



HANDBOOK

ON VICTIMS OF TERRORISM

SLOVAKIA

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

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CONTENT

INTRODUCTION

CRISIS RESPONSE STRUCTURE IN SLOVAKIA

TERRORIST ATTACKS

VICTIMS' NEEDS

1. THE RIGHTS OF VICTIMS OF TERRORISM

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

2. CONSIDERING PARTICULAR GROUPS OF VICTIMS

- 2.1 Cross-border victims
- 2.2 Children

3. ORGANISING SUPPORT

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

4. EUCVT

INTRODUCTION

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

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

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

In Slovakia there has been no significant history of terrorist victimisation. Given that Slovakia is a country of low terrorist threat, Slovak nationals are more prone to fall victims to terrorism in other countries, if at all. So far, since the act no. 274/2017 Coll. on Victims of Crime has entered into force (1 January 2018), the Ministry of Justice has received only three applications for compensation in cross-border cases and they all concerned different crimes (human trafficking, murder, bodily harm in connection with robbery).

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

CRISIS RESPONSE STRUCTURE IN SLOVAKIA

In Slovakia, an act of terrorism, as defined in the Slovak Penal Code (see further details below in subchapter 1.1), or the existence of a terrorist threat are classified as a high profile incident on the basis of the Slovak Ministry of the Interior’s internal regulations.

Various authorities are directly involved in the crisis response following a high profile incident in accordance with national legislation, institutional regulations, and operational guidelines.

There are four stages of terrorist threat level. In the case of a direct terrorist threat, the Minister of the Interior declares the highest critical stage. The information flow mechanism when declaring the level of terrorist threat (Figure 1 below) shows how information is exchanged among the various stakeholders, based on the Notification Plan. A police officer would be specifically appointed to coordinate all communication with the broadcasting media representatives.

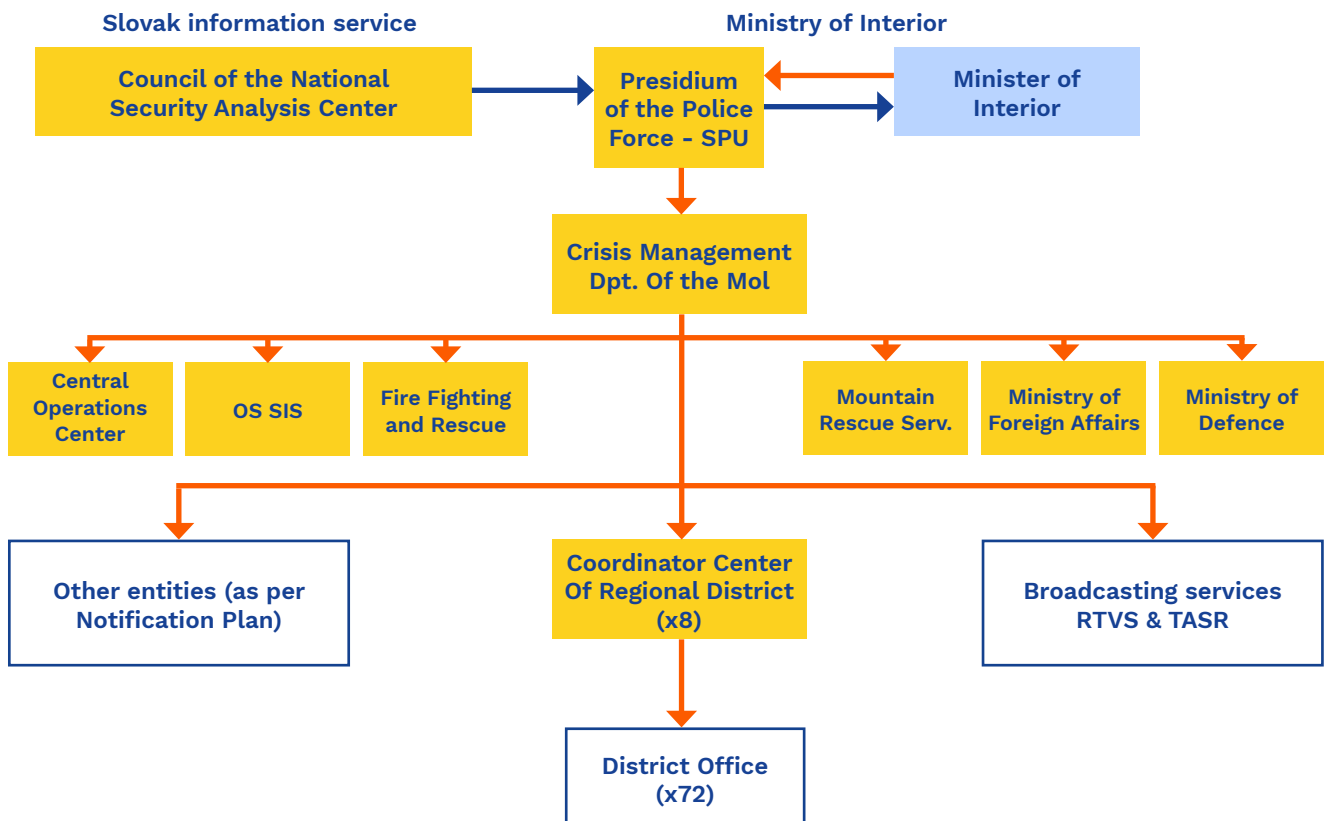


Figure 1: The information flow mechanism when declaring the degree of a terrorist threat

