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EUROPEAN COMMITTEE ON CRIME PROBLEMS (CDPC)

SUMMARY OF REPLIES TO THE QUESTIONNAIRE ON THE EUROPEAN CONVENTION ON THE COMPENSATION OF VICTIMS OF VIOLENT CRIMES, ETS No 116

Document prepared by the CDPC Secretariat
Directorate General I – Human Rights and Rule of Law

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Introduction: Aims of the questionnaire

At the 71st plenary meeting of the CDPC (29 November – 1 December 2016), it was decided to hold a discussion on the issue of compensation to victims and to draft a questionnaire directed to the CDPC delegations. The replies to the questionnaire gathered from member States will constitute the basis for an analysis by the CDPC, to be sent to the Committee of Ministers of the Council of Europe.

The aim of this questionnaire is threefold. The first objective is to gather information on the implementation of the Convention and the practical difficulties related to its application. With regard to the need to ensure access to justice for victims, a particular dimension of this objective is to find out which assistance is given to applicants and potential applicants of compensation.

The second aim is to identify the specific problems related to victims of cross-border victimisation.

The questionnaire is finally intended to gather views from the member states about how the implementation of the Convention could be improved.

Summary of replies to the questionnaire related to the European Convention on the Compensation of Victims of Violent Crimes, ETS No 116

A. QUESTIONS TO STATE PARTIES TO THE CONVENTION

Eligibility

1. Does your national law on state compensation operate on the basis of the principle of subsidiarity? In other words; is compensation only paid when it is not fully available from other sources? Please explain how the principle is applied.

State	Compensation based on subsidiarity	Comments
Austria	Yes	According to the law on State compensation of victims of crime (Verbrechensopfergesetz – VOG) compensation is only paid when compensation by the offender, payments of insurances and social security or from other sources do not cover the entire damage..
Belgium	Yes	Belgian law of 1 August 1985 provides financial aid in the absence of other sources, no compensation. The amount is fixed in fairness
Bosnia and Herzegovina	No	In accordance with the Law on Criminal Procedure Code, a property claim or a request for compensation of material or non-material damage resulting from a criminal act is to be covered by the convicted party for that particular act. The Law does not define a system of compensations provided by the state in a manner provided for by the European Convention on the Compensation of Victims of Violent Crime. We would also use this opportunity to inform you that we are not in position to fill in the required questionnaire
Bulgaria	Yes	By virtue of the Law on support and financial compensation to crime victims (2007) financial compensation is not granted when the victim has obtained it in another way
Croatia	Yes	Act of monetary remuneration for Victims of Criminal Offenses :Reimbursements based on health, pension or other insurance and other grounds are taken into account so that the victim's remuneration consists of the difference between the total remuneration on which under this Act the victim has the right and what the victim receives on one or more of these grounds. Voluntary insurance that direct or indirect victims pay are not included in the amount of the allowance. When the victim receives compensation directly from the perpetrator it will be included in the fee that

		victim requests from the Republic of Croatia.
Cyprus	Yes	State compensation is provided when compensation is not fully available from other sources. State compensation is provided even if the offender cannot be prosecuted or punished. Additionally, when the compensation provided by the offender and/or any other source is less than the state compensation, then the state supplements the difference.
Czech Rep.	Yes	The Act on Victims of Crime provides that the compensation is only paid when the damage (nonmaterial damage, injury to health or damage as a consequence of death caused by the criminal offence) was not fully compensated by other means
Estonia	Yes	Any amounts which as injured person (victim) receives or is entitled to receive as compensation for damage caused by the crime shall be deducted from the damage serving as the basis for the determining the amount of compensation, including the work ability allowance paid to the victim.
Finland	Yes	The Finnish Crime Compensation Act (1204/2005) is based on the principle of subsidiarity. An amount paid to or evidently due to the applicant on the basis of the same injury or damage, in accordance to other legislation or voluntary insurance, shall be deducted from the compensation payable under the Act. The same applies to compensation the applicant has received or, according to a reasonably obtainable account, is entitled to receive, under the legislation of a foreign state. Damages payable by the offender shall only be deducted by the amount that has actually been paid. The same applies to compensation for legal costs received from the opposing side. The sum payable in the event of death on the basis of insurance is not deducted from the compensation to be paid.
France	No	In principle, compensation to the victims is paid by the perpetrator himself. The principle of subsidiarity does not apply therefore. However if the perpetrator cannot pay, if he died, or if he is unknown a system of state compensation for victims is regulated in the Code on criminal procedure (CPP). Compensation is granted by the Commission for compensation of victims of offenses (CIVI) and funded by the Foundation for the victims of terrorist acts and other offenses (FGTI). Mention is also to be made of the Service of assistance to victims of offenses for the recovery of claims (SARVI) who assists victims in obtaining the compensation due by the perpetrator. SARVI is managed by the FGTI and allows also for compensation of victims of limited bodily or material damages that cannot

		be granted by CIVI.
Malta	Yes	It is specifically stated [in the law], that the Claims Officer may, at his discretion, request any other additional evidence with the purpose, among other things, to ensure that compensation has not been awarded or will not be awarded from any other source including, if need be, an affidavit by the applicant[See reply for details]
Montenegro	Yes	Within the request for financial compensation shall be submitted a certificate on obtaining financial compensations, or other financial compensations obtained by a victim on other legal grounds, which affects the amount of financial compensation that will be adjudicated in the event of the adoption of the request for financial compensation. If a victim obtains incomes from a health, pension or other insurance or on other grounds, financial compensation shall be reduced by the total amount of those incomes. The law on Compensation of Victims of Violent Crimes has been adopted by Parliament of Montenegro on 26 June 2015 and shall be applied on the day on which Montenegro accedes to the EU.
Netherlands	Yes	When the national damage fund awards contributions the fund takes in account the damage compensation that the victim can get (or has received) by means of a civil law claim and takes in account other damage compensations that have been paid or can be paid to the victim as a consequence of the crime.
Norway	Yes	Financial benefits the applicant has been granted or is entitled to as a consequence of the injury elsewhere, will be deducted from the state compensation. The applicant has a responsibility to limit the loss by seeking to get it compensated through established arrangements, i.e. insurance, pension or social welfare. Where the offender is sentenced for the crime or when he or she has accepted a penalty notice, the state may take action for recourse against the offender. The state pays the compensation in advance, which means that the applicant does not need to claim the perpetrator before the application is being processed
Portugal	Yes	The duty to compensate rests in first hand on the perpetrator of the crime, i.e., the offender. However, in certain circumstances and because of the economic difficulties in which the victim stays as result of the crime, the State may concede a provisory compensation or to the payment of the compensation when it cannot be borne by the offender and provided that the injury has caused considerable disruption to the level and quality of life of the victim

Slovak Rep.	Yes	Compensation is not provided if the victim of a violent crime has been compensated otherwise, primarily by the perpetrator of the offense. This condition of taking action by the victim to obtain compensation from the offender is required for receiving a full amount of compensation from the state authorities; otherwise the compensation may be reduced.
Spain	Yes	The State will pay all or part of the compensation when the culprit of the crime has been declared partially insolvent. The State is subrogated full-fledged, until the whole amount corresponding to the provisional or final compensation granted as victim or beneficiary, in the rights that assist the victim against the civil responsible for the crime. The State may exercise a repeated action against the civilly obligor for the offence in order to demand full or partial repayment of the compensation granted. This action will take place, where necessary, through the administrative proceedings of payment order [See reply for details]
Sweden	Yes	Compensation is considered when there is no possibility for the victim to receive other forms of compensation. Other forms of compensation are usually damages paid by the perpetrator or insurance compensation.
Switzerland	Yes	The applicant must demonstrate that he cannot obtain any or insufficient compensation from other sources (such as the perpetrator or insurances). If the canton provided compensation it will subrogate the victim in his/her right to claim damages. [See the reply for details]
United Kingdom	Yes	State compensation for victims of violent crime in Great Britain (England, Wales and Scotland) is set out in the Criminal Compensation Scheme (the Scheme), which was laid before Parliament under section 11(1) of the Criminal Injuries Compensation Act 1995. State compensation for victims of violent crime in Northern Ireland is set out in the Northern Ireland Criminal Injuries Compensation Scheme (the NI Scheme). Both Schemes are intended to be one of last resort. Where the opportunity exists for an applicant to pursue compensation elsewhere they should do so. Both Schemes set out when an award will be reduced or withheld due to other payments being made in respect of the criminal injury to which the award relates.[See the reply for details and links to the schemes]

2. a) Which crimes are covered by the national law on state compensation in your country?
2. b) Are crimes, not classified as intentional crimes of violence, also covered by the law? Please specify.

State	Crimes covered	Crimes other than intentional crimes of violence covered?
Austria	Intentional crimes, causing bodily injury or impairment of health, punishable by more than 6 months imprisonment	No
Belgium	Intentional violent acts, no list	No, but those who rescued victims on a voluntary basis (occasional rescuers) can be covered
Bosnia and Herzegovina	No answer	
Bulgaria	Terrorism; deliberate homicide; deliberate serious bodily harm; sexual molestation and rape resulting in serious health damages; traffic of people; crimes committed by an organised criminal group, as well as other serious deliberate crimes resulting in death or serious bodily harm	No
Croatia	Intentional violent crimes causing serious bodily injury, or severe disturbance of health or death.	No
Cyprus	Intentional crimes of violence as a result of which either death or serious bodily injury or impairment of health are resulted. These include, inter alia, murder, attempt to murder, rape, attempt to commit rape, abduction, abduction of girls under sixteen, acts intended to cause grievous harms, grievous harm, attempting to injure by explosive substances, maliciously administering poison with intent to harm, wounding, assault causing actual bodily harm, other assaults, offences against liberty, arson	No
Czech Rep	No list. The primary criterion for provision of state compensation is the consequence of the criminal offence and not the type of criminal offence itself, however only such criminal offences which may cause an injury to health, criminal offences against human sexual dignity and human trafficking regarding children victims are actually covered. Only victims who have suffered harm to health or grievous bodily harm, who are survivors of a deceased victim, or	Yes. Any criminal offence which may result in an injury to health of the victim may be covered (see 2a). That may include also negligent criminal offences such as negligent harm to health or negligent grievous bodily harm.

	victims of crimes against human sexual dignity and children victims of human trafficking who have suffered nonmaterial damage are entitled to the state compensation.	
Estonia	Compensation shall be paid to victims of violence, victims of trafficking in human beings and sexually abused minors. The state compensation of victims of violent crimes is paid to victims of crimes of violence who have fallen victim of criminal offence, negligence or mistreatment or physical, mental or sexual abuse in order to maintain or enhance the ability to cope.	Yes. Victims have the right for compensations regardless if the crime was intentional or not. Within the framework of provision of victim support services, a victim on an offence which is not a crime of violence has the right to receive compensation of the cost of psychological care in amount equal to up to one minimum monthly wage.
Finland	Finnish law doesn't specify the crimes which are covered. Compensation is paid for personal injury and mental anguish caused by a criminal offence. In certain cases the law also covers material and financial loss due to a crime	The law covers all crimes of violence. Compensation for mental anguish is however only paid to a person whose sexual self-determination has been violated with a criminal offence, whose liberty has been violated by a criminal offence or, whose personal integrity is violated in a particularly serious manner by attempted manslaughter, murder or killing, by aggravated assault or its attempt or by other comparable offence
France	The CPP provides for total compensation of damages caused by a prejudice against a person when this damage is the result of facts presenting the material nature of an offense, whether or not intentional. This compensation is subject to a condition of objective seriousness: the facts must have caused death, or permanent or temporary (1 month minimum) incapacity to work. Victims of other crimes listed in the CCP can apply for compensation without any condition of seriousness of the damage. These crimes are:sexual assaults, sexual prejudice to minors under 15 years; slavery, forced labour or human trafficking . Another article of the CPP foresees compensation for victims of material prejudice or certain victims of bodily prejudice. Compensation is not subject to the existence of criminal procedures against the perpetrator.	Yes

