phase, the “Public Prosecutor for Victims of Terrorism” is, for example, concerned with providing victims, in serious offence cases, with information on joining the criminal proceedings as a “private accessory prosecutor”, which gives them specific rights, such as the right to participate in all parts of the trial.

Psychosocial-assistance in court proceedings

Apart from rights to legal assistance, victims have other rights, according to their roles in the criminal proceedings. For example, adult, especially vulnerable, victims of crimes against their lives can be assigned a psychosocial assistant, free of charge, by the court (section

406g Code of Criminal procedure). This assistant will not give legal advice, but offers all other support required by the individual victim.

For example, the psychosocial assistant can

- be a reassuring companion during interviews at the police station or before court
- give practical information on the procedural steps, or about the court premises
- help victims to cope with everyday life after the traumatic event
- help to victims arrange suitable therapies or psychological counseling

Witness rooms

Court witness rooms provide a quiet, safe place for witnesses to withdraw to, before and after testifying. Trained social workers are on hand to offer assistance, they can help reduce anxiety, give information about procedures, and accompany the witnesses to and from the courtroom.

Training

To prevent victims being subject secondary victimisation, the training of professionals in contact with victims of terrorism is a key task. There are government-run continuing education programs established under the Third Victims' Rights Reform Act. In North Rhine-Westphalia, the Ministry of the Interior's Office for Training, Continuing Education and Personnel Matters is one of the largest European education providers in this context.

Sensitivity on victim protection is of special importance for police officers, as they are usually the first to be in contact with a victim after the crime. The topic of victim protection is, therefore, a crucial part of police training in the German states, which have legislative jurisdiction in this area. Police training is not just limited to victim protection in general. In-depth modules deal with specific victim groups on topics such as "violence in social networks/stalking", "violence against women" and "domestic violence", which provide officers with additional knowledge and provide practical applications during operational training.

Judges and prosecutors also play a crucial role in victim protection. In this context, their training focuses on communicative skills; for example, to interview a victim in an unbiased, respectful and empathetic manner, and to suitably address a victim's needs. These groups of professionals are specifically trained with regard to joint actions and victim-offender mediation, to become familiar with options that encourage the active participation of the victim in the criminal proceedings. Training methods relating to the psychology of interviewers and how to deal with children in a criminal trial are also very important in this context.

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 scheme on compensation 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 GERMANY AND EXAMPLES OF HOW THESE RIGHTS HAVE BEEN IMPLEMENTED IN GERMANY

Emergency aid payments (hardship payments)

In Germany, victims of terrorist and extremist attacks may be granted hardship payments. Such payments are awarded, upon application, as an act of solidarity; approval may take a few days or weeks, to prevent any financial bottlenecks that may arise. Those injured in an attack may receive lump-sum emergency aid payments of EUR 3,000 or EUR 5,000 (advance payment). Further hardship payments for injuries may also be awarded. Victims may also receive a one-off, fixed sum, payment to mitigate disadvantages in career development of up to EUR 20,000.

Parents, spouses/life partners and children are granted EUR 30,000 each for the loss of their relative. Siblings are awarded EUR 15,000. The bereaved may also receive a one-off, fixed sum, payment to mitigate the loss of maintenance payments: EUR 25,000 for spouses, and between

EUR 25,000 and EUR 45,000 for bereaved children (depending on their age).

Travel expenses may be reimbursed for the close relatives of injured persons and the bereaved, if they need to travel to the scene of the attack. Travel expenses may also be reimbursed if victims wish to participate in criminal proceedings. In both instances, the sum awarded will depend on the distance the victim travels. For example, victims may apply hardship payments ranging from EUR 100 to EUR 1,200 to travel to court, depending on the distance to the court. Hardship payments are granted independent of income, financial resources, and financial support from other sources.