In the case of a high profile incident, the President of the Police Force is notified and would deploy the Special Purpose Unit (SPU) of the Police Force. The Crisis Management Department at the Ministry of the Interior (Moi) is then activated to handle the response. In accordance with the Penal Code, terrorist incidents are within the jurisdiction of the Specialised Criminal Court. Therefore, after emergency interventions (such as extinguishing any fires, etc.) are completed, the National Criminal Agency is responsible for the crime scene and the investigations. The Moi can also establish “**ad hoc ministerial intervention teams**”, consisting of police psychologist experts, who will provide help at the crime scene together with other rescue and emergency services. The regional police headquarters are also authorized to establish teams of post-traumatic care experts, if necessary.

The post-intervention actions aim at providing primary medical assistance to the injured, securing the perimeter, providing psychological care to all victims on the site and first-responder police officers, as well as other actions aimed at preventing further injuries, damages and losses. In particular, following a mass traumatic event or a crisis situation, the **post-traumatic intervention team**, formed by service psychologists, religious representatives

and trained staff members, provides both *acute crisis* and *post-traumatic care interventions* addressed at police officers, civil servants and their family members, hostages, as well as victims and their family members. **Victims of high profile incidents** are attended individually (after receiving basic medical treatment) on the site, free of charge, usually by two professionals from the post-traumatic intervention team – one being a psychologist, entrusted to assess the psychological state of the victim, their mental capacity, disability, etc. and to provide them with specialised psychological assistance. **Children** are approached in a manner appropriate to their age and mental capacity. Team members inform the surviving victims and/or their families of the warning signs of Post-Traumatic Stress Disorder (PTSD) and provide them with information about accessible services. However, long-term assistance is provided only upon request, on voluntary basis, for each individual victim. In the case of a high profile incident, the police officer is accompanied by a psychologist when notifying a family about the death of a relative.

Consular assistance is provided in cases of high profile incidents involving Slovak nationals abroad, or foreign nationals in Slovakia. This includes, for example, re-issuing lost documents, interpretation services, etc.

Further reading:



- Penal Code, Trestný zákon 300/2005 Z.z. (in Slovak)
- Act on Police Force, Zákon 171/1993 Z.z. Národný zbor Slovenskej republiky o Policajnom zbore (in Slovak)
- Act on crisis management (other than wartime), Zákon 387/2002 Z.z. o riadení štátu v krízových situáciách mimo času vojny a vojnového stavu (in Slovak)

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 various services, which were involved in the response.

Timing

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

Weapons

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

Target groups and organisation

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

Cyberterrorism

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

In the absence of terrorist attacks in Slovakia, the description of the 2015 Paris attacks is provided as a particularly significant example with respect to the above-described key characteristics.

CASE STUDY: PARIS ATTACKS, 13 NOVEMBER 2015

Scale

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

- 131 people died
- 350 people were injured, several dozen with lifelong consequences
- The actual number of injured is estimated at around 450, some of whom were not hospitalized

Location

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

Timing

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

Weapons

Coordinated attacks, perpetrated with automatic weapons and explosives in busy public places, coupled with hostage-taking

Organization

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

Further reading:

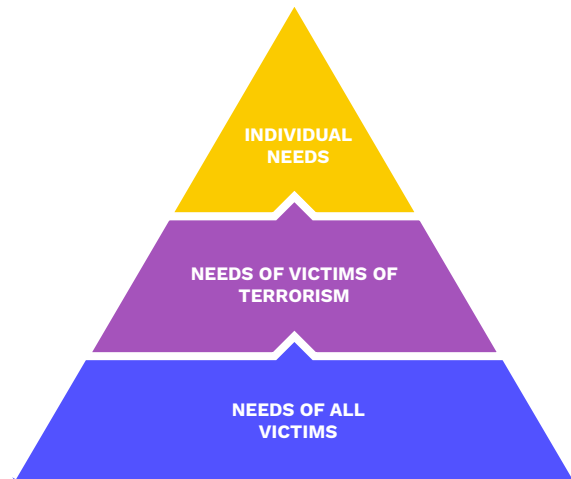
- Europol (2020) TE-SAT Report
- Institute for Economics and Peace (2019) Global terrorism index



VICTIMS' NEEDS

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

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



Layers of needs

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

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

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

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



Needs of victims of terrorism

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

1. Recognition and respect: as victim of terrorism.
2. Support: medical care, specialised psychological-trauma care, information, practical assistance, legal assistance, communication (media) support, peer support, etc. e.g. in Slovakia, accredited victim support organisations provide specialised professional assistance for particularly vulnerable victims (victims of terrorism are automatically considered as such).
3. Protection: physical protection, protection from secondary victimisation. e.g. in Slovakia, the Victims Act directly imposes an obligation on law enforcement bodies, courts and victims support organisations to act in such a way as to avoid secondary

victimisation and to take measures to avoid repeated victimisation.

