



# HANDBOOK

## ON VICTIMS OF TERRORISM

### HUNGARY

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

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# INTRODUCTION

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

The Victims' Rights Directive, together with provisions in the Counter-Terrorism Directive (Title V) and the Directive on Compensation, provide a general framework of rights for victims of terrorism. The Counter-Terrorism Directive goes beyond the Victims' Rights Directive to establish services supporting the specific needs of victims of terrorism. EU Member States are bound by these instruments, have the obligation to transpose them into national legislation and to ensure that they are correctly applied in practice. In doing so, each Member State must evaluate how to implement these provisions to ensure measures are appropriate to the specific situation and to national circumstances.

In Hungary there has been no significant history of terrorist victimisation. Nonetheless, due to the recent growing threat of terrorism, changes in policies and legislation have been introduced.

The Legal Aid Act (Act LXXX of 2003) and Victim Support Act (Act CXXXV of 2005) represent the legal framework for victim support and apply to victims of terrorism. Given that Hungary is a country of low terrorist threat, Hungarian nationals in other countries are more prone to fall victims to terrorism, if at all. In this respect, according to the information available to the Hungarian authorities, previous terrorist attacks that included Hungarian nationals as victims are:

- the Schwechat Airport attack in 1985 (three persons),
- the Lockerbie incident in 1988 (four persons),
- the London attack in 2005 (one person),
- the Munich attack in 2016 (one person),
- the Nice attack in 2016 (one person),
- the Berlin attack 2016 (one person),
- the Brussels attack in 2016 (two persons).

## 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
- **Hungarian legislation:**
  - 🌐 2005 Victim Support Act

# CRISIS RESPONSE STRUCTURE IN HUNGARY

In Hungary, the National Directorate General for Disaster Management, at the Ministry of the Interior, deals with the Crisis Response. In its planning, the Directorate appears to mainly focus on rescue and lifesaving interventions.

The Hungarian National Organisation For Rescue Services (*HUNOR Mentőszervezet*) is a Heavy Urban Search and Rescue team (HUSAR) and was established within the Directorate General for Disaster Management in 2012, in accordance with the UN International Search and Rescue Advisory Group Guidelines (INSARAG). It intervenes in the search of injured and deceased victims, in accordance with INSARAG Guidelines and Methodology, after a natural disaster or terrorist attack has occurred in Hungary.

The Counter Terrorism Centre (TEK) is a centralized authority under the control of the Ministry of the Interior. It is responsible for gathering intelligence and coordinating operations related to the fight against terrorism. It plays a special role in handling possible emergency situations and in the operational coordination of counter-terrorism activities. TEK may – upon a common decision by the Minister of the Interior and the Minister for Foreign Affairs – participate in rescue, repatriation or evacuation operations outside Hungary, to protect Hungarian citizens as well as to take part in rescue operations in Hungary.

## Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- Council of Europe Committee on Counter-Terrorism, Profiles on Counter-terrorism capacity

# TERRORIST ATTACKS

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

## Key characteristics

**Influential key characteristics include:**

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

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

## Scale

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

## Location

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

## Timing

In the case of multiple, related, terrorist attacks, the timing of any consecutive attack(s) has usually been within 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: 2004 MADRID ATTACKS

#### Scale

The Madrid train bombings were the deadliest terrorist attack in Spain: a total of 193 people from 18 countries were killed, another 2.000 were physically injured, and many more were affected psychologically.

#### Location

Several bombs were placed on 4 different trains: 10 exploded, while 3 others were subsequently discovered unexploded.

#### Timing

Around 7.40 am on 11 March 2004, multiple coordinated explosions took place.

#### Target groups and organisation

The judicial sentence adopted by the National High Court on 31 October 2007 confirmed that the attack had been committed by jihadist groups.

### Further reading:



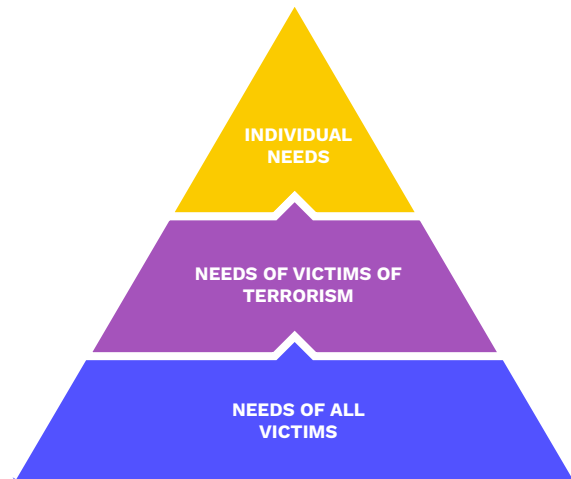
- Europol (2020) TE-SAT Report
- Institute for Economics and Peace (2019) Global terrorism index



# VICTIMS' NEEDS

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

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



## Layers of needs

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

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

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

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



## Needs of victims of terrorism

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

1. Recognition and respect: as victim of terrorism. *E.g. in Hungary the official certificate attesting the victim's status is issued by state Victim Support Services.*
2. Support: medical care, specialised psychological-trauma care, information, practical assistance, legal assistance, communication (media) support, peer support, etc. *E.g. In Hungary, support is provided as an integrated part of the general Victim Support Services.*
3. Protection: physical protection, protection from secondary victimisation.

