



HANDBOOK

ON VICTIMS OF TERRORISM

LATVIA

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.

AUTHORS

National handbook for Latvia was produced by Iris Lokerse (VSE) and Aleksandra Ivanković (VSE), in close cooperation with:

- Raivo Vilcāns, Director (Chairman of the Board), Society 'Skalbes'
- Santa Laimiņa, Victim Support Hotline counsellor, Society 'Skalbes'

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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.

Latvia has had barely any experience with terrorist attacks since the renewal of its *de*

facto independence on 21 August 1991. However, the global fight against terrorism and the growing threat of a terrorist attack have forced the Latvian state to respond accordingly. The regulatory framework in the field of counter-terrorism consists of the National Security Plan, the National Counterterrorism Plan, and the National Security Concept.

Priorities for tackling the threat posed by international terrorism include: participation in international counter-terrorism operations and the implementation of international cooperation; strengthening cooperation between state municipalities and legal institutions in the field of counter-terrorism; prevention of radicalisation; increased security of objects at risk of a terrorist attack and prevention of terrorist financing.

To strengthen coordination between the various state institutions involved in the fight against terrorism, a Counter-Terrorism Centre has been established under the auspices of the State Security Service. The tasks of this central counter-terrorism institution include coordinating the activities of counter-terrorism institutions, ensuring the timely exchange of information, as well as collecting and analysing information related to counter-terrorism activities.

TERRORIST INCIDENTS IN LATVIA

- 6 May 1995: an explosion in a synagogue in Riga – no direct victims
- 15 July 1995: an explosion before the first Nordic-Baltic Song Festival's final concert – four persons injured
- June 1997: members of the extremist group 'Thunder Cross' attempt to blow up the Victory Monument – two attackers died
- 17 August 2000: an explosion in 'Centrs' department store – one person died, 35 were injured

MASS VICTIMISATION EVENTS IN LATVIA

- 28 June 1997: crane collapse in Talsi – nine children died
- 23 February 2007: fire in nursing home Reģi – 26 residents died
- 13 November 2013: ‘Zolitūde’ shopping centre roof collapse – 54 persons died, 41 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 organisations of victims of terrorism:**
 - RAN (2017) The power of victims of terrorism: how to give support
- **On the recognition of victims and useful figures:**
 - MEP Maité Pagazaurtundúa (2019) le livre blanc et noir du terrorisme en Europe
 - German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
 - Ministry of Foreign Affairs of the Republic of Latvia on the fight against international terrorism

CRISIS RESPONSE STRUCTURE IN LATVIA

The threat level for terrorism is considered low in Latvia. Nonetheless, Latvia recognises threats of international terrorism due to its participation in NATO and the EU. Counterterrorist preventive measures are included in the National Counterterrorism Plan, where needed actions and measures are classified along 4 threat levels. The plan is revised every 3 years.

Section 4 of the Civil Protection and Disaster Management Law distinguishes between two main categories for disasters based on their cause: natural disasters and man-made or anthropogenic disasters. Terrorism is classified as the latter. In accordance with the Civil Protection and Disaster Management Law, catastrophes created by terrorist attacks are overseen by the Ministry of Interior (Section 6.4).

The National Disaster Medical Plan is prepared in accordance with potential threats, which include a wide array of potential emergency situations – from acute infections to terrorism and internal conflicts. Terrorism is classified in Annexes 2 and 5 of the National Disaster Medical Plan: terror attacks, including biological and radiation attacks.

The proposed steps and actions to be taken following a terrorist attack are described in Latvia's State Security Service Counterterrorism Centre plans:

- Contingency plan in case of threats on land (Counter-terrorism plan 'Object') – *Rīcības plāns sauszemes objektu apdraudējumu gadījumā*
- Contingency plan in case of threats against civil aviation and its facilities (Counter-terrorism plan 'Plane') – *Rīcības plāns civilās aviācijas gaisa kuģu un objektu apdraudējumu gadījumā*
- Contingency plan for ships, ports, and port facilities (Counter-terrorism plan 'Ship') – *Rīcības plāns kuģu, ostu un ostas iekārtu apdraudējumu gadījumā*

All three contingency plans are classified documents.

