



# HANDBOOK

## ON VICTIMS OF TERRORISM

### LITHUANIA

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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# 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.

To date, the Republic of Lithuania has been spared from terrorist attacks. As it is a low risk country for terrorist activities, its nationals are more prone to fall victim to terrorism in other countries than at home. At the start of 2021, Lithuania has taken steps towards ensuring access to support services for all victims of a crime by enacting the Law on Support to Victims of Crime. It is expected that additional governmental instructions will clarify the legal provisions in the coming months and years.

## Further reading:



- **On rights:**
  - Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, OJ L 315, 14.11.2012, p. 57–73, hereafter referred to as [Victims' Rights Directive](#)
  - Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA, OJ L 88, 31.3.2017, p. 6–21, hereafter referred to as [Counter-terrorism directive](#)
  - Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims, OJ L 261, 6.8.2004, p. 15–18, hereafter referred to as [Directive on compensation to crime victims](#)
- **On needs:**
  - Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- **On psychosocial support:**
  - Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide
- **On legal support:**
  - Victim Support Europe, APAV (2019) VOCIARE Synthesis Report
- **On organisations of victims of terrorism:**
  - RAN (2017) The power of victims of terrorism: how to give support
- **On the recognition of victims and useful figures:**
  - MEP Maité Pagazaurtundúa (2019) le livre blanc et noir du terrorisme en Europe

# CRISIS RESPONSE STRUCTURE IN LITHUANIA

According to the Republic of Lithuania's Civil Security Law, terrorist attacks are rated as emergency situations. In the event of an attack, an emergency situation commission is formed to manage the event and to reduce public risks and damages. There are two emergency situation commission levels, depending on the scope of the extreme situation:

- Level 1 – Municipal emergency situation commission, led by the Director of the Municipal Administration;
- Level 2 – Government emergency situation commission, led by the Minister of Interior.

These commissions consist of representatives

of the competent governmental institutions, including a specialised working group on counter terrorism that is headed by the State Security Department.

Lithuanian intelligence agencies conduct threat risk assessments constantly. When a serious threat is detected, including a terrorist threat, an emergency situation can be declared in Lithuania. Recently, for example, an emergency situation was declared in view of the Covid-19 pandemic threat in 2020. As a matter of fact, even before the first case of COVID was confirmed in Lithuania, an emergency situation was declared with a view to taking preventative measures and ensuring damage control.

## Further reading:



- Lietuvos Respublikos civilinės saugos įstatymas. Valstybės žinios, 1998-12-31, Nr. 115-3230

# TERRORIST ATTACKS

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

## Key characteristics

**Influential key characteristics include:**

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

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

## Scale

The scale of the attack (the number of those killed or wounded) varies from event to event. In the Halle attack in 2019, 2 people were killed and 2 people were seriously injured. These figures only confirm the numbers of dead and injured. Those affected will be much larger. The greater the number of victims, the more resources are required during both the emergency response phase (e.g. hospital beds) and in the longer term (e.g. in criminal proceedings, professional mental health services, information and support providers). The larger an attack, the greater the media attention will be on the victims, their families and society.

## Location

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

## Timing

In the case of multiple, related, terrorist attacks, the timing of any consecutive attack(s) has usually been within 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 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: 2016 BRUSSELS ATTACKS

#### Scale

On 22 March 2016, 32 victims from 13 countries lost their lives and 340 people were injured in two coordinated attacks in Brussels. Three of the perpetrators were also killed.

#### Location

The attacks took place in two different locations: the first attack at Brussels Airport was quickly followed by another attack in the centre of Brussels, below ground, in the Maelbeek metro station. Given the location of the attacks, many foreigners were affected.

#### Timing

The two attacks in Brussels occurred within an hour of each other. At 07:58 AM, two bombs exploded, consecutively, in the departure hall of Brussels Zaventem Airport. At 9:11 AM, a third bomb was detonated inside Rue de la Loi's Maelbeek underground station, between the European Parliament and the Belgian Parliament, in Brussels city centre.

#### Weapons

The terrorists used home-made nail bombs.

#### Target groups and organisation

Islamic State (also known as ISIS or Daesh) claimed responsibility for the day's attacks.

