



HANDBOOK

ON VICTIMS OF TERRORISM

THE NETHERLANDS

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

AUTHORS

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

- Noortje Jansen, Senior Policy Advisor/ Researcher, ARQ National Psycho-trauma Centre
- Jolise Stol, Policy Officer, Slachtofferhulp Nederland
- Hester Stubbé, Head of Training Department, Slachtofferhulp Nederland

DISCLAIMER

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



CONTENT

INTRODUCTION

CRISIS RESPONSE STRUCTURE IN THE NETHERLANDS

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' rights 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 the 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 recent years, jihadist terrorism has formed the most significant threat to the Netherlands. On 31 August 2018, in Amsterdam Central Station, two tourists were stabbed; both victims survived the attack. On 18 March 2019, four people were killed and six others were injured in a mass shooting on a tram in Utrecht. Both these attacks were committed by jihadist loners. Additionally, in 2018 and 2019 multiple Dutch jihadists were arrested. However, the direct threat of Dutch jihadism appears to have somewhat declined in 2020.

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
- **On terrorism in the Netherlands:**
 - <https://www.rijksoverheid.nl/onderwerpen/terrorismebestrijding/aanpak-terrorisme-in-nederland>
- **On jihadism in the Netherlands:**
 - <https://www.nctv.nl/onderwerpen/dtn/actueel-dreigingsniveau/jihadistische-beweging-nederland>

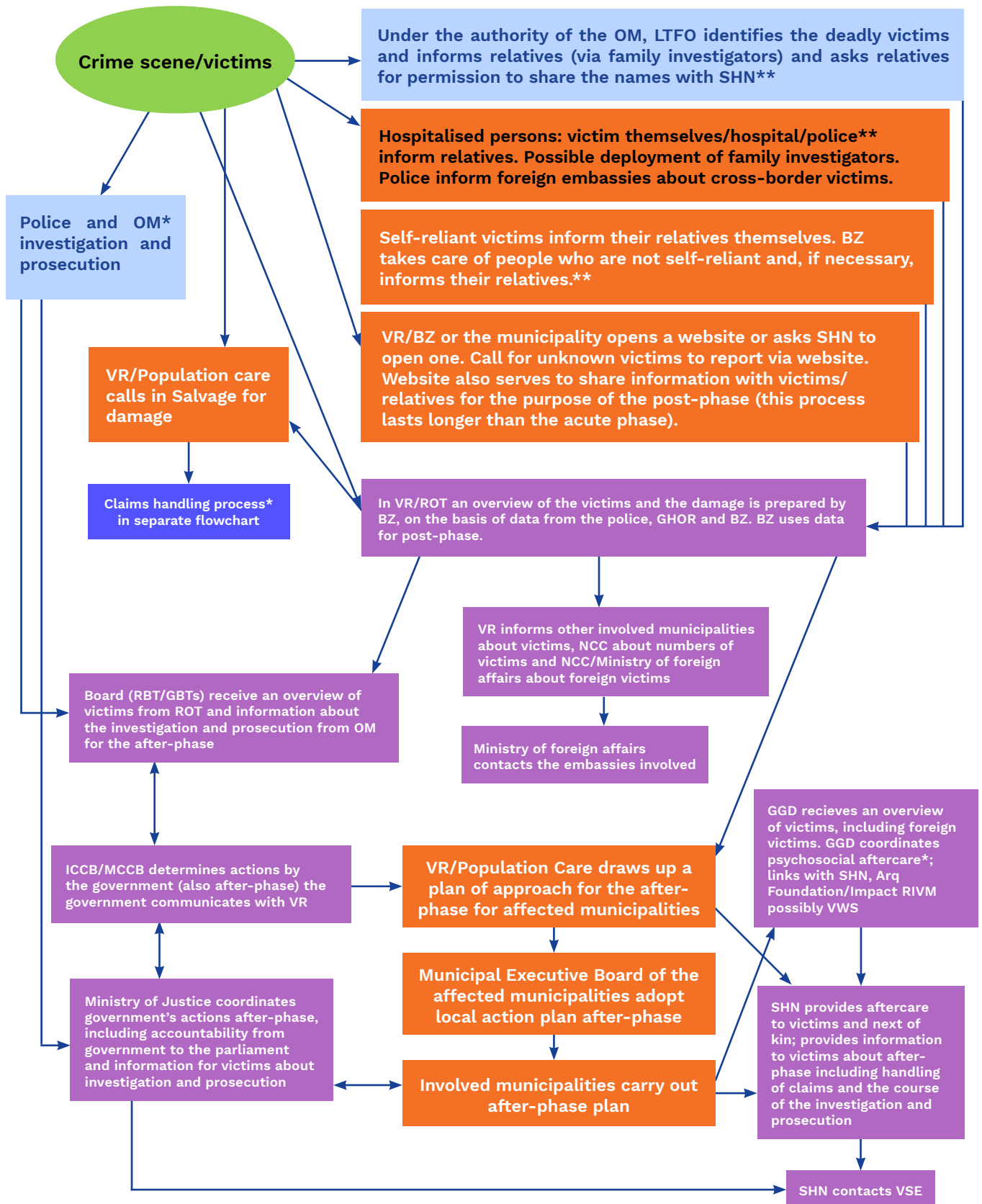
CRISIS RESPONSE STRUCTURE IN THE NETHERLANDS

In the event of a terrorist attack in the Netherlands, the National Team Forensic Investigation (LTFO) is responsible for identifying fatalities and informing the victims' relatives. Hospitalised victims either contact their relatives themselves, or the hospital or the police will do this. The police will inform

foreign embassies when there are foreign victims. A website will be launched where unknown victims can report themselves.

Below is a schematic overview of the crisis response structure in the case of a terrorist attack in the Netherlands:

PROCESSES VICTIM CARE TERRORIST ATTACK IN THE NETHERLANDS



NB 1: Crisis structure not shown further in this diagram. Work is carried out in accordance with the National Crisis Decision-Making Handbook

NB 2: * reference to separate (own) processes

NB 3: ** attention point. Ask for permission from victims and next of kin about the use of names for after-phase

NB 4: * it is an illusion to get a complete overview of the victims in the warm phase**

NB 5: attention point for foreign victims and psychosocial aftercare of these foreigners

Concepts:

- B&W – burgemeester en wethouders: Mayor and Aldermen
- BZ – Bevolkingszorg: Population Care
- GGD – Gemeentelijke gezondheidsdienst: Municipal health service
- GHOR – Geneeskundige Hulporganisatie in de Regio: Medical Relief Organisation in the Region
- ICCB – Interdepartementale Commissie Crisisbesluitvorming: Interdepartmental Crisis Decision-Making Committee
- LTFO – Landelijk Team Forensische Opsoring: National Team Forensic Investigation
- Min BUZA – Ministerie Buitenlandse Zaken: Ministry of Foreign Affairs
- Min JenV – Ministerie Justitie en Veiligheid: Ministry of Justice and Security
- Min VWS – Ministerie Volksgezondheid, Welzijn en Sport: Ministry of Public Health, Welfare and Sport
- MCCB – Ministeriële Commissie Crisisbesluitvorming: Ministerial Crisis Decision-Making Committee
- NCC – Nationaal Crisiscentrum: National Crisis Centre
- OM – Openbaar Ministerie: Public Prosecution Service
- RIVM – Rijksinstituut Volksgezondheid en Milieu: National Institute for Public Health and the Environment
- RBT/GBT – Regionaal/Gemeentelijk Beleidsteam: Regional/Municipal Policy Team
- ROT – Regionaal Operationeel Team: Regional Operational Team
- Salvage Team – Bond van verzekeraars: Association of insurers
- SHN – Slachtofferhulp Nederland: Victim Support Netherlands
- St Arq – Psychotrauma Expert Groep: Arq Foundation, psycho-trauma expert group
- St Impact – Kennis en advies psychosociale zorg en veiligheid: Impact Foundation, knowledge and advice psychosocial care and security
- VR – Veiligheidsregio: Security Region
- VZ VR – Voorzitter Veiligheidsregio: Chairman of the Security Region
- VSE – Victim Support Europe

DISCLAIMER: Terrorist attacks come in a wide variety of forms, sizes, impacts and contexts. The role of the actors mentioned in this document is in many cases highly dependent on these variables. It is also relevant that in the case of incidents as referred to in this document, the consequences are primarily (and only) visible, and the question of whether a criminal offense has been committed can only be answered at a later stage. Moreover, it is only possible to speak of a terrorist incident if the act, motive and purpose are known. Until then, at most the 'suspicion of terrorism' can be expressed or an incident 'considered a terrorist incident'. A common interpretation of the incident that is known to all parties involved is essential and the basis for whether or not to take up roles and processes as referred to in this document.

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 Utrecht attack in 2019, 4 people were killed and 7 people were seriously injured. These figures only confirm the numbers of dead and injured. The number of those affected will be much larger. The greater the number of victims, the more resources are required during both the emergency response phase (e.g. hospital beds) and in the longer term (e.g. in criminal proceedings, professional mental health services, information and support providers). The larger an attack, the greater the media attention will be on the victims, their families and society.

Location

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

Timing

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

Weapons

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

for compensation and the French government delineated zones around the attack location to help establish victim lists.

Target groups and organisation

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

committed by informal organisations or lone wolves.

Cyberterrorism

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

CASE STUDY:

On the morning of 18 March 2019, three people were killed and seven others were injured in a mass shooting on a tram in Utrecht; one of the injured victims died ten days later. The shooter fled in a car, leading to a large scale police manhunt, which lasted for much of the day. Several hours later, the police arrested 37-year-old Gökmen Tanis born in Turkey; two further arrests were made in connection with the shooting.

Initially, it was reported that one of the women shot may have been the target due to a 'conflict in the relational sphere' and other passengers coming to her aid were then also targeted. However, law enforcement agents later announced there was no evidence of

any connection between the attacker and the victims. Instead, a letter found in the hijacked getaway car hinted at terrorism being the motive. The public prosecutor charged the suspect with four counts of murder with a terrorist motive.

After the attack, the threat level in the province of Utrecht was unprecedentedly raised to level 5, the highest level. After the suspect was caught, it was reduced to level 4. The police presence was increased at railway stations, including Amsterdam, Rotterdam, The Hague, and Utrecht, and at the country's airports. Tram services in the city were cancelled. Mosques in the city were evacuated, and those elsewhere in the country were given increased security, likely due to the recent mosque shootings in New Zealand.

Further reading:

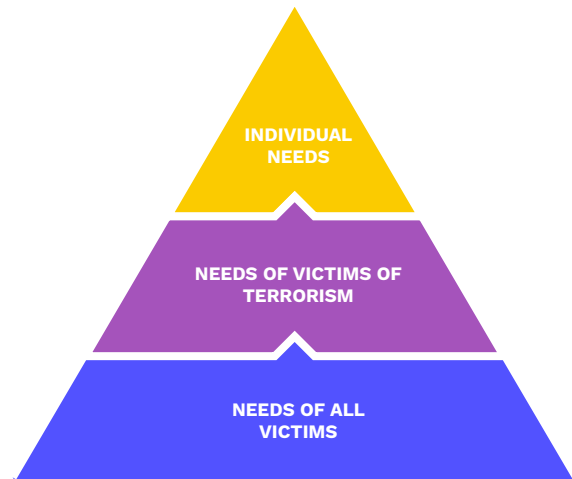
- Europol (2020) TE-SAT Report
- Institute for Economics and Peace (2019) Global terrorism index



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. the Netherlands has prepared a rapid response plan in case of a terrorist attack that includes access to medical and victim support services for victims of all nationalities. Slachtofferhulp Nederland (Victim Support Netherlands) and the Public Health Services are jointly responsible for the emotional and psychological support of victims of a terrorist attack. This emotional and psychological support is provided as long as a victim of a terrorist attack needs such support.*
3. Protection: physical protection, protection from secondary victimisation.
4. Access to justice: safe participation in the criminal justice process. *Slachtofferhulp Nederland supports the victims of a terrorist attack with information and advice, when needed. Slachtofferhulp Nederland also supports victims of a terrorist attack with legal advice and information in regard to a lawsuit.*
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
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations

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 DUTCH LAW Victim of Terrorism

The Dutch criminal legal framework provides the following definition of 'victim':

- "the person who, as a direct result of a criminal offence, has suffered financial

damage or other disadvantage. The victim is equated with the legal person who, as a direct result of a criminal offence, has suffered financial damage or other disadvantage.

- survivors: family members of a person whose death was directly caused by a criminal offence." (Article 51a (1a) CCP).

This includes victims of crimes when the perpetrator was not identified, apprehended, prosecuted, or convicted. No distinction is made on grounds of nationality or residence permit. Regarding the definition of 'family members', the legal framework provides the following definition: the spouse, the civil partner or another life partner of the victim, the relatives in direct line, the relatives in the side lines up to and including the fourth degree and the persons who are dependent on the victim. (Article 51a (1b) CCP). This definition includes non-married partners and partners of the same sex.

Terrorist offence

The Dutch Criminal Code does not give a definition of the concept of a terrorist offence as such. It deals with the conditions that have to be met before an offender can be punished, and provides the statutory definitions of the different punishable acts. Only 'terrorist intent' is defined in unequivocal terms:

Terrorist intent is understood to mean the intent to instil serious fear in the population or part of the population of a country, or to unlawfully coerce a government or international organisation to do, not do or tolerate something, or to seriously disrupt or destroy the fundamental political, economic or social structures of a country or international organisation (Article 83a CC).