	The crimes concerned are: theft, embezzlement, breach of trust, extortion of money or the destruction, or damage caused to the property of the victim. Assistance will be subject to the condition that the victim is not in a position to obtain compensation and that this brings the victim in a serious material or psychological situation. [See reply for more details]	
Malta	Regulation delineates the crimes namely: - Rape or carnal knowledge with violence -Instigation with violence of persons under age to prostitution or to participation in a pornographic performance -Wilful homicide -Grievous bodily harm -Trafficking of a person of age and under age for the purpose of exploitation in the production of goods or provision of services, for the purposes of exploitation in prostitution or in the removal of organs -Arson where as a result thereof a person perishes or suffers grievous bodily harm	No, only crimes classified as intentional crimes of violence are covered
Montenegro	Criminal offences committed by the use of physical force or other actions that damage psychological integrity, criminal offences against sexual freedom; criminal offences of causing danger to life or the body of people or to property by dangerous actions or objects resulting in death, serious bodily injury or serious damage of the physical and mental health of one or more persons;	
Netherlands	Violence that was committed intentionally and has led to serious physical or mental harm; if this crime was committed in the Netherlands or aboard a Dutch vessel or airplane outside the Netherlands. In 2016 criminal negligence causing death was added, in the interest of surviving relatives.	Yes In case the victim died as a victim of a violent offence the surviving relatives can get compensation. These relatives also can receive compensation if the victim died because of infringement of article 6 of the Road traffic act This article forbids anyone who participates in traffic to behave in such a way that an accident happens for which he is culpable and another person is killed because of this accident or this inflicts serious physical

		injury to another person, or this inflicts such an injury that it causes a temporary disease or inability in the daily exercise of his activities) or because of culpability for the death of someone else, including recklessness.
Norway	The State awards compensation and damages for personal injuries inflicted by violation of the Criminal Code, hereunder violent crimes that threaten or infringe upon life, health or liberty. This includes for example bodily harm, threats and coercion, detention, trafficking, sexual offences, sexual intercourse with children under the age of 16, and maltreatment in close relations. The State further awards compensation to children who have witnessed violence in close relations.	Yes. Unintentional crimes can be covered, but as a general rule not accidents. Personal injuries occurring in connection with assistance to the police during arrest or in connection with acts done for the purpose of lawful arrest by a private citizen or prevention of criminal offences are covered by the law.
Portugal	Victims of violent and especially violent crimes, ie those identified in Article 1 (j) and (l) of the Code of Criminal Procedure, may be compensated or advanced in compensation	No. Only violent crimes committed with an intention may be compensated, in particular conducts that are intentionally directed against life, physical integrity, personal freedom, sexual freedom and self-determination or public authority and are punishable by imprisonment of a maximum of 5 years or more, as well as the conducts involving crimes of criminal organization, trafficking in persons, trafficking in arms, trafficking in narcotic drugs or psychotropic substances, corruption, trade in influence, economic participation in business or money laundering
Slovak Rep.	The law regulates the compensation of persons who have been injured as a result of intentional violent crimes or of related persons of victims who have died as a result of a violent crime. Other offenses are not subject to compensation (in the scope are in particular offenses like murder, hurt, sexual abuse, rape).	No
Spain	There is a system of support to victims of fraudulent (or intentional) and violent offences, committed in Spain, resulting in death, serious	No

	bodily injury or serious damage to physical or mental health. Compensation is also recognized for victims of crimes against sexual freedom, even when these are perpetrated without violence.[See reply for details]	
Sweden	<p>Compensation for personal injury can theoretically be granted for all types of crimes in which the injury is a specific consequence of the crime. Compensation is granted for such physical or psychological injuries that are supported by medical evidence.</p> <p>Compensation for damage to property or pecuniary losses caused by (for instance) theft, fraud or embezzlement is only paid in exceptional circumstances. This may be the case when the injury has been caused by somebody who has absconded from involuntary state-confinement or when the need for compensation can be considered particularly urgent.</p> <p>Compensation for violations of personal integrity (non-pecuniary damage) is granted when the crime has resulted in a serious violation of the victim through an attack on his or her person, freedom or peace.</p>	Yes
Switzerland	The law covers crimes resulting in violations of personal integrity, physical, psychological or sexual. The law considers i.a. the following aggressions as crimes: homicide, serious bodily injuries, armed robbery, serious threats; duress (including forced marriage or partnership) , trafficking in human beings; kidnapping; hostage taking; sexual assaults, rape etc. Also an attempt can be considered as a direct violation of integrity.	Yes, victims' right to assistance (including compensation) applies whether the act was committed intentionally or by negligence.
United Kingdom	Crimes of violence are covered under the Scheme. The definition of a crime of violence can be found at Annex B of the Criminal Injuries Compensation Scheme 2012. The NI Scheme sets out which crimes are covered at paragraph 8.	<p>Yes. Crimes may still qualify for compensation even when the assailant did not specifically target the victim but acted recklessly; that is, they actually foresaw that someone may be injured and yet continued to act despite the risk.</p> <p>Additionally, in exceptional cases, an act may be treated as a crime of violence where the assailant:</p>

		(a) is not capable of forming the necessary mental element due to insanity; or (b) is a child below the age of criminal responsibility who in fact understood the consequences of their actions.
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3. Is your national law restricted to serious bodily injury or impairment of health, as stated in the Convention? If not, please specify.

State	Serious bodily injury or impairment of health only	Comments
Austria	No	See answer to Q2
Belgium	Yes	Serious physical or psychological prejudice is required. Exception: rescue of victims
Bosnia and Herzegovina	No answer	
Bulgaria	Yes	See answer to Q. 2a
Croatia	Yes	
Cyprus	Yes	
Czech Rep.	No	See answers to Q.2a and b
Estonia	Yes	According to the Victim Support Act a crime of violence is an act committed against the life or health of a person and as a result of which the injured person dies, sustains serious damage to his or her health or a health disorder lasting for at least four months.
Finland	No	Also minor damages are compensated.
France	No	French law is not limited to bodily injury or impairment of health. See reply to Q.2
Malta	No	National law goes beyond serious bodily injury or impairment of health and include other crimes enlisted in reply to question 2a.
Montenegro	Yes	The Law applies to cases when a victim of criminal offence is dead, if he/she has serious bodily injury or serious damage of physical and mental health
Netherlands	Yes	The law concerns serious physical or mental health harm of victims and surviving relatives.
Norway	No	Norwegian national law is not restricted to serious bodily injury or impairment of health. The term «personal injury» as stated in the Norwegian law refers to both bodily injury and impairment of health, such as physiological injuries and injuries that might manifest at a later stage, and minor injuries are also included. Personal injuries may, in exceptions, be presumed in cases where the victim suffers physiological damages due to serious violent crimes, especially when the applicant is a child who has been abused.
Portugal	No	In criminal proceedings, the victim is entitled to compensation from the offender. It is the so-called principle of adhesion, that is, the claim for civil damages based on the commission of a crime is deduced in the respective criminal proceedings, and can only be filed separately before a civil court, in cases provided for by law. The Criminal Code provides that compensation for damages arising out of a crime is regulated by civil law, applying here the principles set out in Articles 483 et seq of the Civil Code. The victim has the right to be compensated by

		the offender for the material and moral damages that he / she caused. Thus, the facts that are the subject of criminal proceedings may also be grounds for civil liability, while prejudicing interests that may be repaid in accordance with the civil law.
Slovak Rep.	No	The level of damage caused to health is not a condition for granting compensation regulated by the law, but the provisions of the special Act governing the compensation for pain and compensation for reduced succeeding in a society is of relevance when calculating the amount of compensation.
Spain		Victims of fraudulent (or intentional) and violent offences committed in Spain, resulting in death or serious damage to mental health are also compensated.
Sweden	No	Compensation can be paid for all types of personal injury that are medically proven. However, as regards compensation for violations of personal integrity there is a requirement is that the violation is severe, which is often the case as regards unlawful threats, assault or serious or repeated cases of harassment
Switzerland	No	Swiss law is not limited to violent intentional crimes or to serious bodily injury or impairment of health or death, as stated in the Convention. Nevertheless, case law established the requirement that the violation of personal integrity must be relatively serious.
United Kingdom	No	The Scheme operates a tariff of injuries, with compensation payable for a wide range of both physical and mental injuries. The level of compensation paid is dependent upon the severity of the injuries sustained. [See the reply for details]

4. Which elements of compensation are paid to victims by the State in your country? (for example, loss of earnings, medical and hospitalisation expenses, non-material compensation).

State	Elements of compensation
Austria	Loss of earnings, compensation for immaterial damages, care allowance, medical and hospitalisation expenses (rehabilitation), (psycho)therapeutic care, orthopaedic care, replacement of damaged health aids such as glasses or dentures, etc..
Belgium	Moral damage, medical costs, hospitalisation, temporary or permanent invalidity, loss of earnings due to invalidity, esthetical damage, procedural costs; material damage, damage due to loss of one or several years of study , for the dependents of the victim: also funerary costs; loss of income due to the death of the victim. Elements are mentioned in national law and depend on the status of the victim: direct victim, dependents of the victim, heirs of the victim, occasional rescuers
Bosnia and Herzegovina	.No answer
Bulgaria	1. expenses for treatment, except for the expenses paid by the budget of the National Health Insurance Fund; 2. missed income; 3. expenses for payments of court and office expenses; 4. missed financial resources for maintenance; 5. funeral expenses; 6. other material damages.
Croatia	- financial compensation for medical treatment costs - financial compensation for lost earning - for loss of legal alimony - financial compensation for funeral expenses
Cyprus	Loss of earnings, medical and hospitalisation expenses, funeral expenses, loss of maintenance
Czech Rep.	The elements differ according to categories of victims Victims who have suffered injury to health may request upon their choice either lump sum compensation or compensation which covers actual loss of earnings and costs connected with medical treatment. Victims who are survivors of a deceased victim and are entitled to compensation may request lump sum compensation. Victims who have suffered a nonmaterial damage as a result of a criminal offence against human sexual dignity or in case of children victims also human trafficking are entitled to reimbursement of costs of psychotherapeutic treatment or other similar treatment intended to remedy the nonmaterial damage suffered.
Estonia	The compensation shall be determined to the victims of the violence on the basis of the material damage caused by a crime of violence: 1) damage arising from incapacity for work decrement; 2) expenses incurred due to damage caused to victim health; 3) damage arising from the death of the victim; 4) damage caused to spectacles, dentures, contact lenses and other appliances substituting for bodily functions and to clothes; 5) the victim 's funeral expenses.
Finland	The victim can be compensated for medical and other necessary costs, loss of income, pain and suffering and other temporary or permanent detriment as well as mental anguish. In the event of death the Finnish law covers compensation for funeral and associated expenses and compensation for loss of maintenance. A person closely associated to the deceased can be compensated for medical and other necessary costs and loss of earnings caused by

	personal injury arising from the death of a closed one. An employer is compensated for salary or comparable remuneration paid by the employer during the disability of a person sustaining the personal injury.
France	The leading principle is full compensation of the prejudice. [See the reply for the long list of possible material, bodily and immaterial damages to be taken into account as elements for compensation of direct and indirect victims.]
Malta	personal injury /medical expenses ; the cost of repairing or replacing damaged property; any losses namely that of earnings; damages; other expenses incurred as a result of the criminal injury sustained against proof thereof.
Montenegro	Victims shall be paid the following elements: lost wages, health care costs, medical costs, hospitalization costs, and funeral costs. Also, concerning cases when the death of a victim occurs, a person who was supported by a victim, in accordance with the Law governing family relations (hereinafter: a supported person), is entitled to the aforementioned financial compensation and right to financial compensation due to the loss of legal support.
Netherlands	The partial compensation is for the injuries suffered (compensation for pain and suffering) and for any financial damages suffered as a result of the crime. Examples are the costs of medical assistance, psychological counselling and a loss of income resulting from the injuries. Rather than calculating an exact amount, we use fixed standard amounts. Furthermore there is a certain compensation for surviving relatives concerning the loss of income and the costs of interment.
Norway	Pecuniary damages: - Loss of earnings - Loss of dependency (for the bereaved) - Expenses for housekeeping such as housecleaning and maintenance - Additional expenses caused by the personal injury. Practical examples: Medical expenses, Travel expenses, Clothes and other personal items worn at the time of the crime, Expenses to expert opinions, Legal expenses relating to the application Non-pecuniary damages: -Compensation for permanent injury -Compensation for pain and suffering
Portugal	Material and non-material damages are contemplated, so that all the examples presented can be compensated
Slovak Rep.	Victims of violent crime are compensated only to the extent of their health damage that means they are compensated for pain and for reduced succeeding in a society. The law provides for an exception that covers the compensation of related persons of victims who have died as a result of a violent crime, in the form of a onetime compensation amounting to 50 times the minimum wage. This is therefore considered as non-pecuniary damage compensation. For offenses of rape, sexual abuse and sexual violence, the law allows for compensation for moral damages amounting to 10 times the minimum wage.
Spain	There is compensation for serious injuries which undermine the physical integrity of the victims, or their physical or mental health and which cause a temporary or permanent impairment to the person

	<p>having suffered them. Bodily injuries or damage to physical or mental health must be enough so that, under the Social Security legislation, a declaration of permanent invalidity would take place in any of their degrees or a situation of temporary disability lasting more than six months. In the case of a minor's death, funeral expenses actually paid by the parents or guardians are also covered. In addition, in the case of offences against sexual freedom that cause damages to the victim's mental health, the costs of therapeutic treatment freely chosen by the victim will be covered.</p>
Sweden	<p>Compensation can be paid for personal injury, including compensation for pain and suffering, certain costs, loss of earnings and permanent damage in the form of disfigurement or permanent injury. Compensation can also be paid for severe violations of the personal integrity of the victim (non-pecuniary damage) caused by a crime against his or her person, freedom or peace. Compensation can be paid, in exceptional circumstances, for damage to property and pecuniary losses.</p>
Switzerland	<p>Swiss law distinguishes different forms of compensation. It may comprise: immediate financial assistance (to replace spectacles, clean the apartment), financial help for long term assistance by a lawyer or psychotherapist, for damages incurred, pain and suffering (in case of severe violation of integrity), procedural costs. The victim and close persons are also entitled to compensation for the damage caused by the invalidity or death of the victim (funeral costs, loss of income and support). Medical costs are covered by the insurance against accidents. Prejudice linked to the incapacity to take care of the household or of others will only be taken into account if this leads to extra costs or a loss of income from professional activities.</p>
United Kingdom	<p>(a) Injury payments. This includes mental or physical injury following a crime of violence, sexual or physical abuse;</p> <p>(b) Loss of earnings payments: when an applicant has no or limited capacity to work as a direct result of a criminal injury for at least 28 weeks.</p> <p>(c) Special expenses payments. when an applicant has sustained an injury for which they are eligible for an injury payment and has lost earnings or earning capacity, or been incapacitated to a similar extent, for more than 28 weeks;</p> <p>(d) Bereavement payments. to a qualifying relative in respect of a fatality caused by a crime of violence. (A qualifying relative may be the spouse, partner, parent or child of the deceased);</p> <p>(e) Child's payments: to a claimant who was at the time of the death of the deceased under 18 years old and dependent on the deceased for parental services;</p> <p>(f) Dependency payments: to a qualifying relative who at the time of the deceased's death was financially or physically dependent on the deceased.;</p> <p>(g) Funeral payments. Where a person has died as a direct result of a crime of violence, a funeral payment may be made for the benefit of their estate. [See reply for details]</p>

5. a) How is compensation to victims of violent crimes decided and calculated?

