

# Victim Support Europe

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CONTRIBUTION TO THE CONSULTATION ON CONSULAR  
PROTECTION

## About Victim Support Europe

Victim Support Europe (VSE) is the leading European umbrella organisation advocating on behalf of all victims of crime, no matter what the crime, no matter who the victim is. VSE represents 62 member organisations, providing support and information services to more than 2 million people affected by crime every year in 30 countries. Founded in 1990, VSE has been working for 30 years for a Europe, and a world, where all victims have strong victims' rights and services, whether they report the crime or not. We work towards this mission through advocacy to improve European and international laws, through research and knowledge development and through capacity building at the national and local level.

As part of VSE's work, we regularly assist EU citizens of crime in a cross border situation. Recognising the difficulties they face when abroad, VSE has established an online referral system to ensure victims can be connected to support services in their home country as well in the country of the crime.

Since 2015, VSE has also offered or provided assistance following all large scale terrorist attacks in Europe as well as attacks outside the EU that involve EU citizens. To support this work we have established an international response network and work extensively with governments and NGOs around the world.

VSE also carries out wide ranging research to understand the problems that victims abroad face and the best practices to assist them. In 2017, for example, VSE published its report 'Cross Border Victimization: Challenges and solutions with respect to the provision of support to victims of crime in a cross-border situation'.<sup>1</sup>

### 1. The importance of consular services to victims of crime

As of today, 7 million European Union citizens travel or live in a non EU country in which their Member State does not have an embassy or a consulate – and are therefore 'unrepresented'<sup>2</sup>.

While globalisation has strongly facilitated our ability to travel or live abroad, criminals have also taken advantage, committing crimes across borders as well as targeting EU citizens abroad. Within the EU, the European Commission has estimated that 15% of citizens fall victim to serious crime each year. We can assume a similar proportion of the 7 million EU citizens abroad become victims of serious crimes each year – around a million people.

These are individuals who are left vulnerable and facing additional barriers and trauma from being in a foreign country separated from their normal social networks. They are particularly vulnerable, as they face **multiple obstacles and difficulties in accessing their rights**. These are often linked to language barriers, cultural differences, ignorance of their rights in the country and unfamiliarity with the host country's authorities and justice system.

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<sup>1</sup> <https://victimsupport.eu/activeapp/wp-content/uploads/2017/02/VSE-Cross-border-Victimisation-Report.pdf>

<sup>2</sup> European Union Council, Consular Protection of EU Citizens Abroad, online, last reviewed 20 October 2020. Available [online](#).

Overall, **embassies and consulates remain the main first point of contact for EU citizens who fall victim to crime abroad**. The right established in Article 20 (2) of the Treaty on the Functioning of the European Union (TFEU), and coordinated through Directive 2015/637, is therefore fundamental in enabling unrepresented EU citizens to find appropriate help and information when falling victim of crime in third countries. This fact is well reflected through its explicit reference in Article 9 (Types of Assistance) of the Directive.

## 2. Recommendations for the review of Directive 2015/637 and provision of assistance to victims in consular services

Given the importance of consular service to victims of crime, Victim Support Europe welcomes the European Commission's review of Directive 2015/637. However, victims abroad facing wide ranging difficulties which can be addressed through co-ordinated action of the EU and Member States.

VSE calls on the European Commission to examine with Member States opportunities to amend Directive 2015/637 to **provide further guidance on how services for victims should be offered in a victim centric way and how they should co-operate to achieve that objective**.

Recognising there may be limited opportunities to extensively expand legislation in the area, we also call on the European Commission to **explore ways to support and encourage Member States to develop more victim centric approaches within their consulates**. In particular, in line with Article 16 of Directive 2015/547, we encourage the Commission or the Member States to **prioritise in the EU external action agenda, a discussion on how more favourable provisions and mechanisms can be put in place to improve victims' care and support** and to how the cooperation and coordination at the EU level can be improved in that regard.