4. Access to justice: safe participation in the criminal justice process. e.g. in Slovakia, the Victims Act states that victims have the right to be heard in a sensible manner with the aim of avoiding as much as possible the repetition of their testimony in subsequent proceedings.
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 SLOVAK LAW Victim of Terrorism

Art. 2(1)(b) of Act No. 274/2017 Coll. on Victims of Crimes ("Victims Act") defines the victim as a natural person who has suffered physical

injury, economic, moral or other loss, or whose rights or freedoms protected by law have been violated or endangered by a criminal act. Family members of a person whose death was caused by a criminal offence and who have suffered harm as a result of that person's death are also considered victims under the Victims Act. In general, the status of victim may apply to anyone, irrespective of their citizenship or legal status, and does not depend on the initiation of a criminal proceeding or submission of a criminal complaint. No specific definition of 'victim of terrorism' is provided under Slovak law. Victims of terrorism are automatically considered particularly vulnerable victims.

Terrorist offence

Definitions of terrorist offences, offences related to a terrorist group, offences related to terrorist activities, and respective sanctions, are provided in the national legislation by the Act 300/2005 Coll. Code of Criminal Law, as updated by the amendment entered into force on 1 July 2018.

In particular, "Criminal Offences of Terrorism" are defined by Section 140b as a criminal offence of establishing, plotting and supporting a terrorist group under Section 297; a criminal offence of terror under Section 313 and 314; a criminal offence of a terrorist attack under Section 419; a criminal offence of certain forms of participation in terrorism under Section 419b; a criminal offence of terrorist financing under Section 419c; a criminal offence of travel for the purpose of terrorism under Section 419d and a crime committed out of a special motive under Section 140 Paragraph d) of the Penal Code 300/2005 Coll.

CASE STUDY: LEGAL ANALYSIS OF THE DEFINITION OF VICTIM OF CRIME AND INJURED PARTY UNDER SLOVAK LAW

The Victims Act introduced the new notion of ‘victim of crime’ for the purpose of defining victims’ rights and the corresponding assistance and support services to which they are entitled. At the same time, in the context of criminal proceedings and with reference to procedural rights, the Code of Criminal Procedure (CCP) does not refer to the “victim” but to the “injured party”. The latter includes natural and legal persons who suffered physical injury, economic, moral or other loss or whose right or freedoms protected by law have been violated or endangered by a criminal act. The victims which are not included in the definition of

“injured party” are potential victims, and relatives or dependants of victims who died as a consequence of a crime. However, in the death of an injured party, the right to compensation is transferred to their legal successors. Victims may participate in criminal proceedings as a person reporting a criminal offence, witness, or injured party. The injured party’s procedural rights include the right to suggest evidence, claim compensation, be present at the main hearing, make a closing speech (victim impact statement), and file an appeal against the decision on compensation when the latter has been claimed.

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
- Act no. 300/2005 Coll. Criminal Code
- Act no. 274/2017 Coll. on Victims of Crime
- VOciare National Report Slovakia

1.2 VICTIMS' RIGHTS TO RESPECT AND RECOGNITION

THE RIGHTS UNDER EU LAW

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

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

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

Identification of victims and information about victims

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

- Establish the identity of the deceased and injured;
- Cross-refer these identities to the information received from the concerned

public, friends and family members, who fear that their loved ones were at the scene;

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

Recognition

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

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

Commemoration events provide victims as well as the general public with the opportunity to express feelings and opinions; to experience and receive social support; to show societal acknowledgment and to give meaning to the attack. If done properly, the commemoration can contribute to the victims' recovery process, however, as acts of remembrance may 'dilute' over time, changes in frequency and form should be discussed with the victims. The aim should be to invite all victims and all responders,

even those who will not be able to attend due to injuries or geographical distance. Financial reasons should not weigh in on the victims' decision to attend anniversaries.

Respect

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

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

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

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

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

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

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

AN OVERVIEW OF RIGHTS IN SLOVAKIA

The identification of victims and communication to victims' families is ensured by the police. The police have manuals and specifically trained personnel for these tasks.

Other than the general obligation incumbent on officials involved in the criminal proceedings (e.g. police officers, prosecutors, judges, victim support organisations) to treat all victims with respect, and the rules aimed at minimising the risk of secondary victimisation in the context of criminal proceedings (as will be further elaborated in subchapters 1.5 - 1.7 below), no specific rights, enjoyed by victims/victims of terrorism under the above-described category of respect and recognition, have been identified in Slovakia.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

CASE STUDY: VICTIMS' REGISTRATION IN FRANCE

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

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

CASE STUDY: PRACTICES IN SPAIN WITH REGARDS TO:

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

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- European Commission (2020) EU Strategy on victims' rights (2020–2025)
- VSE (2019) Remembering Victims of Terrorism: A guidance document
- 🌐 EU Centre of Expertise for Victims of Terrorism, EU Handbook on Victims of Terrorism
- Ministry of Justice, Guide for the identification of victims (Guía para la identificación de víctimas) (in Spanish)
- 🌐 Fundación Centro para la Memoria de las Víctimas del Terrorismo (in Spanish and English)

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 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 Slovakia

The Ministry of the Interior of the Slovak Republic runs the **information offices for victims of crime**² in each district (8) and community centres (8) nationwide. These offices provide basic information and mediate specialised support by referring victims to one of the specialized victim support organisations. The services provided by the information offices are confidential, free of charge, and consist of delivering basic information, mediation, and counselling support services in three selected areas: social, psychological, and legal. Assistance to victims, potential victims, and their family members is based on cooperation between institutions and organizations offering assistance/having direct contact with victims.