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
- Dutch Criminal Code
- Dutch Code of Criminal Procedure

1.2 VICTIMS' RIGHTS TO RESPECT AND RECOGNITION

THE RIGHTS UNDER EU LAW

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

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

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

Identification of victims and information about victims

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

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

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

Recognition

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

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

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

Respect

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

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

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

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

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

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

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

AN OVERVIEW OF RIGHTS IN THE NETHERLANDS

The identification of victims is ensured by the Disaster Victim Identification structure. The Public Prosecution Service is responsible for the process, which is carried out by the police. Communication between the different partners in this process is facilitated by the police family liaison officers and by Slachtofferhulp Nederland case managers. The Slachtofferhulp case managers work closely with the family liaison officers (their police counterparts) and the case coordinators at the Prosecution Office confirm the Maatwerkprotocol (Customised Service Protocol).

Slachtofferhulp Nederland and the Dutch police provide the victims of a terrorist attack with all necessary information. The police are responsible for informing victims of their rights and the available assistance upon first contact. Unless the victim objects, the police will refer the victim to Slachtofferhulp Nederland, who offer psychological and emotional support in cooperation with the Public Health Services, supported by the National Psychotrauma Centre ARQ. The Public Prosecution Service is responsible for informing victims about the criminal proceeding. When it comes to compensation, Slachtofferhulp Nederland can provide victims of a terrorist attack with advice and support. Victims can submit a civil claim for damages from the defendant during the criminal proceedings. Additionally, a victim can apply to the Violent Offences Compensation Fund (VOCF): VOCF gives financial compensation to victims of violent crimes resulting in serious psychological or physical injuries. VOCF has a team that handles cases related to terrorism. During the examination of the applications, VOCF works in close contact with the public prosecutor's office. The legal specialists of VOCF aim to handle the cases quickly and effectively.

There are no specific provisions for victims of terrorism in the Netherlands with regard to the right to respect and recognition; general victims' rights apply. However, after an incident, a commemoration or monument is organised for the victims.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Identification of victims and information about victims

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

Commemoration events

On 11 March each year, the European Remembrance Day for victims of terrorism is organised with victims and for victims together with the European Commission. In the Netherlands, the 2019 Utrecht tram attack has been commemorated in 2020 and 2021 in the city of Utrecht. On 10 November 2014, the MH17 plane crash was commemorated nationally.

Monuments

Monuments create a physical place where victims can gather to share their individual loss with society. After flight MH17 was taken down above Ukraine, a memorial for the victims was created – a tree was planted for each of the 298 victims who lost their lives 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?
- European Commission (2020) EU Strategy on victims' rights (2020-2025)
- VSE (2019) Remembering Victims of Terrorism: A guidance document
- Memorial to commemorate victims of the MH17 plane crash
- Leferink, S., Kool, R., Hinrichs, L., Sas, A. & Zuiderveld, E. (2019) VOciare National Report The Netherlands

1.3 VICTIMS' RIGHTS TO ACCESS INFORMATION

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHTS IN THE NETHERLANDS

In the case of a terrorist attack or large-scale disaster, Slachtofferhulp Nederland can set up an online Information and Advice Centre (IAC) within a few hours. This provides a place where victims, witnesses and family members can find current, complete and reliable information, such as important phone numbers and the latest news from organisations involved such as the police, the Public Prosecutor and the government. It is also possible to receive online advice and support through an e-consultation or EHealth applications. The IAC serves as a reporting point where people can register themselves as victims; this way, the authorities involved instantly know who has been victimised and can quickly provide the right support.

Article 4 of the Victims' Rights Directive was transposed into the CCP as follows: *The officer of the police, the public prosecutor or the other investigating officer shall ensure that the victim is immediately provided with information on his first contact with the investigating officer concerned in order to enable him to gain access to the rights that are due to him (Art. 51ab (1) CCP).*

The several elements highlighted in Article 4 of the Directive are each further elaborated in Article 5 of the Decree on Victims of Criminal Offences, that quite literally translates the text of Article 4 (1) a-k Directive, referring to information about support, complaint procedures, protection, legal assistance, compensation, translation, et cetera. The investigating authority (usually the police) and the Public Prosecution Service have to ensure that the victim is properly informed from the first contact with a competent authority.

In line with the right to understand, to be understood and to be informed in a language understood by the victim, the victim is entitled to language assistance. The same right applies to those who file a complaint on behalf of the victim. (Foreign) language assistance is often provided by the *Tolkentelefoon* (interpretation by telephone, offering 190 languages).

The starting point of the legislative framework concerning the victim's right to receive information on their case is Article 51ac CCP, elaborated upon in the Regulation on Providing Case Information to Victims, Articles 2-4. Article 5 states that information is always provided free of charge. When reporting to the police, the victim may indicate that they wish to be kept informed about their case (opt-in system). This will be logged in the registration system. The police are then obliged to proactively notify victims of the progress of the case, e.g. the decision to discontinue the case or to transfer it to the Prosecution Office, and if a suspect is released or has escaped protective custody. Apart from this procedure, the victim may at any time inquire, of his own accord, as to the status of the procedure at the

Prosecution Office's Victim Information Desk.

When a case file is transferred from the police to the Public Prosecution Office, a letter will be sent to the victim containing three forms:

1. A 'wish-list' (questionnaire) on which the victim is expected to indicate whether they
 - Wish to be kept informed about the proceedings
 - Wish to claim compensation in the criminal procedure
 - Wish to make a victim impact statement, either orally or in writing, or if they wish someone to speak on their behalf
 - Object to the Public Prosecution Office passing on their contact details to *Slachtofferhulp Nederland*, so they will forego being offered assistance
 - Wish to have a meeting with the Public Prosecutor that deals with their case.
2. A form to provide personal data. This form will not be included in the criminal file for privacy reasons. This form must be completed when the victim ticks one of the above options.
3. The compensation form. If one has indicat-

ed to wish to file a claim for compensation, this form has to be completed and signed.

The forms must be completed, signed and returned to the Public Prosecution Office within 14 days from the day the form was sent to the victim. If not, the assumption is that the victim does not wish to make use of these rights and provisions.

If the victim wishes to be kept informed about the proceedings, the Public Prosecution Office will notify them (in writing):

1. When the police conclude the investigation and send the criminal file to the Public Prosecution Office;
2. When the Public Prosecution Office decides that further investigation is indicated in view of the decision (not) to prosecute;
3. When the Public Prosecution Office has decided that the suspect shall appear in court;
4. Of the date of the criminal proceedings at court;
5. Of the decision of the judge.

Furthermore, a public database of (anonymised) verdicts can be consulted at any time, via the website of the Council of the Judiciary.¹

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



¹ <https://uitspraken.rechtspraak.nl>

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.

As mentioned before, Slachtofferhulp Nederland can set up a webpage, immediately providing an online Information and Advice Centre (IAC) within a few hours of a terrorist attack. Some of these websites will develop over time, and stay up and running long after the initial incident, such as the website that was set up after the plane crash in Ukraine (www.vliegrampoekraine.nl).

In addition to the IAC, the Netherlands have a national approach that quickly provides accurate information for concerned relatives in the event of an incident: Slachtofferinformatiesystematiek (SIS), or the victim information system. Municipalities, Regional Medical Relief Organisations and the police work together within this system. In the case of an incident, relatives can call Verwantencontact (Relative contact) at 088 269 00 00. This is a government-run helpline that is operational after any major incident: if people can't reach their relatives, they can contact Verwantencontact to receive updates.