**VSE makes the following specific recommendations:**

- i) With respect to **co-ordination**, VSE believes that any amended Directive can be further strengthened by **identifying specific co-ordination action to assist victims of crime**. This includes developing co-ordinated information for victims and ensuring effective referral to relevant services in the home Member State of the victim.
- ii) In addition, VSE considers that it is essential that all EU citizens who are victimised abroad should have **equal access to basic standards of victim assistance irrespective of which consulate or embassy assists them**. VSE calls on the EU to **seek the establishment of such standards within amended legislation**. Understanding that this may be beyond the legal basis for legislative action, it is sufficiently important that **all tools at the EU's disposal including facilitation of discussions and prioritisation of victims issues in EU funding in third countries should be used to promote quality victims services**.
- iii) EU legislation as well as research carried out by VSE on the challenges faced by victims of crime abroad already identify priority areas. These include:
  - o Increasing awareness amongst citizens of their rights to assistance

- Respectful treatment
  - Training of officials
  - Interpretation and translation
  - Simple and accessible information
  - Assistance with practical arrangement
  - Assistance with financial difficulties
  - Emotional and psychological support including referral to home state services
- iv) Whilst Member States are required to co-ordinate contingency plans for crisis situations, there are no requirements on the inclusion of victim centric responses in the event of terrorist attacks. Experience in the EU shows that States often do not have proper victim focused planning. The EU should therefore explore how the 2015 Directive can be amended to specifically recognise planning to assist victims of terrorism.
- v) We also call on the Commission to support exchange of best practices between Member States and with third countries and facilitate the review and development of policies and practical measures to support victims of terrorism.

Victim Support Europe together with a range of civil society actors play a considerable role in assisting victims in cross border situations, including following terrorist attacks. It is clear that the most successful systems combine both governmental and NGO action in mutual co-operation. We therefore call on the European Commission and Member States to **include civil society actors in future discussions in this field and in the development and implementation of solutions.**

To support the European Commission's considerations and understand of how and where action for victims may be taken, we have provided below an overview of

- key **challenges faced by victims of crime** in third countries and suggest measures that consulates can take to ensure minimum standards of assistance.
- We then **focus on victims of terrorism** and how their specific needs can be better included in the consulates' protection regimes.

## Victims of Crime

### 1. Understanding the challenges faced by victims of crime abroad

In our [2017 Report on cross-border victimisation](#), we identified factors that could constitute potential barriers to ensuring support to cross-border victims of crime, which are equally relevant in the case of unrepresented EU citizens falling victim of crime in third countries:

- Difference in language between the victim and the competent authorities and service providers
- Practical difficulties faced by cross-border victims due to the crime
- Different cultural background than competent authorities or services providers
- Distance between the victims and their support network in their country of residence; distance between victim and competent authorities
- Limited time that victims stay in the country where the crime occurred
- Victims are unaware of their rights in the country; victims are unaware of existing services and institutions
- Victims lack understanding of the criminal justice system
- Financial resources of victims

### 2. Effective co-ordination of Consular services to improve victim assistance

When a person falls victim to a crime abroad they have wide ranging needs for assistance. From reporting the crime and engaging with police and justice authorities, to managing financial emergencies, to receiving emotional or psychological support, through to repatriating the body of loved one. Even long after the commission of the crime, consular services may be essential in assisting victims to participate in criminal proceedings.

In order for consular services to provide effective assistance to victims, they must be able to help both in the country of the crime as well as in the country of residence. It is not always easy to know what information is helpful, which local entities can assist or where victims can be directed. It is equally difficult for consulates to know about the rights and services in the home Member State.

Failure to have effective co-operation mechanisms can result in unequal treatment of EU citizens even when they have suffered the same crimes in the same country. For example, following the 2015 Bardo terrorist attack, a trial was held in Tunisia. The attack resulted in Italian, Polish, Spanish, Belgian and British deaths. The French Government liaised with the Tunisian government and obtained permission to broadcast the trial in 2018 in a Paris court for the French victims.<sup>3</sup> Had effective co-ordination measures been in place, this innovative and much welcomed solution could have been available for a much wider range of EU victims.