4. Access to justice: safe participation in the criminal justice process. *E.g. In Hungary the definition of special treatment is regulated by the Criminal Procedure Act.*
5. Compensation and restoration: financial compensation and help with the financial impact of a terrorist attack. Restoration includes overall recovery and restorative justice processes. *E.g. In Hungary, victims of terrorism receive compensation from the general victims' compensation scheme.*

## Individual needs

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

## Further reading:



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

# 1. THE RIGHTS OF VICTIMS OF TERRORISM

## 1.1 VICTIM OF TERRORISM – DEFINITION UNDER NATIONAL LAW AND IMPACT

### DEFINITION UNDER EU LAW Victim of Terrorism

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

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

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

### Terrorist offence

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

### DEFINITION UNDER HUNGARIAN LAW Victim of Terrorism

According to Section 1 Subs (1) of the 2005 Victim Support Act, in Hungary a victim is a person who has suffered injuries (in particular bodily or emotional harm, mental shock or economic loss) following a crime on the territory of Hungary or as a direct consequence of a crime or a minor offense against property located in Hungary. In Hungary, the status of victim is reliant on legal residence status. Family members are not automatically recognised as victims, except with respect to compensation claims. Family members are entitled to access victim support services when they suffer harm as a direct consequence of a crime.

### Terrorist offence

The Criminal Code (Act C of 2012) penalises all offences foreseen in the Counter-Terrorism Directive. While listing the offences related to act of terrorism (terrorist act, failing to report a terrorist act, financing terrorism) the Criminal Code specifically considers the offender's intent and motive for the purpose of the final sentencing. Umbrella definitions in the Criminal Code ensure that any form of aiding and abetting of each terrorist offence is included.

## CASE STUDY: DEFINITION OF VICTIM OF TERRORISM UNDER FRENCH LAW

To keep the notion of victim as broad as possible, French law does not define the term ‘victim’ nor does it describe the types of victims. The concept of victims is used for topics related to compensation and responsibility: as per Article 2 of the French Criminal Procedure Code (CPC) on civil action, a victim is a person, who has been injured as a result of an event, which can be qualified as a criminal offence and entails the referral to criminal justice.

More specifically, with regard to the recognition as victim of terrorism under French law, after a terrorist attack the National Anti-Terrorist Prosecutor’s Office draws up a list of victims, including the deceased and injured, but unconscious persons. Other injured victims must be recognized by the Guarantee Fund for Victims of Terrorism and Other Offences (*Fonds de Garantie des victimes de terrorisme et d’autres infractions* – FGTI), which receives claims for compensation from all those, who consider themselves victims of terrorist

attacks, and on this basis completes the initial list. The FGTI is competent to decide whether these claims are admissible and if it refuses to compensate someone on the grounds that the person is not a victim of terrorism, the decision may be contested before the Compensation Judge for Victims of Terrorism (JIVAT), who will decide the matter. Based on both the Prosecutor’s Office and FGTI’s lists, the Ministry of Justice (*Service de l’accès au droit et à la justice* - SADJAV) draws up a “shared list” (*liste partagée*), which is then sent to all the actors involved in the accompaniment of victims of terrorism.

It is also worth noting that the Inter-ministerial Instruction on the assistance to victims of acts of terrorism of 11 March 2019 (*Instruction interministérielle relative à la prise en charge des victimes d’actes de terrorisme, Prime Minister, N°6070/SG*), in the notion of beneficiaries, includes persons having a family tie with the victim, who have the same rights as victims of terrorism.

## 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
- VOciare National Report Hungary
- 🌐 2005 Victim Support Act
- 🌐 Act C of 2012 on the Criminal Code
- VOciare National Report France
- *Fonds de Garantie des Victimes de Terrorisme et d'autres Infractions* (FGTI)

## 1.2 VICTIMS' RIGHTS TO RESPECT AND RECOGNITION

### THE RIGHTS UNDER EU LAW

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

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

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

### Identification of victims and information about victims

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

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

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

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

### Recognition

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

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

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

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

## Respect

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

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

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

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

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

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

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

## AN OVERVIEW OF RIGHTS IN HUNGARIAN LAW

### Recognition

State authorities, organisations or bodies may grant support and services on the condition that the person requesting such services is actually a victim. To ensure the affirmation of the victim status, the state-run victim support services must issue an official certificate. This certificate may be issued upon the request of the victim or ex officio. Support services provided by the non-governmental entity Fehér Gyűrű Közhasznú Egyesület are not conditional to the issuance of such certificate.

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



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

In Hungary, given the absence of terrorist attacks in the country, initiatives have been limited to commemorating attacks abroad.

### CASE STUDY: VICTIMS' REGISTRATION IN FRANCE

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

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

### CASE STUDY: PRACTICES IN SPAIN WITH REGARDS TO:

- **Identification of victims:** Bearing in mind that, in an event with a high number of victims, the recovery and identification of victims is key to being able to hold the judicial investigation, and return the victims' remains to the families in the shortest time possible, the Spanish Ministry of Justice has prepared a *Guide for Intervention and Identification of Victims* to help family members, professionals and experts involved in the management of the event.
- **Awards:** *The Royal Order of Civil Recognition of Victims of Terrorism* was created with the intention of honouring the deceased, injured or kidnapped in terrorist acts in Spain, relatives up to the second degree of consanguinity, and witnesses.
- **Commemoration:** 27 June has been declared the *Day of remembrance and homage to victims of terrorism* in Spain and since 2005, 11 March has been adopted as the *European Day of Remembrance of the Victims of Terrorism* to commemorate the Madrid bombings of 11 March 2004. On both days, the Spanish

Government promotes acts of recognition of victims of terrorism in coordination with associations, foundations and not-for-profit entities. The Victims of Terrorism Memorial Centre (*Fundación Centro para la Memoria de las Víctimas del Terrorismo*) is a state public sector foundation, affiliated with the Ministry of the Interior, set up to commemorate all Spanish victims of terrorism.

