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If my claim is to be considered in this country

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Czechia

Which type of crime can I get compensation for?

The Czech Republic will provide financial assistance to victims of crimes that have suffered damage to health and to survivors of victims who have died as a result of the crime. Furthermore, persons entitled to financial assistance include victims of sexual crimes against human dignity and abused children.

Which type of injury can I get compensation for?

Financial assistance is aimed at overcoming the deteriorated social situation resulting from the crime; it does not replace the obligation of the offender to compensate for the damage caused to the victim.

Survivors receive financial assistance as a lump sum; victims who have suffered damage to health may also seek lump sum assistance (the amount of which depends on the severity of the consequences caused) or may claim reimbursement of the costs of treatment or compensation for lost earnings. Victims of sexual crimes against human dignity or abused children may seek reimbursement of the cost of therapy to alleviate the non-material injury suffered.

Can I get compensation if I am a relative or dependant of a victim who has died as a result of a crime? Which relatives or dependants can get compensation?

Yes, survivors of victims who died as a result of a crime have the right to financial assistance if the survivor is the parent, spouse, registered partner, child or sibling of the deceased person and lived in a common household with the deceased at the time of death, or if the survivor is a person to whom the deceased provided or was obliged to provide maintenance.

Can I get compensation if I am a relative or dependant of a victim who has survived? Which relatives or dependants can get compensation in this case?

In this case, you do not have the right to financial assistance.

Can I get compensation if I am not a national of an EU country?

You can, if you are a permanent resident of, or if you are legally residing in, another EU Member State and have become a victim of a crime committed in the Czech Republic, or if you are legally residing in the Czech Republic for more than 90 days and have become the victim of a crime committed in Czech territory, if you have applied

for international protection in the Czech Republic or have been granted asylum or subsidiary protection and have become the victim of a crime committed in Czech territory, or, where appropriate, subject to conditions laid down in an international treaty.

Can I claim compensation from this country if I live here or am from here (this is country of my residence or nationality) even if the crime was committed in another EU country? Could I do this instead of claiming compensation in the country where the crime took place? If so, under what conditions?

If you are a citizen of the Czech Republic, you are entitled to financial assistance from the Czech Republic, regardless of the country in which the crime you were the victim of was committed.

Do I have to have the crime reported to the police first, to be able to claim compensation?

Yes, this is required.

Do I have to await the outcome of any police investigations or criminal proceedings before I can claim?

It is not necessary to await the outcome of the investigation; financial assistance can be provided if existing investigation of law enforcement authorities shows that there is no doubt that a crime has been committed and that legal conditions for the entitlement to financial assistance have been fulfilled.

Do I have to first seek compensation from the offender – if they have been identified?

If you do not claim damages against the offender, financial assistance may be reduced or even not awarded.

If the offender has not been identified or convicted, can I still qualify for compensation? If so, what evidence do I need to present to support my claim?

In this case it is necessary to distinguish whether the offender is unknown or if the person prosecuted for the crime has not been found guilty, even though it is obvious that the crime has occurred (that is, the crime was committed, but it could have been committed by someone else). In this case, you have the right to financial assistance. However, if the offender has been acquitted because the prosecuted act is not a crime at all, you cannot have the right to financial assistance. A claim is primarily assessed on the basis of materials collected by law enforcement authorities; your task is to demonstrate the amount of injury caused and, if applicable, of any damage that may be considered (treatment costs and lost earnings).

Is there a time limit within which I have to claim compensation?

The claim must be filed within two years from the time you learned of the damage, but not later than 5 years from the date of the crime. The right to assistance ends upon expiration of one of these time-limits. Minor victims of sexual crimes against human dignity may lodge a claim within 2 years of reaching the age of majority, or within 5 years of the commission of the criminal offence, whichever is later.

Which losses and expenses are covered by compensation?

(a) For the victim of the offence:

- material (non-psychological) damage:

- medical costs of injury (medical treatment — ambulant and hospital treatment, recovery) - YES
- additional needs or costs resulting from injury, provided they are directly linked to restoring health (i.e. care and assistance, temporary and permanent treatment, long-term physiotherapy, adaptation of housing, special aids, etc.) YES
- permanent injury (e.g. invalidity and other permanent disabilities)
 - loss of earnings during medical treatment and after that treatment (including lost earnings and loss of ability to earn or diminished maintenance, etc.) - YES
 - loss of opportunity - NO
 - expenses linked to legal proceedings related to the incident causing the damage, such as legal fees, court costs) - NO
 - compensation for stolen or damaged personal property - NO
 - Other - NO

- psychological (moral) damage:

- pain and suffering of the victim - NO

(b) for entitled people or relatives of a victim:

- material (non-psychological) damage:

- funeral costs - NO
- medical costs (e.g. therapy for a family member, ambulant and hospital treatment, rehabilitation) - NO
- loss of maintenance or of opportunity - NO

- psychological damage:

- pain and suffering of relatives or entitled persons/compensation to survivors if the victim died - NO

Is the compensation paid out in a single payment or monthly instalments?

