

Information for victims and relatives of victims

Trial of the attacks of 22 March 2016



FEDERAL PUBLIC SERVICE
JUSTICE

.be

CONTENTS

Practical information.....	4
Support to the victims	9
The Court of Assizes	10
Becoming a civil party.....	16
Legal Aid.....	17
Commission for Financial Assistance.....	19
Contact with the press	20
Contacts	21
Notes.....	22

D1 PRACTICAL INFORMATION

ACCESS TO THE JUSTITIA SITE

The Justitia site is located at Avenue du Bourget, 22 in 1130 Brussels.

- **By train:** Bordet train station is within a 10 minute walk from the Justitia building
- **By tram or bus**
The “Bourget” stop is in walking distance from the Justitia building (about 10 minutes)
 - De Lijn: bus lines 471 and 272.
 - STIB: tram line 62.
 - STIB: bus line 12.The “Da Vinci” stop is in walking distance from the Justitia building (about 15 minutes)
 - STIB: tram lines 55 and 62.
 - STIB: bus lines 12, 65, 69 and 80.

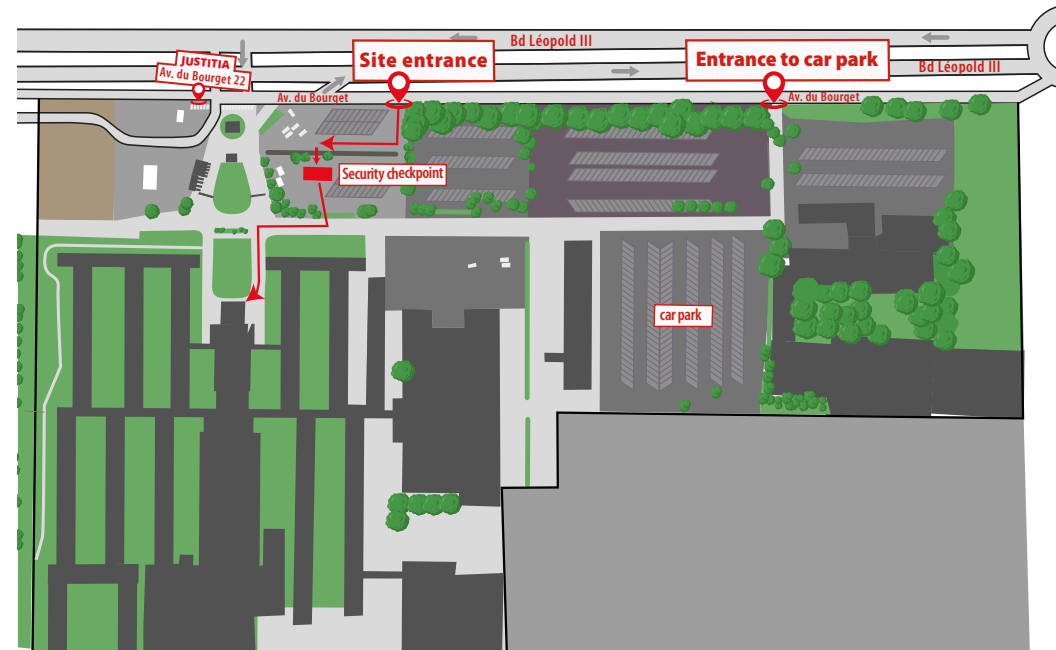
More information on the following websites: www.stib.be and www.delijn.be.

- **By car: type “Justitia” in Waze or Google Maps apps to reach the entrance of the building.**

Victims with accreditation (see page 7) have free access to a car park. It is located 400 metres from the main entrance of the site, on the right.

The Justitia site is located in the **Low Emission Zone (LEZ)**. It is a traffic ban zone for the most polluting vehicles. More information on this subject is available at: www.lez.brussels/mytax/en

A drop-off area for people with reduced mobility is located in front of the site.



LINK TO GOOGLE MAPS



SECURITY

Each person accessing the site must go through a number of checkpoints (scans and identity check). A fast lane is available for people with reduced mobility and people accompanying them. Accredited people (see below) will not be subject to routine identity checks.