State	Decision making and calculation
Austria	Criteria for civil liability are applied. The decision is taken in administrative proceedings.
Belgium	The amount of the financial aid is fixed in fairness by an administrative tribunal: the Commission for the financial support of victims of intentional violent acts and occasional rescuers
Bosnia and Herzegovina	No answer
Bulgaria	All material damages are to be proved by the victim using as evidence relevant documents attached to the application.
Croatia	The Committee on compensation to crime victims shall take a decision on the right to compensation at the sessions chaired by the Chairman of the Committee; the decision is made by a majority vote of all members of the Committee; the Committee meets every 2 months and, if necessary, more frequently; the material for sessions and draft decisions is prepared by the Ministry of Justice; The Committee has also by himself perform evidence; evidence is generally performed by reading the documents, and exceptionally can be conducted interrogate witnesses and/or the person submitting
Cyprus	The compensation awarded includes, as the case may be: i) free medical treatment by the public medical institutions and services up to the amount of €1709, ii) sickness allowance, in case of temporary disability to work, which is equal to the full basic allowance paid on the basis of the Social Insurance Law, for a period of up to 6 months, iii) a disability pension, in the case of permanent diminution of the capacity to work of a degree justifying a right to disability pension on the basis of the Social Insurance Law, calculated based on the corresponding percentage of the full basic pension paid on the basis of the Social Insurance Law, iv) a pension to the dependents in the case of death of the victim, equal to the rate of the full basic widow's pension or orphan's benefit and funeral grant on the basis of the Social Insurance Law.
Czech Rep.	<p>The lump sum compensation for victims who have suffered harm to health amounts to 10.000 CZK, for victims who have suffered grievous bodily harm it amounts to 50.000 CZK. In case these victims decide to request compensation of actual expenses its amount must not exceed 200.000 CZK in total.</p> <p>Victims who are survivors of a deceased victim may receive lump sum compensation amounting to 200.000 CZK and in case of siblings of a deceased victim 175.000 CZK. The total amount of compensation paid to all survivors must not exceed 600.000 CZK.</p> <p>Victims who have suffered a nonmaterial damage may receive reimbursement of their actual costs (as stated in answer 4) up to 50.000 CZK, but only insofar as the compensation hasn't already been provided to them as to victims who have suffered injury to health.</p> <p>Any amount of compensation that the victim has received by other means (e.g. from the perpetrator or an insurance company) is deducted from the amount of state compensation.</p> <p>See also answer to Q4.</p>
Estonia	Damage arising from incapacity for work or work decrement shall be compensated for on the basis of average income per calendar day.[see reply for details] Compensation shall be paid to persons between the age of 16 and the age of retirement who are not working or are unemployed at the time of falling victim to a crime of violence

	<p>only in the case of partial or no work ability. Compensation shall be calculated on the basis of average income per calendar day calculated by dividing the minimum monthly wage by 30. Damage to health resulting from a crime of violence shall be ascertained by the Estonian National Social Insurance.[see reply for details.] Additionally there is compensation for expenses incurred due to damage caused to victims' health, funeral expenses and damage arising from death of victim. [see reply for details.] The dependants of a victim who dies as a result of a crime of violence shall receive compensation based on the victim's previous income. [see reply for details]</p>
Finland	<p>In general the compensation is awarded according to the grounds laid down in the Tort Liability Act (412/1974). In addition, there are maximum amounts stated in the Crime Compensation Act (these amounts are revised at three-year intervals) [see reply for details]:</p>
France	<p>Compensation of victims of violent crimes to the person is decided after medico-legal expertise. Compensation is calculated on the basis of a fixed scale and upon presentation of evidence by the victim.</p>
Malta	<p>The Claims Officer's staff will process applications in the first instance and may seek all relevant information as to the circumstances of the criminal injury from the applicant or otherwise. The Claims Officer is the final legal authority to determine all claims for compensation for criminal injuries.[See reply for details]</p> <p>The method of payment for compensation will be by way of a lump sum payment, rather than a periodical pension, although it will be open to the Claims Officer to make an interim award and to postpone making a final award in a case in which a final medical assessment of the injury is delayed. As specifically provided under the Regulations, no payment to any claimant shall exceed the sum of twenty-three thousand and three hundred euro (€ 23,300) Euros and such sum shall not be exceeded where there is more than one claimant by virtue of the same crime. Such payments received by the claimants shall be considered to be part of the civil damages sustained. Indeed, it is the Claims Officer who shall be entitled to make any arrangements that he considers desirable for the administration of money he awards as compensation.</p>
Montenegro	<p>The right to financial compensation shall be determined by the Commission for the Financial compensation of Victims of Violent criminal offences, appointed by the Government of Montenegro, on the basis of the submitted evidence.[See reply for details]The decision on the request for financial compensation shall be made by the Commission by majority votes of all members within three months from the date of receipt of the full request for financial compensation, and regarding complex cases, the decision shall be made within six months from the date of receipt of the full request for financial compensation. If the grounds for obtaining financial compensation and the amount of financial compensation cannot be determined without the facts and circumstances set out within the criminal proceeding which has been terminated in a final decision, the decision shall be made within three months from the date on which the decision in that proceeding becomes final. [See reply for details]</p>
Netherlands	<p>The compensation is always a fixed amount. This amount is linked to one of the six injury categories that the Compensation Fund uses. We determine within which category the victims physical and/or psychological injuries fall, on the basis of the severity of the injuries,</p>

	the consequences thereof and the circumstances of the violent crime. The more serious the injuries, the circumstances and the consequences, the higher the category and the accompanying amount. Payments may range from €1.000 up to €35.000.
Norway	Overall the victims are entitled to full compensation in accordance to the Norwegian Damages law, but full compensation for both pecuniary damages and non-pecuniary damages is in accordance to the Compensation for Victims of Crime Act limited to 60 times the basic amount in the National Insurance scheme («Grunnbeløpet i folketrygden», often referred to as G). As per 1 May 2017, 1 G amounts to NOK 93 634. The compensation for non-pecuniary damages, like permanent injury, is calculated according to the extent of the injury and life expectancy. The size of the compensation for pain and suffering is largely based on protracted and firm practice from court in similar cases.
Portugal	Compensation to the victim of violent crimes is decided by the Commission for the Protection of Victims of Crimes, resorting to equity judgments. In the formulation of this judgment it is always taking into account the damages suffered, whether material or moral, and may even be considered, in addition, other support, such as social, educational and therapeutic support
Slovak Rep.	See replies in Q. 3 and 4
Spain	Under Spanish law, the amount of support cannot, in any case, go beyond the compensation set in the judgment. Such amount shall be determined by applying rules, insofar as it does not exceed the above amount. [See the reply for the details of the rules and elements taken into account]
Sweden	Compensation is paid according to the regulations in the Tort Liability Act and tort principles aiming at restoring the victims economic situation to what is was before the crime took place. As regards personal injury, compensation is determined using generally accepted tables concerning compensation for pain and suffering as well as disfigurement and other permanent injury. Further, verified costs and income losses are compensated. Compensation for violations of personal integrity (non-pecuniary damage) is paid according to the practice developed by the courts and The Swedish Crime Victim Compensation and Support Authority. Compensation for property damage and pure financial damage are based on an assessment of fairness.
Switzerland	Immediate financial aid is provided in case of emergency to any victim in need (subsidiarity principle applies). Provision of compensation for long term support by a third person to the victim or relatives is subject to their income with a maximum of 120.000CHF. Other forms of long term support are more generous. The regulation contains a formula for the calculation of these compensations. Compensation for immaterial damage is provided if it is justified by the seriousness of the violation and calculated according to a scale. The maximum amount is 70.000CHF for victims and 35.000 CHF if the applicant is a person close to the victim. Subsidiarity principle applies.
United Kingdom	HM Government sets out the eligibility criteria and tariff awards for compensation in the Criminal Injuries Compensation Scheme. CICA administers the Scheme throughout England and Wales, and in Scotland. Northern Ireland has a separate scheme. The majority of payments are made under a tariff of injuries at Annex E of the Scheme. The tariff is made up of 20 bands with the least serious injuries in band one (e.g. perforated ear drums) receiving £1,000,

	and the most serious in band 20 (e.g quadriplegia/tetraplegia substantially complete to both upper and lower limb levels) receiving £250,000. [See reply for details]
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5. b) How are the provisions of Article 8 of the Convention¹ reflected in your legislation and how are they applied?

State	Application of Art 8
Austria	Compensation may be reduced or refused when the victim was involved in the crime, provoked the perpetrator or is guilty of not helping to solve the case
Belgium	According to the law, the Commission may take into account: the conduct of the applicant or victim if it contributed to the damage; the relationship between the applicant or victim and the author
Bosnia and Herzegovina	No answer
Bulgaria	(1) financial compensation is not granted in case: 1. the victim has been convicted of crime during the last 5 years prior to submitting the application for financial compensation; 2. the criminal act has been committed in a status of affect, which has been provoked by the victim by illegal act, as a result of which have occurred or there was a possibility of occurrence of serious consequences for the culprit or his/her next of kin; 3. the criminal act has been committed by exceeding the requirements of justifiable defence; 4. the victim has obtained indemnification in another way 5. the victim has not informed the competent authorities of the commitment of the crime, unless he/she could not have done that for good reasons; (2) In case the victim has contributed to the occurrence of the criminal result, this shall lead to reduction of the financial compensation, which the victim would obtain.
Croatia	When deciding on the right to compensation, consideration is given to: - behavior of immediate victim before, at the time of the commission of the criminal offense, and thereafter, - the contribution of the immediate victim to the emergence and scope of damage, - whether the immediate victim and in which time he reported the criminal offense to the competent authorities, - immediate victim's cooperation with the police and the competent authorities, - immediate victim who has contributed to the occurrence of damage or to be higher is entitled to a relatively reduced fee, - the claim will be rejected or compensation will be reduced if the victim is involved in organized crime or a criminal organization, - the compensation can be rejected or reduced even if the full fees are in the opposite of justice, morals or public order.
Cyprus	Compensation is refused: a) on account of the victim's or the applicant's conduct before, during

¹ Article 8 of the European Convention on the Compensation of Victims of Violent Crimes

- 1 *Compensation may be reduced or refused on account of the victim's or the applicant's conduct before, during or after the crime, or in relation to the injury or death.*
- 2 *Compensation may also be reduced or refused on account of the victim's or the applicant's involvement in organised crime or his membership of an organisation which engages in crimes of violence.*
- 3 *Compensation may also be reduced or refused if an award or a full award would be contrary to a sense of justice or to public policy (ordre public).*

	<p>or after the crime, or in relation to the injury or death.</p> <p>b) on account of the victim's or the applicant's involvement in organised crime or his membership of an organisation which engages in crimes of violence.</p> <p>c) when the crime was not reported to the police within 5 days from the day it was committed or from the time it was reasonably possible to report it,</p> <p>d) if the victim or the applicant, according to the opinion of the Attorney General, has refused to fully cooperate with the Police.</p>
Czech Rep.	<p>According to the Act on Victims of Crime The state does not provide compensation if the victim</p> <p>a) is being prosecuted as co-accused person in criminal proceedings held for a criminal offence, which has resulted in damage to his health or nonmaterial damage, or was an accomplice in such a crime,</p> <p>b) did not consent to criminal prosecution of the perpetrator of a criminal offence in cases where this consent is a precondition for initiation of criminal prosecution or continuing in it, or he has withdrawn such consent, or</p> <p>c) did not provide necessary cooperation to the law enforcement authorities mainly by not submitting a criminal complaint immediately and without a serious reason, in relation to which he requires compensation for damage or nonmaterial damage or as a witness in criminal proceedings used his right to refuse to testify with reference to his relationship to the perpetrator.</p> <p>Monetary assistance can be reduced or denied with regard to the social situation of the victim and to</p> <p>a) what level the victim is a co-contributor to the origin of the damage and</p> <p>b) whether the victim used all legal means in order to exercise his claim to compensation for damage or nonmaterial damage against the perpetrator or another person, who is obliged to provide compensation for the damage.</p>
Estonia	<p>According to Victim Support Act compensation shall not paid if the victim caused or facilitated the commission of the crime or the occurrence of the damage by his or her intentional or reckless behaviour; the victim fails to give notice of the crime within 15 days, although he or she would have been capable of doing so, and the police have not become aware of the crime in any other way; the victim has been convinced of the commission of a crime of violence or on involvement in organised crime and information concerning his or her punishment has not been deleted from the punishment register; compensation shall not paid if payment of compensation would be unfair or unjustified for the other reasons. In addition, payment of compensation may be refused if the applicant for compensation has refused to co-operate with the law enforcement authorities in ascertaining the facts relating to the criminal offence, identifying or apprehending the criminal offender or providing the damages.</p>
Finland	<p>The compensation may be adjusted on the basis of reasonableness if there has been a contribution to the injury or damage from the side of the person sustaining it.</p>
France	<p>The CCP foresees that compensation may be refused or diminished because of the fault of the victim. Abundant case-law has led the Court of Cassation to establish the principle that the fault of the victim should have a direct link with the damage.</p>
Malta	<p>The Claims Officer may withhold or reduce an award where he</p>

