

Ministère
de la Justice



Délégation
interministérielle à
l'aide aux victimes

Activity report 2017-2018



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DÉLÉGATION
INTERMINISTÉRIELLE
À L'AIDE
AUX VICTIMES

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Introduction



Created by the decree of 7 August 2017, the Inter-ministerial Delegation for Victim Support (DIAV) has, in one year, become the privileged contact point for victims of terrorist attacks, natural disasters, collective accidents, serial disasters and other criminal offences.

Composed by an inter-ministerial team formed in a few weeks' time, it benefits from 9 representatives from the Ministries of Justice, Interior, Solidarity and Health, Economy and Finances, and Public Action and Accounts. All of them bring a wealth of in-depth

expertise and experience from their ministries of origin, to foster the most comprehensive and consistent treatment possible for victims, dedicated to improving their conditions over the long term. As some of the members of the delegation were members of the previous public entities in charge of victim support, an efficient continuity was successfully maintained in the processing of ongoing cases, with no risk of information loss.

While the delegation is placed under the Minister of Justice, to whom the decree of 24 May 2017 ascribes prerogatives in the area of victim support, it has become clear that the topic is of relevance to all the ministries, and that only inter-ministerial coordination, the core undertaking of the DIAV, can meet the challenges and issues inherent in providing effective and, to the extent possible, optimal care for all victims.

Thus, most of the major Ministries have appointed a victim contact person within their ranks, a first-rate facilitator responsible for resolving very practical or sometimes more theoretical issues.

From as early as summer 2017, the Prime Minister set the DIAV two objectives to be achieved within three months: that it revises the inter-ministerial instruction on working with victims of terrorism; and that it presents an inter-ministerial plan for victim support. On 10 November 2017, the Inter-ministerial Committee for Victim Support officially recorded that both these objectives had been met.

The revised inter-ministerial instruction enabled a major step forward, by doing away with the single list of victims, in favour of a shared list comprising both the victims listed by the Paris Public Prosecutor's Office and those to whom a compensation has been granted by the Guarantee Fund for the compensation of victims of acts of terrorism and other offences (FGTI). That list is now better-aligned with reality, easier to read and understand; in contrast, it no longer enables those not listed to contest their non-inclusion. The DIAV has consistently contributed to the thinking in this area, by insistently recommending that the new judge on compensation for victims of terrorism (JIVAT), whose appointment was announced by the Prime Minister on 13 July 2018, should be able to act as an appellate court judge and rule on the status of victim ascribed to those who refer to him on the matter. This is an undeniable step forward in promoting equity and the rights of victims of terrorism.

Furthermore, and unquestionably, the Inter-ministerial Plan has set out a clear and ambitious roadmap for the DIAV to follow.

The purpose of this first activity report is thus both to report on the actions that have been carried out, the projects now underway, and the prospects for the future.

Within each of the four areas selected: consolidating the victims' pathway to resilience, developing and amplifying the public service for victim support, harmonising the rules of

compensation for all victims, and building a European and international policy for victim support, all the actions carried out were inter-ministerial in nature. The involvement of all relevant parties at the highest level is of crucial matter, if victim support is to go beyond the scope of action of the sole Ministry of Justice. Furthermore, it is most important to both draw in the necessary skills and know-how, and to give sustenance to the fields of action in the various Ministries, all to serve an over-arching, coherent project, broad enough that it embraces all victims. The Delegation has always endeavoured to design its actions in favour of all the victims



for which it is responsible, even though certain measures may apply to a specific sub-population amongst them, in accordance with their needs.

Concurrently faced with numerous dramatic events, from the attacks in Barcelona and Cambrils to Hurricane Irma, the Millas accident, the attacks on Saint Charles Rail Station in Marseille, Trèbes and Carcassonne and later in Paris (2nd arrondissement), the DIAV has continuously integrated feedback from these tragedies into its thinking, not hesitating to initiate new projects when the need for priority measures emerged.

It is also thanks to a very close partnership with the France Victimes federation and its network of 132 victim support associations across the territory that avenues for improvement identified through measures implemented on the ground can be adopted and developed today. In the spirit of this partnership, the DIAV has also formed trusting relationships with a large number of victim associations, with which it meets regularly and which, also on a regular basis, address it members and persons referred to them.

Further to this, two key projects were identified during the year, namely the announcement of the respective deaths and the provision of services to French victims abroad.

