

**HIGH LEVEL MEETING ABOUT VICTIMS OF TERRORISM (OSCE)
TERRORISM VICTIMS ASSOCIATION (SPAIN)
VIEN, 13 Y 14 DE SEPTIEMBRE DE 2007**

SESSION 1: THE VICTIM

The victim of the terrorism is different to other ones by violent acts due to the motives of the assassins (the terrorists look for the intimidation, the cancellation of freedom and the creation of a state of fear, terror and psychosis on population, in order to get political targets; it is confirmed with terrorist groups as ETA, terrorists with Marxist-Leninist ideology which want to impose the break of the unity of Spain and the independence of a part of its territory) and besides, the results of these acts on victims; these persons feel that all their beliefs and the most elemental trust in the world are damaged.

Then the distinction between victims of terrorism and victims of violent acts, crimes, is very important. The act of assassinating or the damage by itself is condemned, but we consider that a big difference exists between both situations. So, due to the special and different nature of these cases, there is not risk in the distinction of these two types of victims. Anyhow, Countries and any national and international Organizations have to try to attend with efficiency to all the victims, either by terrorism or by violent acts.

Though all of us know to recognize to a victim of terrorism, it is important to establish the definition, valid and considered at international level, and then to improve the protection of their rights all over the world.

The solidarity with victims of terrorism has been shown as an effective and necessary element to get the defeat of the terrorism. When civil society and institutions can face to terrorists with courage and to exhibit, without fissures, their total and clear support and solidarity with the victims of terrorism, criminals feels frightened. It is fundamental that civil society acts on this way, because one of the objectives of the terrorists is to cut the freedom and to drown social and politically to whom are their opponents, which are against their acts. A clear, concise, strong and public solidarity with the victims of terrorism helps to overcome, on a decisive way, the social terror, the objective of the terrorists. And then, to get the moral and social repair of the victims.

SESSION 2: ASSISTANCE PROGRAMMS FOR THE VICTIMS

State Authorities should facility and coordinate all the necessary resources and activities (as universal rights) to recover victims as physical as psychically from the terrorist violence. The rest of participants on the help process (not state authorities, associations, not governmental organizations and so on) would have

to fulfill a subsidiary and complementary role, but always in coordination with the action state.

The above mentioned helps should be clear in relation with the coherence, concession and continuity in order to recover the normality of the victims in the Society. Both the design as its execution will have to be managed by technical qualified personnel without any other kind of interests or political yields, only the complete recovery of the victim is the objective.

We reiterate the important need to count with specialized units in this kind of assistance, as well as qualified personnel for creating and executing the assistance programs and integral attention to the terrorism victims collective.

SESSION 3: THE VICTIMS ON LEGAL PROCESS

An Office of Help and Attention to the Victims of Terrorism would have to be opened in the “Audiencia Nacional”, in the case of Spain, or in the Court with competences for judging crimes of terrorism. The Office must be placed into the building where terrorists going to be judged and it will have to provide all kind of information requested by the victim or her relatives in relation with the process in which, the author and/or partners of the terrorist attempt suffered by the victim or her relatives, will be judged.

Also, it would be important that the day of the judgement the victim and/or her relatives have a psychological support on the Court and they feel a wider support, not only they received of the AVT. Besides, it is not convenient to join in the judgements victims or relatives of them with assassins’ friends and relatives. First at all, victims’ families and friends, and after, if there is place, the rest.

The victim must be informed about which terrorist’s penitentiary situation is. This is, in which jail the terrorist is, due date of the departure of the jail and so on. In many cases a big number of victims know that the assassin of their relative is in freedom only for a brief note of mass media. It is very lamentable. Unfortunately, in Spain, the State does not give information about the process to the victims of terrorism. These ones only receive that information from the Victims Associations. It is very important victims must be informed during all the process and through any Department of the Ministry of Justice or Home Secretary about all the circumstances regarding to her attempt, suffered by herself or her relative.

Although in Spain the figure of the protected witness exists and he can declare on the Court, under anonymity, in any case unseen either by the terrorists or their lawyers, we should not forget that the witness will be with the lawyers of the terrorists and even with their relatives on the halls, before coming into the room of the Court. And if the terrorist would be in provisional freedom by the acts to be judged, it could be possible that witness was joining to the terrorist before the judgment will start.

In France and other European Community Countries, victims of a terrorism attempt, which is being judged, have the opportunity of declaring and being heard by the Court and the rest of members of the process, even if they are not witness of the facts. This situation is very encouraging for the victim and besides, her declaration can be much valid for the Court.

It is a shame for many Spanish good citizens and for the victims of terrorism that many members of ETA, when they are invited to declare in the judgment, insult and threaten to the Court, meanwhile the Attorney looks for another side. In any other ordinary judgment these acts would be certificated and the authors would be judged again for apology of terrorism, disobedience, threats..

SESSION 4: THE ROLE OF THE SOCIETY

The Spanish experience proves that the role of the society is determinant, as we have early exposed in this document. In the Spanish case, social demonstrations in favour of the victims have been, on the one hand, the fundamental factor to be more effective the fight against the terrorism, and for other, to get better the objective of the physical, moral, social and emotional recovery of the victims. We must not forget that any citizen can be victim of terrorism. Besides, victims are a very important column for all the societies threatened by terrorists, due to they are assassinated and hurt by those that want to destroy the freedom, the coexistence, the peace and the integrity of the Nations.

The “Asociación de Víctimas del Terrorismo” (Terrorism Victims Association) in Spain is the pioneer on the field of world associationism and its 26 years of arduous work, join to other civil institutions, have reached very important advances. Civil society have to be focused on accompanying victims and claiming for their needs and demands that, sometimes, have been treated with indifference for the Society, when not with scorn by all the social, economic and cultural environment of the terrorists.

The principal challenge for the civil society on the democratic world is to get those governments and national and internationals institutions were conscious of the primordial and urgent need to attend to the victims and to receive all their demands of Memory, Dignity and Justice. The civil society, besides, must contribute to reject the negotiation of the political classes with terrorists, only the defeat of these ones must be the objective.

The States and international Organisms have to be in conditions to attend, without any political interest, all the needs of the victims and to support firmly for the defeat of terrorism without giving compensations to the criminals by the ceasing of their inhuman behaviour.