



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE, FREEDOM AND SECURITY

Directorate F : Security
Unit F1: Fight against Terrorism

Brussels,
JLS/F1/MAB/kk D(2010) 4711

REPORT ON 6TH EUROPEAN DAY ON REMEMBRANCE OF VICTIMS OF TERRORISM BRUSSELS, 11 MARCH 2010

I. Summary

This year, for the first time, the Commission was directly involved in the organisation of the European Day on Remembrance of Victims of Terrorism, which took place in Brussels. In particular, the presence during the opening session of Ms Viviane Reding, Vice-President of the European Commission responsible for Justice, Fundamental Rights and Citizenship and of Ms Cecilia Malmström, Commissioner responsible for Home Affairs, clearly demonstrated the importance attached to the issue of the protection of victims of terrorism. The ensuing key note speeches of Mr Gilles de Kerchove, the EU Counter Terrorism Coordinator and Mr Justo Zambrana, the Under Secretary of State in the Spanish Ministry of Interior, further confirmed the high political profile of the event.



The conference was organised in co-operation with the European Network of Associations of Victims of Terrorism, financed by the Commission, which has been developing its work for over a year and was instrumental to facilitate a very important participation of about 100 victims of terrorism and families of victims from seven different Member States, many of them leaders of national associations of victims. In addition to the victims of terrorism, the high turnout of national representatives from Justice/Interior ministries as well as from the national permanent representations should be underlined, as well as the attendance of some university students and media representatives.



The purpose of the event was to remember and honour those who have lost their lives in terrorist attacks in Europe and elsewhere in the world. Therefore, the voices of the victims of terrorism and their families were the focus of the day. However, the conference went far beyond a mere succession of testimonies and also sought to learn lessons from the past and identify challenges for the future. Indeed the event was organised around 3 main key topics (thematic sessions):

- **Protection of victims of terrorism: gaps and room for improvement;**
- **Protection of victims of terrorism and the role of the media, and**
- **Initiatives of victims' associations and their role in the prevention of terrorism.**

In this manner, victims' contributions were particularly useful in identifying those aspects of the existing schemes for the protection of victims of terrorism that needed improvement; the key role of the media when reporting about terrorist attacks and the resulting advantages and disadvantages of media coverage for the victims of the attacks, as well as victims' initiatives to raise awareness and prevent further violence.

The format of the conference - combining a high political profile and discussion panels where victims exposed their concerns, made requests and explained the activities and future plans - was a great success.

II. Minutes of the conference

- Opening

The presence and opening speeches of Ms Viviane Reding and Ms Cecilia Malmström sent a strong signal on the commitment of both Commissioners to protect victims of terrorism which was highly appreciated by the victims of terrorism and families of the victims. The speeches combined warm words of recognition to the victims with a firm determination to prevent future acts of terrorism while fully respecting human rights, which resonated among many associations of victims that work in promoting peace messages and countering the terrorist narrative.

Furthermore, both Commissioners referred to concrete plans for future policy developments, demonstrating that the policy of protection of victims will translate into further concrete actions. In particular, Ms Viviane Reding spoke about the ongoing impact assessment which will form the basis for further legislative and non legislative proposals to improve the protection of victims in 2011.



Ms Cecilia Malmström referred to the targeted call for proposals "Radicalisation leading to terrorism and the role of victims of terrorism in preventing radicalisation", to be published in coming days. She underlined her commitment to reinforce the security of European citizens, referring to the internal security strategy as well as the importance of the counter-radicalisation policy as the basis for the prevention of terrorism.



- **Key note speeches**

Mr Gilles de Kerchove and Mr Justo Zambrana' interventions sent a strong signal on the Council and Member States' support to the policy of protection of victims of terrorism.

Mr Gilles de Kerchove underlined the promotion of international solidarity as a priority in the fight against terrorism. He stressed the important role of victims in the prevention of terrorism: indeed, as living memory of the consequences of terrorist attacks, victims are best placed to "de-glamourise" the terrorist/radicalisation narrative. Victims should be put back at the heart of justice. Mr de Kerchove outlined the main principles guiding the EU's approach to the victims of terrorism, namely recognition, memory, justice and reparation. Governments and society at large must recognise a role played by the victims in fighting with justifications to terrorist actions ("recognition"). In addition, remembering the victims offers an opportunity for a symbolic and collective restatement of common values ("memory"). Victims must have a right to receive necessary legal assistance and should be fully involved in criminal proceedings against the perpetrators ("justice"). Finally, since the terrorist attacks are directed at the society as a whole, there is a need for solidarity with victims who deserve economic compensation for the physical

and psychological injuries, as well as compensation for their material losses ("reparation").