To test the readiness of institutions to respond to situations of terrorist threats, various counter-terrorism exercises are regularly organised the form of tabletop exercises or field exercises, and include simulation of hostage situations. In line with Article 24(4) of the Combating Terrorism Directive, mechanisms and protocols are in place to allow for the activation of support services for the victims of disasters (including of terrorism) within the framework of national emergency-response infrastructures.

Further reading:



- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- National Civil Protection Plan
- Civil Protection and Disaster Management Law
- National Disaster Medical Plan

TERRORIST ATTACKS

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

Key characteristics

Influential key characteristics include:

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

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

Scale

The scale of the attack (the number of those killed or wounded) varies from event to event. In the 'Centrs' department store bombing in 2000, one person was killed and 35 people were injured. These figures only confirm the numbers of direct victims with physical injuries, while the number of those affected – those present at the premises who did not suffer any bodily injuries, as well as victims' family members, bystanders and others, who suffered as a consequence of the traumatic event – will be much larger. The greater the number of victims, the more resources are required during both the emergency response phase (e.g. hospital beds) and in the longer term (e.g. in criminal proceedings, professional mental health services, information and support providers). The larger an attack, the greater the media attention will be on the victims, their families and society.

Location

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

Timing

In the case of multiple, related, terrorist attacks, the timing of any consecutive attack(s) has usually been within a few hours of the first. In 2016, the 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 Asia and the Middle East, follow-up attacks have been timed to hit first responders and helpers.

Weapons

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

Target groups and organisation

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

Cyberterrorism

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

CASE STUDY:

In 2018, the Latvian State Security Service (VDD) arrested a person planning to carry out terrorist attacks at a school and several stores in Jūrmala. The arrest took place as part of criminal proceedings, initiated at the end of 2018, for the alleged incitement of ethnic hatred and intolerance. The perpetrator came on to the VDD's radar after posting comments on various internet sites calling for the destruction of ethnic Russian and Roma inhabitants of Latvia.

Investigations revealed that the offender regards himself as a follower of the Norwegian right-wing extremist, Anders Behring Breivik, and was completely obsessed with him, avidly consuming all available information on Breivik. Videos of Breivik's 2011 bombing in Oslo and mass murder of young people on the island Utøya were found on the person's computer. VDD found that, inspired by Breivik's crimes, the offender had begun to prepare a violent attack on children at a minority school, as well as terrorist attacks on several stores. The person had planned to carry out the attacks on 13 February, Breivik's birthday.

The offender had begun to acquire equipment to intimidate and murder people, and his plans included creating a bomb blast. Thanks to timely investigations, VDD was able to foil these plans. Based on evidence uncovered in the investigation, the offender was found guilty under Section 15 Paragraph 3 and Section 79.1 (preparation for terrorism) and Section 78 Paragraph 2 (triggering national hatred or enmity) of the Criminal Law.

Further investigations revealed that the perpetrator may have been mentally ill, and after psychiatric and psychological evaluation, he was deemed to not have been of sound mind at the time of committing the crimes. Based on expert opinion, the VDD handed over the materials of the criminal case to the prosecutor with the recommendation that the offender be detained in a medical institution. At the end of 2019, the offender was found guilty as charged, but because he was not of sound mind he was absolved of criminal liability and placed in a psychiatric institution. The sentence has been enforced and cannot be appealed.

Further reading:

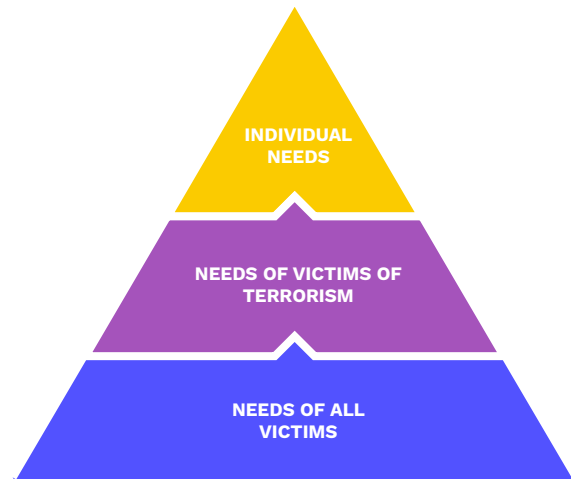
- Europol (2020) TE-SAT Report
- Institute for Economics and Peace (2019) Global terrorism index



VICTIMS' NEEDS

As specified in Recital 27¹ of the Counter-terrorism Directive, Member States should adopt measures of protection, support and assistance in responding to the specific needs of victims of terrorism, in accordance with the Victims' Rights Directive and as specified by the Counter-terrorism Directive. The measures on protection, support, and assistance to victims of terrorism are further developed in Title V of the Counter-terrorism Directive.