### Further reading:

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

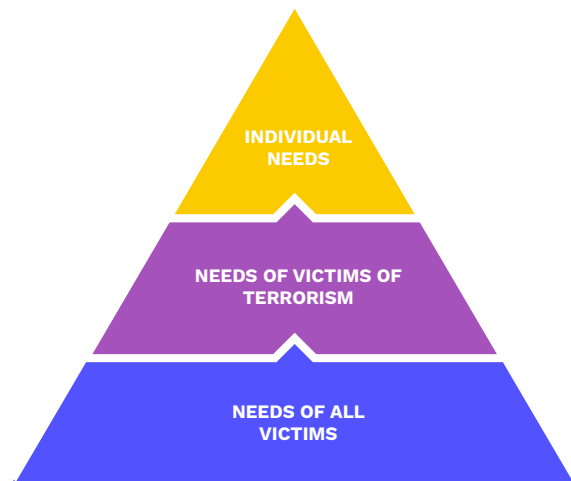




# VICTIMS' NEEDS

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

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



## Layers of needs

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

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

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

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



## Needs of victims of terrorism

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

1. Recognition and respect: as victim of terrorism.
2. Support: medical care, specialised psychological-trauma care, information, practical assistance, legal assistance, communication (media) support, peer support, etc.
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 LITHUANIAN LAW Victim of Terrorism

Under Lithuanian law, a victim (*nukentėjusysis*) is defined in the Code of Criminal Procedure

as follows: “a natural person who suffered physical, mental harm or harm to property as a consequence of criminal activity”. From this wording, it would appear that the definition includes family members of victims that have suffered physical, material and non-material harm following victims' death caused by the criminal offence, in particular parents (guardians), children (adopted children), siblings and spouses (including partners living in a registered partnership; engaged partners), as well as the parents of the spouse and former spouses.

Other than this definition, however, the term “victim of crime” is rarely found in Lithuanian legal texts. These texts usually refer to “injured-party” to denote the victims' legal status in light of criminal proceedings (see section 1.5 below). This situation is likely to change with the entry into force of the Law on Support to Victims of Crime, which was approved on 24 January 2021. This legislation, in addition to general provisions relevant for all victims, also explicitly mentions victims of terrorism in Article 11.

### Terrorist offence

Article 250 of the Lithuanian Criminal Code, as amended by Law No. XIII-1682 of 4 December 2018, defines the punishment of criminal acts for terrorist purposes. These criminal acts include the ownership and/or dissemination of weapons and other explosive substances as well as the targeting of critical infrastructure, such as IT systems, electricity and water supply. Under this article, both natural persons and legal persons can be held responsible for terrorist offenses. Lithuanian law further criminalises any participation in a

terrorist organisation.

## 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
- Bitiukova, N., Normantaitė, K. (2019) VOciare National Report Lithuania
- Lithuanian Law on Support to Victims of Crime: Lietuvos Respublikos pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims įstatymas. TAR, 2021-01-20, Nr. 908
- Article on terrorist acts in Lithuanian Criminal Code: Lietuvos Respublikos baudžiamasis kodeksas. Valstybės žinios, 2000-10-25, Nr. 89-2741

## 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 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. In its EU Strategy on victims' rights, the Commission urges Member States to ensure proper recognition for all victims of terrorism, especially since terrorist attacks are directed at the state and society as a whole.

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

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

## Respect

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

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

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

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

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

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

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

## AN OVERVIEW OF RIGHTS IN LITHUANIA

Lithuanian legislation does not stipulate specific rights that are relevant to victims of terrorism under the category of respect and recognition. Victims and first responders may be awarded a Life Saving Cross (Žūvančiųjų gelbėjimo kryžius) in light of the assistance that they provided to other victims in the immediate aftermath of an attack.

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



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

### Identification and registration of victims

#### INTERNATIONAL PRACTICE: VICTIMS' REGISTRATION IN FRANCE

The French Ministry of Justice is engaged in improving its victim registration procedure. A digital tool is currently being designed to

list victims of major crises, along with their contact details and details of their family members, within one single file. This tool will ensure that privacy and data protection rights are respected and the information it contains will only be available to organisations, which assist victims in exercising their rights.