Mr Justo Zambrana described terrorism as a stigma that hurts human beings and violates fundamental rights. Since 1968, Spain has not lived a single year without terrorist attacks causing deaths. This sad and long experience can serve as an example for other Member States. In Spain, victims are considered to play a key role in the fight against terrorism, their testimonies of dignity and drive for self-improvement being exemplar. Basically, Spain has developed a comprehensive framework of support to victims of terrorism through advance legislation and a strong movement of associations of victims. The protection of the victims includes, in particular: assistance programs (psychological treatment, social assistance etc); economic compensation; recognition of the victims as living memory of the consequences of terrorism which reinforces their visibility; honour the victims with medals, inaugurations and monuments, streets, squares; prohibition of symbols that promote terrorism or humiliate victims, and finally, an annual program of public subsidies.

- **First panel: Protection of victims of terrorism: gap and room for improvement**
(Moderated by Mr Martin Schieffer, Acting Head of Unit JLS/F1, Fight against terrorism)



Presentations of the victims:

Mr Michael Gallagher, member of the Omagh Support and Self Help Group, spoke on the right to information and truth of victims and complained about the often insufficient information provided by the authorities during investigations. Mr Gallagher criticised

UK and Irish Governments as being very weak in their support to the victims of terrorism.

Mr Giampaolo Giuliano, of the Associazione Italiana Vittime del Terrorismo, dealt with international cooperation and raised the issue of safe havens provided to terrorists outside the EU, especially in South American countries. He criticised such situations as unacceptable. He also insisted in the need to keep memories alive, not out of a spirit of revenge but to teach future generations about the pain inflicted by terrorism.

Mr Fritz Schipper, who lost a son and a daughter-in-law in the Bali attacks perpetrated by Al-Qaeda and is member of the Dutch association Impact, addressed the subject of support of victims following terrorist attacks in third countries. He underlined two main deficiencies: the lack of recognition and respect for victims of terrorist attacks outside the EU territory and the deficient and slow flow of information to update the families of the victims in the aftermath of the attack, where a climate of chaos prevailed.

Mr Cyril Karam, of the French Association of Victims of Terrorism, made a presentation on total repair. Basically, Mr Karam referred to the assistance in terms of access to justice, economic compensation and repair. He explained the French system, including the existence of a special regime that would apply just after the attack covering all expenses, and a general regime that applies subsequently and presents the problem of not fully covering expenses. In this sense, the costs of receiving psychological treatment to address problems that only appear some years after the attack would not be totally covered. Furthermore, the current system does not take into account any damage that may be caused as a result of the psychological impact in the victims/families of the victims. Therefore, if a person is unable to work during some time after the terrorist attack because of psychological problems caused by it, the reduction that this implies for the pension rights of the person is not compensated.



The exchange of views which followed the presentations included issues as interesting as the role of victims of terrorism in lobbying for the extradition of terrorists that escape from justice (both inside and outside the EU); the implementation of the European Arrest Warrant and the possibility of associations of victims to complain to the Commission in cases of the definition of victims of terrorism and the inclusion of the family members in

the definition; the duration and scope of the assistance for victims of terrorism; the difficult conditions of EU citizens that are victims of terrorist attacks perpetrated outside the EU, and the opportunity of reinforcing international cooperation in the field of victims of terrorism, and the need to raise the minimal level of protection throughout the EU, avoiding the "discrimination" of some Member States offering insufficient assistance.

- **2nd panel: Protection of victims of terrorism and the role of the media**
(Moderated by Mr Guillaume Denoix de Saint Marc, President, French Association of Victims of Terrorism)



Presentations of the victims:

Mr Eloy Morán, Vice-president of the Association support to victims of 11 March, dealt with the subject of the coverage of the media of the Madrid terrorist attack on 11 March 2004 ("11 M"). He pointed out that this was the biggest terrorist attack that has taken place in the EU. He praised the work of the media that had provided warmth and support to the victims and had sensitized society. Also, the media had provided information, avoiding the silence over some aspects of the attack.

Ms Jacqueline Puttman, of the Association Survivors of Terrorism, referred to the media coverage of the London bombings on 7 July 2005. She distinguished between some incidents with the media immediately after the attack, which she described as intruding the privacy of the victims and the satisfactory relation with the media that was established after that. The association is currently cooperating very well with the media which tactfully interview those victims that are willing to speak to the media and, having obtained the information they want, agree to communicate the messages that the victims want to convey.

Ms Mélanie Berthouloux, of the French Association of Victims of Terrorism, explained her experience as an injured victim of a terrorist attack in Egypt and the treatment she received by the media, some of them fully respecting her privacy while others were only looking for sensationalism. It is worth noting, however, that some of the least respectful images seem to have been taken not by journalists but "amateurs" that immediately posted their photos on the Internet.

Mr Joaquín Vidal, President of the Federation of Associations of Victims of Terrorism in Spain, dealt with the evolution in the treatment of terrorist attacks in Spain throughout decades of terrorism. He praised the behaviour of the Spanish media that have positively evolved in their way to inform about terrorist groups and terrorist attacks. He explained how, at certain periods, the press had silenced ETA attacks in order to prevent the media publicity that terrorists were seeking. Mr Vidal pointed out that the main difference

between ordinary criminals and terrorists is that terrorists want their crime to be known, since they need propaganda and want to spread fear while ordinary criminals normally try to hide their crimes. Preventing that terrorists are portrayed as freedom fighters is of main importance. Freedom fighters do not exist in the EU, terrorists are all criminals.