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



Layers of needs

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

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

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

Non-urgent needs of all victims of crime are divided into five major categories:



Needs of victims of terrorism

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

1. Recognition and respect: as victim of terrorism.
2. Support: medical care, specialised psychological-trauma care, information, practical assistance, legal assistance, communication (media) support, peer support, etc.
3. Protection: physical protection, protection from secondary victimisation.
4. Access to justice: safe participation in the criminal justice process.

5. Compensation and restoration: financial compensation and help with the financial impact of a terrorist attack. Restoration includes overall recovery and restorative justice processes.

Individual needs

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

Further reading:



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

1. THE RIGHTS OF VICTIMS OF TERRORISM

1.1 VICTIM OF TERRORISM – DEFINITION UNDER NATIONAL LAW AND IMPACT

DEFINITION UNDER EU LAW Victim of Terrorism

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

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

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

Terrorist offence

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

DEFINITION UNDER LATVIAN LAW

In accordance with Article 3 of Protocol 21 on The Criminal Law defines terrorism as the use of explosives, use of fire, use of nuclear, chemical, biological, bacteriological, toxic or other weapons of mass destruction, mass poisoning, spreading

of epidemics or epizootic diseases, kidnapping of persons, taking of hostages, hijacking of air-, land- or sea-means of transport, or other activities if they have been committed for the purpose of intimidating inhabitants, or for the purpose of inciting the State, its institutions or international organisations to take any action or refrain therefrom, or for the purpose of harming the interests of the State or its inhabitants or international organisations.

At this moment, there is no specific legal definition for victims of terrorism in Latvia. According to Criminal Procedure Law, a victim in criminal proceedings may be a natural person or legal person to whom harm was caused by a criminal offence, that is, a moral injury, physical suffering, or a material loss.

IMPACT OF TERRORIST ATTACKS ON VICTIMS

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

Physical consequences

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

Mental health consequences

Victims experience fear and anxiety after a terrorist attack at levels that may not incur psychological

problems, but that may have behavioural, relational, and financial consequences. Post-traumatic stress is often diagnosed in victims following a terrorist attack. Victims may re-experience the event, have repeated and unwanted intrusive thoughts, hyper arousal, emotional numbing and/or avoidance of stimuli reminding them of the traumatic experience.

Financial consequences

Victims of terrorism may incur severe injuries, that are linked with a (higher) probability of developing a psychological disorder. This implies that the costs related to victimisation will be higher (for the victims, their property, their insurers and/or the government).

Future events

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

Risk groups

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

Loss and grief

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

Further reading:



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

1.2 VICTIMS' RIGHTS TO RESPECT AND RECOGNITION

THE RIGHTS UNDER EU LAW

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

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

The first step towards recognition and respect of victims of terrorism is their identification, while subsequent commemorative events and memorials form an integral part of the healing process for victims of terrorism, their families and all those affected.

Identification of victims and information about victims

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

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

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

Recognition

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

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

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

Respect

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

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

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

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

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

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

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

AN OVERVIEW OF RIGHTS IN LATVIA

Law enforcement authorities (police officers, prosecutors, and judges) are considered as an important group, as they have the most contact with victims during the criminal proceedings. To ensure that law enforcement officers treat victims with respect, a plan 'on strengthening human resource capacity and development of the judicial power and law enforcement authorities for 2015-2020' was developed. The plan was adopted by the Latvian government in 2015. It includes a systemic approach for the further education of law enforcement officers, with regards to all professional competencies. Training is provided not only to police officers, public prosecutors and judges, but also to specialists of the criminal enforcement authorities.

Latvia does not have a specific procedure for the recognition of victims of terrorism.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Identification of victims and information about victims

In France, the handling of the bodies of deceased persons is within the exclusive responsibility of the investigating services, which organise operations leading to victims' identification, census, and transportation under the direction of the competent public prosecutor. Relatives, to whom a death is announced, regularly point out the importance of this crucial moment and the need to pay the utmost attention to it, given that the consequences that follow can mark one's whole life.