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<sup>3</sup> France Victimes, 'Attentat du Bardo: Procès retransmis à Paris' <<https://www.france-victimes.fr/index.php/categories-inavem/105-actualites/814-attentats-du-bardo-le-proces-retransmis-a-paris>>

The more than consulates work together to develop joint information relevant to the country of crime and share information on rights and services in the Member states, the better they can assist victims. Co-operation in this respect can extend to engaging and developing relationships with national stakeholders. Equally, States can better co-operate to improve the way victims are treated within criminal proceedings in third countries. By pooling resources, sharing knowledge and best practices and acting together, citizens treatment by local authorities can be improved and States can improve participation of victims even where they remain in their country of residence.

Even with such action, co-ordination between consular services can be inhibited where basic common approaches on how victims should be assisted do not exist. Agreeing protocols, establishing agreements or joint methods of work are difficult to achieve without the same basic standard of assistance, information and treatment of victims. Having these in place not only ensures all victims are treated equally, it also supports the development of trust between organisations which is critical to effective co-operation – in the same way this is necessary for an area of freedom, security and justice in the EU.

### 3. Achieving basic standards of treatment for victims founded on fundamental rights

Directive 2015/637 operates to support the effective implementation of consular protection rights established in the TFEU and Article 46 of the Charter of Fundamental rights.

Whilst the Directive does not require Member States to offer assistance to victims of crime, this is explicitly listed as a possible service. Moreover, Member States have adopted various EU legislation on the rights of victims in the EU<sup>45</sup> which include measures to minimise further harm, secondary victimisation and trauma to victims in their contacts with authorities.

Whilst these EU laws do not impose obligations on Member States outside the EU, citizens have a reasonable expectation that their treatment by Member States will conform with core principles and commitments found not just under EU law but also those of the Council of Europe and the UN. EU citizens who fall victim to crime in a third country should **receive a non-discriminatory and equal treatment, in particular information and support from all consulates.**

However, currently, victims have no such guarantee. The way they are assisted and the services offered will vary from State to State and even consulate to consulate. This effectively means that some EU citizens may be better assisted or have better access to justice than others.

EU victims' rights are notably founded on basic principles established in international texts<sup>6</sup> and in fundamental rights conventions. In particular, the European Convention on Human Rights recognises that **'human dignity is inviolable. It must be respected and protected.'** Equally at Article 3, it states that **'Everyone has the right to respect for his or her physical and mental integrity'**.

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<sup>4</sup> Directive 2012/29/EU of 25 October 2012 on establishing minimum standards on the rights, support and protection of victims of crime.

<sup>5</sup> Directive 2017/541 of 15 March 2017 on combating terrorism.

<sup>6</sup> See for example the UN Declaration of Basic Principles of Justice for victims of crime and abuse of power.

As such, **Consular services should treat citizens in an appropriate and respectful manner and as a minimum not harm their physical or mental integrity.** Where they offer assistance to victims of crime, those services must be offered in a way that **takes into account the specific situation of victims.** If they do not, they are likely to fail to be respectful whilst potentially harming the mental integrity of victims, in particular through secondary victimisation.

**Ideally, the 2015 Directive will be amended to specify that victims should receive assistance and detail what “assistance” should consist of (see Arts. 9 and 11 of the Directive).**

However, given the likely limitation on the scope of any amended Directive, the Commission should also explore ways to **support Member States in adopting more favourable positions** in line with Article 16 of the Directive. This could include prioritising discussions within EU institutional frameworks as well as establishing priorities within EU external action funding.