	<p>considers that:</p> <p>(a) the applicant failed to take, without delay, all reasonable steps to inform the police, or other body or person considered by the Claims Officer to be appropriate for the purpose, of the circumstances giving rise to the crime; or</p> <p>(b) the applicant failed to co-operate with the police or other authority in attempting to bring the assailant to justice; or</p> <p>(c) the applicant has failed to give all reasonable assistance to the Claims Officer or other body or person in connection with the application; or</p> <p>(d) the conduct of the applicant before, during or after the incident giving rise to the application makes it inappropriate that a full award or any award at all be made; or</p> <p>(e) the applicant's character as shown by his criminal convictions or by evidence available to the Claims Officer makes it inappropriate that a full award or any award at all be made; or</p> <p>(f) the victim was jointly or partially responsible for the criminal injury sustained; or</p> <p>(g) the conduct of the victim, his character or his way of life, makes it appropriate to do so</p>
Montenegro	The amount of financial compensation shall be reduced or the request for financial compensation shall be rejected if a victim has caused the damage to occur or be greater than it would otherwise have been; contrary to public order, the principle of justice or morality, even if a victim is a member of a criminal organization, or criminal association.
Netherlands	These provisions are reflected in our Law which says that a compensation can be lowered or refused when the victim is (partly) to blame for the damage resulting the violent crime. In these cases he or she may not get (full) compensation. Depending on the part of the victim a reduction of 25, 50, 75 can be decided or compensation can totally be denied. We do not have special regulations on the situations stated in article 8.2 and 8.3, but can be taken in consideration in the decision.
Norway	The Compensation for Victims of Violent Crime Act states that compensation may be reduced or refused due to the aggrieved party's complicit in accordance to the Act relating to Compensation in Certain Circumstances. When calculating the reduction the authorities consider the victim's complicity, the extent of the injury and the circumstances surrounding the incident. The more severe injury, the less reduction is normally made. Damages and personal injuries as a result of violence related to organized crime is generally refused.
Portugal	The conduct of the victim is always taken into account, and the compensation may be reduced or even excluded.
Slovak Rep.	The provisions of Article 8 of the European Convention on the Compensation of Victims of Violent Offenses are reflected in the Act No. 215/2006 Coll. according to which compensation is not granted if the applicant is a person who cannot exercise the rights of the injured party under the Code of Criminal procedure (co-accused) and according to which the compensation calculated can be reasonably reduced if the injured party has caused (with other person) the health damage or has not taken measures to obtain compensation from the perpetrator of the offense which caused him / her harm. E.g. in case of co-offending is the compensation reduced by 50%.
Spain	The Spanish legislation envisages the possibility of refusing public compensation or reducing its amount when its total or partial granting

	<p>would be contrary to equity or public order, considering the following circumstances stated by a judgment:</p> <p>a)The behaviour of the beneficiary would have contributed, directly or indirectly, to the perpetration of the offence, or to the worsening of his/her damages.</p> <p>b)The relationship of the beneficiary to the perpetrator of the crime, or his belonging to an organization dedicated to violent criminal actions.</p> <p>If the deceased person was subject to any of the causes of refusal or limitation of the abovementioned support as a result of the crime, the beneficiaries will obtain it as indirect victims, if they were in economic distress.</p>
Sweden	<p>Swedish legislation makes it possible to reduce or refuse compensation if the victim or – if the injury led to death – the deceased, through his or her behaviour or otherwise, with intent or through negligence increased the risk of injury. This usually occurs when the victim has provoked the crime, when the victim's own criminal behaviour has led to the crime or there is a connection with drug handling. With regards to provocation, compensation can either be halved or reduced in its entirety depending on the balance between the provocation and the severity of the crime.</p>
Switzerland	<p>Compensation may be reduced or refused if the victim contributed to the origin or severity of the damages. This also applies to close relatives. Compensation for moral damage may be reduced if the victim lives abroad and if the costs of living abroad would make this compensation disproportionate.</p>
United Kingdom	<p>The Criminal Injuries Compensation Scheme sets out certain eligibility criteria. An award may be withheld or reduced:</p> <p>where the conduct of the applicant before, during or after the incident giving rise to the criminal injury makes it inappropriate to make an award or a full award;</p> <ul style="list-style-type: none"> - because the applicant to whom an award would otherwise be made has unspent convictions; - because the applicant's character, other than in relation to an unspent conviction, makes it inappropriate to make an award or a full award; - in respect of a fatal criminal injury if the deceased's conduct before, during or after the incident giving rise to their death makes it inappropriate to make an award or full award, or if, for exceptional reasons, the deceased's character on the date of their death, whether due to their unspent convictions or otherwise, makes it inappropriate to make an award or a full award. [See reply for details]

5. c) Does your national law provide for the possibility to provide the applicant with advances on costs prior to the final decision on compensation? If yes, for which purpose and to what limits?

State	Advance payment	Comments
Austria	Yes	In case of an urgent need
Belgium	No	If delay would cause important prejudice to the applicant the Commission may decide the payment of emergency aid for damages superior to 500€ with a maximum of 30.000€
Bosnia and Herzegovina	No answer	
Bulgaria	No	The financial compensation shall be granted after coming into effect of: 1.the conviction sentence, including the cases where the case has been considered in the absence of the defendant; 2.an agreement on deciding the case in pre-trial proceedings 3. the prosecutor's or judicial act, by virtue of which the penal proceedings have been terminated, except for the cases where the termination is on the ground of Art. 24, para 1, items 1, 7 and 9 of the Penal Procedure Code; 4. the prosecutor's or judicial act, by virtue of which the penal proceedings have been suspended due to non-detection of the perpetrator of the crime
Croatia	No	No compensation before making a decision, i.e. no advance payment.
Cyprus	No	
Czech Rep.	No	State compensation may be provided also prior to the final judgment in the criminal proceedings, during the course of the criminal proceedings, in case there is no reasonable doubt that the criminal offence has been committed and caused the damage. This does not actually constitute an advance on costs, because the entire compensation, to which the victim is entitled, is already provided, however it is paid before the final judgment in the criminal proceedings. Therefore this mechanism ensures possibility of expeditious payment of the state compensation before the final judgment in the criminal proceedings.
Estonia	Yes	The Estonian National Social Insurance Board has the right to make an advance payment on the basis of a request from the applicant for compensation if the applicant's right to receive compensation is clear and if he or she is in difficult economic situation. The amount of an advance payment shall not exceed 640 euros.
Finland	Yes	The applicant can be paid in advance compensation upon request if the applicant is evidently entitled to significant compensation (there are no restrictions for the purpose or the amount).

France	Yes	This is mostly the case pending consolidation of the victim's health. No limit is fixed; advances are considered during the entire procedure of compensation and granted according to the situation of the victim.
Malta	Yes	The general rule is that compensation is paid by way of a lump sum, rather than a periodical pension, however the Claims Officer has the discretion to make an interim award and to postpone making a final award in a case in which a final medical assessment of the criminal injury is delayed.
Montenegro		Shall not be stipulated.
Netherlands	Yes	Our Law states that our Commission can decide to grant a partial compensation in advance. The purpose is to give a partial compensation (within weeks) to a victim who is in need, for example to pay for necessary medical treatment. The amount is €1000 but can in some cases be higher.
Norway	Yes	In certain cases the Compensation for Victims of Violent Crime Act provides for the possibility to grant the applicant with advances on costs relating to an expert opinion prior the final decision on compensation. This is usually done when the applicant has a strained financial situation which is directly related to the crime. In addition it must be fairly certain that the applicant is entitled to compensation and that the expert opinion will contribute thereto. If the application cannot be determined due to reasons outside the applicants control, the authorities might, within reasonable extent, grant a prepayment before the final decision is made.
Portugal	Yes	There may be an advance of compensation by the State or the payment when it cannot be borne by the offender and provided that the injury has caused considerable disruption to the level and quality of life of the victim. The foregoing right extends, in the case of death, to persons who are granted a right to alimony and those that live in union with the victim. The right to advance is maintained if the identity of the perpetrator of the acts of violence is not known or if he/she cannot be accused or convicted. The amounts are defined by means of equity judgments and within the limits defined by law.
Slovak Rep.	No	.
Spain	Yes	Spanish law lays down the possibility of granting provisional compensation prior to the final judicial decision that concludes the criminal proceedings, provided that the precarious economic situation of the victim or beneficiaries is proven.[See reply for details]
Sweden	No	It is not possible to provide advances prior to

		the final decision on compensation. In certain cases it may be appropriate to settle some parts of the claim prior to others, such as compensation for violations of personal integrity. Claims that require more in depth examination, usually compensation for personal injury, can be regulated later.
Switzerland	Yes	In case of urgent financial needs and if the consequences of the crime cannot be determined rapidly. Advances for moral damages are excluded.
United Kingdom	Yes	Compensation payable under the current and previous schemes is normally paid as a single lump sum; however, provision is made in each scheme to allow one or more interim payments to be paid prior to the final decision being made.[See reply for details]

5. d) Does your national law prescribe a period of time in which to apply for compensation?

State	Time limits for application	Comments
Austria	2 years after the crime	When a motion for assistance is brought after that period, assistance may be granted starting from the month following the date of application
Belgium	3 years	The applicant needs to lodge a complaint and introduce civil procedures for reparation against the author. When the author is unknown the delay starts on the day when the judge of instruction took the decision not to prosecute or to abandon prosecution because the author is unknown.
Bosnia and Herzegovina	No answer	
Bulgaria	1 year after the final prosecutor's or judicial act	The application for financial compensation shall be submitted to the Regional governor at the Ministry of Justice in one year term from the entry into force of the act (see Q. 5c)
Croatia		Yes, our Act sets the time limit for submitting the application
Cyprus	Within 2 years since the death or the injury etc. has occurred.	
Czech Rep	The application for compensation has to be submitted within 2 years after the day when the victim learned of the damage caused by the criminal offence, but no later than within 5 years after commission of the criminal offence.	
Estonia	Within 3 years as of the commission of the crime or the death of the victim.	
Finland	Compensation must be applied for within 3 years from the date of the final judgment in the compensation matter.	If the case has not been heard by a court, compensation must be applied for within ten years of the commission of the offence. Compensation may be applied for even if the judgment is not yet final.
France	3 years in the absence of criminal procedures. Otherwise, one year after the final decision has been rendered .	
Malta	Applications shall be submitted to the Claims Officer by not later than 1 year from when the violent	

	intentional crime was committed	
Montenegro	The request for financial compensation shall be submitted not later than 6 months from the date when the violent criminal offence was committed	The law contains exceptions for victims who, due to health reasons, or because they are minor or deprived of legal capacity, are unable to submit the request for financial compensation within the specified deadline[see reply]
Netherlands	The term is 10 years after the crime.	
Norway	The application for compensation must be submitted within 3 years after the applicant got sufficient knowledge of the damages and the respondent.	Regardless of this general limitation period, it is sufficient that the application is submitted before the period of limitation in the Penal Code is reached. This period of limitation depends on what actions presumably have taken place. If a final and enforceable judgement has been rendered in the criminal case, the three-year period of limitation applies. Victims may under any circumstances and regardless of the time lapsed, apply until they turn 21 years of age.
Portugal	The claim for damages may be submitted up to 1 year from the date of the crime, or, if a criminal proceeding was initiated, up to one year after the final decision of this proceeding.	The victim who at the date of the crime is a minor can submit the request up to one year after having reached the age of majority.
Slovak Rep.	The victim must submit a claim for compensation to the Ministry of Justice within 6 months from the time when the decision adopted in the criminal proceeding became final. If the offender is not known or the continuation of the criminal prosecution is hindered by another legal obstacle, the victim must file a claim within 6 months from the date on which the last decision by the competent authority was adopted.	In case the victim of a violent crime was transferred with his/her claim for compensation from criminal to a civil court proceedings, the victim of a violent crime must file a claim for compensation at the Ministry of Justice within 6 months from the time when the decision in a civil proceedings became final.
Spain	The action to apply for compensation prescribes after a period of 1 year, counted from the date when the offence occurred. The period of limitation shall be suspended from the beginning of the criminal procedure for such facts, running again once a final judgement is rendered, which ends the procedure provisionally or definitely and this has been	In cases that result in death as a direct consequence of bodily injuries or damage to health, a new period of time of the same duration will be opened in order to request the assistance or, where appropriate, the pertinent difference between the settled amount for such injuries or damages and the one that is due because of the death; the

	personally notified to the victim.	same will be applied when, as a direct result of the injuries or damages, a situation of greater severity occurred to which higher amount is due.
Sweden	An application can be made up to 3 years after a legal process is completed.	There is however an exception for children being the victims of crime. They can submit an application for compensation up to the age of 21 years.
Switzerland	Within 5 years after the commission of the crime or when they found out about the crime	Exceptions exist for minors, who can claim compensation until 25 years of age.
United Kingdom	Within 2 years of the incident giving rise to the criminal injury	The time limit for receiving applications can be extended under certain circumstances (for minors and exceptional reasons) [See reply for details].