Commemoration events

Even though Latvia has not recently experienced any terrorist attacks, there are several commemoration events for victims of mass atrocities. 4 July is the National Commemoration Day of the Victims of Genocide against the Jewish people, when Latvian holocaust victims are remembered.

Monuments

Monuments create a physical place where victims can gather to share their individual loss with society. While Latvia does not have a dedicated monument for victims of terrorism, there is a monument for victims of the holocaust: Biķernieki Memorial.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- European Commission (2020) EU Strategy on victims' rights (2020-2025)
- VSE (2019) Remembering Victims of Terrorism: A guidance document
- Kronberga, I. & Logina, E. (2019) VOIARE National Report Latvia
- Holocaust victims Commemoration Day in Latvia
- Biķernieki Memorial

1.3 VICTIMS' RIGHTS TO ACCESS INFORMATION

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHTS IN LATVIA

In Latvia, a victim has the right to receive information immediately after being recognised as a victim, this includes information about the contact person responsible for communicating the progress of the proceedings to the victim. The victim may receive explanations via e-mail, phone or official correspondence (sending and receiving letters), even with an electronic signature. An official, tasked with maintaining communication with the victim, has a duty to provide information in a language and form understandable to them, and to provide information on the victim's rights and duties, in particular on situations that are related to the implementation of criminal proceedings. Victims also have the right to request and receive documentation available in their case, to receive copies of case materials, and to petition

the investigating judge to introduce them to case materials of special investigation activities that are not enclosed with the criminal case (source documents).

Specially protected victims have the right to request and receive information regarding the release or escape of the detained or convicted person if there is a threat to the victim and there is no risk of harm to the offender.

Information is provided to the victim in different ways, as the victim may be in a state of temporary confusion or shock during their first contact with the authorities. In these cases, and after a few days, the victim will be contacted by the police and will receive the necessary information in less stressful conditions. This information is also available on all law enforcement websites. The non-governmental organisation Skalbes operates both the victim helpline and the website www.cietusajiem.lv, which also provide essential information on victims' rights and all support available.

During the course of the criminal proceedings, the victim is regularly informed of their rights, depending on the status of their case (pre-trial phase investigation, trial-phase before a court of first instance, appeal phase or cassation court). Specialists from law enforcement institutions are trained to liaise with victims of crimes.

If the person confirms that they legally want to be recognised as a victim, a decision is reached and the person directing the proceedings has a duty to explain their rights to the victim once again in an understandable language. An individual assessment is made as to whether there are grounds to recognise the person as a victim with special protection needs. Regardless of whether the victim is to be specially protected or not, the police officer tells them how to receive state funded compensation and, if necessary, provides support for filling in the application. At this time, it is established in what language the victim can valuably communicate, and if an interpreter is necessary.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

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

Information can be divided into:

1. rights and services, actions and expectations – as required by EU rules;

2. factual and topical information regarding the attack, the current situation, and the condition of loved ones;
3. dealing with the attack (involving reassurance and psycho-education on normal reactions and practical suggestions to encourage healthy behaviour).

Information centres

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

PROVIDING INFORMATION IN CRISIS – GOOD PRACTICES:

In France, immediately following a terrorist attack affecting many people, the inter-ministerial cell for public information and victim support (*Cellule Interministérielle d'Information du Public et d'Aide aux victimes - C2IPAV Infopublic*) is activated. Infopublic

cooperates closely with local authorities and local victim support organisations to set up a family reception centre, which will function as a single physical location where victims and family members receive information on their rights and procedural matters.

In the Netherlands, the ARQ (National Psycho-trauma Centre) has the ability to set up a special website within minutes of a crisis event. In the case of a terrorist attack, or other large-scale disaster, Victim Support Netherlands (*Slachtofferhulp Nederland*) can set up an online Information and Advice Centre (IAC) within a few hours, providing

victims, witnesses and family members with current, complete and reliable information, such as important phone numbers and the latest news from organisations involved, such as the police, the Public Prosecutor and the government. An IAC was established after the MH17 plane crash on 17 July 2014.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Kronberga, I. & Logina, E. (2019) VOciare National Report Latvia
- Website for victims of crime – 116 006 Helpline
- Website Crisis and Counselling Centre 'Skalbes'

1.4 VICTIMS' RIGHTS TO ACCESS SUPPORT SERVICES

THE RIGHTS UNDER EU LAW

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

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

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

AN OVERVIEW OF RIGHTS IN LATVIA

In Latvia, victim support is provided by state institutions and NGOs. Victims of terrorism can access the same general and specialist services as any other victim of crime. To coordinate victim support services, the phone number 116 006 'Helpline for Victims of Crime' was activated on 1 January 2016. This helpline, providing general victim support, is run by the NGO Skalbes, who are contracted by the Latvia Legal Aid Administration (LAA) to run the service.