- **Monuments** create a physical place where victims can gather to share their individual loss with society. Victims were involved in the planning and development of the memorial monument at the El Pozo station, where 68 out of the 193 victims of the 2004 Madrid attacks died.
- **Honorary citizenship:** Following the 2004 bombings in Madrid, Spanish naturalisation laws were used to extraordinarily grant Spanish nationality to foreign victims of terrorism, to acknowledge their loss and pain. Some victims of the attacks in Catalonia have also obtained Spanish nationality by "letter of nature", an exceptional way to gain nationality.



## Further reading:



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

## 1.3 VICTIMS' RIGHTS TO ACCESS INFORMATION

### THE RIGHTS UNDER EU LAW

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

In Hungary, victim support is provided through a combination of state-run support services and those provided by civil society organisations. The state-run victim support system in Hungary is organised by the Ministry of Justice and rests on three pillars: the Victim Support Services, the Victim Support Centres, and the Victim Support Hotline. In Hungary, there are 20 regional Victim Support Services and 7 Victim Support Centres across the country providing immediate assistance, information on victims' rights, and available support, in addition to local authorities and organisations involved in victim support.

Several civil society organisations also provide both generic and specialist support to victims of crimes in Hungary. Some of them may be financed from the State budget. The Ministry of Justice is committed to opening further Centres in each and every county and to thereby build up a nation-wide network of Centres by the end of 2025.

The third, equally important pillar of the victim support system is the Victim Support Hotline (06 80 225 225), established and maintained by the Ministry of Justice.

The most recent amendment to the 2005 Victim Support Act, which entered into force on 1 January 2021, introduced the "opt-out system": the general investigating authority must inform victims of violent intentional crimes (e.g. victims of terrorism) of the various state services available to them. In addition, this authority, subject to the victim's consent, must relay victims' contact details to the responsible Victim Support Service, which shall arrange for the victim to be contacted and provided with relevant information within two working days after receipt of the victim's contact details.

Victim Support Services also produce and distribute informative leaflets among the investigating authorities and the local victim support service offices. These leaflets are translated into English and German, information from the victim support services is accessible to everybody online. Applications for victim support services may be sent, by post, to the Government Office, in any language (the costs of translation are borne by the state). While there are no regulations on cooperation between competent authorities or entities providing specialist support to ensure the effective access of victims of terrorism to such information, Victim Support Services cooperate, and are in contact with, state organisations (e.g. courts, prosecutors, consular services, etc.) as defined by the Victim Support Act in the performance of their tasks, as well as non-governmental

organisations and religious communities. The Ministry of Justice has completed several cooperation agreements with both state and non-governmental bodies, providing a formal framework for this cooperation.

Finally, the witness who is summoned to court may receive information from a “witness care provider”, a court clerk appointed specifically to provide information facilitating the witness testimony and court appearance.

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



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

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

Information can be divided into:

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

## Information centres

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

In Hungary, information on support services is available on the Victim Support hotline (06 80 225 225), established and maintained by the Ministry of Justice. This 24-hour, free-of-charge, line provides information to victimised citizens in both Hungarian and English. Upon receiving the call, the staff provides the most appropriate information about the incident, the problem, and the caller’s location, and directs the caller to the nearest local problem-solving body. It is important to note, however, that the Victim Support Line is not meant to be an emergency or hot-line number; victims, who wish to report the crime or need immediate assistance, should call the regular emergency service (112). Information on the support services is also available online.

According to Act C of 2003 on Electronic Communications, the provider of mobile radio and telephone services must cooperate with the National Directorate General for Disaster Management for the purpose of alerting and informing the public, in the case of an emergency, via SMS.

## PROVIDING INFORMATION IN CRISIS - INTERNATIONAL PRACTICE

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

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

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- VOciare National Report Hungary
- Information on support services in Hungary and <https://igazsagugyiinformaciok.kormany.hu/aldozatsegito-szolgalat> (in Hungarian)
- 🌐 'One-stop victims' information and declaration portal'
- 🌐 IAC Air Disaster Ukraine

## 1.4 VICTIMS' RIGHTS TO ACCESS SUPPORT SERVICES

### THE RIGHTS UNDER EU LAW

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

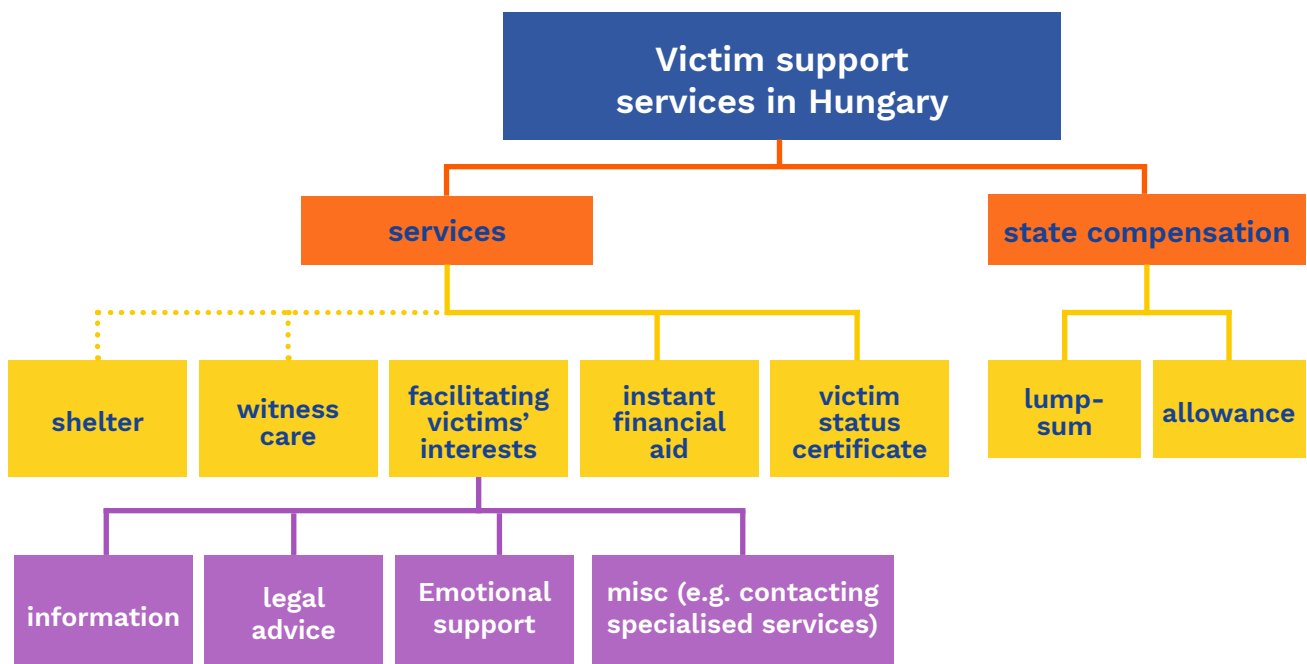
- Ensure victims' access to generic and specialist support services that are confidential, free of charge and easily accessible;
- Provide at least the following support to victims of terrorism: emotional and psychological support, assistance regarding compensation claims and provision of adequate medical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