Security instructions:

- Luggage (suitcases and travel bags) is not allowed on the Justitia premises and there are no changing rooms.
- No filming or photography is permitted within the site.
- Accredited individuals may enter with their mobile phones but may not use them inside the courtrooms (silent mode). Other people should leave their phones in the lockers provided at the building entrance.
- No food or drink may be brought onto the site. Drinks and snacks (vending machines) are available on site. It is also possible to order a meal in the morning.
- Medicines may only be brought onto the site upon presentation of a medical certificate.

ACCREDITATION

Accreditation is not mandatory but gives access to the car park, facilitates access to the site and the courtrooms. Accreditation procedure can be carried out prior to your arrival at the trial but is still possible on the Justitia site. You can do this at the reception desk in the main hall.

Accredited people who are present on the Justitia site are identified by coloured lanyards :

- Green: civil party who accepts contact with the press (image and interview)
- Red: civil party who refuses contact with the press (image and interview)
- White: victim who is not civil party (+ green or red)
- Yellow: lawyer
- Orange: press
- Blue: judicial staff and justice assistant

TRIAL VENUE

The Justitia building comprises a **main courtroom**, the “Popelin 1” room, with a capacity of 170 people, where defendants and their lawyers will be seated. Seats for civil parties and their lawyers will also be available.

To accommodate the large number of victims, their lawyers and possibly their relatives, seven **overflow courtrooms** have been made available. The relay rooms allow a two-way live connection with the main courtroom (image and sound). Civil parties and their lawyers can therefore address the court from these rooms.

At the entrance of the building, two **rooms** are provided **for the audience** to follow a live broadcast of the hearing (image and sound). No interaction with the main courtroom is possible in these rooms.

Victims can withdraw to a **room reserved** for them. Access can be requested to the Judicial Victim Support Service (see page 21).

INTERPRETATION OF THE DEBATES

The hearing is conducted in French and simultaneously translated into Dutch and English. Headsets are provided for this purpose.

Civil parties may request an interpreter for another language when they attend the hearing only. Their request must be addressed in advance to the registry of the Court of Assizes to the following e-mail address: assises.bruxelles.justitia@just.fgov.be. This request should be sent by the civil parties themselves, through their lawyer(s) or through the justice assistants of the Judicial victim support service.



02 SUPPORT TO THE VICTIMS

Justice assistants from the Judicial victim support services accompany and provide support to victims and relatives of victims throughout the trial.

They can also offer you information on the progress of the trial, on the role of the various parties, on the material and practical organisation of the proceedings, etc.

You can turn to them whenever you feel the need, whether to ask questions about the process or to express emotions. They can relay your questions and concerns to the judicial authorities.

They can refer you or put you in contact with other specialised services, including in particular victim support services offering psychological support.

A daily presence of the justice assistants is organised on-site during the trial. They are recognisable by their blue vest.

They also can be reached on +32 (0)2 553 00 00 (Monday to Friday from 9 a.m. to 5 p.m.) or by e-mail: proces2203@vlaanderen.be.

For more information, visit the website slachtofferzorg.be or victimes.be.

03 THE COURT OF ASSIZES

● The court

The court is composed of a **presiding judge** and two **associate judges**, all three of whom are professional magistrates.

The presiding judge directs the proceedings and ensures that the hearing runs smoothly. He/she decides on the suspension of hearings and manages any incidents. He/she wears a red robe.

The associate judges assist the presiding judge and participate in the proceedings. For this process, substitutes are provided for the presiding judge and the associate judges.

● The jury

The jury is composed of twelve Belgian citizens chosen by lot.

Twenty-four alternate jurors are scheduled for this trial. These alternates will take the place of the actual jurors if they can no longer sit.

The jurors and alternates must take an oath.