#### 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.

#### Monuments

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

#### INTERNATIONAL PRACTICE: PHYSICAL MONUMENT IN GERMANY

On the Breitscheidplatz in Berlin, a monument was unveiled in 2017, one year after the attack on Breitscheidplatz 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 same wooden door has now been turned into a work of art, and a memorial, by the Jewish community.

#### 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
- Lithuanian Law on State Awards: Lietuvos Respublikos valstybės apdovanojimų įstatymas. Valstybės žinios, 2002-07-03, Nr. 68-2762



## 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 LITHUANIA

In Lithuania, the victim's right to receive information is set out in the Code of Criminal Procedure. Regardless of their residence status, victims are provided information from their first contact with the police or other competent authority. Victims moreover receive a standardised "letter of rights", which was adopted by the Prosecutor General. This

document sets out their general and procedural rights, particularly, in light of criminal proceedings and is available in Lithuanian, English, French, German, Polish and Russian.

The Code of Criminal Procedure stipulates the victim's right to receive information about the state of the criminal proceedings. Victims are notified if there is a decision not to initiate criminal proceedings after the pre-trial investigation phase. After the instigation of criminal proceedings, victims receive information on the nature of the charges, and are allowed to access the case file. They are also informed of the time and place of the court sessions. Upon written, or verbal, request, victims can also receive updates on the course of criminal proceedings and the status of their case.

According to the Code of Criminal Procedure, criminal proceedings should be conducted in Lithuania's official language. The victim's right to understand and be understood is nonetheless ensured. In criminal proceedings, victims have the right to make statements and submit explanations, requests and complaints in a language they understand. Furthermore, key documents related to the case can be translated into a language that the victim understands. Lastly, victims have the right to an interpreter when reading the completed case-file and when participating in court sessions. These interpretation and translation services are provided free of charge.

The Law on Support to Victims of Crime stipulates that all victims of terrorism should receive information on legal and practical matters in Lithuania, regardless of where the terrorist attack occurred.

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



### EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

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

#### Information can be divided into:

1. rights and services, actions and expectations

– as required by EU rules;

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

### Information centres

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

## INTERNATIONAL PRACTICES: PROVIDING INFORMATION IN CRISIS SITUATIONS IN FRANCE AND THE NETHERLANDS

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

France and the DIAV intends to launch an online information guide for French citizens, who are victims of a terrorist attack abroad.

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

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Bitiukova, N., Normantaitė, K. (2019) VOciare National Report Lithuania
- Victims' right to receive information in Lithuanian Code of Criminal Procedure: Lietuvos Respublikos baudžiamojo proceso kodeksas. Valstybės žinios, 2002-04-09, Nr. 37-1341
- 🌐 Standardised letter of rights in Lithuania: Lietuvos Respublikos Generalinio prokuroro 2020 m. rugpjūčio 27 d. įsakymas Nr. I-271 dėl nukentėjusiojo teisių išaiškinimo protokolo priedo formos patvirtinimo. TAR, 2020-08-27, Nr. 17941
- One-stop victims' information and declaration portal
- IAC Air Disaster Ukraine

## 1.4 VICTIMS' RIGHTS TO ACCESS SUPPORT SERVICES

### THE RIGHTS UNDER EU LAW

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

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

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

### AN OVERVIEW OF RIGHTS IN LITHUANIA

In Lithuania, victims have the right to access generic and/or specialist support services,

depending on the type of crime and the type of victim. Support services are specifically provided to victims of domestic violence and victims of human trafficking. In cases of sexual abuse or domestic violence, specific support is given to child victims. These services are provided free of charge and are confidential.

According to the Law on Support to Victims of Crime, support services should be easy for victims to access and tailored to the particular needs of the victims, based on their personal characteristics. This law points out the key role of victim support organisations in providing assistance and support to all victims of a crime, including emotional and psychosocial help, and information on rights and referrals. As of August 2021, Lithuania still lacked a generic national victim support organisation for all victims of crime.