- Facilitate referral of victims to support services by the competent authority;

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

### AN OVERVIEW OF RIGHTS IN HUNGARIAN LAW

Victim Support Services in Hungary according to the Victim Support Act (Act CXXXV of 2005):



In Hungary, services are provided as an integrated part of the general victim support services. There are 20 regional Victim Support Services and, currently, 7 Victim Support Centres. In the following fields, the services provided are immediately available for victims without means-testing and are free of charge:

- a. advocacy (information, legal advice, emotional support and other assistance to address the injury);
- b. immediate financial assistance;
- c. victim status certificate;
- d. witness support;
- e. sheltered accommodation;
- f. monetary compensation.

The work of the regional Victim Support Services is mainly administrative in nature, as they make official financial support and victim-status certificate issuance decisions. The main task of the Victim Support Centres is to provide a broad range of professional services, including emotional psychological support, the organisation and implementation of crisis intervention, referral and follow-up of victims, as well as a wide range of information and preventive activities through e.g. media events aimed at raising awareness on types of victims and their need of support. Victim Support Centres are not entitled to make official decisions, e.g. on instant monetary aid.

Hungarian law does not explicitly mention trauma support and counselling. In practice, however, Victim Support Services and Victim Support Centres employ psychologists who are available to provide emotional support to victims of crime. In addition, trained staff may be reached through a Victim Support Line (+36-80-225-225) which is available 24/7. The Victim Support Services take into account the victim's changed needs: after the initial individual needs' assessment, they will offer a service tailored to the victim's specific needs.

The right to medical treatment is available to victims of crime in Hungary. There is, however, no special body or organisation that specifically provide these medical services. Governmental authorities and Victim Support Services usually refer victims to the general health care services. According to the Victim Support Act, to ensure that the victim can access the most appropriate health service as quickly as possible, the Victim Support Service may conclude a cooperation agreement with a health service provider in its area of competence.

Access to support is dependent on obtaining the formal victim's status certification. This

certificate can only be issued by the State Victim Support Services. Application for the authorisation of Victim Support Services, and the submission of questions on certain non-administrative procedures related to providing information, emotional help, legal advice and any other practical help (so-called "soft services" in the Hungarian victim support system), can take place in any kind of manner and form. On request, the Victim Support Service and the Victim Support Centres provide help with filling in forms and submitting applications, and may refer victims to other organisations that also offer services.

Emergency financial assistance is available for victims with respect to the immediate costs caused by victimisation. In this case, the victim support service covers the victim's extraordinary expenses, directly related to housing, clothing, food and travel, as well as medical and religious services, up to the maximum amount (in 2021) of HUF 158.168 (cc. EUR 450), provided that the victim is unable to cover these expenses as a result of the crime or property violation. This emergency financial assistance does not affect the victim's right to further compensation.

Several civil society organisations (Cordelia Foundation, White Ring Association) also provide emotional support and they are often financed by the State budget.

Fehér Gyűrű (White Ring) provides material, psychological, legal and other means of support and assistance to individual victims of crime and generally represents victims' interests (through events, advocacy, lobbying and projects). The association has 19 offices countrywide (with special focus on tourist locations e.g. Lake Balaton). The head office building is owned by the association, all others are located in community premises, police stations, and with other partners (e.g. the Red Cross, law offices). The services of Fehér Gyűrű are free of charge: neither membership nor other criteria are necessary in order to receive support, other than being victim of a crime. The staff operates in more than a dozen offices across Hungary and, while the organisation employs professional staff, volunteers are heavily involved in the provision of services to victims of crime.

While in the past Fehér Gyűrű has received funds for their operations through government grants, more recently the Hungarian system redirected a part of their funding for civil society organisations to the direct provision of state services. However, State support is still available for general operations, professional tasks and projects carried out by civil society organisations.

## 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. In Hungary, the Victim Support Service will always take into account the victim's changed needs, and after assessing their individual needs, it will offer a service tailored to these specific needs.

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

### CASE STUDY: ORGANISING SUPPORT IN SPAIN

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

The Medical Advisory Board categorises the injuries by evaluating the permanent consequences of the damages: disabilities, permanent non-disabling injuries, or psychological damages. From the first interaction, public Victims of Terrorism (VoT)

assistance mechanisms aim at facilitating victims' recovery from such consequences.