Lastly, the DIAV has throughout the year sought to make its action known to a broader audience, by taking part in numerous colloquia, participating in training schools, responding to requests from the media, and going out into the field, in particular through participation in local victim support committees (CLAV).

Now considered a full-fledged part of the institutional landscape, thanks to trust relationships with its institutional and association-based partners, clearly identified and recognised in its action, it is sought internationally for its expertise. The example of France can benefit to neighbouring or more distant countries.

A tremendous amount of work, of course, remains to be accomplished; most important is to be aware of everything that can still be undertaken. Listening to victims is very often the most effective way to become aware of gaps and shortcomings in the care provided to them. They are a particularly strong spur, stimulating us to challenge what we do and develop our actions to serve them, in a more optimal manner.

Structuring and strengthening victim supports

By creating a national pool of coordinators for collective accidents on land

On the basis of feedback from previous collective accidents and the recommendations of the inter-inspections report on public policy on victim support, the inter-ministerial delegation put together a **pool of coordinators to assist victims of collective ground accidents**. Acting successively as a facilitator, guarantor or mediator, the coordinator is responsible for providing victims' families with regular information and strong support, in particular by promoting the rapid conclusion of a compensation agreement between players.

A job description was drawn up by the Inter-ministerial Delegation and published in February 2018 on the Interministerial Public Employment Exchange and via the networks of the General Secretaries of the Ministries to which it was likely to be relevant: Justice, Interior, Solidarity and Health and Transport.

Following review of the application pool, 4 high-level professionals from the judiciary and the national gendarmerie were selected. The pool of recently-retired professionals was instituted in early July 2018. It is currently taking part in an inter-ministerial training programme, designed to prepare the recruits for emergency action on the ground.

This measure of the inter-ministerial plan for victim support provides a pool of pre-identified and trained professionals who can be mobilised immediately in the event of a collective accident. The appointment of a coordinator could consequently be proposed to the Prime Minister by the Inter-ministerial Delegation in situations with a high number of victims, when particular problems arise in terms of support and compensation for physical injury or when the emotion and media coverage connected with the event are particularly high.

The Collective Accident Coordination Mission after Millas tragedy

On 14 December 2017, a regional train running on the Perpignan-Villefranche-Vernet-les-Bains line hit a school bus at a level crossing. The accident resulted in the death of 6 children and left around twenty injured. That same evening, the Inter-ministerial Delegate proposed that a coordinator for assistance to victims and families of victims be appointed. With the Prime Minister's signing the mission letter the very next day, the coordinator was able to join very quickly the field and thus exercise his responsibilities with greater ease. The coordinator attended family information sessions and local victim support committee meetings, all the while preparing a framework compensation agreement that would ultimately be signed on 22 March 2018. He is now responsible for monitoring the system overall and steers the meetings of the monitoring committee. In accordance with the commitment made in the framework agreement, the injured and dependants of the deceased following the accident in Millas were all offered provisional compensation by the respective insurance company within eight months of the accident. The coordinator continues to serve. He contributes to awareness-raising in the insurance company about the needs specific to the victims and their families, particularly regarding psychological attention. He ensures that dialogue is maintained and promoted between the insurer and the counsel of the victims' families.



By structuring the territorial component of victim support, and deploying Local Victim Support Committees (CLAVs)



To deploy the public policy on victim support throughout the country, the delegation has broadened and strengthened the network of **local victim support committees (CLAV)**.

Extended to all victims by the decree no. 2017-618 of 25 April 2017, the CLAVs are responsible for structuring, coordinating, implementing and improving local support systems for victims of criminal offences, as well as acts of terrorism, collective accidents and natural disasters.

The DIAV strengthened the legal corpus underpinning the CLAVs by clarifying the mechanism, improving its readability and effectiveness, and drawing the logical conclusions from the enhanced powers granted to the Minister of Justice in the field of victim support (the Public Prosecutor in particular becomes co-president of the CLAV alongside the Prefect, head of local police).

This standardisation process laid down the foundation for the publication of:



- the decree no. 2018-329 of 3 May 2018 on CLAVs;
- the 7 May 2018 Ministerial Order on the operating procedures to be implemented by information and support centres for victims of terrorist acts;

- the inter-ministerial circular of 22 May 2018, which presents the conditions for the creation and facilitation of the CLAV and concretely boost their deployment.