Social benefits under the Crime Victims' Compensation Act / Social Security Code XIV

Anyone who becomes victim of an intentional, unlawful act of violence, for example a terrorist attack, within the territory of the Federal Republic of Germany and suffers health damage as a result, is entitled to file for compensation. The same goes for the surviving dependents of anyone who died as a result of a violent act. The aim is to compensate the physical and economic consequences of terrorist attacks. Victims may also be entitled to compensation if the terrorist attack was committed abroad.

Compensation is provided for all health impairments that result from a deliberate, unlawful violent assault, as well as for the economic consequences of such health impairments. Psychological impairments are recognised as health impairments.

The Crime Victims' Compensation Act provides for various individual benefits:

- curative and medical treatment is provided for an indefinite period, if the health problems caused by the offence persist,
- legal entitlement to treatment in a trauma outpatient clinic,
- medicines and therapeutic aids (drugs, prostheses, artificial dentition, spectacles, etc.),
- rehabilitation measures,
- entitlement to a monthly pension if there are permanent health impairments (for a graduated recognised degree of resulting impairments, from 30% to 100%; pensions presently range from € 156 to € 1,389); it is paid independent of the applicant's income and assets and is adjusted on an annual basis, in line with developments in statutory pension insurance,
- entitlement to additional income-related monthly pension payments, if the health disorder has a negative impact on income,
- additional benefits, e.g. assistance in continued housekeeping, care assistance in case of financial need.

From 10 June 2021, damages caused by a violent act committed by a motor vehicle or trailer will also be compensated under this Act.

The application for compensation can be filed without formal requirements. It is not necessary to await the outcome of preliminary or criminal proceedings. From 2024 onwards, a case management officer is intended to accompany the beneficiaries on the application and claim procedure:

- Determining any need for assistance that has arisen as a result of the harmful event
- Information on social benefits that may be available
- Accompanying the beneficiaries to receive payments quickly and in a coordinated manner, insofar as claims exist or could exist vis-à-vis other social benefit providers
- Support with the application, information on the set up and course of the procedure
- Support through the compensation procedure

No application filing deadline applies. In principle, however, compensation and benefits will only be paid from the date the application is filed. If the application is filed within one year from the date of the offense, the benefits shall be granted from the date of the offense onwards.

Victim compensation funds on Länder level

In certain *Länder*, victims of terrorism may be eligible to receive compensation from State-run funds, if the victim is harmed in an attack on the territory of the Land or resides in the Land in question. Such funds are available in Baden Wuerttemberg, Bavaria, Rhineland Palatinate, Lower Saxony and Schleswig-Holstein.

Financial compensation in the context of judicial proceedings

All victims can claim compensation for financial damages, as well as for pain and suffering, from the defendant by “Adhäsionsklage” (adhesion claims), a procedure that is integrated in the criminal procedure. Victims can also sue the perpetrator in a separate civil proceeding.

Assistance in claiming compensation from victim support organisations

Victim support organisations, such as WEISSER RING, can provide advice concerning compensation by giving information on all possible claims, and by helping in the submission of the applications to the relevant authorities, etc.

WEISSER RING also provides support and personal counselling for victims, assistance with paperwork and other official matters, arranging for help from other organisations, issuing assistance cheques by (amongst other measures) paying the victim's fee for an initial visit to an attorney of the victim's choice and by underwriting the cost of an initial trauma counselling session in the case of emotional burdens arising from the criminal act. Under certain conditions, it is also possible to underwrite additional attorney fees, particularly when helping victims to assert their statutory social claims for government assistance, in accordance with (amongst other laws) the Crime Victims' Compensation Act, and when protecting a victim's rights during criminal proceedings.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



Further reading:



- Social benefits under the Victims Compensation Act / Social Security Code XIV
- 🌐 [Compensation for victims of violent crime \(EN\)](#)
- 🌐 [Hardship compensation \(DE / EN\)](#)
- 🌐 [WEISSER Ring e.V.](#)
- Comprehensive information for all victims of crime: 🌐 [hilfe-info.de \(EN\)](#)

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 GERMANY

Access to support services

In Germany, in the field of support for cross-border victims of terrorism there are different competent central contact points, depending on the **type of cross-border victim**:

When someone, **whose home country is other than Germany, becomes victim of a terrorist attack in Germany**, the Federal Government Commissioner for the Victims and Bereaved and his counterparts in the Länder will be the competent state authorities for the victim's

needs as they support foreign cross-border victims: e.g. in finding translational services or psychological support offers in the victim's mother tongue. They are also in close contact with foreign support services.