Specialist support is provided by NGOs as an integral part of their general assistance to those in need. These services are usually specialised (tailored, for instance, to the needs of women, children, persons with disabilities). Specialist support by state institutions is, however, limited to the rehabilitation of victims of violence. That is, these services provide longer-term care rather than immediate crisis assistance.

Based on the individual assessment of their needs (Regulation No 338), (long-term) state specialist help is provided to adults and children who have suffered from violence (Regulations No 790 and 1613, respectively), as needed. Victims of terrorism would usually qualify for state provided support as victims of violence. In practice, NGO Skalbes, which is the main provider of general victim support, offers support according to victims' needs.

In practice, there might be cases when some victims would have to pay for support. However, victims of terrorism would be given access to the services of the main victim support provider (helpline and website run by Skalbes) and state provided rehabilitation.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

Victims, especially if they must deal with serious (mental) health problems after a terrorist attack, will face difficulties in absorbing information. Information on (organisations that provide) assistance and support will be more effective

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

Victim assistance centres

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

SETTING UP A VICTIM ASSISTANCE CENTRE AFTER A TERRORIST ATTACK – GOOD PRACTICE

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

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

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Kronberga, I. & Logina, E. (2019) VOciare National Report Latvia

1.5 VICTIMS' RIGHT TO ACCESS JUSTICE – PROCEDURAL RIGHTS

THE RIGHTS UNDER EU LAW

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

- the right to be heard;
- the right to access 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 RIGHT TO ACCESS TO JUSTICE IN LATVIA

The victim's rights during the criminal proceeding are determined by Chapter 6 of the Criminal Procedure Law (CPL). A victim has broad rights over the course of the entire criminal proceeding, including the option to provide testimony, to submit evidence, and the right to implement their interests until the final verdict. Moreover, a victim may submit information regarding the physical and moral harm suffered, and the financial loss caused to them, and use their procedural rights for acquiring compensation. Every victim has the right to protection, including the submission of information on threats made towards them or their relatives or property to the person directing the proceedings.

In accordance with the CPL, victims of criminal offences have the right to appoint an advocate to protect their interests. The victim must cover expenses of the advocate, though in exceptional circumstances, advocate services for the victim are paid by the State as provided in the common procedure covered by the CPL; this procedure is prescribed by the State Ensured Legal Aid Law.

Legal aid is granted to all nationals, as well as to persons legally residing in Latvia, but is means tested. However, persons who suddenly find themselves in position that financially prohibits them from ensuring their legal protection, e.g. due to natural disasters, force majeure, or any other independent but impersonal circumstance. The State provides State-funded legal help, through the Legal Aid Administration (LAA), when the victim is acknowledged as having a low-income (less than € 436 income per household per month) or the victim is a minor, in the case of violence (especially sexual violence or harassment). There have been no instances of legal aid support for victims.

Victims have the right to the reimbursement of expenses incurred in relation to their presence at a procedural activity (hearing or similar). They can claim travel and accommodation reimbursements as well as for any income lost due to absence from work. The expense reimbursement procedure for the different participants of the criminal proceedings is strictly determined by the regulations issued by the Cabinet, and determines the timing of expense reimbursement.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Large scale attacks

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

in larger secure locations to accommodate all those involved.

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

ADDITIONAL SUPPORT TO VICTIMS DURING CRIMINAL PROCEEDINGS FOR LARGE SCALE ATTACKS – GOOD PRACTICE:

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

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

Public inquiries

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

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Kronberga, I. & Logina, E. (2019) VOIARE National Report Latvia

1.6 VICTIMS' RIGHTS TO PROTECTION: PHYSICAL AND PRIVACY

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHT TO PROTECTION IN LATVIA

Persons who are recognised as victims in the criminal proceedings have the right to special procedural protection. Special procedural protection is a complex security measure that is given under special circumstances for the protection of victims, witnesses, and others, who testify or have testified in the criminal proceedings of severe crimes.