Each CLAV must determine the territorial strategy adopted in terms of victim support, in particular by drawing up a departmental plan that sets out the local, general and specialised mechanisms for victim support, assessing the means and territorial organisation of victim support and setting out priorities for action. To effectively structure the network of stakeholders, it regularly draws up and updates a directory for the implementation of the rights granted to victims (care, follow-up, compensation). The CLAVs are thus aimed at sharing all information about the mechanisms specific to each player and to verify that all the needs of victims and their families are taken into account locally.

The DIAV supports the creation and installation of committees. **51 CLAVs have been created to date**, the target being that each of the 101 départements of France will have its own CLAV by the end of 2018. The Delegation is mobilised to uphold, monitor and coordinate this process.

The DIAV participated in the CLAV meetings following the dramatic events in Millas (collective accident on 14 December 2017), Trèbes/Carcassonne (attacks on 23 March 2018) and Paris (attack on 12 May 2018). At these meetings, the DIAV provided its expertise and advice to the administrative and judicial authorities in order to efficiently coordinate the actions of the various parties involved in helping victims. The DIAV is also developing its presence with the CLAVs via video conferencing with the prefectures. Recently, the DIAV was able to directly coordinate the CLAV in Aisne (site of the accident) and Meuse (the victims' place of residence), which met at the same time to address the support and monitoring of the victims of the accident on 16 August on the A4 motorway between a truck and a children's recreational centre bus.

By implementing an accreditation scheme for victim support associations

As a continuity of the assessment report on public policy on victim support submitted in February 2017, the DIAV defended the need to create a **legislatively-based accreditation process for victim support associations**, these being State operators fulfilling a mission of general interest.

Until now, accreditation has been available only to victim associations, while those dedicated to victim support operated under local agreements issued by

the competent Courts of Appeal. Due to the need for recognition as well as the necessity that the State guarantees the quality of services provided, it was essential that the accreditation be implemented for victim support associations.

These associations, which are responsible for providing walk-in services, information and support to victims of criminal offences, contribute directly to public policy on victim support. Accreditation would provide the victims with guarantees on the quality and professionalism offered by the associations, based on common core requirements of several different kinds: fulfilling a general interest mission, operating in a manner rooted in democratic principles, and complying with the rules that guarantee financial transparency. Granted for a limited duration by the Ministry of Justice, the accreditation would thus be granted on the basis of terms of reference and a multi-year performance agreement.

Following the consultations carried out by the DIAV and the Service for Access to Law and Justice and Victim Support (SADJAV), a draft amendment was drawn up in April 2018 to be incorporated into the 2018-2022 Programming Law for Justice, for which parliamentary scrutiny is expected in Autumn.

By creating information sharing tools and digitisation

The **Inter-ministerial Information System on Victims of Attacks and Disasters** (SIVAC) project was entrusted to the Inter-ministerial Delegation. Its purpose is to provide the various public players with a computerised working tool that orchestrates data exchanges, by increasing the speed, accuracy and relevance of the information exchanged. The implementation of this information system will help improve services to victims by enabling fast-track access to their benefits, simplified procedures, better support and follow-up on the actions implemented.



Since summer 2017, the DIAV has held 3 steering committee meetings and organised 27 user working group meetings, bringing together the representatives of the 11 administrations on which the project has a bearing. These meetings enabled the project to be properly framed and progress to be made in defining its operating

procedures. New stages of the project and new deadlines have thus been formalised. The interconnection between the SINUS application of the Ministry of Interior, deployed in late 2018 in all departments, and SIVIC of the Ministry of Solidarity and Health was implemented.

According to the implementation schedule, the SIVAC roll-out will come at the end of 2019.

The creation of this information system requires a specific legislative measure authorising the exchange of data between all administrative agencies involved in providing services to victims.

Alongside this, the Delegation updated and developed all the content on the Guide for Victim Support website dedicated to information and online procedures for victims of acts of terrorism.

As the technical management of the site cannot currently be entrusted to the Ministry of Justice, a transitional technical solution has been found with the services of the Prime Minister, such that the DIAV will manage the site directly. The delegation has called on all its institutional and association partners to contribute to developing information on the rights and mechanisms available to victims and their families.

To develop the service offer to other victims, facilitate their access to the general information they need, guide them by offering them a personalised guidance service and online procedures, a new version of the Guide for Victim Support website is being considered. The DIAV will issue a call for tenders to select a service provider in order to define the future site's ergonomics and organisation. The links between this specialised site and other more general public information sites (service-public.fr, justice.fr, etc.) will need to be improved.