6. Do victims of terrorism have any specific status in your domestic law?

State	Specific status for victims of terrorism	Comments
Austria	No	
Belgium	Yes	They benefit from certain exceptions introduced by Royal decree dated 16 Feb 2017 eg no need for complaint or judgment, emergency aid may be requested immediately
Bosnia and Herzegovina	No answer	
Bulgaria	No	
Croatia	Yes	Act on Responsibility for Damage caused by Terrorist Actions and Public Demonstrations
Cyprus	No	They are considered as victims of violent crimes (see Law 110(I)/2010, section 20).
Czech Rep.	Yes	Victims of terrorism fall within the category of particularly vulnerable victims, who have enhanced rights.
Estonia	No	They are handled as victims of violent crime [see reply for details]
Finland	No	Acts of terrorism are handled as any crimes of violence
France	Yes	The law grants victims of terrorism the same rights as civil victims of war, including specific social and fiscal benefits. Victims are compensated directly by the FGTI.
Malta	No	The Victims of Crime Act provides that the Minister responsible for the welfare of victims of crime shall, make provision for the timely and individual assessment of victims who suffered from severe crimes, including crimes committed with a bias or discriminatory motive which could in particular, be related to their particular characteristics, and victims whose relationship to and dependence on the offender make them particularly vulnerable and which list includes victims of terrorism.
Montenegro	No answer	
Netherlands	No	There is in principle no difference with other offences concerning damage

Norway	No	
Portugal	No	It is considered that there should be no differentiated regimes according to the crimes committed.
Slovak Rep.	No	
Spain	Yes	In the case of victims of terrorism, there are a number of State supports assigned to these victims in order to compensate them for the damage caused with this type of crime, demanding a full connection between the terrorist act and the damage suffered. [See reply for details]
Sweden	No	
Switzerland	No	
United Kingdom	No	Victims of terrorist acts committed in Great Britain can make an application for compensation from the Criminal Injuries Compensation Authority. Additionally, the Victims of Overseas Terrorism Compensation Scheme is a government funded scheme set out by Parliament under the Crime and Security Act 2010. It is designed to compensate blameless victims who sustain a relevant injury which is directly attributable to their being a direct victim of a designated act of terrorism overseas. It is administered by the Criminal Injuries Compensation Authority on behalf of the Secretary of State. [See reply for details]

Access to justice

7. Which steps have been taken to ensure that information about the scheme is available to potential applicants?

State	Steps take to inform applicants
Austria	There is a legal obligation for the police, the criminal court of first instance and the prosecution service to inform victims of crime about possible assistance according to the national law on State compensation. In addition written information is available at the website of the Federal Ministry of Labour, Social Affairs and Consumer Protection, the Sozialministeriumservice and the EU
Belgium	Website and brochures
Bosnia and Herzegovina	No answer
Bulgaria	The bodies of the Ministry of Interior, the investigators and the victim support organizations shall notify the victims of their rights. When informing the victims, the competent authorities take into consideration the specific condition of the victim and their age. The notification shall be carried out in writing or verbally in a language understandable to the victims. The law is also published on the internet site of the National council for support and compensation of victims of crimes – www.compensation.bg
Croatia	On the MoJ web site there is an application form, Croatian and English brochures on the rights and the way of enforcing the rights to financial compensation for victims of criminal offenses are published. Support departments for victims and witnesses have been established at the County courts where employees provide information on the right to compensation and assist in completing the application form, and also volunteers at the National Call Center respond to citizens' inquiries and provide information. Information about the right can also be obtained from the state attorney's office and the police who on the victim's search give the form and help in completing.
Cyprus	The national Law, the application and general information on the national scheme is available by the Social Insurance Services offices and on their website, as well as the contact point details are provided at the European Judicial Atlas, and there is cooperation with other EU member states in cross border situations as provided by the Directive 2004/80/EC.
Czech Rep.	Detailed information about the scheme including forms which may be used for the application is available to the potential applicants on the website of the Ministry of Justice, www.justice.cz . Pursuant to the Act on Victims of Crime, the victim is given information on his/her right to compensation and conditions of its exercise already during the first contact with a police authority
Estonia	The main channel for providing information to victims is through victim support specialists when meeting with the victims. Information about compensation possibilities is provided on home page of Estonian National Social Insurance Board, but also on home pages of other relevant instances that are involved in victim support. Also relevant information brochures have been distributed through the victim support network.
Finland	The criminal investigation authority shall notify the injured party of the right to compensation and as necessary shall advise him or her in applying for compensation. The MoJ published an online-

	<p>brochure called “Rights of a Crime Victim” in March 2017 (click here). The brochure is available in Finnish, easy-to-read Finnish, Swedish, North Saami, English, Estonian, Russian, Sorani, Arabic and Somali.</p> <p>Information on compensations can also be found in an online-brochure called “If You Become a Victim of a Crime” published by the MoJ.(click here).The State Treasury provides information and instructions on compensation for victims of criminal damage on its website and a brochure in Finnish and Swedish. NGO’s also provide information, for example the website of Victim Support Finland.</p>
France	<p>The State provides for many free of charge information centres where victims can go: 165 Offices for assistance to victims located in the Tribunals (TGI) and managed by NGO’s. City halls and “houses of justice and law”; police stations, hospitals and social services who organise information meetings. Detailed guides and brochures are also made available. “France victime” also offers a 7/7 telephone platform staffed by professionals. There are also several websites by the MoJ and the Mol. Special structures exist for victims of large scale terrorist attacks (CIAV)</p>
Malta	<p>Information is already available online: http://www.vso.org.mt/facts-and-info/compensation. More information on this scheme is intended to be included in the link referring to the Department of Justice when this is launched.</p>
Montenegro	<p>The Police, State Prosecutors’ Offices and courts shall be obliged to provide a victim or supported person information on the right to financial compensation and about the authority to which they may address concerning the exercise of that right. Information shall be given verbally, whenever possible in a language understood by a victim or a supported person, and in writing in the Montenegrin or English language</p>
Netherlands	<p>All victims reporting a crime to the police are informed by the police about their rights verbally and in print. This includes that the Violent Offences Compensation Fund gives financial compensation to people who have become a victim of a serious violent crime. All victims of serious crimes are referred to Victim Support by the police unless they object. Among other things Victim Support informs victims about the possibilities to apply for compensation.</p>
Norway	<p>The victim has to report the crime for which he or she is seeking compensation to the police before the claim can be processed. When receiving the report, the police authorities are obliged to inform victims about the possibility to apply for state compensation. Information about the scheme is found on internet at www.voldsoffererstatning.no and other relevant platforms.</p>
Portugal	<p>The information about the scheme is promoted through information campaigns. When a victim files a complaint with an authority - for instance to the Public Prosecution, law enforcement authorities, immigration services or electronically , he or she is provided with all information about their rights, in particular they are made aware of the mechanisms available to them, irrespective of the crime that was targeted.</p>
Slovak Rep.	<p>Victims of violent crimes are informed about the possibilities and legal conditions of compensation in the context of criminal proceedings by the law enforcement authorities - police. Each victim will also receive an information form regarding the conditions of compensation. The necessary information is also published on the website of the Ministry of Justice of the Slovak Republic.</p>

Spain	The Offices of Assistance to Crime Victims are formed as a public and free multidisciplinary service for the victim's needs, which is set up by the Ministry of Justice. They offer a comprehensive, coordinated and specialized assistance to the crime victim, and it responds to the specific needs of victims in the legal, psychological and social field, including in cross-border situations.[See reply for details]
Sweden	The police are obliged to inform a victim at the earliest possible opportunity of the possibility of being granted crime victim compensation. The Swedish Crime Victim Compensation and Support Authority must be active in providing information, guidance and advice on possibilities for compensation. This is done through their website, leaflets, as well as cooperation with authorities and other bodies active in matters concerning crime victims. The websites for the police, the Prosecution Authority and the courts have links to The Swedish Crime Victim Compensation and Support Authority's website. Leaflets are generally available at police stations and courts. Information about compensation is also given by the Enforcement Authority. [See reply for details]
Switzerland	All help-centres for victims (liste) have a website. Police are obliged to inform victims on their rights.
United Kingdom	Public awareness of the CICA and the scheme is ensured through information made available to victims of crime from the very beginning of the criminal justice process when a victim reports a crime to the police. Examples of publicising of the CICA and the scheme are set out in the reply (leaflets, websites etc).

8. a) Have measures been taken to assist victims in making an application for compensation?

State	Measures to assist victims in making application
Austria	The Federal Ministry of Labour, Social Affairs and Consumer Protection informs and assists victims of crime in filing a motion under the VOG.
Belgium	Website, application form. Possibility to be assisted by a civil servant or recognised association
Bosnia and Herzegovina	No answer
Bulgaria	NGO's on support of victims are cooperating with the victims in fulfilling applications
Croatia	See answer to Q 7
Cyprus	Applicants are provided with any possible assistance required in the process of filing an application
Czech Rep.	The Compensation department prepared an online application form, which will lead the applicant through the whole process to gather all relevant statements and to provide all necessary supporting documents for submission of application. Additionally, the Compensation department cooperates with NGO's specialised on providing help for victims and Probation and mediation service, which is contacted by the victims as well, and provides information and help with the submission of application for pecuniary compensation. Finally, the contact information of the employees of this department is available on the website, so the victims are able to consult the submission procedure with them by phone
Estonia	Yes, victims are assisted by specialists.
Finland	The State Treasury provides information on how to apply for compensation on its website The customer service of the State Treasury may be contacted by phone, email, or by using the Citizen's Account. The customer service provides service in Finnish, Swedish and English. NGOs that help and support victims of crime give information and assist victims in making applications for compensation. See e.g. Victim Support Finland and Rape Crisis Centre Tukinainen.
France	The centres mentioned in Q.7 receive victims, listen to them, and assist them in their procedures for compensation.
Malta	Yes The law itself in fact thought of setting up the role of an 'Assisting Officer' precisely so as to assist in the filling up and receipt of applications and to assist in their evaluation.(In reply to Q1) Moreover, Legal Aid Malta assigns legal aid lawyers to victims of crime to assist them in this manner.
Montenegro	The Police, State Prosecutors" Offices and Ministry shall be obliged to provide a victim or a supported person a form for submitting a request and, upon their request, to provide instructions and information on how to fill in the application form and which documentation is necessary to be submitted with the request.[See reply for details]
Netherlands	Information on how to make an application is available on the website of the Violent Offences Compensation Fund, as well as a digital application form. Victim Support will help victims who need assistance in making an application. This assistance is free of charge.
Norway	Victims can get assistance with the application by The Service for Victims of Crime, a public service for individuals who have been subjected to violence or other criminal activity. The organisation is

	currently administered by the Norwegian Criminal Injuries Compensation Authority, but will be implemented into the police authorities during 2017. In addition, several free legal aid organisations offer assistance with the application and provide free legal aid to almost half of those claiming compensation for violent crimes.
Portugal	In the case of victims of violent crime and domestic violence, they are informed of the possibility of granting the advance of the compensation by the State, and the request for compensation is provided as well as the information that it should be submitted to the Commission for the Protection of Victims of Crimes.
Slovak Rep.	See reply to Q.7
Spain	Offices of Assistance to Crime Victims will provide the necessary assistance. For victims of terrorism this will be the Office of Information and assistance to victims of terrorism of the National High Court.[See reply for details]
Sweden	Yes, Victim Support centres can provide help with applications. Sometimes help is provided by Women's Shelters or the acting counsel for the complainant. Municipal social services also provide assistance to victims in contacting relevant authorities [See reply for details] The Swedish Crime Victim Compensation and Support Authority's website and a phone service is available for assistance. Application forms can be downloaded from the website and applications can also be submitted electronically.
Switzerland	Help-centres for victims assist them in making an application and cover, under certain conditions, the fees for their lawyer.
United Kingdom	The MoJ and the CICA have created a guide for applicants providing information on all the aspects of the scheme including eligibility and types of payments. It also explains how applicants can use the guide. The guide can be found at the following link In addition, the CICA has a helpline for all general enquiries, for making an application by telephone or to get help with applications.

8. b) To which competent authorities should applications for compensation be submitted?

State	Competent Authority
Austria	The Federal Ministry of Labour, Social Affairs and Consumer Protection, which also decides on an application.
Belgium	The Commission for the financial support of victims of intentional violent acts and occasional rescuers
Bosnia and Herzegovina	No answer
Bulgaria	The National Council at the Ministry of Justice. The application may be submitted through the regional governor or through the organization for support of victims
Croatia	The application is submitted to the Ministry of Justice, and the Committee on compensation to crime victims decides on the application.
Cyprus	The Director of the Social Insurance Services
Czech Rep.	The Department of Compensation of the Ministry of Justice
Estonia	Estonian National Social Insurance Board
Finland	The State Treasury. The Application may also be submitted to a local office of the Social Insurance Institution of Finland to be further sent to the State Treasury.
France	Any civil or criminal court of law and at the same time to CIVI
Malta	The application shall be submitted to the Assisting Office who is appointed by the Minister for Justice who shall then forward it to the Claims Officer, in this case the Attorney General.
Montenegro	The procedure for exercising the right to financial compensation of damage shall be initiated by a written request submitted to the Ministry of Justice
Netherlands	The Violent Offences Compensation Fund, an independent government body
Norway	The Norwegian Criminal Injuries Compensation Authority. Electronic application is recommended and available at this link
Portugal	The Commission for the Protection of Crime Victims
Slovak Rep.	The Ministry of Justice of the Slovak Republic.
Spain	The decision-making authority is the General Directorate of Personnel and State Pension Costs of the Ministry of Economy and Finance; for victims of terrorism this is the General Directorate of Support to the Victims of Terrorism, in the Ministry of the Interior [See reply for details]
Sweden	The Swedish Crime Victim Compensation and Support Authority
Switzerland	The Canton where the crime was committed. Cantons decide on the competent authority, this is mostly an administrative authority, sometimes a court.
United Kingdom	The Criminal Injuries Compensation Authority

8. c) Are applicants obliged to bear any legal expenses related to applications for compensation?