Financial assistance is paid as a one-off payment.

In what way could my own behaviour in relation to the crime, my criminal record or failure to cooperate during the compensation proceedings affect my chance of receiving compensation, and/or the amount I receive?

Your criminal history is not decisive for your right to financial assistance; however, if you do not cooperate with the law enforcement authorities on solving the crime, you cannot be granted financial assistance. You will also not be granted assistance if you participated in the crime as an accomplice.

If you do not provide the necessary cooperation in the financial assistance procedure, the procedure may be terminated or your claim may be rejected.

In what way could my financial situation affect my chance of receiving compensation and/or the amount?

Only if it is obvious that your social situation has not deteriorated as a result of the crime, you may not be granted financial assistance.

Are there any other criteria that could affect my chance of receiving compensation and/or the amount?

If you have contributed to the injury in any way, financial assistance may be reduced or not granted at all.

How will the compensation be calculated?

Victims who have suffered a minor health injury may claim a lump sum assistance of CZK 10 000.

Victims who have suffered a severe health injury may claim a lump sum assistance of CZK 50 000.

Instead of a lump-sum assistance, victims who have suffered a health injury may request financial assistance of up to CZK 200 000, equivalent to the proven treatment costs and/or lost earnings.

The survivors are entitled to financial assistance paid as a lump sum of CZK 200 000, except for siblings, who are entitled to assistance of CZK 175 000.

Is there a minimum/maximum amount that can be awarded?

As a victim of a crime that has suffered damage to health or as a survivor, you can be granted up to CZK 200 000 (up to CZK 175 000 if you are a sibling of a victim that died as a result of a criminal offence); in addition, in case of death, financial assistance granted to all survivors may not exceed CZK 600 000 in total; and if there are more survivors, the assistance granted is proportionately reduced so as not to exceed the maximum assistance amount.

Am I expected to quote the amount in the claim form? If so, do I get any instructions on how to calculate it or on other aspects?

Yes.

Will any compensation I receive for my loss from other sources (such as my employer's or a private insurance scheme) be deducted from compensation paid by the authority/body?

Only in the case of an insurance covering the offender's obligation to compensate for the damage caused, which, under Czech law, is practically possible in the case of traffic and occupational accidents.

Can I get an advance on the compensation? If so, under what conditions?

Advance payments for financial assistance are not provided.

Can I get complementary or additional compensation (following e.g. a change in circumstances or worsening health etc.) after the main decision?

Yes, to the maximum allowable amount of financial assistance.

What supporting documents do I need to include with my claim?

- power of attorney, proof of a family relationship with the victim
- death certificate of the victim;
- copy of the police report;
- a copy of the court decision
- health documentation
- hospital bills or bills for related expenses

- bills for treatment costs
- evidence of income

Are there administrative or other charges to be paid when the claim is received and processed?

No.

Which authority decides on compensation claims (in national cases)?

the Ministry of Justice;

Where do I send the claim (in national cases)?

the Ministry of Justice;

Do I need to be present during the procedure and/or when my claim is being decided?

No.

How long does it take (approximately) to receive a decision on a claim for compensation from the authority?

The claim should be decided within 3 months.

If I'm not satisfied with the authority's decision, how can I challenge it?

By bringing administrative action in court.

Where can I get the necessary forms and other information on how to claim?

On the website of [the Ministry of Justice](#), from NGOs focusing on victims of crime, and from the Probation and Mediation Service.

Is there a special helpline or website I can use?

No.

Can I get legal aid (assistance from a lawyer) when preparing the claim?

Yes, but at your own expense.

Are there any victim support organisations that can help me claim compensation?

The White Circle of Safety [Bílý kruh bezpečí] is one of the largest such organisations; the Probation and Mediation Service of the Czech Republic [Probační a mediační služba ČR] also helps victims. Professional assistance is also provided by the entities entered in [register of providers of assistance to victims of crime](#). This assistance includes psychological services, social counselling, legal aid, providing legal information and the possibility to take part in 'restorative programmes' aimed at rebuilding relations and remedying the harm done.

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