Special procedural protection shall be applied by the proceeding authority (police, prosecutor, judge), at the request of a victim. The relevant person directing the proceeding shall decide on this without delay, or within a period of ten days after receipt of the victim's (witness') submission, in accordance with actual security conditions. Prosecutors generally decide on

special procedural protection after consideration of the complaint and any decision is based on the proposal of the person directing the proceedings. The court may determine these measures during the trial, subject to the victim's consent in determining such protection.

The implementation of protection measures is governed by the Special Protection of Persons Act. Few bodies oversee the implementation of the protection measures: the specifically authorised division of the Police; a specially authorised Latvian Prisons Administration department as well as other persons performing investigative operations, if, in accordance with the instructions of the Prosecutor General, it is necessary to ensure certain interests of special protection.

To provide special protection to a victim (witness), the following measures shall be implemented, depending on the situation:

- a security guard shall be appointed for the person to be protected;
- security against unsanctioned wiretapping of the conversations shall be established;
- safeguarding against unsanctioned control of the victim's correspondence;
- the movement of the protected person between (confidential) residential premises;
- the issuance of a passport and other documents with different personal identity data;
- the change of permanent residence and place of work of the protected person;
- the protection and non-issuance from state information systems of the data of the person to be protected;
- the transfer of the protected person to another state, in accordance with international agreements or an agreement with another state;

- if necessary, insurance of the property of the person to be protected;
- and a complete change of identity of the person to be protected may be performed.

If the nature of threat so determines, the protection may be extended to the family members of the endangered person.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Government and the media

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

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

There must be a balance between respecting the privacy and needs of victims and their relatives, and informing the public through media channels. Information from government sources must respect the dignity and security of victims, particularly children. Secondary victimisation must be avoided. In the medium-

to long-term, personalised information should be made available to victims and relatives prior to a formal report being made publicly available through media channels.

Victims and the media

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

For example, in the aftermath of an attack or disaster, broadcast and print media show images of the scene of the attack and, potentially, of victims and witnesses. These images will likely be shown again in light of commemorations and remembrance activities of this attack or disaster, which is retraumatising to victims and victims' families. It is advised that victim support organisations are sensitised about the recurrence of distressing images in order that this can be dealt with in a victim-sensitive manner.

It is difficult to restrict harmful information flows on social media channels. However, these can be useful tools for victims and law enforcement agents in the aftermath of an attack. For example, Twitter users started posting pictures of cats

after a request from the Belgian authorities not to share information on ongoing police activity during the Brussels lockdown following the Paris attacks in November 2015.

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

In France, the French Audiovisual High Council (*Conseil Supérieur de l'Audiovisuel*, CSA) held hearings, namely with victim support associations and other authorities, in order

to draft a Charter of good practices for the media in case of terrorist attacks, including a reminder of ethical rules.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- UNESCO (2017) Terrorism and the Media: A handbook for journalists
- BBC: Belgians tweet cat pictures during #BrusselsLockdown
- Kronberga, I. & Logina, E. (2019) VOciare National Report Latvia

1.7 VICTIMS' RIGHTS TO PROTECTION: SECONDARY VICTIMISATION

THE RIGHTS UNDER EU LAW

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

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

Causes

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

- repetition of statements in police interviews;
- lack of information;
- government, police or hospital staff engrossed solely in the immediate events without attending to the shock suffered by the victims;
- experts questioning the credibility or mental health of victims;
- delay in judicial procedures, confrontation with terrorists in the court room, having to recount publicly and in detail their traumatic experience;
- media exposure;
- lack of support from colleagues/peers in the workplace, school, university.

Solutions

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

AN OVERVIEW OF RIGHT TO PROTECTION FROM SECONDARY VICTIMISATION IN LATVIA

The Criminal Procedure Law stipulates that a victim's statement is taken as soon as possible after receipt of information about a criminal offence, but if this is not possible due to the health condition of the victim, then right after improvement of the health condition. The number of victim statements is kept to a minimum and, ideally, the victim's statement shall be taken by the same person. Statements of specially protected victims are taken in a separate room appropriate for such purposes or without the presence of others (unrelated to the procedural action). There are no set time periods, determined by law, between the registration of the criminal offence and the victim's statement, but the general principles of the criminal proceeding and the requirements regarding performance of procedural activities within a reasonable period of time refer to this procedure. The Criminal Procedure Law does not determine the precise number of interviews, however it states that to prevent secondary victimisation, the number thereof is to be reduced to a minimum.