On 25 May 2018, the DIAV, the Directorate General for Civil Security and Crisis Management (DGSCGC) and the Directorate General for Health (DGS) presented to each of the Ministries involved the computerised tools deployed at national level in connection with services to victims. The two systems (SINUS for the DGSCGC and SIVIC for the DGS) have been interconnectable since December 2017, in the event of crises causing multiple victims.

These tools, which are regularly used during serious events, enable better victim follow-up, counting, and identification as well as information to their relatives, and continued support through other players. They also contribute to helping players on the ground (fire and rescue services, SAMU, health facilities, etc.) to serve victims.

This exemplary collaboration marks a significant step forward and an essential first step in the implementation of the future Inter-ministerial Information System for the Victims of Attacks and Disasters (SIVAC).

Improving victim care

By managing post-traumatic psychological disorders

In addition to visible and sometimes spectacular physical injuries, most victims also have psychological wounds that are not always easy to detect, as they often go unmentioned or are hidden. The disorders caused by these psychological impacts are grouped under the terms "psychotrauma" or "post-traumatic psychological disorders".

At its 10 November 2017 meeting, the Inter-ministerial Victim Support Committee selected **fifteen measures to improve psychological assistance to victims**, divided into five main areas:

- improving and structuring the care pathway for victims;
- improving training and support for professionals;
- enhancing our knowledge by stimulating scientific research and the sharing of practices;
- improving coordination between stakeholders;
- mobilising society so that everyone is a player in resilience.

The creation of a **National Resource and Resilience Centre (CNRR)** is a flagship measure.

Under the aegis of the DIAV, a working group made up of representatives from the Ministries of Solidarity and Health, Higher Education, Research and Innovation, Justice, the Interior, the Armed Forces and National Education met for several months to draw up the specifications for the future centre. These specifications were the focus of a call for proposals issued by the DIAV to all healthcare institutions.

For reasons stemming from the necessary interconnection with clinical practice, the CNRR will be housed in a hospital facility. However, it will not be a care centre and its multidisciplinary and inter-ministerial nature is considered a key element of its success.

The CNRR will be responsible for identifying and monitoring research on psychotrauma in the medical field and in the human and social sciences at national and international levels. The objectives are to update knowledge, but also to identify gaps and define areas for work and research. The CNRR may initiate or direct research work. It will be a major player in the search for research dedicated to the field of psychotrauma.

Best practice guidelines will be developed in close connection with professionals, learned societies and the French National Authority for Health (HAS), so as to harmonise patient care according to recognised and shared quality criteria. The CNRR will develop training guidelines in collaboration with professionals and academic bodies intended for all professionals working with victims: first aid workers and healthcare professionals, as well as individuals in law enforcement, and personnel from the justice and social and medico-social sectors.

French experience and work will be shared and showcased internationally to encourage discussion in the scientific community and more in-depth knowledge.

The centre will be registered under law as a public interest grouping (GIP), and thus enjoy a legal personality and administrative and financial autonomy. The selected site will be announced in November 2018, with the centre expected to begin operations by the end of 2018.

By supporting employment and professional reskilling

During discussion with associations and victims, the question of employment and the place of the victim in the working world comes up very regularly. To create greater awareness of sometimes complex systems and improve services to victims, the DIAV organised a series of 4 round tables between institutions and associations.

The broader association sector, the Ministries of Labour, Solidarity And Health, National Education, the National Health Insurance Fund for salaried workers, the National Unemployment Office Pôle Emploi, the AGEFIPH (association managing funds for the professional integration of disabled persons), the Departmental Centres for the Disabled, the National Confederation of Local Chapters, the Regional Council of Ile-de-France, the Guarantee Fund for the compensation of victims of acts of terrorism and other offences and others took part to these tasks.

Focused on the expectations and concerns of victims (general regulations, measures to combat withdrawal from the working world, measures to maintain and access employment, vocational retraining and training,

disabilities, young victims), these meetings were used to provide associations with the tools and directories needed to support and guide victims, as well as overhaul the content of the website for information and online procedures, **Guide for Victim Support**.