When a **German citizen is injured or killed in an attack abroad**, embassies and consulates are usually the first point of contact for the citizens involved. These embassies and consulates can provide access to support services, especially counselling and administrative support, if deemed necessary. The Central Coordination Centre NOAH for psychosocial support for Germans affected by large-scale events abroad continues the measures taken by the embassies and consulates as soon as those who are domiciled in Germany return to home. Once in Germany, the Central Coordination Centre NOAH informs those affected and their relatives about the Federal Office of Justice's hardship payments ("Härteleistungen") and other compensation options.

Some non-governmental victim support organisation may also provide support services to cross-border victims. More information can be found in chapter 3.

International cooperation – Single points of contact

Germany nominated a national contact point for the Council of Europe Network of Single Contact Points for the exchange of information regarding the legal standing of victims of terrorism. Germany is also an active member of the European Network of Victims' Rights with its Network of Single Contact Points that – amongst EU Member States – aims to better coordinate and provide support for cross-border victims.

Compensation schemes

German nationals, or those who have a legal residence in Germany, that become victims of a terrorist attack abroad have the right to apply for hardship compensation under the same conditions as if the attack had happened in Germany. Equally, foreign nationals that become victims of a terrorist attack in Germany may apply for hardship compensation and are treated in the same way as German nationals.

State Compensation after a terrorist attack abroad, victim with residence in Germany:

Following an amendment to the Crime Victims' Compensation Act in 2009, victims with residence in Germany may also be entitled to state compensation if the terrorist attack was committed abroad. In addition, victims with residence in Germany can also file their application for state compensation with the country in which the attack was committed. The Directive on Compensation to Crime Victims applies to violent crimes committed in another EU Member State. The Directive provides that national Assisting Authorities are to help victims assert their claims for compensation against another EU Member State. Germany's designated Assisting Authority is the Federal Ministry of Labour and Social Affairs. The Ministry contacts the other country's competent

authority, provides translation services and assists applicants throughout the entire compensation procedure. Applicants are not asked to pay any costs.

State Compensation after a terrorist attack in Germany, victims with residence abroad or foreign nationals:

Foreign nationals have the same rights for compensation under the Crime Victim Compensation Act as German victims. This rule retroactively takes effect from 1 July 2018. This means that victims of violent crimes will be treated equally, regardless of their nationality and residence status. There is no time limit on the application for compensation.

Participation in criminal proceedings

Victims who do not reside in the Member State where the investigation and the trial takes place, have the same procedural rights as any other victim of the crime. If they do not have a sufficient command of the German language they have the right to an interpreter to facilitate their participation in criminal proceedings. The testimonies and declarations provided in the foreign languages will be included in the case file.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PRACTICES

CASE STUDY: COOPERATION WITHIN THE EU NETWORK OF SINGLE CONTACT POINTS FOR VICTIMS OF TERRORISM

In autumn 2021, the trial against the alleged perpetrators of the 2015 attack in Paris will take place. In summer 2021, two German victims were informed of their right to participate in the French criminal trial. Information was provided in both French and German. Shortly before the start of the trial and as the victims had additional questions on the extent of their participation, their legal standing, the possible reimbursement of legal fees and travel costs, they turned to the Federal Government

Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory. With their consent, his secretariat got in touch with the French single contact point, within the EU Network of Single Contact Points for Victims of Terrorism, to gather the necessary information. These details were then referred back to the victims, enabling them to make an informed decision about exercising their right to access (criminal) justice.