Much attention is paid to cooperation between journalists and the investigatory authorities to establish a uniform understanding of the application of legal norms and practice. Joint meetings with specialists from the Police and

media representatives have been organised, during which journalists and police officers exchange information and experience, jointly decide on how to act in practice within the framework of professional ethics and law, to comply with the interests of victims and protect them from secondary victimisation.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

The Latvian Police carried out a project called ‘Reducing Secondary Victimisation in the Police in Latvia’. The aim of the project was to improve the police response to victims of crime and to reduce secondary victimisation through the training of police officers, and by offering them practical tools that are adapted to most of their routine activities. Against this backdrop, the project aimed to achieve two things: develop the capacity of police officers to adequately respond to the needs of victims in different criminal incidents and increase victims’ awareness of their rights

during the criminal procedure. The following activities were undertaken within the project:

- Crime victim needs assessment: two crime victim surveys and an analysis of routine police practices in dealing with crime victims were carried out;
- Training activities: development and delivery of police training activities on working with crime victims and a ‘train-the-trainers’ session;
- Dissemination material was developed, including inter alia leaflets on the rights of crime victims and a police handbook on how to work with victims of different criminal offences.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- Kronberga, I. & Logina, E. (2019) VOciare National Report Latvia
- Cutting Secondary victimisation in the Police in Latvia (p. 57)

1.8 VICTIMS' RIGHTS IN RELATION TO ACCESS TO COMPENSATION

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHTS LATVIA

The State Victim Compensation Act sets out the access to state compensation by victims who suffered moral injury, physical suffering, or financial loss resulting from an intentional criminal offence. The right to state compensation will exist, if it is a result of an intentional criminal offence, and includes compensation for the survivors of deceased victims, victims who suffered severe or moderate bodily injuries, and persons who have suffered moral damages. Compensation will be awarded by a court, and several elements, such as the severity and nature of the crime and the nature and severity of damage suffered, will be taken into consideration when making an award. There seems to be no limit on the amount paid out. The duration of the compensation payment mainly depends on the financial status of the offender.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

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

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

Further reading:



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

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 LATVIA

In Latvia, residence is not a requirement to being able to access information on victims' rights or support services. Victims of other Member States have the same procedural rights as Latvian nationals (including the rights to access information and compensation) and, in practice, they can access general and (most) specialist services regardless of where they are resident.

Latvian nationals caught up in emergency situations abroad, including as victims of crime in cross-border situations, can receive information on consular assistance or can obtain

immediate consular assistance if necessary and available, by calling the 24/7 emergency phone number: +371 26 337 711 or by sending an email to: palidziba@mfa.gov.lv.

So far, the Consular Department of the Ministry of Foreign Affairs of the Republic of Latvia has not received inquiries for consular assistance from victims of crime in cross-border situations, including from any victims of terrorism.

Compensation schemes

Regarding the question of state compensation to victims in cross-border cases, the Legal Aid Administration (LAA) cooperates with other EU Member State competent authorities in accordance with the procedures provided in the Compensation Directive. So far, the LAA has not received any requests for state compensation to cross-border victims of terrorism.

Latvia has had practical experience in dealing with cross-border state compensation. In 2019, the LAA received two requests from EU Member States and sent five request forms to other EU Member States.

Participation in criminal proceedings

There seems to be no legislation on the participation in criminal proceedings for victims of terrorism in Latvia.

Translation of official documents

If a cross-border victim has asked for a written translation of e.g. a decision on the termination of proceedings or of the penal order, the person directing the proceedings shall send a written translation to the victim.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

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

Immediately after the attack, the Italian EMDR (Eye Movement Desensitisation and Reprocessing) Association identified six English and French speaking psychotherapists, who were dispatched directly to Tunisia to support the victims and their families, as well as other passengers from the cruise. Two more EMDR specialists, in cooperation with the ships' HQ Health Department, boarded the vessels to be able to reach the tourists, who returned to the ships and continued

their cruise as well as the other passengers who remained in Tunis.

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

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Kronberga, I. & Logina, E. (2019) VOciare National Report Latvia

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 that the specific protection needs of child victims are assessed;
- Special protection measures for child victims should be available in light of judicial proceedings;
- The public dissemination of information that could lead to the identification of a child victim should be prevented.