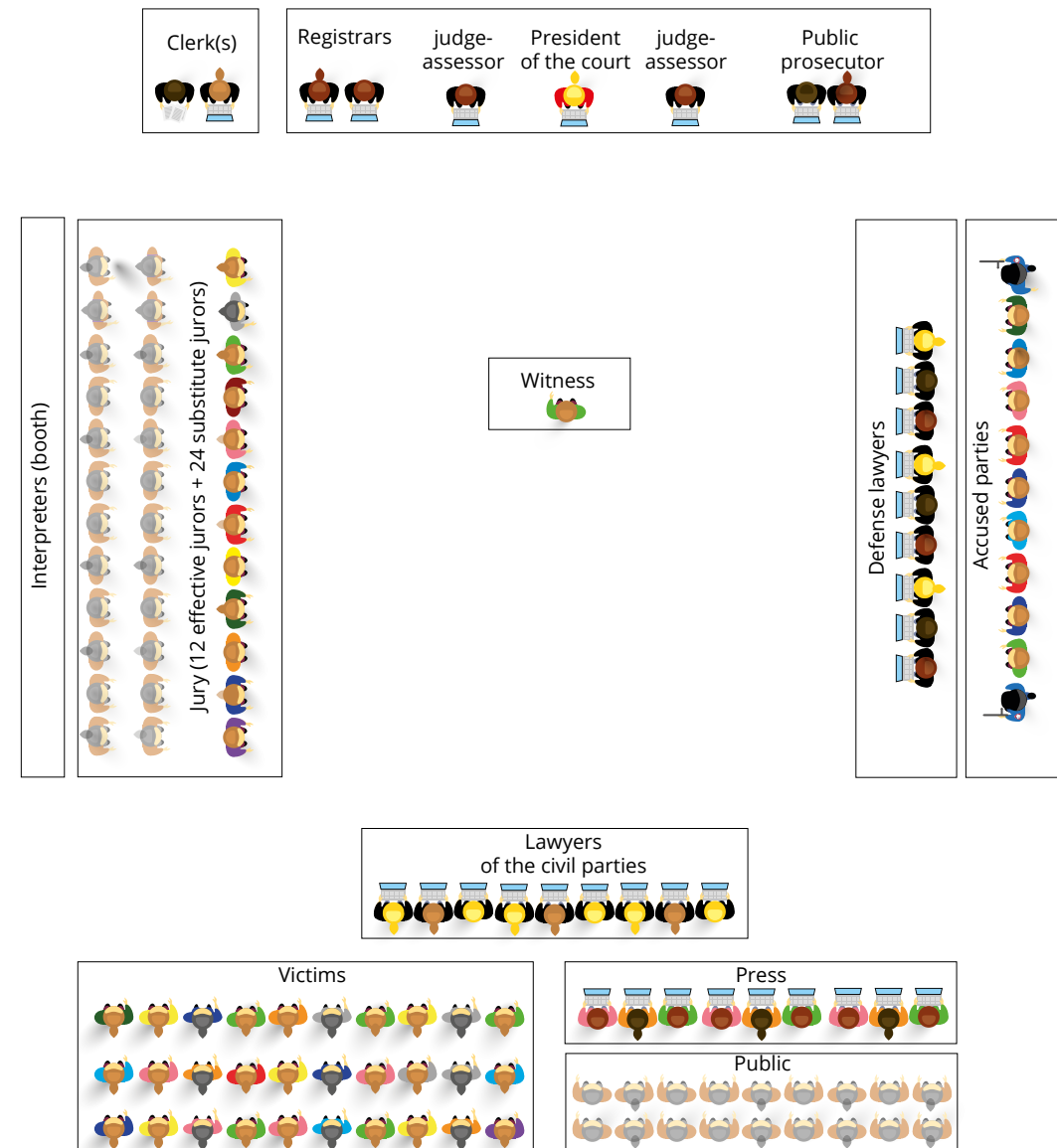
This oath implies the following duties:

- to judge impartially,
- to judge scrupulously,
- not to communicate their opinion outside the group, either in public or in private,
- to base their decision only on the evidence and grounds of defence presented at the public hearing, taking into account the interests of the accused, the civil parties and society.

● The clerk

The Court of Assizes is assisted by several clerks from the court of first instance. The registrars prepare the files, draw up the minutes of the hearing, ensure that all procedural formalities are carried out in accordance with the law and authenticate the acts of the proceedings.

PLAN OF THE COURT OF ASSIZES



THE PARTIES TO THE PROCEEDINGS

● The public prosecutor

The public prosecutor represents the interests of society and supports the prosecution. He/she outlines the charges that he/she believes exist against the accused and requests the application of the law.