Further reading:



- ④ NOAH (DE)
- ④ The Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory (DE)
- ④ Compensation for victims of violent crimes committed in another EU Member State (EN)
- ④ Compensation for victims of violent crime (EN)
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations

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 the 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 any 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. Unlike adults, children often express psychological stress through physiological symptoms such as headaches or stomach pain. It must be noted that children's fears may also stem from their imagination or irrational thoughts 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.

AN OVERVIEW OF RIGHTS IN GERMANY

Rights of children in criminal proceedings

In the Criminal Code itself there are no provisions on how to carry out interviews with children during an investigation. The guidelines for Criminal and Fines Proceedings give some rules for interviewing children and young people up to the age of 18, including the need to avoid repeated interviews and to make use of existing opportunities to record interviews that can later be used as evidence.

In offences that harm or injure a minor, all hearings, interviews and other investigative acts concerning the young person have to be conducted in a particularly expedited manner insofar as this is necessary to protect the witness or avoid loss of evidence, whereby the personal circumstances of the witness and the nature and circumstances of the offence have to be taken into account (section 48a paragraph 2 Code of Criminal Procedure).

When minors are victims of crimes directed against their lives or freedom, the Criminal Code of Procedure stipulates, that they shall be interviewed by a judge and this interview shall be recorded, if their protection needs can be met better by that procedure (see sections 58a, 255a Code of Criminal Procedure). In this case, the recording can be used as proof, before the court in trial, without having to hear the child witness again. Nevertheless, additional questioning of the victim is possible, especially with regard to any new facts or evidence.

The questioning of minor witnesses in the main hearing is regularly conducted solely by the presiding judge, which means that parties entitled to ask questions, such as defendants and defence counsel, address their questions to the presiding judge, who then questions the witness (section 241a of the Code of Criminal Procedure).

When it is thought that having to testify in presence of the defendant will pose grave harm to the well-being of a minor witness, the court can decide that the defendant has to leave the courtroom while the witness is being interviewed (section 247 sentence 2 Code of Criminal Procedure). In crimes against a minor witness's life the public has to be excluded by the court as soon as the affected person makes an application (section 171b paragraphs 2 and 3 of the Courts Constitution Act).

Minors under the age of 18, who have been victims of crimes against their lives or other specific violent crimes, are also entitled to apply for a psychosocial assistant, who is appointed, free of charge, by the court without the minor having to claim to be especially vulnerable (section 406g paragraph 3 sentence 1 Code of Criminal Procedure).

Practical support

Usually there are child-friendly rooms available for the questioning of children at police stations, courts or, for example, Childhood-Houses. The goal of the Childhood Foundation (established in 1999 by Queen Silvia of Sweden to campaign for the rights of children affected or threatened by sexual violence) is to prevent children from being threatened by preventive measures and to improve the lives of affected children. The work is based on the UN Convention on the Rights of the Child. In Childhood-Houses, medical examinations, interviews, for example, with the youth welfare office or the police, as well as police and judicial interviews with video/audio recording or transmission can be carried out in a child-friendly environment.

At the moment there are 5 Childhood-Houses in Germany (Heidelberg, Leipzig, Berlin, Düsseldorf, Ortenau). Negotiations for further Childhood-Houses are taking place in 15 (out of 16) federal states within Germany.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PRACTICES

CASE STUDY: 2020 HANAU ATTACKS

In Hanau, members of the Hesse school crisis intervention teams based at the local education authorities were part of the initial support network. These specially trained school psychologists advise headteachers, teachers and other educational staff on psychological support for children and adolescents, and, if need be, help find suitable therapy for them.

Even if children were not affected directly, but indirectly as a siblings, for example, they may also require psychological support after their experience. School psychology professionals can do more than just help individuals, they can also contribute to making schools a safe place with structure and a sense of normality, thereby helping pupils to process the events and stay healthy.