#### 4. Ensuring that citizens are aware of their rights

**In reviewing the Directive, action to increase citizens awareness of their right to consular assistance should be considered. it is insufficient for a right to exist, citizens must also be aware of the right.** As the CJEU has held:

It is essential for national law to guarantee that the national authorities will effectively apply the directive in full, that the legal position under national law should be sufficiently precise and clear and that **individuals are made fully aware of their rights** and, where appropriate, may rely on them before the national courts.<sup>7</sup>

#### 5. Practical recommendations to address these challenges

To support consideration of actions to improve the quality of assistance to victims of crime abroad, we have provided below a short overview of some key practical areas for action:

##### **Raising awareness**

Member States should make information available to citizens useful in their preparations for travel abroad. Information could include advice on insurance and available services which include insurance coverage. Some practical tips like having a e-copy of all personal documents in case of robbery could also be given as well as easy to access information on local services, high risk areas, safety tips etc. Information should also easily be found on what to do in the case of victimisation.

The Commission and Member States should raise awareness on the right established by Article 20(2)(c) TFEU and coordinated through Directive 2015/637, to make sure that unrepresented victims know that they can find help and information with another Member State’s consulate. This information should be disseminated through tourist services, victim support services, local police etc. (even local police should know about this right). The private sector such as airline companies, insurance companies, banks and other entities commonly provided for people travelling, working or living abroad can equally support

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<sup>7</sup> Case C-365/93 Commission v Greece [1995] ECR I-499, paragraph 9

awareness raising initiatives. Examples include leaflets and posters on public transport, articles or adverts in airplane magazines and information on ticketing or websites.

## **Respectful treatment**

Achieving respectful treatment requires a culture shift in the approach to victims to ensure that consular staff engage with victims appropriately as well as requiring that infrastructure and protocols are respectful.

It is therefore crucial that consular staff (including local staff) who will come in contact with victims receive the appropriate **training** to be well-equipped to receive and assist them. This training should be culturally-sensitive, and should be part of a permanent framework for ensuring quality of assistance, taking into account the regular turnover of consular staff. Moreover, mechanisms of supervision and monitoring help ensure training is properly put into practice.

In terms of infrastructure, a wide range of actions can be taken from ensuring private areas to talk, avoidance of unjustified delays, complaints mechanisms and satisfaction surveys. This is crucial to ensure respectful treatment of victims and avoid secondary victimisation.

Whilst some Member States may have extensive experience in developing victim centric services, this is not the case for all States. The EU, through the EEAS and the EU Delegations, can support Member States to improve their practices by facilitating exchange of knowledge, carrying out research, developing practice guidance and even funding training and other service level projects.

## **Translation and Interpretation Services**

The very first obstacle that a victim of crime may face in a third country is the language barrier, which can influence whether the victim will report the crime and seek help in the first place. It is therefore essential to address it by making sure that consulates can support EU citizens with adequate language services. This is even more important if victims decide to report the crime to the local authorities and seek legal and psychological support in the third country.

Whilst it is difficult to predict what language requirements may exist, preparatory measures can be in place to improve the ability to respond to victims needs. This includes, arrangements with other embassies and local organisations, investment in AI platforms and human interpretation services from a distance to name a few. Member States can co-ordinate provision of interpretation services to minimise costs.

## **Access to information**

In order to be able to immediately support a victim of crime, consulates should be able to provide information in simple and accessible language including on access to justice and access to support services in all EU languages - or at least in the languages of the Member States that are not represented in that third country.

Information should be provided through multiple forms including written, oral, visual e.g. videos and should be available in person and online. Combinations of factsheets, brochures, infographics and more detailed guidance documents should be developed to help victims understand the issues covered.



The information provided to victims should follow information rights established in the EU Victims Directive such as:

- the victim's rights in the third country,
- the type of support they can obtain and from whom, including, where relevant, basic information on access to medical support, any specialist support, psychological support and alternative accommodation;
- protection measures available if needed and how to obtain them,
- interpretation and translation rights within the criminal proceedings
- procedures for making complaints with regard to a criminal offence and how victims will participate in proceedings
- access to legal assistance
- compensation

In addition to information on local issues, victims also require information on assistance in their home country.