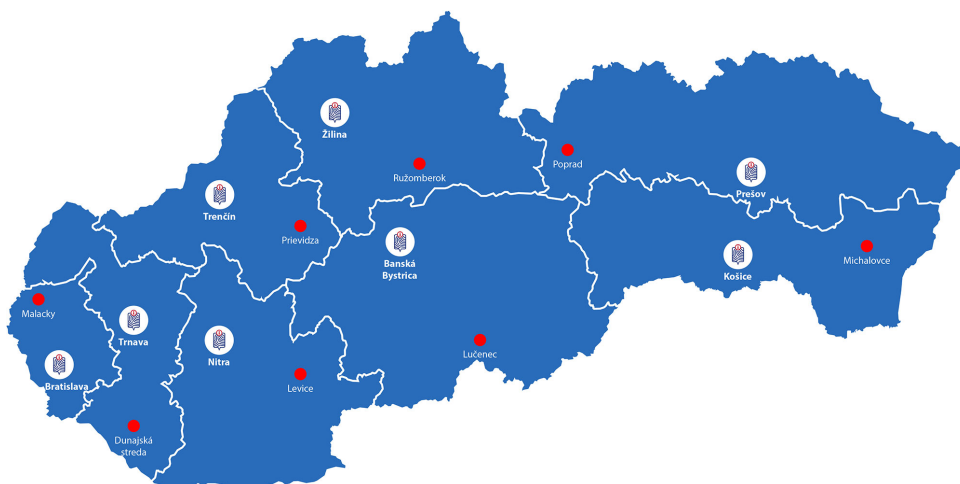


Figure 2: Map of Slovakia showing the regional distribution of the information offices for victims of crime (white circles) and the community offices as of May 2021 (red dots).

² The information offices for victims of crime were established in 2018, as a fundamental part of the national project "Improving access to services for victims of crime and establishing contact points for victims", co-funded by the European Social Fund.

During their first contact with the victim, the police officer informs them of the availability of support services. When providing this information, the police officer must take into account the age, mental and intellectual capacity, physical and mental health of the victim as well as the details of the crime that harmed the victim (Art. 4(2) of the Victims Act). Upon request, the police officers and the prosecutor assist the victim in contacting the victim support organizations (Art. 4(4) of the Victims Act). Healthcare providers should also communicate the victim support organizations' contact details (Art. 4(6) of the Victims Act) to the victim.

The entities offering assistance to victims shall provide them with information in accordance

with their specific needs, including the form and extent of any assistance. If the professional assistance the victim requires is not provided, they shall refer the victim to another entity delivering such an assistance. Moreover, victim support organizations should give information on the rights guaranteed by the Victims Act, including the right of compensation for violent crimes, the rights of victims that are injured parties in the criminal proceedings, and other financial or practical matters that may arise after the crime (Art. 4(5) of the Victims Act).

Finally, the right of victims to receive information on their case is foreseen in the Victims Act under Art. 4(1).

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

State authorities play a crucial role in providing accurate information after an attack.

Government information is more effective when it is co-ordinated with civil society actors, media companies, social media, etc.

Information can be divided into:

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

Information centres

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

PROVIDING INFORMATION IN CRISIS - INTERNATIONAL PRACTICE

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

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

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- 🌐 EU Centre of Expertise for Victims of Terrorism, EU Handbook on Victims of Terrorism
- VOciare National Report Slovakia
- Crime prevention and help for victim in Slovakia (in Slovak language)
- 🌐 '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 SLOVAKIA

In general, according to the Victims' Act, victims have access to general or specialised professional assistance in accordance with their special needs and corresponding to the extent of the damage caused by the offence. The right to access victim support services is guaranteed, irrespective of whether the crime has been reported by the victim, and throughout the whole criminal proceeding.

In Slovakia there are no specialised victim support organisations specifically for victims of terrorism. It is worth noting, however, that the victim support organisation, Kanisová & Kanis Law Office, provides specialized help to victims of terrorism, if needed.

As noted above, victims of terrorism are considered as particularly vulnerable victims. For this type of victim, accredited victim support organisations, delivering specialised professional assistance, are required to immediately provide such services, on request. Most of the organisations receive funding from the state budget. Accredited victim support organisations, providing general assistance, are obliged to offer at least the first consultation free of charge. Organisations granted state funding by the Ministry of Justice of the Slovak Republic are obliged to provide cost-free help for 90 days (this timeframe can be extended upon justification), while others have to give at least the first consultation for free. All accredited support organisations must comply with the national laws on data protection.