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
- Leferink, S., Kool, R., Hinrichs, L., Sas, A. & Zuiderveld, E. (2019) VOCIARE National Report The Netherlands
- Bill to extend victims' rights to the House of Representatives
- Verwantencontact

1.4 VICTIMS' RIGHTS TO ACCESS SUPPORT SERVICES

THE RIGHTS UNDER EU LAW

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

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

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

AN OVERVIEW OF RIGHTS IN THE NETHERLANDS

In Dutch legislation, Article 51aa CCP provides for a right to access victim support. The latter is to be read in conjunction with the overall incentive to treat victims with due respect, prescribed in Article 51aa (1) CCP (Public Prosecutor) and Article 288a CCP (judiciary).

Next to Article 51aa (3) CCP the Decree Victims of Criminal Offenses is of importance, elaborating on conditions of support (finances, organisation), the introduction of the individual assessment, and potential protective measures. According to Article 51aa (3) CCP victims and their family members are entitled to victim support, and have to be informed about this.

The main organisation providing general and specialised victim support services is Slachtofferhulp Nederland. Slachtofferhulp Nederland offers psychosocial, practical, and legal support to victims (including family members) and witnesses of terrorism. The main structure of this service is non-governmental, but it strongly relies on State (Ministry of Justice and Safety) and municipal funding. Slachtofferhulp Nederland also receives some financial support from the Victim Support Fund and other private funding. Slachtofferhulp Nederland is a publicly well-known organisation.

The services offered by Slachtofferhulp Nederland are free of charge and accessible before, during, and after the criminal proceedings. The Decree Victims of Criminal Offenses also secures these rights by stating that the victim may receive support before, during, and for an appropriate period after the criminal proceedings, free of charge.

To create easy access, Slachtofferhulp Nederland has set up a website (www.slachtofferhulp.nl) with information, self-help tools (psycho-education, for a), phone, chat and email facilities, testimonials, social maps, electronic forms, and information videos. Slachtofferhulp Nederland also operates a Facebook page and Twitter account and offers web support. Victims can contact the 0900 0101 phone number from 8:00 to 20:00 on weekdays and from 9:00 to 17:00 on Saturdays. The website is temporarily only available in Dutch due to the introduction of a completely revised website/portal. However, an English website is under construction. Additionally, the Victim Support Fund hosts a website that (via Google translate) provides information in English, German, Arabic and Spanish, and the police website provides information in English and other languages, which includes a referral to the Slachtofferhulp Nederland website.

To facilitate knowledge about the accessible services, the police officer, Public Prosecutor

or other investigating officer, must inform the victim about the existence of Slachtofferhulp Nederland and point out where to find information, advice, or support (Article 51aa (2) CCP). These rights are repeated in Article 5 (a-k) Decree Victims of Criminal Offenses and are further elaborated in this Decree. Note that in the Dutch scheme, the police and the Public Prosecution Service are not appointed to deliver extended victim support, outside of the appointment of family liaison officers.

These organisations, especially the police, facilitate support by referring victims to victim support organisations. In the case of terrorism, there will normally be a requirement of active referral of victims to support services, where the victims' contact details will be transferred to Slachtofferhulp Nederland, who will immediately be informed of the incident by the Family Liaison Officer and required to intervene.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

Victims, especially if they have to deal with serious (mental) health problems after a terrorist attack, will face difficulties in absorbing information. Information on (organisations that provide) assistance and support will be more effective when it is provided on different occasions. Ideally, those offering help will be proactive: reaching out

to victims on a regular basis, finding ways and opportunities to connect with them. Victims need information on available services, but should not be coerced into using them.

Victim assistance centres

It is beneficial to set up a victim assistance centre after large-scale terrorist attacks: a one-stop-shop, where victims can go to get information and support. After a terrorist attack, Slachtofferhulp Nederland will set up an online portal where victims and relatives can easily access information and support. An example of such a website is the one that was set up after the MH17 plane crash: www.vliegrampoeukraine.nl.

Central contact point within government

The National Crisis Centre is the central coordinating actor after a terrorist attack. Additionally, the SIS provides fast and accurate information for concerned relatives in the event of an incident.

The Dutch Ministry of Foreign Affairs has appointed a single point of contact, Diane de Joode. She can be contacted via diane-de-joode@minbuza.nl.

OTHER TYPES OF SUPPORT Perspectief Herstelbemiddeling

Perspectief Herstelbemiddeling (Perspective Restorative Mediation) organises victim-offender mediation in the Netherlands. Victim-offender (or perpetrator) mediation is a form of contact between victim and offender that gives them the opportunity to look at the crime from a different perspective. By learning about the circumstances, motives, questions and answers related to the crime, the victim and perpetrator may relate differently to each other. This can help them in dealing with the consequences of the crime. Mediation is always on a voluntary basis and free of charge. All parties can start and stop the mediation process at any point.

Financial compensation

Schadefonds Geweldsmisdrijven, or Violent Offences Compensation Fund (VOCF) gives financial compensation to victims of a violent crime resulting in serious psychological or physical injuries. VOCF has a team that handles cases related to terrorism. During the examination of the applications, VOCF is in close contact with the Public Prosecution Service. The legal specialists of VOCF aim to handle the cases quickly and efficiently.

Namens de Familie

Namens de Familie (On Behalf of the Family) guides and advises victims' interaction with spokespersons and media appearances so that the right statement is given at the right time. In order to relieve the family and relatives, the media adviser can act as a point of contact for the media, the police, and other authorities.

Slachtofferhulp Community

Slachtofferhulp Nederland provides online contact between peers through the Slachtofferhulp Community: community.slachtofferhulp.nl.

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
- 🌐 Website Slachtofferhulp Nederland
- 🌐 Website of the Police (English)
- Leferink, S., Kool, R., Hinrichs, L., Sas, A. & Zuiderveld, E. (2019) VOIARE National Report The Netherlands

1.5 VICTIMS' RIGHT TO ACCESS JUSTICE – PROCEDURAL RIGHTS

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHT TO ACCESS TO JUSTICE IN THE NETHERLANDS

Right to be heard

The CCP provides for the legislation on the right to be heard during criminal proceedings. The main article is 51e CCP: (2) *The victim may make a verbal statement at the court session.* This second section gives the general rule on the right to be heard. However, the first section formulates some restrictions: only in cases where the suspect is charged for a serious offense (a statutory term of imprisonment of at least eight years) or any other serious offense stated in Article 51e (1) CCP, is the victim entitled to make an oral victim impact statement.

In addition to the first and second section *the spouse, the registered partner or another life partner of the victim, the relatives in direct line, the relatives in the side lines up to and including the fourth degree and the persons who are dependent on the victim, as referred to in Article 51a (1b) CCP, may exercise the right to make an oral statement about the impact the criminal offense has had on this victim or surviving relative at the court session, if*

the victim or the surviving relative is actually incapable of exercising the right to make a verbal statement (Article 51e (7) CCP).