State	Obligation to bear legal expenses for making an application
Austria	No
Belgium	No
Bosnia and Herzegovina	No answer
Bulgaria	No
Croatia	No
Cyprus	No
Czech Rep.	No
Estonia	No
Finland	No. There is no fee on submitting the application. The applicant can apply compensation himself/herself. If the applicant has been granted legal aid for the purpose of trying the matter in a court of law, he/she shall upon request be reimbursed for his/her reasonable application costs resulting from seeking compensation from the State Treasury. The same applies if the matter has not been tried in a court of law but the applicant meets the economic criteria set for obtaining legal aid.
France	Yes. The victim must generally advance the costs except when he/she is entitled to legal aid (which is always due to victims of rape)
Malta	No, Any legal expenses incurred during the proceedings instituted by the Government against the perpetrator for the latter to reimburse the former are not borne by the applicant (the victim).
Montenegro	No
Netherlands	No. There are no legal expenses attached to making an application.
Norway	Legal expenses can be covered under the compensation scheme to the extent they are reasonable and necessary, and provided that the general conditions for allowing compensation are fulfilled. In criminal cases regarding serious crime or crime which has resulted in serious injury, the victims are usually provided with a «bistandsadvokat», a legal counsel to represent their interest in the case by the state against the perpetrator. This includes any civil claims against the perpetrator and state compensation. Due to the principle of subsidiarity, the compensation scheme will not cover legal fees in these cases. Reasonable and necessary legal costs in connection with a complaint might be covered if the complaint leads to a better result for the applicator.
Portugal	No. The whole procedure is completely free for applicants and it is not necessary to contract a lawyer for this purpose
Slovak Rep.	No
Spain	Generally, not; although in certain cases as in the case of crimes in cross-border situations, if the victims claim compensation in Spain, sometimes they must translate the reports or documents, which imply an economic cost.
Sweden	No. The process is free of charge for the applicant. This means that the applicant very rarely needs legal representation. If the applicant nevertheless has hired representation he or she may be reimbursed for such costs, if special reasons are at hand.
Switzerland	No, except if the request for compensation is unreasonable.
United Kingdom	Applicants do not need a paid representative such as a solicitor or claims management company to apply for compensation. Free independent advice may be available from Victim Support or other charitable organisations.[See reply for details]

8. d) Do perpetrators have the status of a party in compensation proceedings?

State	Are perpetrators a party in the compensation procedure
Austria	No
Belgium	No
Bosnia and Herzegovina	No answer
Bulgaria	No
Croatia	No
Cyprus	No
Czech Rep.	No
Estonia	No
Finland	For the part that compensation has been paid, the right of the applicant to obtain damages from the person responsible for the injury or damage reverts to the State. Otherwise the perpetrator has no status in compensation proceedings.
France	Yes
Malta	Compensation agreements are only entered into between the Minister for Justice and the Minister for Finance or their representatives together with the victim. The victim subrogates his or her right towards the Government in Malta who in turn can institute legal proceedings against the perpetrator who will then have a status of a party in compensation proceedings.
Montenegro	The state is the other party in the proceeding and by the payment of financial compensation to a victim or a supported person, the rights of a victim or a supported person to the perpetrator of the violent criminal offence up to the amount of the paid financial compensation shall be transferred to the state of Montenegro.
Netherlands	Perpetrators only have the status of a party in court proceedings, not when a victim applies to the Violent Offences Compensation Fund
Norway	The perpetrator does not have the status of a party in the case regarding the victims' application for compensation. However, when the State takes actions to subrogate the victims claim against the perpetrator, the perpetrator obtain status as a party in the recourse case. The State can only go forward with a recourse claim when guilt has been established, usually in a sentence or a fine.
Portugal	No, in the compensation proceedings. However, the Portuguese State via the Commission for the Protection of Crime Victims, may file an action, in an autonomous proceeding, against the offender which acquires there also the status of defendant.
Slovak Rep.	No.
Spain	The crime victim can claim compensation for damages as private prosecution, through civil action within the same criminal procedure, or postpone this claim until the criminal proceedings has finished. If both actions are separate, civil action must wait until the criminal procedure is finished. [...] However, if the compensation is claimed to the State, the procedure will always start at the request of the person concerned (the victim) before the competent authority. [See reply for details]
Sweden	No, not in matters concerning crime victim compensation from the state. The perpetrator is party in the succeeding process, when The Swedish Crime Victim Compensation and Support Authority re-claims the compensation from the perpetrator. However, this is only the case if the perpetrator is identified and his or her guilt has been established
Switzerland	No
United Kingdom	No. The application process under the Scheme is between Applicant and CICA

9. Can decisions on State compensation be appealed against by the applicant?

State	Appeal possible	Comments
Austria	Yes	There is a legal remedy to the Federal Administrative Court, the Supreme Administrative and/or the Constitutional Court
Belgium	Yes	Both the applicant and the Ministry of Justice may request annulment of the Commission's decision to the "Conseil d'Etat".
Bosnia and Herzegovina	No answer	
Bulgaria	No	Decisions of the National Council on support and compensation of crime victims cannot be challenged.
Croatia	Yes	Applicant has the right within 30 days from the date of delivery of the decision to initiate an administrative dispute against the decision at the competent Administrative Court
Cyprus	Yes	Decisions of the Director can be challenged through an application for judicial review before the Supreme Court within 75 days.
Czech Rep.		The decision is taken by the Ministry of Justice in administrative proceedings. An ordinary appeal against the decision on compensation may not be filed, however the victim who requested compensation may bring an action against such decision within administrative justice system to the Regional Court in Prague.
Estonia	Yes	The applicant has the right to file a challenge with the Estonian National Social Insurance Board pursuant to the procedure provided for in the Social Code Act or an appeal with an administrative court pursuant to the procedure provided for in the Code of Administrative Court Procedure.
Finland	Yes	A decision of the State Treasury can be appealed by filing an appeal to the Insurance Court within the period of 30 days of service of notice of the decision. However, a decision concerning the payment of advance compensation cannot be subjected to an appeal. A decision of the Insurance Court cannot be subjected to an appeal.
France	Yes	Decisions of the CIVI can be appealed as well as those of the FGTI regarding terrorism.
Malta	No	The law does not cater for such an appeal.
Montenegro	Yes	An administrative dispute may be initiated against a decision
Netherlands	Yes	Decisions on State compensation can be appealed against. Firstly with an appeal to the Board of the Violent Offences Compensation Fund and secondly to court. In the final instance there is a remedy at the Administrative Law Department of the Council of State.
Norway	Yes	Decisions within the scope of the

		Compensation for Victims of Violent Crime Act made by the Norwegian Criminal Injuries Compensation Authority, may be appealed to the Appeals Board for Victims of Violent Crime.
Portugal	Yes	Decisions on State compensation can be appealed to Administrative and Tax Courts
Slovak Rep.	Yes	Victims may seek redress through the legal action against the State. They must file such an action within one year of receipt of the decision on compensation
Spain	Yes	Within the period of one month from the reception of the notification before the National Commission of Support and Assistance to Victims of Violent Crimes and against Sexual Freedom.[See reply for details]
Sweden	No	However, the Swedish Crime Victim Compensation and Support Authority can reconsider a decision. As a last resort the applicant can request reconsideration by the Board of Crime Victim Compensation.
Switzerland	Yes	The judicial procedure is subject to two instances (a cantonal and a federal court).
United Kingdom	Yes	An applicant is entitled to request a review of a decision by the CICA and, if unhappy with the review decision can appeal to the First-tier Tribunal

10. Have studies been undertaken on the implementation of the domestic scheme for State compensation? If the answer is yes, what are the main results?

State	Studies undertaken?	Results
Austria	No	
Belgium	No	”.
Bosnia and Herzegovina	No answer	
Bulgaria	No	
Croatia	No	
Cyprus	No	
Czech Rep.	No	
Estonia	No	
Finland	No	
France	Yes	An evaluation of the FGTI was conducted in 2016 and several proposals were made. These are presently being considered and implemented.
Malta	No	
Montenegro	No	
Netherlands	Yes	An overall evaluation of the Violent Offences Compensation Fund has been conducted in 1988. After that only aspects of the compensation scheme have been evaluated. The main results of research into compensation to victims in general are: - to receive compensation is important for victims to make them feel recognized as a victim, even if the height of the compensation doesn't match the damages and injuries; - preferably the compensation has to be paid by the perpetrator, but State compensation is welcomed as well
Norway	Yes	There have been several studies relating to the implementation of the domestic scheme for state compensation and the law has been subject to review numerous times. The latest examination was carried out by The Criminal Injuries Compensation Committee (The Committee) in 2016 and resulted in Official Norwegian Report (NOU) 2016: 9. The Committee was appointed by the government to examine the scheme for compensation of victims of violent crimes and undertook a broad review of the scheme. A number of areas for improvements were identified and a new draft act was proposed. A summary in English can be found on the pages 20 – 22 in the Official Norwegian Report
Portugal	No	
Slovak Rep.	No	
Spain	No	
Sweden	Yes	The function of the domestic scheme for State compensation has been studied by scholars and public institutions. The results can be summarized as follows: 1.Compensation for violation and personal integrity is on a level with, or somewhat below the amounts expected by the public. 2.The majority of crime victims are capable of

		<p>making their application unaided.</p> <p>3.The majority of crime victims receiving compensation view the compensation as a sign that society takes the violation seriously.</p> <p>4.About half of the crime victims consider to have gained some form of reparation through the compensation.</p> <p>5.A large majority of crime victims consider the compensation to be meaningful.</p> <p>6.Most of the crime victims were satisfied with the compensation – the amount was not the most important factor.</p> <p>7.Improvements and simplifications of the process to receive compensation are possible, especially as regards damages awarded by the court.</p> <p>8.It is possible to improve the information provided to crime victims regarding compensation.</p>
Switzerland	Yes	<p>Several assessments were made, the last one in 2015. It concluded that the law is satisfactory but that its application can be improved. . [See reply for details] However, the status of victims in the penal procedure is to be revised. A draft revision will be published in the autumn of 2017</p>
United Kingdom	No	<p>The Ministry of Justice have not carried out any studies on the implementation of the Scheme 2012.</p>

The cross-border dimension and international co-operation

11. Are tourist victims or other individuals who are not permanent residents in your country but who are nationals of other Parties to the Convention and/or of Council of Europe member States, eligible for state compensation?

State	Compensation for tourist victims not permanent residents, nationals of other Parties/CoE MS?	Comments
Austria	Yes	
Belgium	Yes	
Bosnia and Herzegovina	No answer	
Bulgaria		The law regulates the terms and the procedure for support and financial compensation granted by the state to victims of crime - Bulgarian citizens or citizens of Member States of the European Union. Under the terms and following the procedure of this law, support and financial compensation may also be granted to foreign citizens in the cases, provided for in international agreements, to which the Republic of Bulgaria is a party.
Croatia	No	The right to claim compensation has victim: - who is Croatian citizen, or resides on its territory - who is citizen of the European Union or resides on its territory and all this if a criminal offense was committed against the immediate victim in the territory of the Republic of Croatia.
Cyprus	Yes	Nationals of other Parties to the Convention who are not permanent residents in Cyprus are eligible for state compensation Nationals of Council of Europe member States have to be permanent residents in Cyprus to be eligible for state compensation
Czech Rep.	Yes	As one of parties to the Convention the Czech Republic provides compensation also to victims mentioned in article 3 of the Convention.
Estonia	Yes	If he or she: 1) resides in Estonia on the basis of a residence permit or right of residence of a long-term resident or a temporary residence permit or right of residence; 2) is a citizen of the European Union; 3) is a citizen of a state which is a party to the European Convention on Compensation of Victims of Violent Crimes; 4) is a person enjoying international protection staying in Estonia; 5) is a victim of trafficking in human beings or sexually abused minor, regardless of whether he or she has a legal basis for stay in the

		Republic of Estonia.
Finland	Conditional on the connection of injury and damage with Finland	If the victim was not, at the time of the offence taking place, a resident of Finland or another EU Member State or, at the time of the application for compensation, does not have residence in Finland or in another EU Member State and if the connection of the injury or damage to Finland is otherwise minor. In practice compensation is not paid if neither the victim nor the perpetrator has permanent residency in Finland. If the connection of the injury or damage to Finland is "more than minor" it makes no difference what the nationality or residency of the victim is; the victim is eligible for State compensation.
France	Yes	If there stay is lawful.
Malta	Yes	See replies to Q.1 and 5a
Montenegro	Yes	If the victim is: - a national of Montenegro; - a national of a State Party to ETS N°116 - a national of a member state of the CoE with permanent residence in Montenegro; -a national of a member state of the EU.
Netherlands	Yes	Criterion is that the offence was committed in the Netherlands or a Dutch vessel or airplane
Norway	Yes	The rights are not dependent on nationality of the victims. Tourists and other not permanent residents in Norway, nationals of other Parties to the Convention and/or of the CoE member states, are also eligible for state compensation; if the criminal acts took place in Norway.
Portugal	Yes	All victims of violent crimes committed in Portuguese territory are eligible for State compensation, regardless of the nationality of the offender.
Slovak Rep.	Yes	Compensation may be claimed by a victim who is a citizen of the Slovak Republic or a citizen of another Member State or a stateless person having a permanent residence in the territory of the Slovak Republic or in another Member State or a foreign national under the conditions and to the extent stipulated by an international treaty ratified and declared as prescribed by the law, if the harm to health occurred in the territory of the Slovak Republic.
Spain		In general, there is an access to economic compensation legally provided for if, at the time of committing the crime, the victim is Spanish or national of another Member State of the EU or, not being included in the previous case, he resides habitually in Spain or is a national of another State that recognizes similar compensation to Spaniards in its territory. In case of death, the mentioned requirements of nationality or residence must be met by the beneficiaries, not by the deceased person.
Sweden	Yes	If the crime occurred in Sweden.