However, certain services can be provided in the event of a state-level emergency, such as a terrorist attack. These would include: access to emergency medical care, the provision of psychosocial support, and legal assistance. In the event of a terrorist attack, the victim's right of access to support services is not restricted to the territory where the attack took place, therefore Lithuanian victims of terrorist attacks abroad could request this type of support on their return home, if required.

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



### EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

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

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

### 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.

### INTERNATIONAL PRACTICE: THE ESTABLISHMENT OF A VICTIM ASSISTANCE CENTRE AFTER A TERRORIST ATTACK IN FRANCE

In France, the Centre d'Accueil des Familles (CAF) was set up under the authority of the prefect of the competent Department in Strasbourg, on 12 December, to provide immediate treatment and support for victims of the terrorist attack of 11 December 2018. It mobilised the resources of local associations

of the France Victimes network, SOS Aide aux Habitants FV67 and VIADUQ FV67 to assist the victims. Nearly 700 victims were helped in the aftermath of the attack. Such centres are set up whenever a terrorist attack causes multiple direct victims. In certain cases (as for the 2015 Paris attacks, the 2016 Nice attack and the 2018 Strasbourg attack) the CAF, as such, closes after the crisis phase, and the new information and support centre (Espace d'information et d'accompagnement - EIA) continues to provide support services for the rehabilitation of the attack survivors.

## Central contact points within national and local government

### International practice: Central contact points and victim' commissioners in Germany

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 victim commissioners and central contact points exist to support those affected on a more regional / local level. In the event of a terrorist attack, there is close cooperation between the Federal Government Commissioner and his equivalents in the

Länder to avoid a duplication of effort.

The Federal Government Commissioner, together with his counterparts in the Länder, proactively contact victims after an attack to offer support. They direct the victims to financial, psychological, and practical support sources, and finds solutions tailored to the individual victims' 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 assistance in translating application forms or may direct the victims to the appropriate financial or psychological help mechanisms.

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Law on Support to Victims of Crime: Lietuvos Respublikos pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims įstatymas. TAR, 2021-01-20, Nr. 908

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

### THE RIGHTS UNDER EU LAW

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

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

### AN OVERVIEW OF RIGHTS IN LITHUANIA

In Lithuania, the victim's right to be heard can be exercised by providing law enforcement authorities with information and by testifying in court. In light of criminal proceedings, victims also have the opportunity to file requests, complaints and appeals.

The Lithuanian government provides primary and secondary legal aid for civil and criminal proceedings. Primary legal aid includes the provision of legal advice and the preparation of documents for state or local authorities. This type of support is provided, free of charge, by Lithuanian municipalities to all legal residents. Secondary legal aid covers state-guaranteed assistance from a qualified lawyer, who will represent the victim in judicial proceedings. Victims that are party to the proceedings usually have access to such pro bono representation, if they pass a means test. However, victims of terrorism, are eligible to free legal representation for the duration of the criminal proceedings, regardless of their financial situation.

Victims have the right to the reimbursement of expenses. This includes a daily allowance and reimbursement of expenses related to their participation in criminal proceedings. These expenses are repaid by the institution conducting the proceedings attended by the victim – the institution of the pre-trial investigation or the court. To receive payment, the victim must submit a written request and provide supporting documentation.

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



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

### Large scale attacks

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

Where criminal proceedings about terrorist

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

### 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.

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

The trial held following the 2004 Madrid attacks is one of the largest ever held in Spain and took place between 14 February and 2 July 2007 (a total of 57 hearings were held). The trial was attended by 300 witnesses,

60 experts, three victims' associations and 15 private attorneys, who joined the public prosecutor in the criminal charges, and 150 mass media representatives, who reported on the trial.

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

### INTERNATIONAL PRACTICES: PUBLIC INQUIRIES IN BELGIUM AND GERMANY

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

lessons learned.

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

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Bitiukova, N., Normantaitė, K. (2019) VOciare National Report Lithuania
- Čepas, A. et al. (2019) VICtoRIIA Project Information Package: Lithuania
- BE Inquiry Committee March 2016 Terrorist Attacks (EN/NL/FR) Breitscheidplatz (DE)
- 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 RIGHT TO PROTECTION IN LITHUANIA

During criminal proceedings, victims can ask to be accompanied by a trusted person of their choice. Further protection measures

in criminal proceedings include anonymity, protection measures against criminal influence, remand measures and temporary protection measures. In some instances, these mechanisms are also available to family members.