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

## Victim assistance centres

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

In 2020, the Hungarian Government and the Ministry of Justice set various objectives to enhance the support provided to victims of crime. Firstly, four Victim Support Centres opened in Budapest, Miskolc, Szombathely and Pécs. Subsequently, two new Centres opened in Szeged and Kecskemét in December 2020, and a new Centre recently opened in Veszprém in July 2021. The Ministry declared its commitment to open further Centres in each and every county, aiming to create a nation-wide network of Centres by the end of 2025.

These new Victim Support Centres aim at implementing an holistic approach by providing practical, psychological and financial support tailored to the needs of victims. The support ranges from emotional assistance by a psychologist, to organizing and conducting an actual crisis intervention, guiding and following up with victims, to sharing a wide range of information and conducting prevention activities suitable to the needs of victims. It is important for the Centres to focus on groups of victims with special needs, including victims of terrorism. The staff of the Centres also performs coordination tasks, to facilitate victims' access to various services.

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

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

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

## Central contact point within government

In December 2020, Hungary indicated to the EU Council that discussions concerning the nomination of a national single contact point for victims of terrorism are still ongoing.

The Hungarian Ministry of Justice is a member of the Contact Point Network for the Protection of Victims of Terrorist Acts set up by the Council of Europe and the United Nations.



## GOOD PRACTICE: OTHER TYPES OF SUPPORT IN FRANCE

- The ONAC-VG (“*Office National des Anciens Combattants et Victimes de Guerre*”) recognizes the victims of terrorist attacks as war-wounded and provides for their life-long care, financial, educational, and professional help.
- In 2016, a local oversight committee for victims of acts of terrorism (*Comité Local d’Aide Aux Victimes, CLAV, as of 2017*) was created at the level of the Departments of the French Republic. The committee coordinates all local actors involved in victim assistance to ensure the best possible support to victims of terrorism. For example, the Strasbourg CLAV meets at least once a year to ensure that the needs of victims of the 2018 Strasbourg attack are taken care of, and to discuss any difficulties that victims may face individually. The DIAV oversees the development and activities of all local-level committees.
- The inheritance of those, who died because of an act of terrorism, is exempt from tax.
- Specific health insurance coverage, entailing free care for the length of the convalescence, applies to victims of terrorism.

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- VOciare National Report Hungary
- VSE (2018) Behind the Scenes: Family Reception Centre set up for the Victims of the Strasbourg Christmas Market Shooting
- ⊕ Spanish Ministry of Interior – Directorate General of Support to Victims of Terrorism
- ⊕ Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide

## 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 HUNGARY

In Hungary, a victim can participate in the proceedings as a civil claimant, an aggrieved party, or as a substitute private prosecutor. According to the 2017 Criminal Procedure Act, the injured party shall be entitled to be present at the legal proceedings to make motions and objections at any stage of the procedure and can ask questions whenever s/he is present, make oral arguments before the court and complete a victim impact statement.

Under the Hungarian legal system, victims are obliged to give testimony, with few exceptions to this rule. According to the Criminal Procedure Act, any person who may have knowledge of the fact to be proved may be examined as a witness and unless an exception is made by this Act, a witness shall be obliged to give evidence. There are obstacles to testifying: prohibition of

giving evidence and refusal to testify. Defence counsel, members of a religious association etc. are prohibited from giving evidence, a relative of the accused may refuse to testify. Victims of terrorism have no further rights in relation to the obligation to provide testimony.

Victims of terrorism are automatically granted free legal aid, regardless of their income and financial situation. The capital and county Government Offices, as victim support services, refer victims to attorneys that are contracted by the Government Offices but not employed by them. These lawyers have private practices and they provide their services for a fee which, in the case of victims of a terrorist offence, is covered by the State budget. Moreover, the Hungarian Helsinki Committee may provide legal aid to victims of any crime. Being a civil society organisation, the Hungarian Helsinki Committee and Fehér Gyűrű has its own lawyers as well as some professionals who are contracted to provide legal aid support to victims.

With regards to the right of reimbursement of expenses, until the proceedings are terminated, costs must be prepaid by the victims, except for the costs incurred in connection with their appearance as a witness. If victims wish to actively participate in the criminal proceedings and execute their rights, they must have access to all related documents. However, until 1 July 2018, victims had to pay for copies of any relevant documents. According to the Act XCIII of 1990 on Fees, in criminal proceedings victims may receive gratis a single copy of a procedural act at which they were, or could have been, present as well as a copy of the record of the accusation's oral or written report.

## 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 those involved.

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

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

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

mass media representatives, who reported on the trial.

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

### Public inquiries

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

## INTERNATIONAL EXAMPLES OF PRACTICAL APPLICATION

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

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

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

### Further reading:



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

## 1.6 VICTIMS' RIGHTS TO PROTECTION: PHYSICAL AND PRIVACY

### THE RIGHTS UNDER EU LAW

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

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

### AN OVERVIEW OF RIGHT TO PROTECTION IN HUNGARY

Hungarian law provides protective measures that pay attention to the risk of intimidation and retaliation, and to the need to protect the dignity and physical integrity of the victims. The individual assessment of victims, including victims of terrorism, is conducted by the State Victim Support Services and Victim Support Centres.

The 2017 Criminal Procedure Act includes detailed provisions on the special treatment granted to vulnerable victims. According to Section 81 Subs (1), the victim and the witness qualify as persons requiring special treatment if, owing to their personal characteristics or the nature and circumstances of the crime subject to the proceedings, they are impaired either in

understanding or making themselves understood, in exercising their rights or performing their obligations, or in their efficient participation in criminal proceedings.

Circumstances giving rise to special treatment include age, physical, mental or health conditions of the person concerned, the extremely violent nature of the act, which constitutes the subject-matter of the proceeding, or the relationship of the person concerned with others involved in the criminal proceedings.