Throughout the trial, he/she can ask questions to witnesses, experts, and defendants.

For this trial, the public prosecutor is represented by magistrates from the federal prosecutor's office.

● The accused

In the Assize Court, the accused appears in person and must be assisted by one or more lawyers.

The accused is presumed innocent until proven guilty by law.

● The civil party

A victim may bring a civil action before the Court of Assizes until the conclusion of the proceedings.

Civil parties may be represented by one or more lawyers during the trial. During the hearing, they may intervene as witness or as a party.

If they intervene as a witness, they contribute to the determination of the truth and can in principle only attend the trial after their testimony.

If they intervene as a party, they declare what they have seen and experienced, and may attend the trial from the beginning. They may also intervene at any time during the trial, with the agreement of the court.

THE COURSE OF THE TRIAL

The Court of Assizes sits in three sessions:

1. The preliminary hearing
2. The jury composition hearing
3. The hearing on the merits

1. The preliminary hearing

During the preliminary hearing, the presiding judge of the Court of Assizes draws up a list of witnesses to be heard during the trial. He/she also determines the order in which they will be heard.

2. The jury composition hearing

The jury composition hearing must take place at least two working days before the start of the trial.

At this hearing, the presiding judge of the Court of Assizes draws lots for the twelve members of the jury and the alternates (from a list of jurors contacted beforehand).

The selected jurors can be:

- exempted at their request and with the agreement of the presiding judge;
- challenged (i.e. refused) by the public prosecutor or the defence;
- challenged (i.e. refused) by the presiding judge so that no more than two thirds of the jury members are of the same gender.

3. The hearing on the merits

The procedure before the Court of Assizes is essentially oral. All witnesses and experts are summoned to provide their testimony and to answer questions from the judges, jurors, or parties.

The hearing begins with the reading of the indictment by the public prosecutor. The indictment contains a summary of the case.

If there is a **statement of defence**, it is read out by the accused or his lawyer. This is a summary of the defence case.

The clerk reads out the **list of witnesses** called to testify during the trial.

The president of the Court of Assizes proceeds with the **interrogation of the accused**.

The **various witnesses and experts are then heard** :

- The investigators (police officers, investigating judges) on the investigation process;
- The witnesses to the events;
- Character witnesses, who testify about the character of the parties to the trial;
- Technical experts (e.g. forensic scientists, explosives experts, etc.) on the course of events or scientific evidence;
- Personality experts (e.g. psychologists, psychiatrists), especially in relation to the psychology of the accused, their capacity of discernment, etc.;
- Civil parties who are called to testify or who wish to do so.

The list of people to be heard and the order in which they are to be heard is decided by the presiding judge at the end of the preliminary hearing.

After being heard by the presiding judge, questions may be put to the witnesses and experts by the associate judges, the public prosecutor, the civil parties, and the accused.

The proceedings end with the closing arguments of the public prosecutor together with the **pleadings** of the civil parties and defendants with possible responses.

The last word is always given to the accused.

At the end of the proceedings, the presiding judge of the Court of Assizes reads out the **questions** on the guilt of the defendants to which the jury will have to respond.

Deliberation on guilt

The jury deliberates and decides on the guilt or innocence of the accused. If found guilty, the professional judges draft the reasons for the verdict with the jury.

The presiding judge pronounces the verdict in open court.

Debate and deliberation on sentencing or internment

In the event of a conviction, a new debate on the sentence (or internment) begins. The public prosecutor, the accused's lawyer and the accused themselves take the floor in turn.

The jury and the court retire to decide on the sentence.

The presiding judge pronounces the criminal judgment in open court.

Civil claims

Civil parties may claim compensation from the convicted person. The Court will then decide on their compensation.

04 BECOMING A CIVIL PARTY

05 LEGAL AID

If you have not filed a civil suit yet, you still have the opportunity to do so during the trial and become a civil party.

This status gives you rights such as:

- access to the file,
- a free copy of the file,
- the possibility of having an interpreter during the trial.

In addition, this status allows you to seek redress for losses suffered through the courts.