Victims and their family members are entitled to protection from retaliatory or intimidatory acts or continued crimes against them. They should especially feel safe, when providing evidence and testifying.

Article 36 of the Code of Criminal Procedure stipulates the system for an individual assessment of the victim's protection needs. This assessment should be carried out by police officers, before conducting the first interview with victims, by completing a designated form. The nature and circumstances of the crime, and the victim and suspect's personal characteristics are taken into account during the assessment. Based on the outcome of this needs assessment, protection measures are indicated in the Recommendations on the Assessment of the Specific Protection Needs of Victims, approved by the Prosecutor General.

## 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 population's 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.

## INTERNATIONAL PRACTICES: MEDIA ENGAGEMENT IN SPAIN AND FRANCE

Some institutions and media in Spain, for example, the Spanish Public Radio Television (RTVE), have published recommendations on the treatment of victims of terrorist attacks by the media. In particular, care must be taken to guarantee the use of language and the rigorous reporting of truthful information.

According to the recommendations, reporting on victims of terrorism must be done with the utmost respect for their situation and privacy, as well as with recognition of the pain of their relatives.

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

### 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
- Bitiukova, N., Normantaitė, K. (2019) VOciare National Report Lithuania
- Čepas, A. et al (2019) VICToRIIA Project: National Report for Lithuania
- Čepas, A. et al. (2019) VICToRIIA Project Information Package: Lithuania
- Lithuanian Criminal Procedure Code – Article on special protection needs: Lietuvos Respublikos baudžiamojo proceso kodeksas. Valstybės žinios, 2002-04-09, Nr. 37-1341
- Lithuanian Law on Support to Victims of a Crime: Lietuvos Respublikos pagalboms nuo nusikalstamos veikos nukentėjusiems asmenims įstatymas. TAR, 2021-01-20, Nr. 908
- 🌐 Manual de Estilo de RTVE (ES)
- Conseil Supérieur de l'Audiovisuel (2016) Précautions relatives à la couverture audiovisuelle d'actes terroristes

## 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 LITHUANIA

See above in subchapter 1.6, in the section on rights in Lithuania. There is no information about any additional activities aimed at preventing the secondary victimisation of victims of terrorism.

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



### EXAMPLES OF INTERNATIONAL GOOD PRACTICE

#### INTERNATIONAL PRACTICE: DEVELOPMENT OF GUIDANCE TO AVOID SECONDARY VICTIMISATION IN SPAIN

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

The Guide recognises the immense

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

#### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide

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

### THE RIGHTS UNDER EU LAW

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

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

### AN OVERVIEW OF RIGHTS IN LITHUANIA

Victims in Lithuania cannot receive emergency payments to help them overcome any initial hardships in the aftermath of their victimisation. However, the Lithuanian Law on Compensation for Damage Caused by Violent Crimes ensures the victim's right to receive advance compensation. Advance compensation is only awarded in very exceptional cases to cover immediate expenses, such as medical and funeral costs. Victims must submit an application form for advance compensation to the Ministry of Justice within 10 days of the crime being committed.

Victims of terrorism may have access to immediate payments for services provided in the event of a state-level emergency, including a terrorist attack.

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



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

### INTERNATIONAL PRACTICE: EMERGENCY PAYMENTS AND COMPENSATION TO VICTIMS OF TERRORISM IN FRANCE

Victims maintain direct contact with the FGTI, but may receive assistance – throughout the compensation process – from France Victimes’ support associations or other victims’ associations, such as AFVT and FENVAC, in addition to the victims’ lawyers, if appropriate. In the immediate aftermath of a terrorist attack, the FGTI makes a provisional compensation payment to cover any immediate costs arising in initial period after the attack (between 24 and 48 hours). In this context, the FGTI also covers the funeral costs for the bereaved families and directly contacts funeral services to assist families with this process. Moreover,

within one month of receiving a valid claim from the victim, the FGTI will make an initial payment; additional amounts can be paid, based on costs incurred and foreseeable final damages. It should be noted that new types of harm have been recognized, such as the harm of anxiety about imminent death. A team from the FGTI may visit the location of the attack, even if it is abroad, to assist victims and family members with the preparation of the compensation claim.