Section 85 of the Criminal Procedure 2017 provides law enforcement agents with a list of measures falling within the scope of special treatment. According to the new law, the court, the public prosecution service and the investigating authority shall assist vulnerable victims entitled to special treatment through the following measures, as much as reasonably possible:

- ensure that the person concerned can exercise their rights and perform their duties notwithstanding the impediments resulting from the circumstances giving rise to special treatment;
- take the utmost care while maintaining contact with the person requiring special treatment;
- take the utmost care during the criminal proceedings to ensure the privacy of the person concerned;
- provide enhanced data protection in relation to personal data and the circumstances giving rise to special treatment (in particular medical data);
- facilitate the concerned person's access to assistance by a support person;
- when planning and performing procedural acts, take into account personal needs and carry out any procedural act requiring the participation of the person concerned without delay;

- prepare any procedural act requiring the participation of the person concerned in a manner that minimises its repetition;
- ensure that the person concerned will not encounter any other person involved in the criminal proceedings in the course of, and at the location of, the procedural act unless absolutely necessary, especially if the reason for special treatment stems from the particular relationship with that specific person;
- carry out the procedural act in a facility designed or adapted for that purpose, provided that the persons concerned could not exercise their rights or fulfil their obligations and insufficient care would be provided for them otherwise or through other measures;
- allow audio-visual recordings of any procedural act requiring the participation of the person concerned;
- ensure the presence of the person concerned at the procedural act through telecommunications devices.

Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information (the Info Act) states that all data in relation to any criminal proceedings (e.g. victim status) must be protected as sensitive personal data. Confidentiality of sensitive personal data is ensured under Article 4 of the Info Act.

There is no available evidence of media-based self-regulatory measures for reporting on crimes, specifically with regard to victims.

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



### EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

#### Government and the media

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

To make communication more manageable, state authorities can proactively approach the

media in the aftermath of a terrorist attack. However, to make the best of the relationship, communication frameworks should be defined, key messages prepared, and the timing of press releases coordinated.

There must be a balance between respecting the privacy and needs of victims and their relatives, and informing the public through media channels. Information from government sources must respect the dignity and security of victims, particularly children. Secondary victimisation must be avoided. In the medium- to long-term, personalised information should be made available to victims and relatives prior to a formal report being made publicly available through media channels.

## Victims and the media

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

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

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

According to the 2010 Act CLXXXV on media services and mass media in the event of an emergency state, if there is a preventive defence situation, terrorist threat, unexpected attack or emergency, the Parliament, the Defence Council, the President of the Republic and the Government, as well as other persons and bodies defined by law, may, to the extent necessary and in accordance with the situation, oblige the media service provider to publish, free of charge, public interest announcements related to the existing situation in the form and at the time they determine, and may prohibit the publication of certain announcements and programmes.

## GOOD PRACTICES OF WORKING WITH THE MEDIA IN SPAIN AND FRANCE

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

privacy, as well as with recognition of the pain of their relatives.

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

### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- UNESCO (2017) Terrorism and the Media: A handbook for journalists
- BBC: Belgians tweet cat pictures during #BrusselsLockdown
- Act XC of 2017 on criminal proceedings
- VOCIARE National Report Hungary
- *Manual del Estilo de RTVE* (in Spanish)
- CSA, Précautions relatives à la couverture audiovisuelle d'actes terroristes (in French)

## 1.7 VICTIMS' RIGHTS TO PROTECTION: SECONDARY VICTIMISATION

### THE RIGHTS UNDER EU LAW

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

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

### Causes

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

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

### Solutions

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

### AN OVERVIEW OF RIGHT TO PROTECTION FROM SECONDARY VICTIMISATION IN HUNGARY

See above in subchapter 1.6, in the section on rights in Hungary.

The 'National Crime Prevention Strategy 8.3.2.A-B' handbook and related training materials prepared by the Office of Justice have been used to train victim support staff and police officers on how to engage with victims in order to avoid secondary victimisation.

In addition, according to Section 97/A of the 2018 Act CXXV on Government Administration, State victim support officials are required to pass an exam within 2 years of the start of their employment, on topics such as the legal framework of victim support, trauma management, crime prevention, victimology, social law, criminal law, mediation, child protection, document management and data protection.



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



### EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

#### CASE STUDY: DEVELOPMENT OF GUIDANCE TO AVOID SECONDARY VICTIMISATION

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

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

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

#### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- VOciare National Report Hungary
- <https://jogakademia.gov.hu/>
- 🌐 Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide, also available on the [Spanish Ministry of Interior’s website](#)

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

### THE RIGHTS UNDER EU LAW

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

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

### AN OVERVIEW OF RIGHTS IN HUNGARY

In Hungary, victims of terrorism receive compensation from the general victims' compensation scheme.

As of 1 January 2021, state compensation is accessible regardless of the victim's income/financial situation and the maximum amount for compensation has been fixed at HUF 2.372.520 (cc. EUR 6.778). In order to determine the compensation amount, the actual damage (all billable costs incurred as a result of the crime) and the causal link to the crime must be proven

in all cases. The sum of state compensation can be in the form of a lump-sum payment, if it aims at compensating pecuniary damages, or as regular monthly instalments, if it aims at compensating the diminution of regular income.

The application form to request state compensation must be submitted to any Government Office within one year after the crime has been committed. The office helps victims to complete the form and transmits it to the ruling authority, the Government Office of Budapest.

The following persons are entitled to apply for state compensation:

- victim of a violent intentional crime against person, whose physical integrity and health were severely damaged;
- direct relative, adoptive parent or foster parent, adopted or foster child, spouse, life partner living in the same household as the injured or deceased victim at the time of the offense;
- person that the injured or deceased victim was or is obliged to support on the basis of an enforceable court or official decision or a valid contract;
- person who has provided for the burial of the victim who died as a result of an intentional violent crime against a person.