Understanding that it is not easy to obtain and maintain this information across all countries, the EU could support research and collation of such information, and the collective provision of the information through a single portal available to all consular staff and victims themselves.

Information should be articulated in an easily understandable manner. It is crucial that all consulates give the same level and quality of information, which inevitably requires coordination.

### **Practical difficulties in the aftermath of the crime & administrative burdens**

Crime can leave victims in severely difficult situations. A victim who has been robbed may have no financial resources to pay for food, accommodation or return home, with no family and friends to support them. The impact of these practical and financial difficulties cannot be underestimated. They can exacerbate the psychological effects of the crime in the long term, particular where no assistance is provided.

Ideally consulates will provide some level of financial assistance to victims in such situations. However, wider range of practical assistance can also be established. This could include establishing arrangements with local hotels and restaurants to provide free vouchers to victims, helping victims to obtain assistance from local organisations or even tourist services. Examples exist where family members of victims have been provided free long distance calling by telephone operators. Achieving this type of assistance takes time and is very difficult for victims to do without the help of consulates.

Equally, consulates should help minimise administrative burdens on victims or connect them with organisations that can help with such matters. The Commission should also encourage free access to consular protection, to reflect the important element enshrined in Art. 8 of the Victims' Rights Directive and recognize as much as possible, that victims should not suffer from an additional burden.

In the case of murder, not only do families experience this terrible grief, but there are many examples where families struggled to bring their loved ones home. As much as possible, Member States should reflect on the impact of cost with respect to repatriation of murdered victims and seek to minimise such costs.

## Referral to victim support services

Consulates should have a database of support organisations and contact points to which they can direct victims according to their specific needs, either locally or by distance through support services from the victims' Member State of nationality if support mechanisms are available and effective.

When coordinating with the Member State of nationality of the victim, consulates should ensure that the victim travelling back to their Member State know where to find support upon arrival.

## Victims of Terrorism

### 1. Taking into account the specificities of terrorist attacks in crisis preparedness and cooperation

The right developed in Council Directive 2015/637 is particularly important in times of crisis, and therefore in case of a terrorist attack in a country.

We therefore welcome the fact that Directive 2015/637 includes dispositions on Crisis preparedness and cooperation (Article 13). However, the term **crisis is mostly understood from the context of natural disasters. This is made more apparent with the focus on evacuation protocols.** Whilst the term can include terrorism situations, action in this respect is often conflated with natural disasters and not necessarily appropriate to such situations.

Though many of the needs of victims of disasters and the responses are similar to those of terrorism, there is a strong body of evidence and best practice that demonstrates a specialised approach to assisting victims of terrorism is required.

Such specialised needs and responses should be taken into account by the European Commission in any future amendments to the Directive or future initiatives – and by the Member States in their consular crisis responses. For example, most victims of terrorism need trauma informed psychological support in soon after an attack and will need referral to specialist support services. Similarly, long-term coordination and cooperation measures will need to be put in place to provide victims updated information from local authorities during criminal trials organised in the country where the attack occurred.

Implementing such measures would not only guarantee that victims of terrorism receive a **respectful and non-discriminatory treatment**, but also a **consistent approach to providing consular protection** through all EU consulates in third countries.

### 2. Understanding the specific needs of victims of terrorism

Large scale terrorist attacks result in chaotic scenes with multiple agencies and organisations attending, with victims been spread across multiple locations and many affected individuals never being identified by authorities.

Those present are often highly traumatised and unable to operate effectively. Family members at home struggle to get information, are often not able to get to the country of the attack quickly and are severely hampered in finding and helping relatives even if they can get to the country.

Despite this difficult and complex situation, there is a substantial body of good practices on how victims can be identified and supported by governments. This requires strong preparatory action in advance of any attack including close co-operation mechanisms and protocols with local authorities and with other Member State authorities.

Whilst States do have contingency plans in place, these often do not include extensive consideration of victim centric practices that properly take into account the needs of victims of terrorism.