HOW CAN YOU BECOME A CIVIL PARTY DURING THE TRIAL?

You may file a civil suit by submitting a request to the registry of the Court of Assizes. Requests may be submitted by a lawyer or yourself.

During the trial, the registry will be present in the Justitia building.

If you have any questions about filing a civil action, you can contact the victim support service (see above) or a lawyer (see page 9).

Registry

From 8:30 a.m. to 12:30 p.m. and 1:30 p.m. to 4 p.m.

Tel : +32 (0)2 208 08 00

E-mail: assises.bruxelles.justitia@just.fgov.be

During the first weeks of the trial and as needed on site, lawyers will be present on the Justitia site to answer your legal questions and, if necessary, to appoint a lawyer to assist or represent you.

In addition, you can always contact Télérbarreau by phone (+32 (0)2 511 54 83 from 2 p.m. to 5 p.m. from Monday to Friday or +32 (0)2 511 50 45 from 12 p.m. to 3 p.m. from Monday to Friday) or the legal aid office by e-mail (info@bajbxl.be or bjb@baliebrussel.be).

You can also find information about the trial on the website zaventem-maelbeek.be. This website contains practical and legal information relevant to all stakeholders (victims, lawyers, general public, etc.).



06 COMMISSION FOR FINANCIAL ASSISTANCE

The Commission for Financial Assistance to Victims of Intentional Acts of Violence is an administrative court that can, under certain conditions, grant financial assistance to victims of an intentional act of violence. This financial assistance does not constitute full financial compensation for damage suffered by the victim.

The Commission is divided into two sections: the Terrorism Division that manages requests from victims of terrorism and the General Division for victims of other violent acts, such as robbery.

Financial intervention of the Commission is subsidiary. It is primarily the perpetrators or insurance companies that must compensate the victims where possible. There can be no double compensation.

Depending on the victim category, the Commission can intervene for different items such as moral damages, disabilities, or even legal fees within the limits of the legal framework.

The Commission may grant financial assistance without waiting for the end of the trial. The Commission is not bound to the amounts granted to the victims by a Court. It only grants a limited financial support.

Many victims of the attacks of 22 March 2016 have already submitted a financial aid application to the Commission.

What if you have not submitted an application for financial assistance to the Commission before the 18 March 2020 deadline? You will have the opportunity to apply for financial assistance again once the decision of the criminal court (judgment) regarding the attacks perpetrated on March 22nd, 2016 is final.

For further information, you can contact the Commission's Terrorism Division, preferably by e-mail (terrorvictims@just.fgov.be) or by telephone on +32 (0)2 542 72 24.

The Terrorism Division will be available on a regular basis during the trial (interviews with or without appointment).

07 CONTACT WITH THE PRESS

08 CONTACTS

The trial will receive extensive media coverage at a national and international level.

There is therefore a possibility that you, as a victim or relative, may be approached by the media.

It is entirely up to you to decide whether or not to respond to these solicitations.

In order to make an informed choice, you can find more information on the following website

info-risques.be/fr/agissez-efficacement/victimes-et-medias

By means of a coloured lanyard, which will be provided to you on site, you can indicate whether or not you want the press to speak to you.

- A red lanyard indicates that you do not want to be filmed, photographed, or asked for an interview.
- A green lanyard indicates that you agree to be filmed, photographed, or interviewed.

JUDICIAL VICTIM SUPPORT SERVICE

Tel : +32 (0)2 553 00 00 (Monday to Friday from 9 a.m. to 5 p.m.)

E-mail: proces2203@vlaanderen.be

REGISTRY OF THE COURT OF ASSIZES

Tel : +32 (0)2 208 08 00

E-mail: assises.bruxelles.justitia@just.fgov.be

LEGAL AID

Télébarreau : +32 (0)2 511 54 83 (Monday to Friday from 2 p.m. to 5 p.m).
+32 (0)2 511 50 45 (Monday to Friday from 12 p.m. to 3 p.m).

Legal Aid Office : info@bajbxl.be
bjb@baliebrussel.be

COMMISSION FOR FINANCIAL ASSISTANCE

Tel : +32 (0)2 542 72 24

E-mail : terrorvictims@just.fgov.be