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



### EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

Hungarian law does not differentiate between different victim groups; accordingly state compensation is provided by law to all victims of intentional violent crimes. The application procedure is free of charge and the victims can provide preliminary quotations, in addition to invoices, to prove any harm or damage suffered.

#### CASE STUDY: FUNCTIONING OF THE COMPENSATION SCHEME IN FRANCE

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

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

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

## Further reading:



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

# 2. CONSIDERING PARTICULAR GROUPS OF VICTIMS

## 2.1 CROSS-BORDER VICTIMS

### THE RIGHTS UNDER EU LAW

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

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

### AN OVERVIEW OF RIGHTS IN HUNGARY

With regard to access to information, victim support services publish leaflets (also in English and German) and distribute them among investigating authorities, and the local victim support service offices make the information accessible to everybody online.

Other support services (e.g. instant financial aid, legal aid, state compensation) are available to persons who have become a victim on Hungarian territory and are: Hungarian citizens, EU nationals or those legally residing in the territory of the EU, stateless persons lawfully

residing in Hungary, victims of human trafficking, and any other person deemed eligible by virtue of international treaties concluded between their respective states and the Republic of Hungary, or on the basis of reciprocity. A citizen of the European Union or a Hungarian citizen living in Hungary who has become a victim of a crime during his/her legal stay abroad is also entitled to victim support service. Nationals of other EU Member States are entitled to victim support services for the full duration of their stay in Hungary, under the same conditions as for Hungarian nationals. No practical implementation measures have been identified.

In line with the above, the following groups of persons would not receive support services: victims of crime committed in Hungary whose residence status is irregular and non-EU nationals legally residing in Hungary but who were victims of crime abroad. Due to the minimal experience the country has had with victimisation abroad, it is not possible to confirm if support would be, in practice, available to those victims.

### Compensation schemes

See above in the section on rights in Hungary. Regarding Hungarian victims abroad, the law does not guarantee financial support to family members, for example, in the return of remains to Hungary. However, assistance may be provided to arrange funeral details abroad.

### Participation in criminal proceedings

Witnesses (including victims) must appear in court when summoned. However, victims residing abroad can request that previously provided testimony is read out at court.

## Translation of official documents

Applications for victim support may be sent by post to the Governmental Office, in any language, and the costs of translation are borne by the state.

Regarding the right to interpretation and translation, the 2017 Criminal Procedure Act confirms that participants in criminal

proceedings (including victims and defendants) are entitled to the right to use their national language and should not be discriminated against if they do not speak/understand Hungarian. The translation of decisions and other official documents is the responsibility of the court, prosecutor or investigating authority that has adopted the decision or issued the official document.

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



## EXAMPLES OF NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

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

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

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

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

## Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- VOciare National Report Hungary
- Information on support services in Hungary and <https://igazsagugyiinformaciok.kormany.hu/aldozatsegito-szolgalat> (in Hungarian)

## 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 PRACTICE

### Children as direct victims

Co-operation between generalist and specialised services is mandatory whenever child victims are involved. Section 135 Subs (7) of the Child Protection Act 1997 authorises the guardianship offices and child welfare services to forward the child victim's sensitive personal data (related to the crime suffered) to the state victim support service.

Assistance to child victims of crime, who are regarded as particularly vulnerable victims, is provided on the basis of a child-friendly protocol: "patron rooms", designed, furnished and equipped in such a way to accommodate a victim's needs, are available in the Victim Support Centers to ensure that the child is heard in a safe, confidential environment, facilitating the provision of psychological assistance.

The Victim Support Service performs tasks arising from the use of a "signalling system". In this framework, various institutions (e.g. health care providers, public education institutions, the police, the prosecutor's office, the court, the probation service, victim assistance, and compensation organizations) are obliged to notify the body responsible for child protection when they become aware of a minor's vulnerability and, when the circumstances seriously endanger the minor's life and physical integrity, the Victim Support Service shall initiate guardianship proceedings in conjunction with the notification.

With regards to judicial proceedings, audio-visual recordings of hearings are always obligatory for those under the age of 14, who cannot choose to give their statement in person. Anyhow, if the child is under the age of 14, he/she may be heard by an investigating judge prior to the trial; in such a case, the child will not be summoned to the trial. Investigating judges are encouraged (but not obliged) to conduct such hearings in child-friendly chambers, when available.

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

#### GOOD PRACTICE

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

#### Further reading:



- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- VOciare National Report Hungary
- Charte protection de l'enfant dans les medias (in French)

## 3. ORGANISING SUPPORT

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

#### THE RIGHTS UNDER EU LAW

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

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

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

#### AN OVERVIEW OF RIGHTS IN HUNGARY

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

In Hungary, the National Directorate General for Disaster Management at the Ministry of the Interior regulates the crisis response. Within this framework, regardless of whether the event is a natural disaster or a terrorist attack, search and rescue operations for those injured are carried out.

The Hungarian National Organisation For Rescue Services (HUNOR *Mentőszervezet*) is a Heavy Urban Search and Rescue team (HUSAR) established within the Directorate General for Disaster Management in 2012, in accordance with the UN International Search and Rescue Advisory Group Guidelines (INSARAG). It intervenes in the search of injured and deceased victims, in accordance with INSARAG Guidelines and Methodology, after a natural disaster or terrorist attack occurs in Hungary. To ensure the continuous development of qualified HUSAR teams, the guidelines are reviewed every five years and are also published in English. The HUNOR rescue organisation, with 76 participants, took part in an international, complex, disaster management cooperation field exercise in the London area in March 2016, based on urban search and rescue exercises according to the UN INSARAG Guidelines. The scenario of the exercise was based on the events of the 2005 London attack.