Victims of terrorism first need to be provided **emergency care in the immediate aftermath of the attack**: they need to be placed in a secure place, to receive food, drinks and aid as well as emergency medical and psychological care. Following the immediate urgency, their **specific needs** have to be evaluated, regarding: recognition; physical protection; access to specialised medical and psychological care as well as specialised information and practical, legal and administrative assistance<sup>8</sup> Moreover, the **personal characteristics** of the victims, such as cultural differences or previous victimisation, are likely to influence the trauma and the reaction of the victims.

Victim of terrorism will also have specific **long-term needs**. In particular, specific medical and psychological support will have to be provided, in order to face the long-term consequences of the attack. Providing long-term psychological support is especially important to help the victim facing the attacks anniversaries, memorials, and trials which are often organised only years after the attacks. During the trials, victims will also need to be provided information in a language they understand, regarding their role and rights during the trial, and important updates. Whilst many long term issues will not fall within the remit of consular services, assistance in particular to participate in memorial services or criminal proceedings is essential.

Whilst local services may be well placed to assist victims in accordance with their needs, the reality across the world is that the majority of countries do not have extensive victim assistance measures in place. This makes specialised victims of terrorism responses by consular services and Member States particularly important.

### 3. Examples of best practices & Practical recommendations

Since 2015, VSE has increased its expertise in the field of victims of terrorism, notably to ensure that laws, policies and available services meet the needs of victims of terrorism. The International Network Supporting Victims of Terrorism and Mass Violence (INVICTM), which VSE co-founded, offers for instance a platform of dialogue for experts, civil society, governments and national authorities as well as victim advocates to exchange best practices and encourage changes in their respective countries. VSE similar works with its sister organisation Victim Support Asia to promote good practices for victims

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<sup>8</sup> For more information on the needs of victims of terrorism: European Union Handbook on Victims of Terrorism, EU Centre of Expertise, January 2021. Available [online](#).

of terrorism and to help co-ordinate support activities across borders in the event of terrorist attacks in Asia involving EU citizens, or attacks in Europe involving Asian citizens.

Based on this work we have listed below some specific areas that could be prioritised when developing Member State victim centric responses to terrorist attacks in third countries:

## EU Coordination mechanisms

While we welcome that consular protection benefits from various mechanisms of cooperation and coordination at the EU level – through the EEAS Consular Crisis Division, or the Council Working Party on Consular Affairs (COCON) -, we would recommend that **victims' rights, support and protection added to the agenda** and fully integrated in the preparatory work of these bodies, in order to ensure that a victim-centric response is provided.

## Emergency response mechanisms: developing local cooperation

In the aftermath of a terrorist attack, the **emergency care and support** put in place for the victims is critically important. If victims of terrorism receive inadequate or poor assistance after the attack, their trauma and suffering can be strongly aggravated. It is therefore fundamental that consulates seek to develop cooperation with external authorities and organisations, ahead of any incident and as part of their emergency response mechanisms, in order to be ready to answer to all the victims' needs.

Therefore, in line with the recommendations given by Article 12 (Local cooperation) and Article 13 (Crisis Preparedness and Cooperation) of the Directive, we would like to emphasise the crucial need for Member States' consulates to **develop relationships and practical agreements with local authorities, the local police, victim support services, hospitals, crisis centers**, and other relevant organisations, in order to be able to provide victims with appropriate physical protection, immediate care (food, aid and drinks) as well as medical and psychological care. Agreements with external organisations for providing translation and interpretation might be necessary as well.

It is important for the consulates to be aware that many victims of a terrorist attack will not go to the consulate, whether because they are unable to – they can be located in hospitals because of injuries – or are not aware of their right to seek help in another EU consulate. The **identification of victims that didn't come forward** must therefore be a point of cooperation with the local police, hospitals and victim support organisations, with the aim of providing them information, help and support, as well as liaising with the victim's country of nationality.

