

CDDH comments on the Parliamentary Assembly Recommendation 2164(2019) – PROTECTING AND SUPPORTING THE VICTIMS OF TERRORISM

92nd meeting - 26–29 November 2019 - CDDH(2019)R92

1. The Steering Committee for Human Rights (CDDH) takes note of the Parliamentary Assembly's Recommendation 2164 (2019) – “Protecting and supporting the victims of terrorism”. Noting that the Committee of Ministers has requested its Committee on Counter-Terrorism (CDCT) to draft an opinion on this Recommendation at its 4th meeting (19-21 November 2019), the Bureau of the CDDH would like to send the following elements to the CDCT, so that the work already conducted by the CDDH is also reflected.
2. The Bureau notes that the draft CDCT opinion rightly mentions the Revised Guidelines of the Committee of Ministers on the protection of victims of terrorist acts (2017) which was prepared by the Steering Committee for Human Rights (CDDH). In this respect, it would be useful to also mention the Workshop “Protection of Victims of Terrorist Acts”, organised under the aegis of the French Presidency of the Committee of Ministers in Strasbourg on 20 June 2019 at the 91st CDDH plenary meeting. This mention could take the form of a footnote (see below).
3. As regards the possibility expressed in the last paragraph of the draft CDCT opinion of a cooperation between the CDDH and the CDCT in order to examine the feasibility of a European Charter of the Rights of the Victims of Terrorism, as proposed by the Parliamentary Assembly in paragraph 4.3. of its Recommendation 2164 (2019), the CDDH will consider the issue at its 92nd CDDH meeting (26-29 November 2019) and will identify appropriate means for this co-operation. It could be established in the form of participation in the work of the CDCT of a contact person designated by the CDDH and a member of the Secretariat.

For information of the CDDH

Opinion of the Council of Europe Committee on Counter-Terrorism (CDCT) on Recommendation 2164 (2019) “Protecting and supporting the victims of terrorism” of the Parliamentary Assembly

This text was adopted by the CDCT at its 4th meeting (19-21 November 2019)

1. On the occasion of its 1357th meeting on 16 October 2019, the Committee of Ministers (Ministers' Deputies) agreed to communicate Recommendation 2164 (2019) – “Protecting and supporting the victims of terrorism” – to the Committee on Counter-Terrorism (CDCT) for information and possible comments by 22 November 2019.
2. The CDCT examined the aforesaid Recommendation during its 4th Plenary meeting on 19 – 21 November 2019, and adopted the following opinion:
3. The CDCT agrees with the Parliamentary Assembly that it is essential to give a strong international dimension to the assistance to victims of terrorism – not only in Europe, but globally.
4. As regards the situation of victims of terrorism in Europe, the CDCT considers that there is a need to further deepen coordination and cooperation in this field between the Council of Europe and the European Union, both in order to exploit synergies and to avoid unnecessary duplication of work. Cooperation between the two Organisations could, inter alia, take place in the form of concrete joint projects to develop and implement common standards.

5. To this end the member States of the Council of Europe have already taken a number of important steps through the adoption of the **Revised Guidelines of the Committee of Ministers on the protection of victims of terrorist acts (2017)**¹, the **assessment of the implementation of Article 13 of the Council of Europe Convention on the Prevention of Terrorism (CETS No 196)** carried out by the Consultation of the Parties to the aforesaid Convention, and the resulting prioritisation of efforts by the CDCT to address **the situation of persons who become victims of terrorist attacks perpetrated outside the territories of their own States** (activity 3.3 of the Council of Europe Counter-Terrorism Strategy (2018 – 2022). Finally, the CDCT has at its 3rd Plenary meeting (14 – 15 May 2019) decided to establish a **network of contact points for the exchange of procedural information regarding the legal standing of victims of terrorism**. This network, which became operational on 1 November 2019, is intended to become global, incorporating not only member States of the Council of Europe, but all interested States around the world.
6. The CDCT will, as in the past, on a regular basis hold exchanges between its members and participants concerning the legal situation of victims of terrorism in the Council of Europe member States, as well as on best practices in assisting and compensating such victims.
7. As regards the proposal by the Parliamentary Assembly on the adoption of a European charter of the rights of the victims of terrorism, cf. paragraph 4.3. of the Parliamentary Assembly Recommendation 2164 (2019), the Committee considers that the Steering Committee for Human Rights (CDDH) and the CDCT in cooperation could examine the feasibility of such an undertaking by the Council of Europe and report thereon to the Committee of Ministers.

* * *

Text of Recommendation 2164(2019)

“PROTECTING AND SUPPORTING THE VICTIMS OF TERRORISM”

Parliamentary Assembly

1. The Parliamentary Assembly refers to [Resolution 2303 \(2019\)](#) “Protecting and supporting victims of terrorism” and welcomes the action taken by some Council of Europe member States to accompany their counter-terrorism strategies with concrete measures to ensure appropriate protection and assistance to the victims of terrorism.
2. The Assembly also welcomes the 2017 Revised Guidelines of the Committee of Ministers on the protection of victims of terrorist acts as well as the Council of Europe Counter-Terrorism Strategy (2018-2022), which includes recognition of the fact that efforts to increase security and effectively combat terrorist organisations should be accompanied by better co-ordinated assistance to victims.
3. The Assembly considers that a more sustained commitment on the part of member States is needed to ensure an adequate protection of victims of terrorist acts in all Council of Europe member States. It wishes to stress that victims’ assistance must be given an international dimension due to the increased likelihood of citizens of member States becoming victims in other European countries and outside of Europe.

¹ In this context, it is worth also mentioning the Workshop “*Protection of Victims of Terrorist Acts*” organised by and under the aegis of the French Presidency of the Committee of Ministers in Strasbourg on 20 June 2019. This Workshop gave the opportunity to exchange experience and good practices between Governments and representatives of the civil society concerning the implementation of the Guidelines. The Programme can be found in document CDDH(2019)R91, Appendix VI. The proceedings will be published soon.

4. Therefore, the Assembly calls on the Committee of Ministers to:
 - 4.1. recommend member States to:
 - 4.1.1. implement the Revised Guidelines of the Committee of Ministers on the protection of victims of terrorist acts of 19 May 2017, on a proactive basis;
 - 4.1.2. promote the full implementation of Article 13 of the Council of Europe Convention on the Prevention of Terrorism ([CETS No. 196](#)) on “Protection, compensation and support for victims of terrorism”;
 - 4.1.3. strengthen international co-operation with a view to better sharing information between national compensation services and avoid a situation of double compensation and co-ordinate assistance;
 - 4.1.4. share good practices, experience and expertise, also through the Council of Europe and the European Union, to allow the international community to learn from the unique experience of certain States;
 - 4.1.5. prioritise the improvement of support for cross-border victims of terrorism in future reforms;
 - 4.2. speed up its work to establish a network of single contact points for the exchange of procedural information regarding the legal standing of victims of terrorism in the jurisdictions of the member States, as well as other relevant States, also outside Europe;
 - 4.3. examine, in consultation with the European Union, the possibility of adopting a European charter of the rights of the victims of terrorism to facilitate recognition, communication and co-ordination in the wider Europe.
5. The Assembly wishes to continue being fully informed about work on action against terrorism and the protection of victims done by the Committee of Ministers and by relevant committees and working parties.