Further reading:

- Brochure: Wenn Kinder ein Unglück erleben (DE)



3. ORGANISING SUPPORT: PREPARATION AND ORGANISATION OF THE SUPPORT FOR VICTIMS OF TERRORIST ATTACKS

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive and the Counter-terrorism Directive makes reference to the following measures set for the preparation and organisation of support of victims in terrorist attacks:

- Organisation of training on victims' needs and how to treat victims for practitioners that come into contact with victims;
- Ensure that mechanisms or protocols are in place allowing for the activation 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.

AN OVERVIEW OF RIGHTS IN GERMANY AND OF HOW THESE RIGHTS HAVE BEEN IMPLEMENTED IN GERMANY

Introduction: Actors involved in the preparation and organisation of support in Germany

In Germany, the preparation and organisation of support for victims of terrorism is well recognised and involves a variety of actors, including those highlighted below. These actors and institutions have established protocols on effectively supporting victims of terrorism, these include guidelines on the coordination of their efforts and with the other actors involved:

- » The **Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory**

offers support directly, or directs all victims – irrespective of their nationality or state of residence – to offers of practical, psychological and financial support when a domestic terrorist attack occurs on national territory.

Equally, his counterparts in the *Länder*, the central contact points and victim commissioners of the *Länder*, will offer support when someone habitually residing in the *Land* is affected by a terrorist attack (on national territory or abroad) or when there is a terrorist attack in the *Land* itself. The Federal Government Commissioner **also acts as a central contact point for the EU Network of Single contact points for victims of terrorism**. 19 Member States have appointed central contact points that work together, when there is a terrorist attack resulting in victims from different EU Member States. The Federal Government Commissioner – in cooperation with his counterparts in the *Länder* and NOAH – will then offer support to Germans, who become victims abroad, by collaborating with the Single Contact Point in the country of attack. Conversely, he will support foreign victims of an attack in Germany through the same Network. Furthermore, the Federal Government Commissioner is member of the Council of Europe Network of Single Contact Points for the exchange of procedural information regarding the legal standing of victims of terrorism.

» **The Central Coordination Centre (Koordinierungsstelle Nachsorge, Opfer- und Angehörigenhilfe - NOAH)**

was set up to provide **psychosocial support to Germans affected by large-scale events abroad** – such as terrorist attacks. NOAH **also supports victims' relatives living in Germany**. The Central Coordination Centre NOAH is thus a large-scale post-terrorist-attack-abroad victim assistance centre for Germans – **after their return home**.

» **WEISSER RING**

is the only active nationwide victim support organization in Germany. It is independent from state funding and the organisation is committed to helping victims of crime. WEISSER RING offers free help and support to victims of crime. Its support workers provide one-to-one assistance in a voluntary and professional capacity, they have diverse life and work experience and are trained to act as both a contact person and a guide so as to recognize each victim's individual needs and provide suitable assistance. The volunteers do not receive any personal benefits for their work that is carried out according to professional standards.

WEISSER RING's civic engagement helps victims of crime to rebuild their lives after victimisation. The organisation also cooperates with other full-time and voluntary organizations and partners in a constructive network. Help offered by WEISSER RING is free of charge and is available to everyone, including non-members.

WEISSER RING, in the assistance of victims of terrorism and its political work, has points of contact with the Counter Terrorism Directive. Its main tasks in this respect are to guarantee state compensation and to ensure procedural rights in criminal procedures (e.g. assessment of the implementation of Directive 2012/29/EU).

The role of each of the actors in planning, emergency response and in the medium to long term phases

The Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory – offering

support to those affected by a terrorist attack in Germany / coordination of support for Germans affected abroad and foreign victims in Germany

The Federal Government Commissioner is independent, but attached to the Federal Ministry of Justice and Consumer Protection. He or she is supported by an interdisciplinary team (his or her Secretariat) consisting of legal professionals, psychologists and media professionals. In the event of an attack, the Federal Government Commissioner acts as a central contact point for those affected by the attack – foreign and national victims – and for all other actors that may be involved in supporting the victims. The Federal Government Commissioner offers or directs the victims to means of financial, psychological or practical support. He or she serves as a contact person not only in the aftermath of an attack, but also offers medium and long-term assistance. Moreover, he or she functions as an intermediary to highlight the needs of victims of terrorist attacks (and other violent offences) to political decision makers. Finally, the Federal Government Commissioner liaises with actors concerned with victims' interests on a national and European level, including the central contact points for other Member States.