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

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- VSE (2019) A Journey from Crime to Compensation
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Čepas, A. et al. (2019) VICToRIIA Project Information Package: Lithuania
- Lithuanian Law on Compensation for Damage by Violent Crimes: Lietuvos Respublikos smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas. Valstybės žinios, 2005-07-14, Nr. 85-3140
- 🌐 Fonds de Garantie des Victimes de Terrorisme et d’autres Infractions (FGTI)

## 2. CONSIDERING PARTICULAR GROUPS OF VICTIMS

### 2.1 CROSS-BORDER VICTIMS

#### THE RIGHTS UNDER EU LAW

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

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

#### AN OVERVIEW OF RIGHTS IN LITHUANIA

##### Compensation schemes

The Lithuanian Law on Compensation for Damage Caused by Violent Crimes ensures cooperation procedures between the Lithuanian authorities and the respective institutions in other EU Member States, in order to provide compensation in cases of cross-border victimisation.

##### Participation in criminal proceedings

Nationals of other EU Member States, who become victims on Lithuanian territory, have the same procedural rights as Lithuanian nationals. Their rights include the ability to make a complaint to the police in a language they understand, access to interpretation and translation services, and access to legal aid.

The Lithuanian Code of Criminal Procedure foresees the use of video conferencing to record the interviews of cross-border victims.



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



### EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

#### Single points of contact

Lithuania nominated an EU single contact point for victims of terrorism, responsible

for providing information on the support, assistance, protection and compensation system available to victims of terrorism. Lithuania is also an active member of the European Network of Victims' Rights.

#### 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
- Bitiukova, N., Normantaitė, K. (2019) VOciare National Report Lithuania

## 2.2 CHILDREN

### THE RIGHTS UNDER EU LAW

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

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

### IMPACT OF TERRORIST ATTACKS ON CHILDREN

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

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



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

### Interactions between TV broadcasting or written media and children

#### INTERNATIONAL PRACTICE: BELGIAN CHILDREN'S TELEVISION CHANNEL

In the aftermath of the Brussels attacks, in Belgium the security level was raised to level 4 – meaning ‘a serious and very imminent threat to public safety’ – which resulted in the closing down of all schools, public services and public transport.

Children's television channels were the first

point of information for many children, young people, and parents. The Flemish television channel, KETNET, dedicated its Youth news to the Brussels attacks. The approach was nuanced, child-friendly, and informative: it provided important coping tools for children (and their parents) by referring to questions from children on the events, on their safety, and on other elements of concern in the aftermath of the largest terrorist attack in Belgium. The Youth news was applauded by professionals and was used as a training tool for crisis support providers.

#### Further reading:



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

## 3. ORGANISING SUPPORT

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

#### THE RIGHTS UNDER EU LAW

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

In Lithuania, no particular mechanisms or protocols for the activation of support services in the aftermath of a terrorist attack exist. Therefore, the general crisis response framework is applicable in the event of a terrorist attack.

Following the declaration of an emergency in light of the Lithuanian Law on Emergency, the competent national authority shall immediately address the causes of the emergency and take measures to protect people and their property. Where necessary, the authority should further organise the evacuation of the population from the affected area and provide other forms of emergency assistance. This includes the provision of support to victims and victims' families in the aftermath of a terrorist attack.

The responsible authority shall make every effort to mitigate the emergency situation and properly address its consequences.

## PREPARATION AND TRAINING – INTERNATIONAL GOOD PRACTICE

### INTERNATIONAL PRACTICE: PREPARATION AND TRAINING IN FRANCE

#### Planning and co-operation

**The crisis management process in France foresees various phases, among which is the preparation for a potential new crisis:**

- Planning: to prepare authorities for decision-making in a crisis situation;
- Provision of efficient monitoring tools, adapted to each type of risk, for public authorities and operators;
- Dissemination of a “risk culture” through national awareness campaigns, which help strengthen collective vigilance and detect warning signs;
- State-organised exercises on the most likely risks: participants from all backgrounds take part in simulated exercises, which last at least half a day, to learn how to work together. If weaknesses are identified by the exercise, adaptations should be made.