Ms Graziella Quattrocchi, President of the Italian Association Fabrizio Quattrocchi, described how, especially in case of kidnappings and torture, terrorist groups make use of the media, so that the media act as intermediaries by posting videos to prove that a given person has been kidnapped, that this person has been tortured or is still alive. Ms Quattrocchi spoke about the need to oppose this use of the media for terrorist purposes.



The presentations were followed by many questions regarding the behaviour of the media in different Member States. The difference between the media that sought only sensationalism (“tabloid press”) and the serious media respectful of the privacy of the victims was underlined. Furthermore, the difference between the first hours and days after the attack where the victims were still not organised and later stages, where victims could organise themselves and arrange their relations with the press, was also highlighted as was the positive role of the media to disseminate the messages the victims wanted to convey. In certain cases, victims pointed out that they had felt completely used by the media when they were most vulnerable, i.e. just after the terrorist attack, only to be very quickly ignored, their stories replaced by new headlines.

- **Presentation of the European Network of Associations of Victims of Terrorism (NAVT)**

A video explaining the aims, activities and achievements of the Network was followed by a short presentation of Ms María Lozano Alia, Director of the European Network of Associations of Victims of Terrorism. In her presentation, Ms Lozano Alia stressed the support of the Commission for the victims of terrorism and the work that had been done by the Network. As regards the future, she underlined that the Network expected to improve the protection of victims of terrorism, mainly through key elements: justice, memory and compensation. Ms Lozano Alia asked for specific legislation on victims of terrorism in form of a charter of rights for victims of terrorism. In addition, the Network would continue to promote the role of students as volunteers helping to sensitise citizens with the fight against terrorism through their network of volunteers.



- **Third panel: Initiatives of victims' associations and their role in the prevention of terrorism** (Moderated by Ms Marie-Ange Balbinot, Head of Sector in unit JLS/F1, Fight against terrorism)



Presentations of the victims:

Mr Hazlett Lynch, member of the association West Tyrone Voice, spoke about the project UNIMAT, which intends to undermine terrorist narrative and develop a common message of victims against terrorism. Mr Lynch drew the attention to the youngsters influenced by terrorist narrative and how it is necessary to mobilise victims and counter this malicious propaganda. Mr Lynch also pointed to the lack of a common definition and understanding of the concept of "victims of terrorism", which makes tailoring policy responses difficult.

Ms Annie Bowman, member of Foundation for Peace, based her presentation on her personal experience in the program STEP, which includes contacts to those "at the other side" and tries to make them understand their own suffering. In this program, victims try to build bridges and look forward.

Mr J.A. Casquero, President of the Spanish Association AVT, spoke about Spanish initiatives and stressed the following points:

- Cooperation between States and police forces, terrorists should not get any safe havens.
- Terrorist offences should never prescribe; this would prevent the terrorists escaping to some third country and then coming back to the EU as if nothing had happened.
- Education in values of freedom, justice, political plurality and peace, which together with the testimonies of the victims should be spread in schools and universities.

Mr Marco Falvella, member of Iniziativa Urla nel Silenzio, promotes campaigns at schools promoting truth and justice as regards terrorist attacks.

Mr Guillaume Denoix de Saint Marc, President of the French Association of Victims of Terrorism, explained that the association is active in five different areas: support and company, counsel and defence, information and awareness, fight for memory, investigation and persuasion. He also pointed out three projects in a preparatory phase: the first one for volunteers to help other victims, the second one to bring together young victims in between 13 and 21 and the last one, a project to raise awareness in schools and universities. This last project which aims at fighting against the arguments used by terrorists to justify their acts and persuade youngsters of their legitimacy, is a very sensitive task.

After the presentations of the panellists, other victims asked for the floor to share ideas of new or ongoing projects in which they were involved. This included the production of films/documentaries as a means to combating the romantic vision of terrorists as freedom fighters in a hostile world or media campaigns to draw public attention to certain issues such as the extradition of terrorists.



- **Conclusions**

Mr Martin Schieffer concluded that the event had been successful not only due to the many moving testimonies but also because it had visibly helped to keep the victims at the heart of our policies. He thanked all victims, in particular the panellists, for their active participation and summarised several points that can be taken home from this conference:

- The EU's political commitment to protect victims of terrorism is there, as could be seen from the presence of two Commissioners;
- Work is underway to improve the legislative situation of victims of crime in general as well as the specific situation of victims of terrorism;
- This conference might be kept as an annual event (annual central EU event in Brussels);
- The three panels have opened the pave for further thoughts. As regards gaps and room for improvement in the protection of victims, issues such as the definition of victims, a possible retroactive listing of terrorist groups or setting up an EU

compensation fund require some further in-depth reflection. As regards the role of the media, it is important to keep in mind that, in our open societies there are inevitably two sides of the same coin with which victims are confronted – in negative terms intrusiveness and voyeuristic coverage and, positively, serious channels to pass victims' messages to the public. Finally it is also important to be aware of the use that terrorists may make of the media.

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