As for the right to speak, Dutch legislation is of a rather unique nature. A limited right to give a Victim Impact Statement was introduced in 2005, but was expanded in the years that followed. Since 2012, the oral statement may cover all issues at stake within criminal proceedings. Thus, the victim can state their oral opinion with regard to the evidence, the sentencing and the impact of the offence on the victim's life. If the victim is deceased or incapable of speaking (including a minor), the relatives (max. 3) or a legal representative are entitled to make a statement. Recently, the right to be heard was extended to step-family.

Right to legal aid

Article 51c CCP provides for a legal basis for the provision of legal assistance during the investigative and trial phase. The victim may be assisted by a lawyer, by his legal representative and also by a person of his choice. For legal representation, a special written authority (issued by the victim) is required. The same rights are given to surviving relatives and to the heirs of a (deceased) victim.

The right to have access to legal aid, mentioned in Article 13 of the Victims' Rights Directive, is related to the victim's status as a party to the criminal proceedings. Within the Dutch system, the victim is acknowledged as a 'legal participant' and does not hold a position as a 'legal party' on equal footing with the offender in the context of criminal proceedings. Victims of violent crimes and families of victims of homicide are entitled to free legal aid regardless of their income (Article 44(4) Legal Aid Act). The police and *Slachtofferhulp Nederland* refer victims to lawyers that are, preferably, registered at the Legal Aid Council.

Right to reimbursement of expenses

If a victim has joined the proceedings as an injured party, the court which renders the judgment, shall decide on the incurred and future expenses (including expenses for legal aid and for a translator, travel expenses and costs for lost workdays) (Article 361(2) CCP). These expenses shall not represent a part of the claim for pecuniary compensation. Additionally, costs that are not necessary in the context of exercising one's rights as an injured party in the criminal proceedings,

cannot be reimbursed. If a victim wants reimbursement of their expenses, their claim needs to be well substantiated and limited to the expenses incurred. The judgment of the Court shall include a motivated decision on the eventual compensation of these expenses.

As with regard to the lawyers' tariff, the *liquidatie-tarief* (fixed tariff) is applied. The Court may choose to reimburse the real expenses, but as a rule opts for the aforementioned tariff. If the case is appealed before the Court of Appeal or the High Court, additional expenses can be added to the victim's compensation claim.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Large scale attacks

Criminal proceedings and trials for large scale attacks are complex. Large numbers of victims and witnesses are involved, and all share the right to participate in the trial. States may need

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

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

CASE STUDY:

Malaysia Airlines Flight 17 (MH17) was a scheduled passenger flight from Amsterdam to Kuala Lumpur that was shot down on 17 July 2014 while flying over eastern Ukraine. All 283 passengers and 15 crew were killed. Over two-thirds (193) of the passengers were Dutch.

Even though this wasn't a terrorist event,

it can potentially be used as an example for large scale attacks in the future. In events like these, with potentially many victims, it is important that victims can participate in the trial. This requires a great deal of organisation, capacity, and space. One can, for example, think of using livestream technology. Close cooperation in the operational chain (Slachtofferhulp Nederland, lawyers, prosecution, court) would be important.

Public inquiries

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

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- 🌐 Website LANGSZ
- Leferink, S., Kool, R., Hinrichs, L., Sas, A. & Zuiderveld, E. (2019) VOCIARE National Report The Netherlands
- Public inquiry after the Utrecht tram shooting

1.6 VICTIMS' RIGHTS TO PROTECTION: PHYSICAL AND PRIVACY

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHT TO PROTECTION IN THE NETHERLANDS

The Public Prosecution Service can apply a criminal behaviour order, based upon Article 509hh CCP, a general measure for the prevention of public disorder. The order may require the suspect to stay away from a specific area, refrain from contact with a specific person or persons, report at specific times to the investigating officer designated for that purpose, or to attend certain support group or courses to prevent future criminal behaviour. The judge may issue similar behaviour orders as part of a sentence, based upon Article 14c CC. Moreover, the judge may issue obligatory treatment for the offender; for example, the order may entail admission to a health care institution.

If protection is desired preceding the criminal trial, the victim may address the civil court requesting a restriction order based on a kort geding (condensed trial). The Probation Service,

whose task it is to provide a report on the person and circumstances of the suspect in preparation of the court hearings, is expected to advise on the pertinence of protective and preventive measures with regard to the victim(s).

Right to avoid contact between victim and offender

Protective measures to prevent contact between victim and offender during the investigative phase and during the court sessions are specified in the Decree Victims of Criminal Offenses, Articles 11-16.

Possible solutions are to shield victims using bulkheads in the hearing room, or for victims to follow the hearing from another room via video connection. Protection is also needed for digital events, especially in the case of terrorism. There will possibly be relatives, witnesses, or victims from abroad; they also have the right to participate in the criminal process.

Right to protection of privacy

It is possible, with regard to the protection of privacy and safety of the victim, to omit some personal data when making a report. The 'complaint under number' allows for the victim to be identified by a certain code and all personal information that may lead to identification of the victim is omitted from the official report. The victim's personal data is known to the police, the Public Prosecution Service, and the judge, but not to the defence. If the defence objects, an investigative judge will examine the request to decide whose interests prevail. A second option is the 'complaint under domicile of choice', whereby the victim's address details are substituted with the address details of a police station or victim support office.

Court hearings in the Netherlands are public (Article 269(1) CCP), except when the suspect is a minor. The presiding judge can decide whether part of, or the entire, hearing be held behind closed doors in the interest of public decency, public order, state security, and if

required in the best interest of minors, or in the interest of respect for the personal life of the defendant, other participants in the criminal proceedings or persons otherwise involved in the case. An order to have non-public trial session can be requested by a victim. The District Court will make a decision after hearing the Public Prosecutor, the defendant and the other participants in the criminal proceedings on this matter. As a rule, child victims younger than 12 are not allowed to attend criminal Court sessions. In some cases, the presiding judge can deny access to (unaccompanied) minors.

Normally, during the court session and in the verdict, the name of the victim will be mentioned. The victim can request that their name will not be revealed. As a rule, verdicts will be anonymized before publishing.

In certain cases, the victim may speak during the criminal procedure, as referred to in Article 51e CCP. This means instant publicity as the media may be allowed to be present in the case of a public trial, as well as many journalists, blog and Twitter users being at the court hearing. However, there are some rules and limitations

for journalists during criminal proceedings. They are allowed to make a press drawing, but are prohibited from taking image- and/or sound recordings inside the Court, to protect both the defendant and the victim's privacy. Journalists need to request prior permission to attend the Court.