#### Training

At the initiative of the Ministry of Justice,

victims of terrorism referent persons have been designated and trained in victim support in each Department of the French Republic, to provide such victims with a quicker and more considered response to their specific care needs.

In addition, the federation France Victimes trains its member associations on terrorism measures, including specific topics, such as the rights of victims of terrorism. On an ad hoc basis, the Federation provides its other partners with training modules targeting professionals such as judges, lawyers, and victim support associations. Training focuses on how to receive victims, provide them with legal, psychological, or social support, or with restorative justice measures. The Federation also collaborates with the National School for Magistrates (École Nationale de la Magistrature, ENM) and in 2017 introduced a module that included topics on the general support of victims and restorative justice measures. This module is now part of the initial ENM training, and complementary training modules are provided by France Victimes as part of the magistrates’ ongoing education. The Federation interacts less with lawyers at the national level; however, victim’ support associations establish local partnerships to raise awareness and train lawyers on victim support.

## EMERGENCY RESPONSE PHASE – INTERNATIONAL GOOD PRACTICE

### International practice: Emergency response phase in Spain

Support services for victims of terrorism are defined within the Spanish Ministry of the Interior’s national framework for emergency-response.

In the post-attack crisis stage, the operational protocol of the Spanish Directorate-

General for Support to Victims of Terrorism includes immediate, direct and up-to-date communication with the consulates and embassies of countries, whose nationals are among the victims of the attack. For example, Spain exchanged information on individual situations with France: as with the attacks in Catalonia, when 34 French nationals were among the victims. Officials in Spain and France already knew each other and were in regular contact, which made coordination simple and efficient, thereby benefitting the victims.

## MEDIUM- AND LONG-TERM – INTERNATIONAL GOOD PRACTICE

### International practice: The Plan for Psychosocial Aftercare in Belgium

After the acute phase, the Plan for Psychosocial Aftercare is activated in Belgium, which falls under the competence of the coordinators aftercare at Community Level. Attention is thereby paid to the sharing of an updated victims' list, provision of information to victims

and victims' families to ensure continuous, integrated, guaranteed, accessible support.

The following actors will be involved in the longer term psychosocial aftercare: victim support organisations (CAW for Flanders, for example), judicial victim support services, Victims' Unit of the Federal Prosecutors' Office, the DVI team of the Federal Police and Federal Public Service Foreign Affairs (in the case of cross-border victims).

### Further reading:



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

## 3.2 ORGANISATION OF SUPPORT FOR VICTIMS OF TERRORISM

### THE RIGHTS UNDER EU LAW

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

- The availability of support services immediately following a terrorist attack, and for as long as necessary. These support services should be confidential, free of charge and easily accessible to all victims of terrorism;
- The establishment of free confidential specialist support services in addition to, or as an integrated part of, general victim support services; victim support

organisations should be able to call on existing specialised entities providing such care, as necessary;

- Ensure that mechanisms or protocols are in place that allow for the activation of support services for victims of terrorism within the framework of the national emergency-response infrastructure.

### AN OVERVIEW OF RIGHTS IN LITHUANIA

As previously mentioned, no comprehensive response framework to specifically support of terrorism victims has been set up. For more general information, see above Chapter 1.4.

### 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.

For instance, in the aftermath of the 2016 Brussels attacks, two associations of victims of terrorism were established in Belgium, namely V-Europe and Life4Brussels.

### 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.

## INTERNATIONAL PRACTICES: PSYCHOSOCIAL SUPPORT IN SPAIN AND FRANCE

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

assistance and support to victims of terrorism.

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

### Further reading:



- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide
- 🌐 V-Europe
- 🌐 Life4Brussels
- 🌐 National Center for Resources and Resilience (CN2R)



## 4. EUCVT

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

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

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

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

### Website

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

### Experts

- The EUCVT has an extensive network of 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@victimssupporteurope.eu](mailto:eucvt@victimssupporteurope.eu)

### Further reading:

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