Planning and cooperation

The Secretariat of the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory has developed an operational concept in the event of a terrorist attack on national territory. Conceptually, arrangements are made concerning – inter alia – the organisation of psychosocial support for the victims, dissemination of information, provision of financial and practical support and contact with the media. There are detailed provisions concerning the cooperation with, for example, the victim commissioners and central contact points of the *Länder*, the police, civil society organisation or the Federal Prosecutor General.

Emergency response phase

In the event of an attack, the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences Committed on National Territory acts as a central contact point for those affected by the attack and for all other actors that may be involved in supporting the victims. He or she is present in the immediate aftermath of an attack, at the scene of the attack, offering or directing the victims to

means of practical, financial and psychological support. He or she is also in close contact, and cooperates, with the *Länder* central contact points and commissioners for victim protection, the Federal Prosecutor General and the police.

There is also a special emergency number that may be used free of charge. This 24/7 emergency

hotline is set up by the Federal Government Commissioner to offer victims psychological support immediately after an attack. Several of the central contact points and victim commissioners also take part in the emergency hotline.

CASE STUDY: 2020 HANAU ATTACK

The structures for victim support differ from one federal state to another. In practice, it has proved helpful to bring together the all contact persons for the financial, psychosocial, administrative and other service providers involved in the victim support process at “round table” meetings directly after an attack.

In Hanau, this event was organised by the Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory and the

Commissioner of the Hesse Land Government for Victims of Mass Attacks and Terrorist Offences. Even after the immediate emergency phase, it has proven helpful to continue with the round table meetings, which can be divided into financial and psychosocial service providers, as necessary. Thereby, it can be ensured that support for victims in the medium and long term is organised efficiently, and that victims’ needs and concerns are not lost in lengthy procedures between different actors.

Medium and long term support

The Federal Government Commissioner serves as a contact person not only in the aftermath of an attack, but also offers medium-term and long-term assistance. He or she connects the victims to the support offers most relevant to them.

He or she may also offer direct practical support. For example, the Federal Commissioner coordinates available support services at all levels. He or she may organise round table meetings to bring together all actors relevant to a certain victim, including psychological support services, various institutions, and lawyers. The aim is to find the most practical and suitable solution for the medium-term or longer-term needs of that particular victim.

The Federal Government Commissioner may also help find local, specialised psychosocial support, psychological support in different languages, or assist with practical necessities.

Training

Members of the Secretariat of the Federal Government Commissioner regularly receive training on subjects such as interaction with traumatised victims, cultural sensitivity and updates on support offers. Furthermore, there is a regular “best-practice” exchange with the representatives of the *Länder* central contact points and victim commissioners.

NOAH (Koordiniierungsstelle Nachsorge, Opfer- und Angehörigenhilfe) – offering psycho-social support to German victims and their families upon their return to Germany

At this one-stop-shop, Germans affected by terrorist attacks abroad can receive information and psychosocial support. That means – for example – that the Central Coordination Centre NOAH

- can be reached by phone 24 hours a day (24/7 hotline);
- can provide psychosocial support at the victim’s home location in Germany;
- can arrange contact with psychotherapists and other long-term professional help;
- can arrange victim companions to travel to the scene of a terrorist-attack abroad;
- can organise meetings or support networking for those affected;
- can establish contact with the authorities involved, such as the Federal Foreign Office, Federal Office of Justice, Federal Ministry of Labour and Social Affairs, German support authority for compensation claims in the European Member state where the attack took place.