Art. 5 and 6 of the Victims Act regulate the right to receive professional assistance and the conditions for its provision. These govern the delivery of psychological assistance, legal assistance, counselling, cases of specialised professional assistance (such as crisis psychological intervention), etc. Victim support organisations, together with legal aid centres, provide legal advice, including general information on the various stages of the criminal proceedings and assistance with drafting a compensation request. Medical treatment of victims of terrorism would be provided within the general public health care system.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

Victims, especially if they have to deal with serious (mental) health problems after a

terrorist attack, will face difficulties in absorbing information. Information on (organisations that provide) assistance and support will be more effective when it is provided on different occasions. Ideally, those offering help will be proactive: reaching out to victims on a regular basis, finding ways and opportunities to connect with them. Victims need information on available services, but should not be coerced into using them.

CASE STUDY: ORGANISING SUPPORT IN SPAIN

In Spain, all professionals from the Directorate General of Support to Victims of Terrorism receive appropriate training in trauma informed assistance. These professionals proactively contact victims as soon as after a terrorist attack as security and medical conditions allow and provide information to victims and families. Moreover, they also support victims in their pursuit of compensation, pensions, labour rights, subsidies, and other benefits.

The Medical Advisory Board categorises the injuries by evaluating the permanent consequences of the damages: disabilities, permanent non-disabling injuries, or psychological damages. From the start,

Victims of Terrorism (VoT) assistance mechanisms aim at facilitating recovery from such consequences.

Since 2016, Spain has had a National Network of Psychologists for the Assistance of Victims of Terrorism (bringing together 230 members), to whom the Ministry of Interior refers all victims of terrorism needing therapeutic psychological support. On 18 June 2015, the Spanish Ministry of Interior signed an agreement with the Spanish National Council of Psychology to guarantee quality psychological care for victims of terrorism and effective treatment commensurate with the special needs of the victims. This agreement was updated in 2019.

Victim assistance centres

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

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

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

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

Central contact point within government

Slovakia nominated a contact point for victims of terrorism within the Ministry of Justice. Discussions at the national level will be undertaken in order to establish a fully functioning contact point with an expert team consisting of members from different ministries and victim support organisations.

GOOD PRACTICE: OTHER TYPES OF SUPPORT IN FRANCE

- The ONAC-VG (*Office National des Anciens Combattants et Victimes de Guerre*) recognizes the victims of terrorist attacks as war-wounded and provides for their life-long care, financial, educational, and professional help.
- In 2016, a local oversight committee for victims of acts of terrorism (*Comité Local d'Aide Aux Victimes*, CLAV, as of 2017) was created at the level of the Departments of the French Republic. The committee ensures the coordination of all local actors involved in victim assistance to ensure the best possible support to victims of terrorism. For example, the

Strasbourg CLAV meets at least once a year to ensure that the needs of victims of the 2018 Strasbourg attack are taken care of, and to discuss any difficulties that victims may face individually. The DIAV oversees the development and activities of all local-level committees.

- The inheritance of those, who died because of an act of terrorism, is exempt from tax.
- Specific health insurance coverage, entailing free care for the length of the convalescence, applies to victims of terrorism.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- 🌐 EU Centre of Expertise for Victims of Terrorism, EU Handbook on Victims of Terrorism
- VOciare National Report Slovakia
- VSE (2018) Behind the Scenes: Family Reception Centre set up for the Victims of the Strasbourg Christmas Market Shooting

1.5 VICTIMS' RIGHT TO ACCESS JUSTICE – PROCEDURAL RIGHTS

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHT TO ACCESS TO JUSTICE IN SLOVAKIA

In general, victims may participate in the criminal proceeding as a person reporting a criminal offence, witness or injured party. Often victims assume both the role of injured party and witness.

Victims, with the status of injured party claiming compensation in a criminal proceeding, benefit from the right to access legal aid. According to

the Victims Act, legal aid is provided to victims either by certified attorneys, Legal Aid Centres, or victim support organisations. An attorney is appointed by the court for those victims that cannot afford legal representation. The conditions and the extent to which victims can access legal aid from the Legal Aid Centres are stipulated in Act No. 327/2005 Coll. on the provision of legal help to persons in material need. Victim support organisations provide free of charge legal aid to particularly vulnerable victims and to all victims when the victim support organisation is financed by a grant from the state budget.

With regards to the right to reimbursement of expenses resulting from their active participation in the proceedings, witnesses have a right to reimbursement of necessarily incurred expenses and lost income, for work or any other provable lost income (Art. 140(1) of the CCP). The State does not reimburse the costs of injured parties in the criminal proceedings; the latter has the right to have expenses reimbursed by the offender, if and after the latter has been convicted and the court acknowledges, at least in part, the claim for damages (Art. 557(1) of the CCP).

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.

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

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

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

mass media representatives, who reported on the trial.