The delegation also signed an **agreement with Pôle emploi** on 1 December 2017, covering four areas to improve cooperation between players and strengthen walk-in services and support for victims of acts of terrorism. A network of regional reference persons was appointed by Pôle Emploi from the end of 2017 to integrate the local structuring of victim support. As the preferred contact point for associations and parties involved in helping victims in its department, the contact person participates in the Local Victim Support Committee and coordinates the initiatives run by Pôle emploi. It provides support and expertise to the counsellors receiving victims.

The Delegation has put together and distributed a training kit for Pôle Emploi counsellors and reference persons, which includes an introduction to all the participants involved in providing assistance, benefits and mechanisms to victims. This kit, available online, is deployed across all the departments during departmental working sessions between victim support associations and Pôle Emploi counsellors and reference persons. These discussion days, run by the Inter-ministerial Delegation, were a valuable opportunity for professionals on the ground to meet, discuss their practices and develop common working methods.

At the National Steering Committee meeting scheduled on the anniversary of the convention, a precise quantitative and qualitative assessment will be presented; already, local experience points to the possibility broadening the target population and range of interventions used.

While the current partnership is limited to victims of acts of terrorism and their loved ones, the participation of the Pôle Emploi representatives in the local victim support committees necessarily opens up additional doors. The Pyrénées-Orientales reference person, for example, has instituted heightened support for the parents who lost their children in the dramatic collision in Millas.

In addition, while Pôle Emploi's remit begins only with the registration of individuals as job seekers, its counsellors are asked to provide information proactively to limit the risk of progressive professional exclusion amongst individuals on very long-term sick leave, as is unfortunately often the case with victims of violence. Pôle Emploi is working to develop these new proactive methods of action, in conjunction with the National Health Insurance Fund for Salaried Workers. Each of these changes will be reworked as part of an amendment to the agreement, to be put forward for signature at the end of 2018.

Through services and compensation for victims of terrorism

The protection of victims of criminal offences has always been a major concern for our society. The legislator, forty-two years now, has gradually but indisputably consolidated the status of victims in criminal proceedings, recognising the rights that come along with this, from the filing of a complaint to the trial of the person prosecuted. The difficulty for victims of terrorist acts quickly became clear where identification and services were concerned.

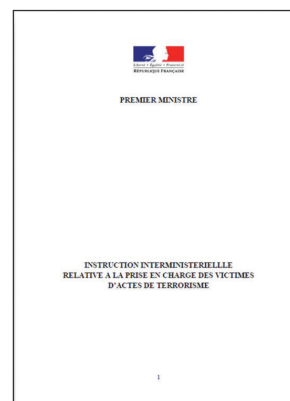
The terrorism that has struck our country and our neighbouring countries has changed in form and method of execution, now reaching collective target populations in closed places and on public roads, using different operating modes, and calling for specific services to be provided to victims, whether physical or psychological.

This necessity for the State to provide services and care to victims of terrorism is rooted in the idea that the perpetrators of terrorist attacks take aim primarily at the interests of a State, while the targeted persons are only collateral victims.

As protection must be provided by the State, all victims' associations have asked the public authorities to broaden the benefits to which victims of terrorism are entitled. It is thanks to this that the victims of acts of terrorism very quickly benefited from a protective legal corpus and a compensation system based on the rule of national solidarity, provided by the Guarantee Fund for the compensation of victims of acts of terrorism and other offences, which fully compensates for personal injury to injured victims and the moral and economic hardships endured by the dependants of deceased victims.

The issue that quickly arose for both the judicial authority and the other Ministries or bodies affected by the issues of victim care (Ministries of Solidarity and Health, the National Office of War Veterans and Victims and especially the FGTI Guarantee Fund) lied in drawing up a precise list of victims of the attacks with a view to providing them with benefits.

Due to the difficulties in interpretation arising from the single list of victims (LUV), which had initially been drawn up by the Public Prosecutor of the Paris District Court, the inter-ministerial instruction of 10 November 2017 on the care of victims of acts of terrorism, did away with this list in favour of a shared list.



This **shared list of victims of acts of terrorism** is now drawn up first by the FGTI, then transmitted and validated by Service for Access to Law and Justice and Victim Support (SADJAV) of the Ministry of Justice, which ultimately sends it out to all institutional players affected by the treatment of victims of terrorism, as reiterated in the inter-ministerial instruction of 10 November 2017.