As to the media's self-regulatory measures, the Council of Journalism uses a code of conduct. If a victim suffered injury as a result of a journalist's action (such as the violation of their privacy) they should firstly complain to the editor or employing medium of the journalist in question. If this complaint does not lead to a satisfactory resolution, the victim may file a complaint with the Council of Journalism, which will review the complaint during a hearing. Neither complainant nor accused are obliged to appear. The Council cannot issue fines and can only require the publication of the decision and/or or rectification in the medium concerned. The Council's rulings are published on its own website. Adherence to the code is voluntary, there are no sanctions in place for non-compliance with the Council's decisions.

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.

Recently, Fonds Slachtofferhulp (Victim Support Fund) has called for attention to be given to the role of victims in the media through various dialogue sessions; during these sessions, several journalists have reflected upon this role. Additionally, as mentioned before, Namens de Familie guides and advises victims' interaction with spokespersons and media appearances so that the right statement is given at the right time.

It is difficult to restrict harmful information flows on social media channels. However, they can be useful tools for victims and law enforcement agents in the aftermath of an attack; for example, Twitter users started posting pictures of cats after a request from the Belgian authorities not to share information on ongoing police activity during the Brussels lockdown following the Paris attacks in November 2015.

GOOD PRACTICE – PROTECTING VICTIMS FROM MEDIA IN FRANCE

During the trial of the terrorist attacks in

Paris in 2015, victims were given green and red badges: green badges for victims who were willing to interact with the press, and red badges for victims who preferred to be left alone by journalists.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- UNESCO (2017) Terrorism and the Media: A handbook for journalists
- BBC: Belgians tweet cat pictures during #BrusselsLockdown
- Leferink, S., Kool, R., Hinrichs, L., Sas, A. & Zuiderveld, E. (2019) VOIARE National Report The Netherlands
- Dialogue sessions of *Fonds Slachtofferhulp*
- *Namens de Familie*

1.7 VICTIMS' RIGHTS TO PROTECTION: SECONDARY VICTIMISATION

THE RIGHTS UNDER EU LAW

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

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

Causes

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

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

Solutions

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

AN OVERVIEW OF RIGHT TO PROTECTION FROM SECONDARY VICTIMISATION IN THE NETHERLANDS

Given the Dutch criminal proceeding to be of a non-bifurcated nature, the right to speak carries potential procedural risks that need to be managed by the presiding judge. If the victim should address issues of evidence, they may be sworn in as a witness and as a consequence be subjected to cross-examination. This carries a potential risk for secondary victimisation, but such effects have not been exhibited on a large scale. *Slachtofferhulp Nederland* prepares victims, who want to deliver a statement in court, and often victims are accompanied by a *Slachtofferhulp* worker.

The Council for the Judiciary has developed a protocol to prevent secondary victimisation within court premises where criminal proceedings are conducted, the *Modelregeling inzake passende verblijfsomgeving slachtoffers* (Regulation concerning a victim-appropriate court environment). The Regulation provides instructions for separate waiting areas for suspects and victims and their family, and instructions on how the court's clerks should look after the victims. Next, within the court administration, written agreements on communication between the *Slachtofferloket*

(the police's victim information desk), the Court's clerks and the victim's lawyer, or the *Slachtofferhulp Nederland* employee, need to be in place. These arrangements provide instructions on how to communicate with the victim, and the execution of the arrangements within the premises. It must be stressed that, preceding the court session, it is the clerks'

task to inform the trial judge, the defence and the Public Prosecutor of the victim's presence. In turn, the clerk of the court must be informed by the Public Prosecution Office and the Court administration of the presence and needs of the victim, e.g. their wish to make use of the right to give a victim impact statement and to claim compensation.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

CASE STUDY: MEASURES AGAINST SECONDARY VICTIMISATION IN FRANCE

In France, the Ministry of Home Affairs adopted a charter laying out rules for the police on how to provide support to victims and to ensure that victims are recognised and

treated in a respectful, sensitive, tailored, professional and non-discriminatory manner. Additionally, at the initiative of the Ministry of Justice, in each Department of the French Republic, those referring victims of terrorism have been designated and trained in victim support to provide victims with a quicker and more considered response to their specific care needs.

Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- Leferink, S., Kool, R., Hinrichs, L., Sas, A. & Zuiderveld, E. (2019) VOciare National Report The Netherlands

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:

- 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 THE NETHERLANDS

The right to file a claim for compensation within the criminal procedure is laid down in Article 51f CCP:

Those who have suffered damages caused directly by a criminal offense, may adhere his claim for compensation in the criminal proceedings as injured party.

In the case of the demise of a victim, this right passes to the legal heirs (Article 51f (2) CCP).

The police are expected to determine a victim's wish to claim compensation at the beginning of the investigation. The Prosecution Office will do so later in the proceedings, by sending a wish-list (*Wensenformulier*) and compensation form, which is included in the court file, to the victim. Nevertheless, a victim is entitled to lodge such a claim orally as well at the actual court session, provided the claim is sufficiently substantiated and brought forward before the start of the Public Prosecutor's closing statements.

As of January 2019, the *Affectieschade* (non-pecuniary damage claimed by victims' relatives) can be claimed, in the context of both the civil and the criminal proceedings. The amounts are fixed, between € 12.500 and € 20.000 depending on the relation between the complainant and the victim, and the type of injury.

As a rule, when awarding a claim for compensation, the judge will simultaneously impose the *Schadevergoedingsmaatregel* (Compensation Order, Article 36f CC). This will give the victim the accompanying legal advantage of compensation to be executed via the State (CJIB – Central Fine Collection Agency) and the *Voorschotregeling* (State Deposit Fund, Article 36f (7) CC). If, within an eight months period, the CJIB cannot successfully collect the amount due from the offender, the victim is entitled to receive an advancement as part of the *Voorschotregeling*.

The decision on compensation claimed by the victim during the proceedings shall be pronounced at the final judgment in the criminal case, as referred to in Article 335 CCP.

Besides making a claim for compensation in the criminal proceedings, the victim may address the Violent Offences Compensation Fund (VOCF). When calculating the amount of compensation, the possibility of receiving compensation from other authorities, e.g. the civil court, will be taken into account. This means that victims can apply for compensation from the VOCF and file a claim for compensation in the criminal proceedings simultaneously. Compensation from the VOCF will be netted with an eventual compensation awarded by the court. To apply for compensation from the VOCF, the victim is not required to have reported the crime to the police, but a police report will help to substantiate the application. The maximum amount granted by VOCF is €35.000. Immaterial damages awarded to a victim by the court are settled with the VOCF.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

In France, between 24 and 48 hours after a terrorist attack, the Guarantee Fund for Victims of Terrorist Acts and Other Offences (FGTI) pays a provisional compensation sum

to cover immediate costs. Thereafter, and at the latest within one month from receiving a valid claim from the victim, the FGTI will pay out an initial amount with additional amounts paid based on costs incurred and foreseeable final damages. Additional types of harm such as anxiety have been recognised for compensation payment eligibility.