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

Public inquiries

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

INTERNATIONAL EXAMPLES OF PRACTICAL APPLICATION

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

In Germany, the Federal Government Commissioner can act as an intermediary

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

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- VOciare National Report Slovakia
- Code of Criminal Procedure, adopted on 24 May 2005, Act 301/2005
- Guía de Buenas Prácticas para la Asistencia Jurídica a las Víctimas del Terrorismo en el ámbito de la Audiencia Nacional (AVT) (in Spanish)
- BE Inquiry Committee March 2016 Terrorist Attacks (EN/NL/FR)
- Beck, K. (2017) Abschlussbericht des Bundesbeauftragten für die Opfer und Hinterbliebenen des Terroranschlags auf dem Breitscheidplatz (in German)

1.6 VICTIMS' RIGHTS TO PROTECTION: PHYSICAL AND PRIVACY

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHT TO PROTECTION IN SLOVAKIA

In accordance with Art. 2(1)(c) of the Victims Act, victims have the right to be heard in a sensible manner and with the aim of avoiding as much as possible the repetition of their testimony in subsequent proceedings.

In accordance with the Victims Act, victims of terrorism are considered particularly vulnerable victims. Under Article 262a of the CCP, if the witness is a particularly vulnerable victim or a family member of such a victim, the court has an obligation to interview the witness in a manner as to prevent visual contact between the victim and the offender, specifically by using audio-visual technical devices. In addition, and to protect the victim, the court is authorized to decide whether to impose special measures (e.g. Art. 82 of the CPP regulating reasonable obligations and restrictions, such as the prohibition of contact etc.) if the accused is not detained for the duration of the criminal proceeding.

With regards to victims' right to privacy, according to the CCP, authorities cannot publish the personal data of any injured party. The judge may exclude the public from an oral hearing, e.g. when there is "an important interest" on the side of the injured party, their close relatives, or witnesses (Art. 249 (3) of the CCP).

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.

In Slovakia, according to the Explanatory Report to the Victims Act (Article 3), the media should treat victims with respect and prevent secondary victimisation. Journalists should, in accordance with their Ethical Codex, treat victims and witnesses of crimes and tragedies with sensitivity and responsibility. Moreover, as per Article 19(1)(a) of the Broadcasting Act,

no. 308/2000 Coll., broadcasting and television media shall not transmit anything which, by virtue of its content and the means by which it is processed, interferes with human dignity and the fundamental rights and freedoms of others. If there is a contravention, the Broadcasting Council may impose a fine.

GOOD PRACTICES OF WORKING WITH THE MEDIA IN SPAIN AND FRANCE

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

well as with recognition of the pain of their relatives.

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

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
- VOciare National Report Slovakia
- Manual del Estilo de RTVE (in Spanish)
- CSA, Précautions relatives à la couverture audiovisuelle d'actes terroristes (in French)

1.7 VICTIMS' RIGHTS TO PROTECTION: SECONDARY VICTIMISATION

THE RIGHTS UNDER EU LAW

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

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

Causes

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

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

Solutions

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

AN OVERVIEW OF RIGHT TO PROTECTION FROM SECONDARY VICTIMISATION IN SLOVAKIA

Art. 8(1) of the Victims Act provides a general right for citizens to be protected against secondary victimisation. Art. 8 (2) of the Victims Act directly imposes an obligation on law enforcement bodies, courts and victims support organisations to act in such a way as to avoid secondary victimisation and to take measures to avoid repeated victimisation. Art 2(21) of CPP states that criminal proceedings must be conducted with due regard for the injured party and the victim's family members; their personal situation and immediate needs, age, gender, possible disability, and maturity must be taken into account, while fully respecting their physical, mental, and moral integrity.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

In practice, victims support organisations in Slovakia provide comprehensive assistance to victims of criminal offences as well as protect victims from secondary victimisation by providing help on a confidential basis, in a respectful manner, and taking into account the specific victim's needs. There is no information on any additional activities aimed at preventing the secondary victimisation of victims of terrorism.

CASE STUDY: DEVELOPMENT OF GUIDANCE TO AVOID SECONDARY VICTIMISATION

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

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

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

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide, also available on the [Spanish Ministry of Interior's website](#)

1.8 VICTIMS' RIGHTS IN RELATION TO ACCESS TO COMPENSATION

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHTS SLOVAKIA

The Victims Act does not provide for immediate financial assistance to be awarded to victims. The amendment to the Victims Act, entered into force on 1 July 2021, in relation to the compensation scheme provides that victims are eligible to claim compensation immediately after the start of the criminal proceedings. State compensation may be granted only if there is sufficient evidence that the victim suffered harm to health as a result of an act which qualifies as a criminal offence. Relatives of a deceased victim are entitled to receive compensation for non-pecuniary damages of up to 50 times of the minimum wages.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

CASE STUDY: FUNCTIONING OF THE COMPENSATION SCHEME IN FRANCE

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

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

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

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- VSE (2019) A Journey from Crime to Compensation
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- VOciare National Report Slovakia
- *Fonds de Garantie des Victimes de Terrorisme et d'autres Infractions* (FGTI)
- Fédération nationale des victimes d'attentats et d'accidents collectifs (FENVAC)
- Association française des victimes du terrorisme (AfVT)

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 SLOVAKIA

Under Slovak law, foreign victims are provided with the same information and have the same rights as Slovak citizens. Access to legal aid and general or specialist victim support services is not conditional to the location of the terrorist crime. As also mentioned above, consular assistance is provided to Slovak nationals abroad or foreign nationals in Slovakia (re-issuing lost documents, interpretation services, etc.) if they become victims of crime or terrorism.