The inter-ministerial mechanism for providing support to victims of acts of terrorism thus came into being, giving the FGTI a more active role in identifying these victims. However, such a mechanism can only become operationally effective if a judge empowered to judicially review the decisions of the FGTI, the **Judge for the Compensation of Victims of Terrorism (JIVAT)**, is appointed.

Missioned by the Minister of Justice, Chantal Bussière, former First President of the Court of Appeal of Aix-en-Provence took up the proposals of the Inter-ministerial Delegation to assist victims and recommended the creation of a compensation judge with national jurisdiction to assist the victims of terrorism and thus:

- prevent criminal proceedings from being slowed down by the numerous medical assessments ordered by the investigating judge;
- promote at the same time compensation for victims of terrorism by the FGTI, while ensuring judicial control of the latter's decisions, both for the benefit of persons not included on the FGTI shared list to be recognised as victims of acts of terrorism (recourse relating to the eligibility of the status of victim of terrorism) and for victims of acts of terrorism that will challenge the compensation proposed by the FGTI (appeals for compensation further to physical injury);
- to make case law clear and precise by preventing differences in interpretation that are not well perceived by victims, as has been the case in the past.

It is therefore now proposed to give JIVAT national jurisdiction in the same way as the Paris courthouse jurisdiction for perpetrators of terrorist offences.

The project to create the JIVAT position is currently being drafted by the legislative departments of the Ministry of Justice and should be implemented by autumn 2018 through the filing of a governmental amendment to the Justice reform in Parliament.

By bringing professional skills to the death notification process

Since it was first established in the summer of 2017, the Inter-ministerial Delegation for Victim Support has experienced, either directly or through the feedback from recent major crises (attacks, collective accidents),

difficulties around the procedures for notifying families and relatives of victims' deaths. At such an emotional time, when families and loved ones are to be officially-informed of the death, a reflection process needs to be carried out to:

- designate the authority responsible for announcing the death;
- determine when, where and how the death should be announced, with the idea that this process should ideally be carried out in private, in the presence of one or more medico-psychological caregivers, in order to provide the family with the appropriate immediate support, if necessary.

Today, while no regulatory text actually specifies which authority is responsible for notifying of death, a certain number of circulars or best practice guides have been circulated, without general consistency. Training is also planned for certain government officials aimed at raising their awareness of these issues, which are often difficult to overcome.

Frequently, it is thus situational intelligence that prevails, in crisis management as well as in common law for victims (criminal offences, road safety), bearing in mind that each case is different and that the way the death notification is perceived also varies depending on the person.

Based on the major events of the past year, there is no denying the significant homogeneity in death notification procedures. Some victims vociferously denounced the clumsiness of one hospital director in announcing the death of their children, while others have condemned the lack of medical staff for immediate medical and psychological care. This moment always remains of crucial importance for the victims who, when the death notification is poorly perceived, evidently suffer real after-effects, which later impact their road to rebuilding a life. As specialist physicians regularly emphasise, for the loved ones who remain, the trauma caused by the tragedy is compounded by the memory of the way they were informed.

The Ministries directly involved in death notification (Interior, Justice, Solidarity and Health, Europe and Foreign Affairs) are fully aware of the issues at stake and the need to give those involved professional skills, possibly even by passing legislation to this effect. The quality of support for families in the very first moments following death also contributes to the image which each institution will leave of itself. Thus, acting in its capacity of coordinating the action of the various ministries in improving victim support systems, the DIAV initiated in September 2018 a project on death notification.

By stepping up services to French victims abroad

French victims of terrorist attacks, collective accidents and, in general, criminal offences committed abroad enjoy in principle the same rights and the same treatment as the French victims. French courts continue to have natural jurisdiction for crimes or offences committed abroad because of the nationality of the victims (article 113-7 of the Criminal Code).

Consequently, and regarding financial compensation, the FGTI provides full indemnities for damage resulting from an act of terrorism. The guarantee it provides extends to all French victims in the event of a terrorist attack committed abroad, under the conditions defined in articles L. 422-1 to L. 422-3 of the French Insurance Code. It was activated in particular after the attacks in Barcelona, London and the Bardo Museum in Tunis.

The FGTI therefore fully compensates for all bodily injuries to injured victims and moral and economic damages to the beneficiaries of deceased victims.

It is important to emphasise that our compensation system, as currently set out with regard to victims of acts of terrorism, is widely supported by all the Member States of the European Union, which consider it to be highly protective for the benefit of these victims.

