Victims of terrorism

The European Day of Remembrance of Victims of Terrorism has been established as 11 March each year, marking the Madrid bombings in 2004. The protection of victims of terrorism constitutes an essential part of the EU’s action to address all dimensions of the terrorist threat. Following the wave of terror that has hit Europe in recent years, rules and sanctions related to terrorist activities have been strengthened, while better protection and support to victims of terrorism is being ensured through action at EU level.

Background
Since 2002, the EU has developed the basis for European legislation aimed specifically at combating terrorism, recognising that victims of terrorist offences are vulnerable and therefore specific measures are necessary to protect them. The European Union’s 2005 Counter-Terrorism Strategy underlines that solidarity, assistance and compensation of victims of terrorism and their families constitute an integral part of the response to terrorism, at both national and European levels. In 2010, the Stockholm Programme called for examination of how EU legislation for the protection of victims of crime, in particular victims of terrorism, could be improved. To this end, an integrated and coordinated approach has been developed, through the April 2015 European Agenda on Security, which sets out a comprehensive counter-terrorism strategy that further enhances the protection of victims, regardless of where in the EU a terrorist attack has taken place.

Legal framework
Victims of intentional and violent crime have the right to access national compensation schemes under the April 2004 Council Directive (2004/80/EC) relating to compensation to crime victims. As terrorist attacks qualify as such intentional and violent crime, victims can trigger the application of the EU-wide compensation scheme in situations where the attack was committed in an EU country other than the victim’s country of residence.

The October 2012 Directive (2012/29/EU) on victim’s rights recognises that victims of terrorism may need special attention due to the particular nature of the crime they had to face. A victim of terrorism is a natural person who has suffered harm, including physical, mental and 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. Member States should therefore take particular account of their needs by protecting their dignity and security.

Directive (EU) 2017/541 from March 2017 on combating terrorism introduces measures of protection and assistance for victims, such as the right to immediate access to medical and psychological support and information on any legal, practical or financial matters. The directive strengthens the emergency response mechanisms to assist victims of terrorism, immediately after a terrorist attack and for as long as necessary. In particular, EU Member States must ensure that victims of terrorism who are residents of an EU country other than that in which the terrorist offence was committed have full access to support services and compensation schemes available in the country.

Co-legislators’ positions
Council of the European Union
In its conclusions on victims of terrorism of May 2018, the Council encourages cooperation between the authorities in charge of protecting the victims of terrorism, in order to facilitate the rapid exchange of information and assistance in the event of a terrorist attack. To meet this objective, the Council invites the EU Member States to nominate contact points at national level in order to share information and build synergies with existing EU structures, such as the European Network on Victims’ Rights, the European Judicial Network (EJN), Eurojust, Europol and crisis management networks.
European Parliament

In May 2018, the European Parliament adopted a resolution on the implementation of Directive 2012/29/EU, it emphasised the specific nature of the victims of terrorism, who fall into a distinct category of victims and have specific needs. It called on the European Commission to propose a specific directive on the protection of victims of terrorism. It also encouraged the Member States to provide adequate information and free legal aid to those victims who are also parties to criminal proceedings, in order that they may obtain applicable compensation.

Likewise, the Special Committee on Terrorism (TERR), established in 2017, called on the Commission, in its November 2018 final report, to put forward a legislative proposal on the victims of terrorism that effectively tackles victims’ needs in the short and long term, including a common definition for the status of ‘victim of terrorism’. In its resolution of 12 December 2018 on the findings and recommendations of the TERR committee, the European Parliament requested the Commission to launch a dialogue with the Member States in order to reduce the large disparities existing in the level of financial compensation granted at national level to victims of terrorist attacks. Moreover, it urged Member States to effectively transpose the provisions set out in Directive 2012/29/EU on victims’ rights and Directive (EU) 2017/541 on combating terrorism.

Finally, both the Council and the Parliament have repeatedly called on the Commission to establish an EU Coordination Centre for victims of terrorism (CCVT), which would be a hub of expertise, guidance and support in cases of attacks in a Member State. In March 2018, the Commission committed to have the centre ‘up and running in 2019’.

Among proposals to improve the situation of victims of terrorism, the European Parliament has called on the Member States to:

- Provide specific training for professionals of all relevant national services responsible for assisting the victims of terrorist acts.
- Create coordinated mechanisms for collecting information on the victims of terrorist attacks taking place in their territory, to provide assistance in line with their specific needs.
- Establish a web portal and emergency telephone line at national level, giving access to confidential, free-of-charge and easily accessible support services.
- Establish a coordination centre in the event of a terrorist attack, which includes services such as specialist emotional support, vocational rehabilitation to help victims to find new jobs or change careers, and the facilitation of safe virtual connections with other victims.
- Complement the assistance provided to victims with measures such as cash advances to help cover immediate expenses, childcare and home support, tax relief schemes and aid with transport in the case of disability.
- Hold conferences, and establish memorials and audiovisual material in order to raise awareness among EU citizens.

The Commission has established a European Network of Associations of Victims of Terrorism (NAVT) aimed at fostering cross-border cooperation between associations of victims of terrorist attacks in the Member States, and enhancing the defence of victims’ rights at European level. Among their activities, they identify best practices and share information on the mapping of associations supporting victims of terrorism, funding opportunities as well as maintaining a calendar of relevant events.

**Figures on terrorist attacks and victims**

According to Europol, in recent years there has been an increase in the frequency of jihadist attacks, but a decrease in the sophistication of their preparation and execution. In 2017 alone, a total of 205 foiled, failed and completed terrorist attacks were reported in nine EU Member States. In 2017, a total of 1,219 individuals were arrested in the EU for terrorism related offences.

The number of victims in the EU, and Europeans killed by terrorist actions in the rest of the world, amounts to 1,790 victims in the 2000-2017 period. Fifteen European countries have been directly hit by attacks, with a total of 740 people dead. Spain, with 269 deaths, is the country with the most victims, followed by France with 254. The United Kingdom (120), Belgium (36) and Germany (29) come next. Furthermore, 26 other countries have witnessed the death of 1,050 Europeans within their territories.