Compensation schemes

Victims (Slovak citizens, EU citizens, foreigners, stateless persons with permanent residence in the Slovak Republic or another EU Member State, asylum seekers, etc.) are entitled to state compensation if the crime occurred in the territory of Slovakia. If the crime occurred in another state, victims are entitled to file an application for compensation in Slovakia with the assisting authority.

In the context of benefits provided by other states, victims can obtain compensation from the Slovak Republic for harm to health, when it has not been compensated by other means (e.g. by the perpetrator) and if it was not compensated fully, to the amount of the difference between the legal claim and the compensation for harm to health already paid. Other payments that are not deemed as compensation for harm to health therefore are not taken into account.

Participation in criminal proceedings

In general, victims may participate in the criminal proceedings as a person reporting a criminal offence, witness or injured party.

Translation of official documents

The injured party has a right to a translation of the acceptance of the criminal complaint, the judgment, the "criminal order" (a type of judgment issued in summary proceedings), the decision of an appeal, the decision to conditionally suspend criminal prosecution, and notification of the court hearing. At the request of the injured person, the relevant authority may decide to translate other documents, if they considered necessary to assert their rights in the criminal proceedings (Art. 28(6)CCP).

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

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

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

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

Further reading:



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

2.2 CHILDREN

THE RIGHTS UNDER EU LAW

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

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

IMPACT OF TERRORIST ATTACKS ON CHILDREN

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

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Children as direct victims

In Slovakia, the Victims Act includes the principle of the best interest of the child among its basic principles (Art 3(8)) and considers child victims as particularly vulnerable victims (Article 2(1)). If the age of a child cannot be determined, the presumption of minority applies.

If a child is heard, as a witness, about circumstances which may harm their mental or moral development, the questioning should be conducted in a particularly sensitive manner and with the aim of avoiding its repetition in further proceedings. A psychologist/expert, representative

of social services and, if necessary, a teacher should be present. If children younger than 15 years old are heard before the court, the presiding judge may decide to lead the questioning instead of the parties. Audio-visual technical devices are regularly used to conduct the interviews of children (Art. 261 (4) CCP). Authorities cannot publish children's personal data.

The Police Academy provides a special course for police officers and investigators on child victims and how to deal with them. In addition, a project aiming at building "family rooms" in courts and developing a methodology for interviewing techniques to be applied with children is currently being implemented by the Ministry of Justice. Education models for judges and mediators dealing with children should be provided by the end of January 2022.

GOOD PRACTICE

Children of French victims (deceased or injured) as well as direct victims under the age of 21 may be granted the status of "Pupil of the Nation", which gives access to specific support and assistance (for instance, grants for higher education).

CASE STUDY – ACTION UNDERTAKEN TO FACILITATE SCHOOL REINTEGRATION OF CHILDREN INVOLVED IN THE 2004 MADRID ATTACKS:

The youngest victims often have difficulties in school integration after an attack, which is why a specific socio-educational intervention is required. After the 11 March 2004 attacks in Madrid, in which many minors lost their parents or were injured, a comprehensive intervention was carried out including the following actions:

- Personalised monitoring of the evolution of the injuries and specific situation;
- Coordination of principals, Parents' Associations (Asociaciones de Madres y Padres de Alumnado – AMPAS), teachers, psycho- pedagogical guidance teams and other staff from schools and institutes to promote the return to normal schooling;
- Coordination with social educators for their intervention in case of absenteeism;
- Coordination with psychological care departments of educational centres;
- Family counselling with psychologists specialised in child and youth care;
- Information to all students, who were relatives of the deceased, about study aid and the exemption from academic fees for victims of terrorism.

Interaction between TV broadcasting or written media and children

In accordance with the Ethical Codex of the Slovak Syndicate of Journalists, journalists should treat children as a source of information exceptionally and with particular care. A journalist is obliged to protect children's privacy and interests and to not abuse their trust.

GOOD PRACTICE

In France, a Charter for Child Protection, promoting the engagement of the media in protecting the image and the identity of a child victim, has been signed by the media, the Ministry of Solidarities and Health and UNICEF in February 2012.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- VOciare National Report Slovakia
- Ethical Codex of the Slovak Syndicate of Journalists, (Art. V (4),(5),(6))

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 specific response network is not available, it is our understanding that existing crisis response structures can be adapted to terrorist attacks.

AN OVERVIEW OF RIGHTS IN SLOVAKIA

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

No specific information has been identified with regard to planning protocols for establishing victims' support services in the framework of the national emergency response structure in Slovakia.

Training

The Victims Act does not include provisions relating to systematic training of professionals working with victims and no general strategy or policy on training is available.