However, and from a judicial standpoint, if the victims of terrorist attacks benefit from a certain number of rights under the criminal proceedings initiated abroad for acts of terrorism (possible assistance from a lawyer in the context of a mirror investigation in France, on-site support from the French consular services of the country where the trial will take place), the texts, in respect of legal expenses, do not provide for the payment of their victims' travel expenses.

A working group was therefore set up on 21 June 2018 at the initiative of the inter-ministerial Delegate for Victim Support, the victims of the attack on the Bardo Museum in Tunis having made it aware of these texts, the aim being to standardise the system of legal costs, whether the trial is held in France or abroad, when a mirror investigation has been opened in France.

The time has come to draft new texts that should provide better support for them when they travel abroad. Victims (receiving legal aid in France because of their limited resources or full legal aid as provided to victims of terrorism) cannot be deprived of the right to attend the trial on the grounds that it is held abroad. It is essential to provide them with this financial cover, as attending the trial is often a necessary condition for their reconstruction.

Moreover, and in the same vein, victims are often finding themselves, when the trial is held abroad, faced with a lack of or insufficient psychological care. As they are not covered by the general health insurance scheme, direct

victims cannot always benefit from 100% medical care in connection with the attack if they reside abroad. Lastly, the close relatives of injured or deceased victims do not automatically receive psychological or psychiatric care. In September 2018, the Delegation will convene a working group composed of all the inter-ministerial players on which this issue has a bearing.

Memory and recognition



The National Medal of Recognition for Victims of Terrorism

The **National Medal for Recognition of Victims of Terrorism**, created by the decree .o. 2016-949 of 12 July 2016, is intended to pay tribute from the Nation to the victims of terrorist acts committed on national soil or abroad.

Drawn up under the aegis of the DIAV, the circular of 6 March 2018, signed by the Minister of Justice, is the culmination of a collaborative effort carried out with all interested parties: the Directorate of Judicial Services, the Service for Access to Law and Justice and Victim Support under the Ministry of Justice, Ministry of Europe and Foreign Affairs, the General Secretariat of the Government, the Grand Chancery of the Legion of Honour. It was presented by the DIAV, prior to its signature, to victims' and victim support associations for their comments.

The purpose of the circular is to describe the mechanism surrounding the victims' approach, two distinctive features of which are simplicity and accessibility. Since its publication, the DIAV has been relaying information to all its partners and responding to questions from victims, victim and victim support associations and State services.

In addition to the decree and circular, the DIAV has posted application forms in four languages (French, English, German, Spanish) on the portal of the Ministry of Justice.

Technical meetings involving all interested parties are continuing in order to put in place the secure arrangements that are essential for carrying out an initial promotion, which should take place in the autumn.

Support and participation in tributes and commemorations

As part of its powers referred to in the aforementioned appointment decree of 7 August 2017, the Inter-ministerial Delegation for Victim Support is responsible for coordinating the State services for the organisation of tributes and commemorations.

Several requests for plates to be placed at Les Invalides in tribute to the victims of acts of terrorism committed abroad were successfully completed thanks to the Delegation's intervention. On 22 November 2017, the DIAV organised the ceremony for the victims of the Cairo bombing and on 26 February 2018, the ceremony in honour of the victims of the attack in Saudi Arabia.

The Delegate also takes part in the commemorations and full-day tributes organised by the families or associations of victims of terrorism and collective accidents.

The Memory Committee reflections on acts of terrorism that have affected France and its nationals

On 12 February 2018, at the request of the French President, the Minister of Justice instituted the **Memorial Committee** to carry out an in-depth reflection on the different ways of commemorating the attacks and to give the memory of these tragedies the fundamental place of which it is deserving. The aim is above all to enshrine these events in the collective memory and to ensure that knowledge of them is passed on to future generations.

This Committee, under the aegis of the Inter-ministerial Delegation for Victim Support, was made up of various

personalities from the academic world: historians, scientists, sociologists and Ministries of Justice, the Armed Forces and National Education.



To conduct its deliberations, the Committee held a series of hearings and on-site visits at regular intervals. The Committee heard 25 people:

- / **9** institutional representatives,
- / **9** association partners,
- / **3** qualified persons,
- / **4** religious authorities.

It visited the 4 sites where the attacks were committed, in Paris ("The Belle Equipe", "Le Bataclan", "Charlie Hebdo") and in Nice ("Villa Masséna"). Lastly, it visited 5 places of memory (Mémorial de Caen, Mémorial de la Shoah

in Paris, Camp des Milles in Aix-en-Provence, and the Rivesaltes Camp) and the Lenval University Hospital in Nice.