Planning and co-operation

The Central Coordination Centre, NOAH, has taken part in over 350 missions, since it was set up in 2002 - including more than 50 terrorist attacks, which involved Germans abroad. Because of nature of the different terrorist attacks in different places/in different countries, with different persons involved (e.g. number or age structure), different team compositions, different cooperating partner organizations etc., there is no «routine».

The most important principle is therefore: get to know the networks and the offices involved in a terrorist attack/get to know the people who are involved in the crises.

The scientific evaluation of the missions is to optimise psychosocial support for those involved - especially communication with those affected. In terms of needs-oriented care, this has technical and structural requirements:

- Official contact points have to be prepared for the conventional concerns of those affected, so that they can respond adequately;
- Multi-professional teams with additional qualifications have to be provided. These multi-professionals have to implement the operational structures on a regular basis and should be able to work in a cross-departmental network - beyond the boundaries of their usual responsibilities.

Emergency response phase

If there is a terrorist attack abroad that involves Germans, the Central Coordination Centre NOAH is ready to give those affected and their relatives psychosocial support during the acute phase. Concerned relatives, who live in Germany, can call the Central Coordination Centre NOAH around the clock (24/7 hotline) right from the start. After their return home to Germany, the victims can also get in touch with the Central Coordination Centre NOAH by phone, 24 hours a day. Both groups will have received the contact details of the Central Coordination Centre NOAH via the German Federal Foreign Office, the German representation abroad, the German Federal Criminal Police Office (Bundeskriminalamt) or other cooperation partners. Given that the Central Coordination Centre NOAH receives information along with its partners, it is able to provide details to those affected, to offer counselling and to provide other psychosocial support, such as pastoral emergency care, crisis intervention etc.

Medium and long-term support

In the medium and long-term phases, the Central Coordination Centre NOAH is still available to those affected as a permanent point of contact, with whom they have built trust. The Central Coordination Centre NOAH continues its psychosocial support and arranges - if necessary and on request - the following:

- contact with psychotherapists or other professional help;
- accompaniment of affected persons that travel to the scene of terrorist attack;
- meetings or support networking for those affected (survivors, relatives of survivors, missing people, surviving dependents);
- help with administrative, financial and legal issues or problems;
- establish contacts with the authorities involved.

WEISSER RING e.V.

The branch office managers are responsible for keeping up-to-date lists of network and cooperation partners (in particular counselling and aid organisations, doctors, psychotherapists, hospitals, trauma outpatient clinics, lawyers, hotels/pensions as well as authorities, especially health, social, youth and pension offices). They are informed of the rights that victims of terrorist attacks may have.

In the event of an attack, the branch office manager is informed of it in a phone call from the national office. Then follows an automated information system for the relevant personnel. The branch office manager checks the available personnel resources within his branch office and informs the Major Incident Officer, without being asked.

The branch office manager oversees the WEISSER RING support activities at the scene of the crime, contacts the crisis team, and checks the needs of victims. He is the support staff contact person, maintains contact with the Major Incident Officer, and the national office. The staff on the ground provide human assistance as their most important support task. In doing so, they provide food, clothing and shelter through the distribution of emergency aid. They further inform victims about their rights in due course.

If necessary, the Major Incident Officer asks nearby branch offices for personnel resources and assigns them to the crime scene branch office in

consultation with the field office manager. Victim support workers in direct contact with victims receive psychological support themselves, as necessary. The victim support workers on site are supported by the federal office, the regional offices, the press department, the donations department, the victim helpline and the online counselling.

Training

WEISSER RING e.V. offers regular training on major incidents for its victim supporters and trains coordinators in the national associations.

Further reading:



- ④ NOAH (DE)
- ④ The Federal Government Commissioner for the Victims and Bereaved of Terrorist Offences committed on National Territory (DE)
- WEISSER Ring e.V.

4. EUCVT

The European Commission set up the EU Centre of Expertise for Victims of Terrorism (the EUCVT) in January 2020, 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 available 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 their 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](#)