There are however some specific initiatives: e.g. in 2011-2012, the NGO Centrum Nádej implemented a project to train police officers in identifying situations of domestic violence. In this context, several other NGOs providing help to victims of domestic violence delivered, or are delivering, training to police officers. In addition, the methodological centre on the prevention of violence against women has been giving training to police officers at the local level since 2016. These courses aim at enhancing the skills of police officers having first contact with particularly vulnerable victims, specifically victims of domestic violence. Moreover, the Mol is rolling out a new project on victims' rights (2017-2021, "Improving the access of victims to services and creating contact points for victims"), in the course of which a number of professionals, including police officers, will be trained to provide specialised support to victims.

In addition, the above mentioned amendment to the Victims Act, which will enter into force on 1 July 2021, foresees that training on interaction with victims and on victims' needs should be made available to all relevant actors, from police officers to prosecutors, judges and legal practitioners.

EMERGENCY RESPONSE PHASE – NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

The police are part of the integrated emergency-response system and, within this system, work with psychologists who are specialists in providing support to victims and their relatives. Subsequent assistance is provided within the system of general support victim services as well as by general medical services. Coordination is ensured through the integrated emergency-response system.

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

Specialized victim support services for victims with specific protection needs (victims of terrorism are automatically considered as such) are provided for free for 90 days. If justified, an extension can be provided. In the longer term, psychological help can be provided also by the general medical services.

INTERNATIONAL EXAMPLE – EMERGENCY AND LONG-TERM SUPPORT

In France, the ORSEC NOVI mechanism (Civil Security Response Organisation, “aid for mass casualties”) provides for protocols to be immediately put in place at the scene of the attack. In this context, the prefect of Department can set up a family reception centre, where victims and family members are registered and receive information and help, free of charge, from social workers, legal officers, and trauma psychologists.

In parallel, the Prime Minister can activate the cross-governmental unit (called “Infopublic” or “Cellule Interministérielle d’Information du Public et d’Aide aux Victims” C2IPAV), whose mission is to list victims and refer them to the victim support system.

When an attack has taken place, the Infopublic telephone number is activated to enable people to report, or seek information about, a missing loved one, and for victims to find out about their rights and be directed to available support structures. These may be:

- a public information unit set up by the prefect at Department level, when the attack involves only a few casualties; or

- the national Infopublic cell number, when the attack involves multiple victims and impacts the population (pupils are confined in their schools for the duration of the attack, roads or districts are blocked off by the security forces, etc.)

For longer term support, an information and support centre (Espace d’Information et d’Accompagnement - EIA) specifically dedicated to victims of terrorism is created. These centers are animated by victim support associations accredited by the Ministry of Justice and should bring together, in one place and time, all relevant victim support professionals. Victims can consult psychologists as well as other professionals with questions on administrative or legal steps to be taken. All assistance is free of charge and these centres only close several years after the events, when the number of victims in need has significantly decreased. For example, the centre in Paris, which opened after the 2015 attacks, is still open.

Further reading:



- VOCIARE National Report Slovakia
- Ministry of Interior of the Slovak Republic
- Instruction interministérielle relative à la prise en charge des victimes d'actes de terrorisme, 11 March 2019

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 SLOVAKIA

Victim support services are provided by a network of local non-governmental organisations, charities and a few municipalities providing emergency shelter services. Accredited victim support organisations are included in the Register of Victim Support Services, available on the website of the Ministry of Justice. The register also includes some organisations accredited by the Ministry of Labour, Social Affairs and Family providing help to victims in accordance with specific social service acts.

In addition, the information offices for victims of crime, under the Ministry of the Interior, offer victims, potential victims, and their family members general information and consultation opportunities on legal, social and psychological issues. Staff also notify the police of (potential) crimes and provide referrals to specialised victim support organisations and NGOs across the country.

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.

In Slovakia, most of the organisations listed in the Register of the Ministry of Justice (35 registered, 14 accredited) provide assistance to victims of domestic violence, mainly women and their children, while 12 provide support to children, 1 to people with disabilities, and 2 to victims of human trafficking.

INTERNATIONAL EXAMPLE

The French Association of Victims of Terrorism (AfVT) was created in February 2009, specifically to allow victims of terrorist attacks to benefit from personalized psychological

and legal support to address the trauma they may have developed because of the attack as well as prevent secondary victimisation.

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 of expertise with a view to exchanging best practices and increasing expertise at the national level.

GOOD PRACTICE: PSYCHOSOCIAL SUPPORT IN SPAIN AND FRANCE

In Spain, in April 2016, the Ministry of the Interior and the General Council of Spanish Psychologists introduced 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:



- VOCIARE National Report Slovakia
- 🌐 Register of victim support services, Ministry of Justice
- 🌐 Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide, also available on the [Spanish Ministry of Interior's website](#)
- 🌐 French Association of Victims of Terrorism (*Association française des victimes du terrorisme* - AfVT)
- 🌐 National Center for Resources and Resilience (CN2R)

4. EUCVT

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

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

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

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

Website

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

Experts

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

Contact details

eucvt@victimsupporteurope.eu

Further reading:

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