## Training

Preparatory training has been organised, and provided, by the Legal Academy of Justice Services (*Igazságügyi Szolgálatok Jogakadémiája*) since 2015. Training is available to victim support officials, legal aid officials, probation officers, bailiffs and others. NGO victim support services supply internal training for their employees and volunteers.

## EMERGENCY RESPONSE PHASE – NATIONAL PERSPECTIVES OR INTERNATIONAL GOOD PRACTICES

In the immediate aftermath of a terrorist attack, victims of terrorism are granted the following assistance and support services:

- Emergency medical care;
- Access to Victim Support Centres providing psychological assistance and psychological crisis intervention;
- Financial compensation.

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

During the medium/long term, Victim Support Centres provide the following services to all victims:

- advice and information on their rights, duties, and options;
- legal advice and practical assistance;

- assistance of a lawyer, if necessary;
- issuance of a certificate attesting the victim status;
- instant monetary aid in crisis situations (covering extraordinary costs for housing, clothing, food, travelling, medicine);
- facilitate access to protected shelters provided by the National Crisis Management and Information Helpline (*Országos Kríziskezelő és Információs Telefonszolgálat, OKIT*);
- facilitate access to witness care provided by the court;
- State compensation.

The Hungarian Ministry of Justice is an active member of the Contact Point Network of Terror Victims, established by the Council of Europe and the United Nations, in addition to the Contact Point EU-Network of State Compensation, the Victim Support Europe and the European Network on Victims' Rights (ENVR). By participating in these networks, the Ministry of Justice aims to ensure cooperation with other Member States in the exchange of information that may benefit victims of terrorism.

In addition, Hungary participated in the 2017 Joint Statement of representatives of a group of EU Governments whereby States encouraged the pooling of national resources by establishing, for instance, a single authority responsible for steering and coordinating the various emergency services, for accompanying victims on a long-term basis, as well as suggesting the creation of a single European clearinghouse, a unique telephone number, and a single internet portal.

## Further reading:



- German Presidency Report (2020) State of play regarding support to victims of terrorism, particularly in cross-border situations
- 🌐 Joint statement of the representatives of the Governments of Belgium, the Czech Republic, France, Greece, Hungary, Italy, Spain and Romania, Guidelines for assistance to victims of terrorism, 10 March 2017.
- VOciare National Report Hungary

## 3.2 ORGANISATION OF SUPPORT FOR VICTIMS OF TERRORISM

### THE RIGHTS UNDER EU LAW

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

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

In Hungary, victim support is provided through a combination of state-run support services and those provided by civil society organisations. The state-run victim support system in Hungary is organised by the Ministry of Justice and rests on three pillars: the Victim Support Services, the Victim Support Centres, and the Victim Support Hotline. In Hungary, there are 20 regional Victim Support Services and 7 Victim Support Centres across the country providing immediate assistance, information on victims' rights, and

available support, in addition to local authorities and organisations involved in victim support.

The regional Victim Support Services and the Victim Support Centres across the country offer immediate assistance and information, also accessible via free hotlines, on victims' rights and emotional, legal, practical and instant financial support in crisis situations. Police officers must both verbally inform victims of the availability of support organisations, and physically hand over a victim support leaflet.

The most recent amendment to the 2005 Victim Support Act, which entered into force on 1 January 2021, introduced the "opt-out system": the general investigating authority must inform victims of violent intentional crimes (e.g. victims of terrorism) of the various state services available to them. In addition, this authority, subject to the victim's authorization, must transmit their contact details to the responsible Victim Support Service, which shall arrange for the victim to be contacted and provided with relevant information within two working days of receiving the victim's contact details.

It should be noted that an official victim status certificate is necessary in order for victims to benefit from support; the certificate can only be issued by the state Victim Support Services and is, exclusively, valid during the criminal proceedings.

On request, the Service provides help with completing forms and submitting applications to refer victims to other support organisations.

The state victim support network is reinforced by civil society organisations whose work is complementary to the state support, as they can help reach more victims, in particular those who might prefer not to report the crime.

## 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.

There is no association specifically addressing victims of terrorism in Hungary.

Fehér Gyűrű Közhasznú Egyesület is the only non-governmental provider of generalist victim support, other NGOs provide more specialised support.

While NGOs rely predominantly on public funding, the Hungarian system is mainly driven towards governmental services.

Victim Support Services co-operate and liaise with state organisations (e.g. courts, prosecutors, consular services, etc.) as defined by the Victim Support Act in the performance of their tasks, as well as non-governmental organisations and religious communities. The Ministry of Justice has a number of cooperation agreements with state and non-governmental bodies, providing a formal framework for this cooperation.

#### Certified psychotrauma experts

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

Although in practice Victim Support Services and Victim Support Centres in Hungary employ psychologists, who provide emotional support to victims of a crime, Hungarian law does not explicitly mention trauma support and counselling.

## GOOD PRACTICE: PSYCHOSOCIAL SUPPORT IN SPAIN AND FRANCE

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

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

### Further reading:



- VOCIARE National Report Hungary
- Ivanković, A., Altan, L., Verelst, A. (2017) How can the EU and Member States better help victims of terrorism?
- 🌐 Vicente Colomina, Aída de (2019) Victims of Terrorism Quality Assistance Guide
- 🌐 National Center for Resources and Resilience (CN2R)

## 4. EUCVT

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

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

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

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

### Website

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

### Experts

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

### Contact details

[eucvt@victimsupporteurope.eu](mailto:eucvt@victimsupporteurope.eu)

### Further reading:

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