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
- Leferink, S., Kool, R., Hinrichs, L., Sas, A. & Zuiderveld, E. (2019) VOciare National Report The Netherlands

2. CONSIDERING PARTICULAR GROUPS OF VICTIMS

2.1 CROSS-BORDER VICTIMS

THE RIGHTS UNDER EU LAW

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

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

AN OVERVIEW OF RIGHTS IN THE NETHERLANDS

Compensation schemes

The Dutch Violent Offences Compensation Fund has an action plan which will launch a team of experienced employees to swiftly handle requests for compensation by victims and relatives after a terrorist attack. The group of possible beneficiaries will be expanded to include traumatised witnesses of mass victimisation. The Compensation Fund offers compensation for all victims of a terrorist attack that took place in the Netherlands, regardless of their nationalities, but no compensation is

offered to Dutch nationals who fall victim to a terrorist attack abroad. Additionally, it is also possible to join the injured party with a claim in the criminal proceedings.

Participation in criminal proceedings

The position of cross-border victims marks the need for intra-EU cooperation, expressed, amongst others, in the Strategic Agenda of 2015 presented to the Council of the EU. The Agenda supports the establishment of a European Victims' Rights Network, the Eurojust Regulation and the European Public Prosecutor's Office Regulation. Furthermore, we refer to multilateral agreements between the Member States, which aim to fight against (organised) crime. Almost none of these agreements fully focus on the rights of victims of cross-border crimes. However, a relatively recent exception is the bilateral agreement signed by the Netherlands and Ukraine concerning the attack on Flight MH17. This agreement ensures that, during the criminal proceedings in The Netherlands, all the victims involved will be part of the trial, irrespective of their nationality.

Translation of official documents

In the Netherlands, the provisions concerning the rights of victims do not formally make a distinction based on the nationality of the victim. These rights are of equal application to victims who are foreign nationals, or victims who reside in the Netherlands, but were victim of a criminal offence in another Member State. The relevant legislation foresees a series of measures (translation, advice) if the victim does not speak Dutch or is unable to understand the proceedings without help.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

The Netherlands has prepared a rapid response plan in case of a terrorist attack that includes access to medical and victim support services for victims of all nationalities.

In the event of a terrorist attack with foreign nationals among the victims, the Ministry of

Foreign Affairs will be the designated contact point for foreign authorities. The Ministry will receive information regarding foreign nationals from the police services and/or Veiligheidsregio's (safety regions) as quickly as possible and maintain close contact with the National Crisis Centre (NCC).

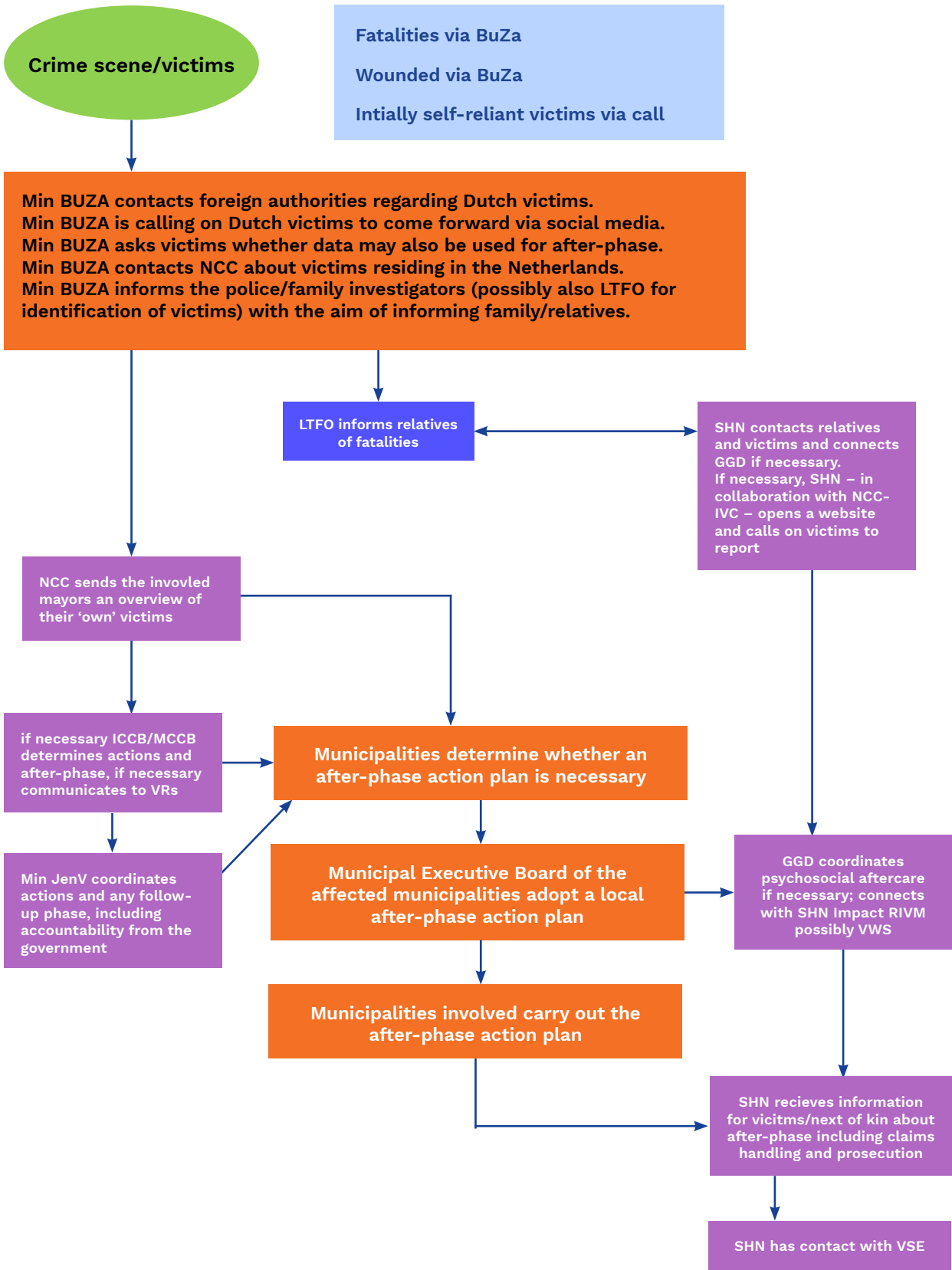
The flowchart below shows the crisis response structure if Dutch citizens are victims of a terrorist attack abroad:

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
- Leferink, S., Kool, R., Hinrichs, L., Sas, A. & Zuiderveld, E. (2019) VOCIARE National Report The Netherlands

PROCESSES VICTIM CARE TERRORIST ATTACK ABROAD



Attention point:

1. Ask victims for permission to use names for after-phase

Starting points:

2. In the Netherlands, work is done according to the National Crisis Decision-Making Handbook
3. Through NCC, municipalities and CDKs will be informed of the victims that are important to the parties (CDK = Commissioner of the King)

Concepts:

- B&W – burgemeester en wethouders: Mayor and Aldermen
- BZ – Bevolkingszorg: Population Care
- GGD – Gemeentelijke gezondheidsdienst: Municipal health service
- GHOR – Geneeskundige Hulporganisatie in de Regio: Medical Relief Organisation in the Region
- ICCB – Interdepartementale Commissie Crisisbesluitvorming: Interdepartmental Crisis Decision-Making Committee
- LTFO – Landelijk Team Forensische Opsoring: National Team Forensic Investigation
- Min BUZA – Ministerie Buitenlandse Zaken: Ministry of Foreign Affairs
- Min JenV – Ministerie Justitie en Veiligheid: Ministry of Justice and Security
- Min VWS – Ministerie Volksgezondheid, Welzijn en Sport: Ministry of Public Health, Welfare and Sport
- MCCB – Ministeriële Commissie Crisisbesluitvorming: Ministerial Crisis Decision-Making Committee
- NCC – Nationaal Crisiscentrum: National Crisis Centre
- OM – Openbaar Ministerie: Public Prosecution Service
- RIVM – Rijksinstituut Volksgezondheid en Milieu: National Institute for Public Health and the Environment
- RBT/GBT – Regionaal/Gemeentelijk Beleidsteam: Regional/Municipal Policy Team
- ROT – Regionaal Operationeel Team: Regional Operational Team
- Salvage Team – Bond van verzekeraars: Association of insurers
- SHN – Slachtofferhulp Nederland: Victim Support Netherlands
- St Arq – Psychotrauma Expert Groep: Arq Foundation, psycho-trauma expert group
- St Impact – Kennis en advies psychosociale zorg en veiligheid: Impact Foundation, knowledge and advice psychosocial care and security
- VR – Veiligheidsregio: Security Region
- VZ VR – Voorzitter Veiligheidsregio: Chairman of the Security Region
- VSE – Victim Support Europe

DISCLAIMER: Terrorist attacks come in a wide variety of forms, sizes, impacts and contexts. The role of the actors mentioned in this document is in many cases highly dependent on these variables. It is also relevant that in the case of incidents as referred to in this document, the consequences are primarily (and only) visible, and the question of whether a criminal offense has been committed can only be answered at a later stage. Moreover, it is only possible to speak of a terrorist incident if the act, motive and purpose are known. Until then, at most the 'suspicion of terrorism' can be expressed or an incident 'considered a terrorist incident'. A common interpretation of the incident that is known to all parties involved is essential and the basis for whether or not to take up roles and processes as referred to in this document.

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

CHILD VICTIMS OF TERRORISM – GOOD PRACTICE:

In France, child victims can become a civil party to the proceedings and be heard during hearings. Children heard by the authorities within police stations and gendarmeries are subject to a specific procedure: they are interviewed in special premises, for a shorter time than adults and by specifically trained

professionals. They are recorded in order to prevent the multiplication of unnecessary interviews.

With specific regard to child victims of terrorism, 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).

Further reading:



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

3. ORGANISING SUPPORT

3.1 PREPARATION AND ORGANISATION OF SUPPORT FOR VICTIMS OF TERRORIST ATTACKS

THE RIGHTS UNDER EU LAW

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

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

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

AN OVERVIEW OF RIGHTS IN THE NETHERLANDS

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

Slachtofferhulp Nederland has its own crisis management protocol, which has been discussed in the chapter on the crisis response structure in the Netherlands. Basic help is provided by the Red Cross, in cooperation with the Public Health Services (GGD). These services are coordinated by ARQ National Psychotrauma Centre, which in turn is mandated by the RIVM (*Rijksinstituut voor Volksgezondheid en Milieu* – National Institute for Public Health and the Environment).

Training

Professionals working with victims of terrorism rely on the *Multidisciplinaire Richtlijn psychosociale hulp bij rampen en crises* (Multidisciplinary Guideline psychosocial support during disasters and crises). This Guideline provides insights on the short- and long-term needs of victims of terrorism and other mass victimisation events.

CASE STUDY: TRAINING ON INTERACTING WITH VICTIMS IN GERMANY

In Germany, members of the Secretariat of the Federal Government Commissioner regularly

receive training on subjects such as interaction with traumatised victims, cultural sensitivity and updates on support offers. Furthermore, there is a regular ‘best-practice’ exchange with the representatives of the country’s central contact points and victim commissioners.

Emergency response phase – national perspectives or international good practices

A protocol has been developed with all organisations that play a role in victim support. In the short term, the police will provide first aid. The victim is then referred to Slachtofferhulp Nederland, who will provide support as quickly as possible, and for as long as necessary, unless there is a referral. If the victim then still needs help, they will receive it elsewhere or will be referred to another organisation.

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

The Dutch approach to the medium- and long-term phase is based on watchful waiting. The general belief is that most victims are very resilient and don’t require a lot of support in the long term. All victims are monitored by their general practitioner, who can refer them to psychotherapists if needed.

For Dutch victims of terrorist attacks in other countries, long term assistance and support is available in the Netherlands. However, there are no rules or regulations to ensure long term assistance and support for foreign nationals who become victims of a terrorist attack in the Netherlands. If foreign nationals become victims of a terrorist attack in the Netherlands, Slachtofferhulp Nederland can also support them.

Further reading:

- Process victim care after a terrorist attack
- Multidisciplinaire Richtlijn psychosociale hulp bij rampen en crises



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

AN OVERVIEW OF RIGHTS IN THE NETHERLANDS

Support services for victims of terrorism are immediately available after an incident. Local, regional, or national authorities closely cooperate with *Slachtofferhulp Nederland* after an attack. This structure is built up around five levels, called GRIP1 to GRIP5, which relate to the scale of the incident. Depending on the scale, the coordination lies with a local, regional, or the national authority. The practical procedures are recorded in the document *Proces slachtofferzorg na een terroristische aanslag* ('victim support process after a terrorist attack') of the Dutch National Coordinator for Security and Counterterrorism.

Slachtofferhulp Nederland is the first organisation to provide information and support to victims. If necessary, more specialised support is made available, e.g. psychological treatment (through the Dutch healthcare system) or legal support is provided by a lawyer. Medical treatment is provided for by the Dutch healthcare system (general practitioner, specialist, hospitals, etc.). In the case of large scale incidents, the Major Incident Hospital in Utrecht becomes operational.

THE NEEDS OF VICTIMS OF TERRORISM RELATED TO THESE RIGHTS



EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

Victims' associations

Peer groups are valued because of their understanding and shared experience of those involved. Peer groups can therefore provide support that is particularly beneficial to those

affected. These groups are largely formed spontaneously thanks to individual contacts between those affected, experiences they exchange and mutual support.

Certified psycho-trauma experts

One of the partners in delivering the EUCVT endeavour is ARQ, the Dutch National Psycho-trauma Centre. ARQ is the leading international institute of experts in the field of traumatic events and psycho-traumatology for individuals, organisations, and societies. In the Netherlands, ARQ plays an important role in coordinating support with the Public Health Services, which support victims after a terrorist attack.

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

Further reading:



- Slachtofferhulp Nederland
- Victim support process after a terrorist attack
- Major Incident Hospital

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](#)