After an attack, many victims will be left without their belongings (identification papers, phone, money etc). Consulates should seek to **coordinate the collection and return of these belongings to the victims**, with the local police and hospitals. We would also like to encourage the Member States to create a 'basic needs-kit', in collaboration with local NGOs or partners, that could include a phone, some clothes and other basic items, to provide victims their basic needs and allow them to contact their families, among others.

## Effective protocols

As part of their emergency response mechanisms and in line with Article 13 (Crisis Preparedness and Cooperation), Member States' consulates should develop/improve their emergency protocols. They might concern: **staff management, identification of victims, provision of information to victims** after the attack (in different languages) and communication channels with all EU Member States. The possibility of bringing the Member States' support services in the country in which the attack occurred should also be envisaged, either of the victim's nationality Member State's or the representing Member State's.

Effective **communication mechanisms and channels** need to be established both:

- with Member States who are not represented in the country, with the aim to provide them information about their nationals if involved in the attack;
- with Member States' consulates who are present in the country of the attack. In the latter case, effective communication mechanisms will be crucial in order to coordinate their response, share information about the victims, coordinate the information provided to the victims, to be unrepresented Member States and to the public among others.

The regular testing of emergency response plans and protocols is highly recommended in order to identify gaps and address them.

## Training

Training of the consulates' staff on **emergency response, protocols** as well as **skills related to contact with victims** should be a priority. In particular, training should focus on understanding the impact of terrorist attacks on victims and the specific needs of victims of terrorism, on victim-centered communication, non-discrimination and on the rights of victims of terrorism.

The training should also include **cultural-sensitive training**. Cultural and/or religious backgrounds and differences can indeed not only impact the victims' trauma in the aftermath of an attack, but affects the traditions and rules to follow regarding the burial of bodies for instance. Whereas in some religions, the deceased will need to be buried within 24h, this same procedure can be received as insulting in another culture. In this regard, we would like to encourage the European Commission to **create a database or manual for consulates**, that includes cultural and religious specificities on these matters, in order to help consulates to provide a more efficient and appropriate support.

Looking at the particularity of regular staff turnover, both in the local consulates and in the Member States, we strongly recommend that these trainings are organised on a regular basis and include all the personal working in the consulates or Member States services.

## Long-term assistance needs

Because of the importance of the event, an act of terrorism will engage long-term needs and processes that need to be taken into account into the consulates' response plan, as well as into any amendments to the Directive or future initiatives on Consular Protection at the EU level. As we have observed over the last years within the EU, **trials** for terror attacks can sometimes take place years after the attack itself. At that time, most the victims will be back in their Member States of nationality/residency or might even have moved to another country, in- or outside the EU.

It is fundamental that victims are notified of the criminal procedures put in place in the country in which the attack occurred, of their role and their rights during this trial, in a manner and language that is understandable to them. Moreover, Member States, in coordination with the EU Delegations, should take all necessary and appropriate measures to ensure that victims have **access to information and resources during the trials**, in a language they understand. Once again, we can cite as an example, the retransmission of the Bardo attack trials by the French Ministry of Justice in 2018, to the French victims<sup>9</sup>.

Finally, it is important that **psychological support** is available to victims during the trials, as the reminder of the events and confrontation with the perpetrators and/or other victims can be particularly difficult and traumatic for the victims.

The consulates should therefore be prepared to **liaise between the victims, the victims' family members and the local victim support organisations** on a long-term perspective, in order to ensure that they are provided with adequate and sufficient information, help and support.

### Concluding remarks

We recognise that the recommendations and proposals addressed above cannot be achieved only through amending the Directive 2015/637 itself. We would therefore like to **encourage the European Commission to create a specific agenda and mechanisms of discussion and consultation**, on the basis of Article 16 of Directive 2015/637, that would allow Member States to explore how more favourable provisions and mechanisms can be put in place to improve the victims' care and support on the ground, and to how the cooperation and coordination at the EU level can be improved in that regard.

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<sup>9</sup> France Victimes, "Attentat du Bardo : le procès retransmis à Paris", 2018, available [online](#).