		Compensation may be refused if the crime and the victim have such a tenuous connection to Sweden that it would be unreasonable for the state to pay compensation. However, compensation is rarely refused on this ground. Further, compensation cannot be refused on this ground, if the victim was a citizen or resident of another EU-state
Switzerland	Yes	If the crime was committed in Switzerland
United Kingdom	Yes	We are required to make compensation available to EU and EEA nationals because of our current obligations under EU law. The UK is also a Party to ETS N°116. This Convention puts upon Parties the obligation to compensate the victims of intentional and violent offences resulting in bodily injury or death. The obligation to compensate is limited to offences committed on the territory of the State concerned, regardless of the nationality of the victim

12. Are residents of countries that are not members of the Council of Europe, eligible for State compensation in your country?

State	Compensation for residents of non CoE countries?	Comments
Austria	Yes	
Belgium	Yes	”.
Bosnia and Herzegovina	No answer	
Bulgaria		Support and financial compensation may also be granted to foreign citizens in the cases, provided for in international agreements, to which the Republic of Bulgaria is a party.
Croatia	No	See answer to Q.11
Cyprus	No	Nationals of EU member states are eligible for state compensation
Czech Rep	No	The state compensation may however be provided to all foreigners who are legally residing in the Czech Republic for more than 90 days as well as to all foreigners with asylum protection in case the criminal offence has been committed within the territory of the Czech Republic.
Estonia		See answer to Q.11
Finland		See answer to Q.11
France	Yes	If they their stay is lawful.
Malta	Yes	Persons who are habitually resident in Malta are entitled for compensation.
Montenegro	No	See answer to Q.11.
Netherlands	Yes	Criterion is that the offence was committed in the Netherlands or aboard a Dutch vessel or airplane
Norway	Yes	Also residents of countries that are not members of the Council of Europe are eligible for State compensation in Norway; assuming the criminal acts took place in Norway
Portugal	Yes	See answer to Q.11
Slovak Rep.	Yes	See answer to Q.11
Spain	Yes	Provided that the victim is a national of another State that recognizes similar compensation to Spaniards in its territory.
Sweden	Yes	See answer to Q.11
Switzerland	Yes	If the crime was committed in Switzerland
United Kingdom	Yes	If the person was ordinarily resident in the UK and under the conditions set out in the Scheme [See reply for details]

13. How is information about State compensation made available to cross-border victims?

State	Information about State compensation to cross-border victims
Austria	See answer to Q7
Belgium	Website SPF Justice and EU website
Bosnia and Herzegovina	No answer
Bulgaria	Diplomatic missions of Bulgaria in the member states of the EU inform Bulgarian citizens residing in these countries and who are victims of crimes committed on the territory of the accepting country. On request the victims shall be informed on the local competent authorities dealing with the matter of victim's financial compensation, the terms and procedures for receiving financial compensation as well as for the terms and procedures on the territory of Bulgaria. This information is available in Bulgarian, English, French and German on the internet site of the National Council for support and compensation of victims of crimes- www.compensation.bg
Croatia	On the website of the Ministry of Justice, brochures in English and through the data published in the manual. Information and forms were delivered to the European Commission for the preparation of a manual on the internet page
Cyprus	The national Law, the application and general information on the scheme is available by the Social Insurance Services offices and on their website, as well as the contact point details are provided at the European Judicial Atlas, and there is cooperation with other member states in cross border situations as provided by the Council Directive 2004/80/EC.
Czech Rep.	Same conditions as for Czech citizens are applicable for cross-border victims. Detailed information about the scheme including forms which may be used for the application is available to the potential applicants on the website of the Ministry of Justice, www.justice.cz . (mostly in Czech but also English form will be added promptly). Pursuant to the Act on Victims of Crime, the victim is given information on his/her right to compensation and conditions of its exercise already during the first contact with a police authority in his/her native language.
Estonia	Both Police officials and Social Insurance Board specialists informs victims about state compensations
Finland	See the answer on question number 7. In addition there is the information provided by the European Commission on the European e-Justice Portal.
France	Information is available on the e-justice website of the EU. Liaison magistrates will liaise between French courts of law and the victims once they returned to their country of residence.
Malta	The necessary information is available in the following website link
Montenegro	No answer
Netherlands	Through Victim support, Police, the website of the Violent Offences Compensation Fund, medical staff, and other organizations
Norway	Information about State compensation is given on the homepage of The Norwegian Criminal Injuries Compensation Authority. Brochures about the scheme are translated and available in several languages at www.voldsoffererstatning.no . When receiving a report on a violent crime, the police authorities are obliged to inform victims about the possibility to apply for state compensation.
Portugal	The information is available in the same way already mentioned in the answers to Questions 7 and 8. The information is also available

	in English on the website of the Commission for the Protection of Crime Victims : www.e-justice.europa.eu
Slovak Rep.	Information on compensation for victims of violent crime is available, for example on the website of the Ministry of Justice of the Slovak Republic even for so-called cross-border cases where the transposition of Council Directive 2004/80 / EC of 29.04.2004 has extended the number of persons entitled to compensation in the above-mentioned direction.
Spain	The Offices of Support to Crime Victims are the Authority of assistance for the crime victims in cross-border situations, in cases in which the offence has been committed in a Member State of the EU other than Spain and the victim has his usual residence in Spain. In cases of crimes of terrorism in cross-border situations, the Ministry of the Interior is the Authority of assistance, through the General Directorate of Support to the Victims of Terrorism. The Offices of Assistance to Crime Victims will provide the applicant with information and assistance. [See reply for details]
Sweden	The police must provide information about the right to compensation when a crime is reported. This is also the case as regards foreign citizens who, when reporting a crime, when needed and if requested, have the right to an interpreter. Written information in several different languages is available to the police and others and can be ordered from The Swedish Crime Victim Compensation and Support Authority, and be given to the victim. Information in several different languages is available on The Swedish Crime Victim Compensation and Support Authority's website. The police, prosecutors and courts can refer victims to this website.
Switzerland	See reply to Q.7 (By the police, internet and Help-centres for victims)
United Kingdom	There is information for victims of crime injured abroad at the following link: https://www.gov.uk/compensation-victim-crime-abroad

14. What legal basis do you use to ensure international co-operation? *For the European Union Member States, other than Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims, what legal basis do you use to ensure international cooperation?

State	Other legal basis to ensure international co-operation
Austria	ETS N° 116
Belgium	No other
Bosnia and Herzegovina	No answer
Bulgaria	No other legal basis mentioned
Croatia	No. According to current practise, which is not considerable, the only legal basis that was used is Directive 2004/80/EC.
Cyprus	The legal basis used is the Council Directive 2004/80/EC of 29/4/2004 relating to compensation to crime victims and the European Convention on the Compensation of Victims of Violent Crimes (ETS No. 116).
Czech Rep.	No other
Estonia	The Estonian Victim Support Act
Finland	No other
France	The Directive on Victims of 15 October 2012 has been transposed in French Law. As from 2018 we will also use Directive 2017/541 of 15 March 2017 on the fight against terrorism.
Malta	Legal basis mainly consists of easily available exchange of information as well as implementing improving measures when shortcomings are identified
Montenegro	No answer
Netherlands	Article 26 of the Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA; OJ, L 315
Norway	Article 12 ETS N° 116
Portugal	International cooperation is ensured by the application of the Criminal Code, Code of Criminal Procedure and Law no 144/99, of 31 August, on international judicial cooperation in criminal matters
Slovak Rep.	No answer
Spain	No
Sweden	In addition to the means provided by the directive, whenever possible, contact is made with the relevant foreign authority when necessary in determining if compensation is to be paid in another member state or if the matter should be determined under Swedish national law. However, cross-border applications that falls outside the scope of the directive are very uncommon.
Switzerland	Art 12 ETS N°116
United Kingdom	ETS N°116

15. Has the administration of State compensation come across problems in the management of cross-border applications? If yes, please specify.

State	Problems in the management of cross-border applications
Austria	No specific problems
Belgium	Lack of knowledge of national and foreign systems, linguistic difficulties
Bosnia and Herzegovina	
Bulgaria	The cross- border applications are dealt with under the provisions of the Directive 2004/80/EU, and no problems in the application of the Directive are detected.
Croatia	<p>There are some doubts we are facing to. The national legislation (The Act) prescribes that when we are the deciding body, the claims are submitted in Croatian language, and also the enclosed documents in the foreign language must have verified translation into Croatian.</p> <p>If, as a decisive body, we have a request from the assisting body, whether the further correspondence goes through the assisting body or directly with the applicant (the delivery relatively request for certain documents, data etc. from the applicant).</p> <p>The Act stipulates the deadline for submitting the application.</p> <p>If we have requested the applicant to complete the request within a certain time, from which date is the date of delivery- from the day the delivery to the assisting body or from the day the assisting body submits our conclusion (our request) to the applicant</p>
Cyprus	No
Czech Rep.	No, however there are only few cases per year
Estonia	No
Finland	No problems in this area
France	The Office of assistance to victims organised a meeting on 7 June 2017 upon request by the FGTI who wished to have a list of contact points for the European network for compensation. The Office forwarded the list of contacts of the European Network on Victim's Rights (ENVR) in which our Office is highly involved.
Malta	No problems have ever been encountered.
Montenegro	No answer
Netherlands	<p>Yes, we have experienced some problems in assisting applicants in different countries.</p> <p>In general there is a lack of recent and correct information about the authorities and possibilities to successfully file an application. We would welcome a general overview of the laws and policies in the different member states.</p> <p>In one case we understood that there is a possibility to file an application in Greece, but that a fee has to be paid locally in Greece. For obvious reasons this is impractical. In Spain compensation can be granted if the victims' income is reduced to a specific minimum. This minimum is below the social benefits in the Netherlands so in fact no Dutch victim in Spain has the possibility for compensation</p>
Norway	Overall the administration has experienced few problems in the management of cross-border applications.
Portugal	No, until now
Slovak Rep.	No major problems
Spain	<p>Yes, mainly with regard to the language in which the documentation from other countries is sent, since they have to be translated into Spanish, which means an additional burden for the victims.</p> <p>In addition, deadlines established by Spanish law to carry out</p>

	<p>different procedures are brief in the case of requests for compensation in cross-border situations and often there is not enough time to send, within the term established, the translated reports that are required throughout the procedure.</p> <p>There are also difficulties because the medical documentation (reports/tests) from some countries is not admitted, which implies that the appropriate support may not be recognized for that reason.</p>
Sweden	<p>Cross-border applications that falls outside the scope of the directive and that needs to be handled pursuant to the convention are very uncommon.</p>
Switzerland	<p>Cantons are competent to deal with transfrontier issues. Occasionally they ask the Federal Office for Justice for assistance to obtain foreign acts.</p>
United Kingdom	<p>The Criminal Injuries Compensation Authority (CICA) who has management of cross-border applications have reported the following issues:</p> <ol style="list-style-type: none"> 1) EU Member States correspond in their own language. It would be helpful to also have a transcript in English. 2) Information could be more accessible from European portal – the information contained in The European Judicial Atlas is now obsolete but when an attempt is made to try to obtain information from the portal it can take some time to search as you are required to go into so many different categories, and in some cases you are reverted back to the Atlas (which is out-dated). 3) Copies of schemes applicable in each Member State are not available to other Member States in their own language. 4) A lack of responses or delays in responding or acknowledging receipt of information from CICA by some EU Member States 5) Variances in the schemes applicable across Member States make it difficult to advise potential applicants in relation to an application

B. QUESTIONS FOR STATES THAT ARE NOT PARTIES TO THE CONVENTION

16. Is your government considering ratifying the Convention?

State	Is ratification of the Convention considered?
Andorra	The government doesn't consider signing the Convention for the moment.
Greece	Greece has signed the Convention in 1983. Its ratification is not planned for the near future
Ireland	We are not aware that ratification is envisaged.
Latvia	The issue of joining the Convention has not been discussed in the government of Latvia.
Lithuania	The national scheme on compensation to victims of violent crimes was adopted implementing Council Directive 2004/80/EC relating to compensation of crime victims. Therefore, at this point our government is not considering ratifying the Convention.
Moldova	The competent national authorities are working on improving the national and international legal framework on the compensation of victims of crime
Poland	No
Serbia	Yes
Slovenia	Yes. Our government is planning to improve the status of victims of violent crimes and therefore considering the added value of ratifying the Convention. Our Crime Victims Compensation Act regulates the right to compensation to victims of violent intentional crime, the respective claiming proceedings and the authorities that make decisions on the respective rights. In accordance with the Council Directive 2004/80/EC this Act also regulates cross-border situations. [See reply for details]
The Former Yugoslav Republic of Macedonia	After the drafting of a new "Law on compensation of the victims", an analysis will be made of the harmonization of the Convention with the national Laws which will be the basis for the ratification of the Convention.