The members of the Memorial Committee submitted their report to the Minister of Justice on 7 September 2018. Among the 14 proposals are:

- / developing in schools specific courses that shape a critical perspective on the media and social networks and incorporating the question of terrorist attacks into future school curricula in a geopolitical, multiscalar and multidisciplinary approach;
- / filming and recording the main terrorist trials;
- / creating a Memorial Museum that is both a place of memory, a history museum, a space for research, conferences and debate, and a place for passing on knowledge;
- / setting 11 March as the common commemoration date so as to set it in a European perspective.



Conclusion

D Now an expert in victim support, the Delegation is called upon to take part in meetings of the inter-ministerial crisis unit (CIC IRMA after the hurricane in the Caribbean and exercises organised by the General Secretariat for Defence and National Security). Assistance to victims is now an essential part of managing events involving a large number of victims. It must be taken into account from the very first hours. To this end, the DIAV participates in national-level discussions on major crisis management.

The delegation also pursues the objective of strengthening European and international cooperation on victim support and developing victims' rights. The Inter-ministerial Delegate participated in multiple expert meetings organised by the European Union. It is a member of the Select Committee on Compensation for Victims of Crime created by Joëlle Milquet, Special Adviser to the President of the European Commission on this issue, the work of which is ongoing.

To showcase France's expertise in global care and build on the best practices of foreign countries, the DIAV contributed to various international seminars, in France or abroad: the annual seminar of Victim Support Europe and the IFDIS (International Framework for Dialogue and Information Sharing) in Stockholm in May 2018, for example, or the meeting of Eurojust on counter-terrorism in June 2018.

Several networks of professionals are developing cooperative efforts on these issues, in particular the European Network for Victims' Rights (ENVR). A forum for dialogue and cooperation in order to promote the transposition of European legislation on victim support, this network brings together professionals from administrations in charge of victim support in the 28 countries of the European Union. The French contact point for the network is now placed within the DIAV.

On 24 April 2018, the Inter-ministerial Delegate, Elisabeth Pelsez participated in the meeting of experts and contact points of the European Network of Victims' Rights (ENVR) in Budapest. She spoke at the opening of this event with the Hungarian Minister of Justice László Trócsányi and Joëlle Milquet, Special Adviser to the President of the European Commission on compensation to victims of crimes. The Inter-ministerial Delegate emphasised the key role which ENVR must play in improving cooperation and coordination at the European level in order to ensure effective care for victims in all Member States.

She then participated with the French contact point, a member of the DIAV, in the working groups that focused on the role of victim support services in emergency systems, individual victim assessment and protection measures, as well as identification and assistance to victims of human trafficking. That participation enabled the DIAV to promote French systems, to enrich itself with good foreign practices, and have well-identified contacts available in all European countries in order to facilitate the exchange of information and cooperation.

The organisation by the DIAV of the European Conference for Victims and Victim Support Associations at the Paris City Hall on 5 November 2018 must also facilitate international cooperation at another level. In Europe, services to victims often rest on associations. This symposium, which theme is "resilience", is aimed at encouraging them to interact, become familiar with one another, and share their best practices. Thereby associations and all victims support responders can concretely improve their cooperation in providing services to victims. Speakers will include experts such as Boris Cyrulnik, representatives of European associations and victims. All the Member States of the European Union and the full range of victims and victim support associations should be represented. The Prime Minister and the Minister of Justice need to intervene at these meetings, as should European Commissioner for the Security Union, Sir Julian King.

In 2019, the DIAV will conduct new projects in close consultation with victim and victim support associations. It will conduct a very practical discussion with all the departments concerned within the Ministry of Justice and with magistrates in the courts, to propose measures to be put in place to deal with mass trials. Taking a proactive stance in view of the major upcoming lawsuits that will deal with mass litigation, particularly in the context of serial claims, represents an essential challenge that goes beyond organisational issues alone. It would be useful to link the discussion with the two projects initiated by the Minister of Justice on criminal and civil procedure in order to give a place to the victims they are waiting for before the trial courts.

In order to give victim support all the room it deserves and in particular to strengthen its inter-ministerial nature, the DIAV will contribute to drafting a general circular on this subject, for which many judges are calling.