IMPACT OF TERRORIST ATTACKS ON CHILDREN

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

The main law in Latvia on children's protection is the Protection of Children's Rights Act.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICE

Children as direct victims

On 1 February 2006, Latvia established the 116 111 Children Helpline, with the aim to provide psychological support for children and teenagers who are in difficult situations.

The Crisis Intervention Team, or the Crisis Team of State Inspectorate for Protection of Children's Rights Republic of Latvia, is a specially trained group of professionals that provides psychological assistance in crisis situations. It can provide prompt psychological assistance in the event of a particularly serious incident, including terrorism. The Crisis Intervention Team was set up in 2009.

Interaction between caregivers and children

In Latvia, the local government where the crime has taken place is initially responsible for the protection and provision of children's rights. The local government will use their available resources such as social services, crisis centres, or the so-called Orphan's Court to assist child victims. Local governments have the right to request and receive assistance from the State Inspectorate for Protection of Children's Rights, which provides both assistance and supervision in the case of any violation of the children's rights.

Further reading:



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

3. ORGANISING SUPPORT

3.1 PREPARATION AND ORGANISATION OF SUPPORT FOR VICTIMS OF TERRORIST ATTACKS

THE RIGHTS UNDER EU LAW

The Victims' Rights Directive and the Counterterrorism Directive set out the following minimum requirements for the preparation and organisation of support for victims of terrorist attacks:

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

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

AN OVERVIEW OF RIGHTS IN LATVIA

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

The Latvian State Security Service (VDD) has developed a National Counterterrorism Plan in addition to response plans in case of an attack against civil aviation, maritime traffic and its

infrastructure, and objects on land. Based on the National Counterterrorism Plan, and its response plans, institutions involved in the implementation of counterterrorism measures have developed their own sub-plans, which are approved by VDD.

Training

To test the preparedness of institutions to respond to terrorist threats, VDD organises different counterterrorism exercises on a regular basis. There are table-top exercises as well as field exercises and simulations of hostage taking. There is currently no further information available on the specifics of the training.

EMERGENCY RESPONSE PHASE – NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

The National Disaster Medical Plan is created in accordance with potential threats, which include a wide array of potential emergency situations – from acute infection to terrorism and internal conflict. Terrorism is classified under the National Disaster Medical Plan, Annex 2 and 5: 'Terror attacks, including biological and radiation terrorism.'

Medium- and long-term – national perspectives or international good practices

Annex 26 of the State Civil Protection Plan – Evaluation of Terrorism Risk – describes preventive and preparative measures as well as reactive prevention measures that provide an appropriate and immediate response in case of a terrorist attack. The plan includes:

Preventive and preparedness activities:

- Prevention and information campaigns on terrorist attacks, its consequences, and measures in case of an attack;
- Technical and construction work is needed to sustain the institutions responsible;
- Development of a State warning procedure;
- Development of a contact centre platform.

Response activities:

- Information system for terrorist attacks;
- Implementation of a National Terrorism Plan;
- Providing first aid;
- Providing psychological support;
- Cooperation with municipalities.

Further information on the abovementioned activities is described in Annex 37 of the State Civil Protection Plan, which is classified.

Further reading:



- Latvian State Security Service (VDD)
- National Disaster Medical Plan

3.2 ORGANISATION OF SUPPORT FOR VICTIMS OF TERRORISM

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHTS IN LATVIA

The provision of state specialist (long-term) services provided to adults and children, who have suffered from violence (Regulations No 790 and 1613, respectively) is based on the individual assessment of their needs (Regulation No 338). Victims of terrorism would usually qualify for the state support as victims of violence. In practice, NGO Skalbes, the main provider of general victim support, gives assistance according to victims' needs.

The aim of Skalbes is to provide 24-hour crisis intervention services for adults in crisis situations. Skalbes' primary activity is to provide psychological consultations by means of walk-in and telephone services and is the first crisis intervention centre in Latvia. Skalbes cooperates with other aid organisations in Latvia, such as the police, hospitals, social services, and other psychological aid organisations.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

Victims' associations

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

Certified psycho-trauma experts

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

Further reading:

- Skalbes



4. EUCVT

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

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

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

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

Website

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

Experts

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

Contact details

eucvt@victimsupporteurope.eu

Further reading:

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