17. Has legislation been enacted on compensation from the State to victims of violent crimes? Is it available in English?

State	National legislation on compensation of victims of violent crimes?
Andorra	No specific legislation on this issue. However, Parliament adopted a law in 2017 to assist victims of human trafficking.
Greece	The relevant legislation is Law 3811/2009 (Official Gazette 231 A/18.11.2009) as amended by the Laws 4198/13 (Official Gazette 215 A/11.10.2013) and 4267/2014 (Official Gazette 137 A/12.6.2014) with which the Directive 2004/80/EC of the Council of the EU relating to compensation to crime victims and article 20 of the Directive 2011/93/EU of the European Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child pornography were implemented. Also relevant is the Law 1897/1990 (Official Gazette 120 A/11.9.1990) as amended by Law 4285/2014 (Official Gazette 191 A/10.9.2014) which covers the compensation of victims of terrorist acts and other violent crimes. Unfortunately the texts are not available in English
Ireland	The Scheme of Compensation for Personal Injuries Criminally inflicted which pre-dates the 1983 Convention is non-statutory.
Latvia	Several mechanisms have been introduced in the field of compensation from the state to victims of violent crimes, like state compensation to victims of crime, state guaranteed legal aid and free helpline for victims of crime that provides informational and psychological support. With regards to the legislation the law "On state compensation on victims" (hereinafter – Law) guarantees major rights of the victims of violent crimes for receiving state compensation. This Law contains legal norms arising from Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims and Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. [See reply to Q.18 for details] Law and other related information is available for public in Latvian and also in English following these links: reference to the national official publication https://likumi.lv/doc.php?id=136683 and Legal Aid Administration website
Lithuania	The national scheme on compensation to victims of violent crimes is set out in Law on Compensation for Damage Caused by Violent Crimes. Unfortunately, the official translation of this law is not available in English.
Moldova	On July 29, 2017, the Parliament of the Republic of Moldova adopted the Law on the rehabilitation of victims of crime. This law establishes the obligation of the state to rehabilitate the victims of crimes, including the ones committed by violence, by providing the following support services: information counseling, psychological counseling, state guaranteed legal assistance, financial compensation by the state for the damage caused by the offense. According to the Law the authority that elaborates, promotes and participates in the implementation of Government policy in the field of rehabilitation of victims of crime is the Ministry of Labor, Social Protection and Family. The Secretariat of the Interdepartmental Commission for the financial compensation by the state of the damage caused by the offense is provided by the Ministry of Justice. The law is not available in English.
Poland	Legislation on compensation has been enacted as a result of implementation

	of Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims. [see details on the Polish state compensation law in the reply] It is not available in English.
Serbia	No
Slovenia	Yes, we adopted Crime Victims Compensation Act on 11 Nov 2005. It was amended on 2 Nov 2010. It is also available in English.
The Former Yugoslav Republic of Macedonia	Yes, there is a legislation enacted on compensation from the State to the victims of crimes. Chapter 5 of The Law on the criminal procedure (Official Gazette of the Republic of Macedonia nr. 150/10) includes articles dealing with: Victims, Injured party and Private Plaintiff. Victims of criminal offence for which a prison sentence of at least four years has been pronounced, as stated in the Law on the criminal procedure, have the right to compensation from the State. Victims have a right to a counselor at the expense on budgetary funds and right to be compensated for material and non-material damages from a state fund. [See the reply for extracts of the law in English]

18. Are victims of crime in your country covered by State compensation irrespective of their nationality or residence, or are there restrictions as to the territorial scope of application?

State	State compensation of victims of crime irrespective of nationality or residence?
Andorra	Victims of crime are only granted state compensation when there is direct responsibility of the administration or the state, irrespective of their nationality or residence..
Greece	The compensation of victims of violent crimes depends on their residence and the territory of the commission of the crime. They are covered only if they reside in Greece or in a member state of the European Union and the crime was committed in Greece (article 3 par. 1 of the Law 3811/2009).
Ireland	Any person, irrespective of nationality or usual place of residence, who suffers a personal injury as a result of a crime of violence in the State may make an application for compensation to the Criminal Injuries Compensation Tribunal.
Latvia	In accordance with the Law every person, who is subject to the Law, irrespective of their nationality has the right to apply for State compensation. [see reply for details of the law]
Lithuania	A person is recognized as a victim if he/she is a citizen of the Republic of Lithuania, a citizen of another EU Member State, any other person that has a lawful permanent residence in the Republic of Lithuania or in any other Member State of the European Union and, in cases provided for in the international agreements of the Republic of Lithuania, another person who has suffered from a violent crime.
Moldova	Under Law no. 137 on the rehabilitation of the victims of crime, the right to financial compensation has the victim of a crime committed on the territory of the Republic of Moldova who is a national or foreign citizen or stateless person legally present on the territory of the Republic of Moldova at the time of the offense committing and seeks financial compensation and, in the case of victims who do not belong to the mentioned categories of persons, the financial compensation is granted on the basis of international conventions to which the Republic of Moldova is a party.
Poland	The application of law is restricted to the victims who have permanent residence in EU countries.
Serbia	Republic of Serbia has no law regulating the issue of state compensation for victims of violent crimes.
Slovenia	Citizenship of the Republic of Slovenia or citizenship of any other Member State of the European Union is the formal condition for access to State compensation.
The Former Yugoslav Republic of Macedonia	A new law (Law on compensation of the victims) is going to be drafted, which will cover this issue.

19. Is your government considering proposals in order to improve the status of victims of violent crimes? If yes, please specify.

State	Are proposals to improve status of victims of violent crimes being considered?
Andorra	The government doesn't consider other proposals for the moment.
Greece	No answer
Ireland	No. However, this is an important issue for our Government.
Latvia	Competent authorities in the field on state compensation of victims of violent crimes have considered the necessity to start working on the amendments of the Law in order to increase the amount of state compensation paid to the victim of the crime and extend the scope of people, who could have the right to receive this compensation. Work on the amendments to the respective Law will be taken forward when required funding will be allocated.
Lithuania	The Ministry of Justice has recently developed a new wording of the Law on Compensation for Damage Caused by Violent Crimes, which in the nearest future will be submitted to the Government.
Moldova	When drafting the Law on the rehabilitation of the victims of crime, the legislation of other states, the international legal instruments and the standards relevant to the subject until the adoption of the said law, including the status of victims of violent crimes, were consulted. [See reply for details]
Poland	Polish state compensation law has been recently amended in 2016. At present it is crucial to evaluate the changes and then formulate possible new proposals that would ameliorate the status of the victim.
Serbia	After the ratification of the European Convention on the Compensation of Victims of Violent Crimes, the Republic of Serbia will harmonize its criminal legislation with the Convention
Slovenia	Yes, to improve the status of victims our government is considering to change the Crime Victims Compensation Act. Formal conditions (Citizenship of the Republic of Slovenia or citizenship of any other Member State of the European Union) are too narrow.
The Former Yugoslav Republic of Macedonia	Yes, our government is considering proposals in order to improve the status of victims of violent crimes. A new law is being drafted which will deal with: the right to compensation for victims of criminal offenses, the rights of victims, types of compensation, the competencies of the body competent for the compensation of victims of criminal violence, as well as the election, the source for financing the payment for the compensation of victims. Informing and teaching the victims, the procedure for exercising the right to compensation.

C. VIEWS FROM ALL MEMBER STATES

20. Would you favour an update of the European Convention on the Compensation of Victims of Violent Crimes (ETS No. 116) by means of an additional or an amending protocol? If so, please specify what such an update or amendment should cover.

State	In favour of update of ETS N° 116 by protocol?	Comments
Andorra	No	We usually prefer guidelines because they are not binding and easier to implement
Austria	No	
Belgium	Yes	Need to know why many states didn't sign. Find solutions and promote the Convention which is a good instrument. Focus should be on implementation. Amending protocol has our preference, including: <ul style="list-style-type: none"> - Better definition of victims - Better definition of facts requiring intervention - Revising exclusions - Better mechanism of exchange of information in particular transfrontier
Bosnia and Herzegovina	No answer	
Bulgaria		No information available at the moment being
Croatia		It is worth considering whether it should be amendments to ETS 116 or if just advanced guidelines satisfy the needs. Anyhow, additional protocol should be accompanied with advanced guidelines to the Convention
Cyprus	No	Cyprus is satisfied with the content of the European Convention on the Compensation of Victims of Violent Crimes (ETS No. 116).
Czech Rep.	No	
Estonia	No answer	
Finland	No answer	
France	Yes	ETS 116 should be less restrictive on compensation. An additional Protocol should provide for compensation for moral and economical damage of victims and persons closely related to victims who died or who are seriously affected.
Greece	No	In our opinion there is no need for an update of the Convention ETS No 116 nor for a relevant recommendation.
Ireland		We have no view on this.
Latvia		Taking into account that there was no discussion regarding joining the Convention we are not able submit any comments on this point.
Lithuania	Yes	From our point of view, an additional or an amending protocol could cover a partial unification of all national schemes on compensation.

Malta		An update could easily cover the uniformity of national legislation covering substantial and procedural aspects in affording compensation to victims of crime.
Moldova	No answer	
Montenegro	No answer	
Netherlands	No	There are no apparent improvements that can be achieved by an update.
Norway	Yes	<p>Norway would like to express its support for an update of the European Convention on Compensation of Victims of Violent Crimes (ETS No. 116) and we allow ourselves to propose amendments to the following three articles:</p> <p>a. Article 4 of the Convention The Norwegian Compensation for Victims of Violent Crime Act encompass non-pecuniary losses; including for Norwegian victims of crime committed abroad. We would like to propose that Article 4 in the Convention should be extended to include this type of coverage.</p> <p>b. Article 5 of the Convention Article 5 states that the compensation scheme may, if necessary, set for any or all elements of compensation an upper limit above which and a minimum threshold below which such compensation shall not be granted. Considering the subsidiarity of the States' contribution; as described in Article 2, we would like to propose an addition which states that these limits must be wide enough to ensure the victims a fair possibility to get their losses compensated.</p> <p>c. Article 6 of the Convention According to this article, the compensation scheme may specify a period within which any application for compensation must be made. In order to give the victim a fair possibility to obtain compensation from the state in which the crime took place, we would like to propose an amendment which determines a lower limit for this period.</p>
Poland	No answer	
Portugal	No	
Serbia	No	
Slovak Rep.	No	The current text of the European Convention on the Compensation of Victims of Crime, following our experience, does not substantially require adoption of additional protocols.
Slovenia		Since Slovenia did not ratify the Convention yet we are not able to propose an additional of an amending protocol but as mentioned before formal conditions for access for the State Compensation shall be updated. Update is needed in the Convention as well

Spain	No answer	
Sweden	No	Cross-border applications that fall outside the scope of the directive and that need to be handled pursuant to the convention are very uncommon. Hence, we do not request any update of the convention.
Switzerland	No	We have no knowledge of any problems justifying action: the convention is satisfactory
The Former Yugoslav Republic of Macedonia	No answer	
United Kingdom	No	Not at this time

21. Would you prefer the development of a recommendation with guidelines complementing the Convention? If so, please specify what these guidelines should cover.

State	In favour of completing ETS N° 116 by Recommendation with guidelines ?	Comments
Andorra		See reply to Q.20
Austria	Yes	The recommendation should respond to difficulties encountered in the application of Convention ETS 116
Belgium	No	See answer to previous question
Bosnia and Herzegovina	No answer	
Bulgaria		No information available at the moment being
Croatia	Yes	It is worth to consider the development of a recommendation with guidelines complementing the Convention, at least for the reasons stated above (question no. 15.).
Cyprus	No	Cyprus is satisfied with the content of the European Convention on the Compensation of Victims of Violent Crimes (ETS No. 116).
Czech Rep.	No	
Estonia	No answer	
Finland	No answer	
France	No	A protocol seems more appropriate
Greece	No	In our opinion there is no need for an update of the Convention ETS No 116 nor for a relevant recommendation.
Ireland		We have no view on this.
Latvia		Taking into account that there was no discussion regarding joining the Convention we are not able submit any comments on this point.
Lithuania	No	
Malta		Any such guidelines should cover the aspects mentioned in the reply to question number 20.
Moldova	No answer	
Montenegro	No answer	
Netherlands	No	We do not want guidelines but an overview of all compensations schemes and recommendations based on good practices could encourage cooperation on a voluntary basis.
Norway		Finally, we believe that it would be helpful with simple guidelines to the applicants as to where to send the application when the crime is committed abroad and a brief summary of the extent of the convention and the victim's minimum rights to be fulfilled by each of the member parties. An obligation for the Member States to see to that such guidelines exist, could be added to the Convention. Further, to secure well-functioning international co-operation; as well as predictability for the

		victims, there should also be an updated and easily accessible common database containing information about each Member State's compensation scheme and a possibility to send electronic applications.
Poland	No answer	
Portugal	Yes	An option for a recommendation in this subject matter with the aim to complementing the Convention could be the best and faster solution. Guidelines could clarify some situation and allow for a interconnection with the provisions of EU Directive 2004/80/EC, of 29 April 2004 relating to compensation to crime victims.
Serbia	No	
Slovak Rep.	No answer	
Slovenia	Yes	Recommendation with guidelines is always useful and helpful.
Spain	No answer	
Sweden		See reply to Q.20
Switzerland	No	We have no knowledge of any problems justifying action: the convention is satisfactory
The Former Yugoslav Republic of Macedonia	No answer	
United Kingdom	No	Not at this time