

Arantza Mota

Panel I

In response to the recent terrorist attacks in Europe and to promote the need to provide immediate, effective and coordinated assistance to victims of terrorism, the Association of Victims of Terrorism decided to develop the European Platform to Assist Victims of Terrorism. This project that has been launched thanks to the financing of the DG Justice of the European Union is founded on the urgent need to develop an ONLINE one stop office where victims of terrorism in Europe would obtain all required information on assistance and support.

We thought it was very necessary to get to know the professionals that would be able to assist victims of terrorism in the different European countries if required. We thought it was relevant to help lay the foundations for cooperation among associations, institutions and competent professionals in all member countries. With this idea in mind Avt organizes the international seminar on “Providing effective assistance to victims of terrorism”. We have achieved a very wide representation of at least 12 European member countries, representatives of both long-standing associations and unfortunately associations of recent creation, born to meet the needs of the victims of the latest attacks, such as Life for Paris in France and the Belgian association, AVT.

We believe that these initiatives (the platform and the seminar) are very timely because the Directive on Combating Terrorism, 2017/541 was approved in the month of March. For the first time a European Directive foresees that Member States must adopt measures of protection, support and assistance responding to the specific needs of victims of terrorism. Let us remember that a Directive is a normative provision of Community law that binds the States of the Union in the achievement of concrete results within a determined period. Member States must comply with this Directive by 18 months after the date of its publication, that is next month of September 2018.

With this Directive the European Union seeks to harmonize the various legislation in force in the Member States. The differences are, of course, due to the fact that States

have had very different experiences in the field of terrorism in their recent history. This experience often affects the understanding of the phenomenon of terrorism with a direct impact on the way in which the State recognizes and guarantees the rights of victims of terrorism in a manner different from those of victims of other crimes. Not all legislations contemplate the particularly serious nature of the crime of terrorism. Not all warn that "when terrorism strikes democratic societies, it causes victims to destroy the State and its institutions, affecting the coexistence in peace and freedom." No Member State understands as Spain understands that for this reason the victims of terrorism deserve an integral recognition and protection as contained in the Spanish Law 29/2011.

In addition to expanding the list of offenses that States will have to classify as terrorist offenses, the Directive introduces a special novelty: for the first time, a European Union legislative provision urges Member States to adopt measures of protection, support and assistance which respond to the specific needs of victims of terrorism. At the same time, it incorporates the definition of "victims of terrorism" by clarifying the status of victims' relatives who are assimilated to direct victims and can benefit from the same rights.

In particular, Articles 24 and 25 of the Directive recognize victims' rights to assistance, support and protection immediately after the terrorist attack and for as long as necessary. It includes, among others, emotional and psychological support, the right to information and advice on any legal, practical or financial matters, assistance with regard to compensation claims and the approval of protocols allowing the activation of such services . It is very important to emphasize that Member States will have to ensure that victims of terrorism have access to long-term support services in the Member State of residence, even if the offense of terrorism is committed in another Member State.

During these two sessions participating experts will explain how these rights are treated or treated in their national systems and will propose mechanisms for cooperation between institutions, associations and professionals from different States.

The terrorist attacks that are being committed in Europe are targeted at citizens of many nationalities who already require assistance and support. Co-operation between States should be coordinated as soon as possible so that victims of terrorism residing in a Member State other than that in which the crime was committed have effective access to the rights recognized by the Directive.

This seminar is one of the activities carried out by the AVT at the international level to defend the rights of victims of terrorism within international organizations advocating for an international statute and to raise awareness among the institutions and the international public about the particularly serious nature of the crime of terrorism.