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If my claim (from another country) is to be considered in this country

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Portugal



Portugal

Which authority decides on a claim for compensation in cross-border cases?

In Portugal, the authority is the [Commission for the Protection of Victims of Crimes](#) (*Comissão de Proteção às Vítimas de Crimes* - CPVC).

Can I send my claim directly to the deciding authority in this country even in cross-border cases (without having to go via the assisting authority in my home country)?

No. Victims of violent crime or domestic violence who habitually reside in another EU Member State must submit the claim for compensation award/advance payable by the Portuguese State to the competent authority of the EU Member State in which they reside.

That authority will send the claim to the CPVC in Portugal, which will receive it and take the necessary steps to investigate the facts and decide on the claim.

In which language(s) do the compensation authorities(s) accept the:

a) claim?

The CPVC accepts the claims and documents in Portuguese or English.

b) supporting documents?

If the CPVC requests the competent authority of the claimant's Member State of habitual residence to organise the hearing of the applicant or of any other person (e.g. a witness or expert), the CPVC may not reject its written record of the hearing, provided the record is written in one of the languages of the Community institutions.

If the compensation authority translates the claim/supporting documents from another EU country, who pays for this?

The CPVC. The services requested and provided by the CPVC for cases of violent crimes or domestic violence do not qualify for any request for reimbursement of charges or costs.

Are there administrative or other charges to be paid in this country for processing my claim (received from another EU country)? If so, how can I pay these?

No.

If I need to be present during the procedure and/or when my claim is being decided upon, can I be reimbursed for my travelling costs? How can I claim them? Who do I have to contact?

The CPVC receives all the documents it needs in order to investigate and decide on the procedure for compensation payable by the Portuguese State for a crime committed in Portugal against a victim who is habitually resident in another MS. It may also request the authority of the victim's Member State of residence to hear the victim. There is no requirement for the claimant to travel to Portugal to be heard by the commission.

If the Portuguese court deems it essential to hear the claimant in person, without the use of any other means, the costs of travel and other associated costs will be paid by the Portuguese State.

The social security office is the national authority that receives and processes applications for legal aid.

Is an interpreter provided in case I have to be personally present?

Yes.

Will medical certificates, given by doctors in my country of residence, be accepted or recognised – or will my health/injury have to be examined by your own medical experts?

All documents sent by the competent authority of the Member State in which the claimant habitually resides are accepted without any particular formalities and are exempt from legalisation or equivalent formalities.

Will I be reimbursed for my travelling costs, if I have to undergo a medical examination in this country?

The medical documents that the claimant has submitted to the authority of the MS in which they habitually reside and that are required for deciding on the case, or others that may be requested, will be sent to the CPVC without the need for additional medical examinations in Portugal.

How long does it take approximately to get a decision on compensation from the authority/body?

Within 10 days, both the competent authority of the MS of the claimant's habitual residence and the claimant themselves will receive notification of receipt of the claim by the CPVC, with an indication of the likely timescale for a decision on the claim.

In which language will I receive the decision on my claim?

The decision on the claim for compensation may be sent in Portuguese or English to the claimant and to the authority of the claimant's Member State of habitual residence. The CPVC may also decide to use an official language of the EU Member State in which the claimant's habitual residence is situated, or another language of that Member State, provided it is one of the languages of the Community institutions.

If I am not satisfied with the decision, can I challenge it?

Yes. If the claimant believes the CPVC's decision is erroneous, they have 15 days in which to submit a complaint to the commission itself. By means of an application, the claimant should set out the basis for their claim together with any evidence they deem appropriate. The CPVC then has a period of 30 days to examine and decide on the complaint, and may confirm, repeal, annul, amend or replace the contested act.

If the claimant is not satisfied with the decision on the complaint, they may challenge it before the administrative courts.

Can I get legal aid (help from a lawyer) under the other country's rules?

The CPVC does not offer any kind of intervention on this specific issue.

Are there any victim support organisations in this country that can help me claim compensation in a cross-border case?

Commission for the Protection of Victims of Crimes (*Comissão de Proteção às Vítimas de Crimes - CPVC*):

- In person – Av. Fontes Pereira de Melo, nº 7, 7.º dto., 1050-115 Lisbon, from Monday to Friday, 10.00am to 12.30pm, and 2pm to 4.00pm;
- By post, using the form available on the commission's website;
- By email: correio.cpvc@sg.mj.pt;
- Online, by completing the form for victims of violent crimes or the form for victims of domestic violence (<https://cpvc.justica.gov.pt/pedido-de-indemnizacao/>);
- By telephone: (+351) 213 222 490, calls charged at landline rates, from 10.00am to 12.30pm, and from 2pm to 4.00pm;

Portuguese Victim Support Association (*Associação Portuguesa de Apoio à Vítima - APAV*):

- Victim support helpline: (+351) 116 006 (9am to 9pm on working days);
- Online, on the [APAV's website](http://infovitimas.pt/pt_en/001_home/001_infovictms.html) (available in PT, EN, Russian, Chinese); or at http://infovitimas.pt/pt_en/001_home/001_infovictms.html
- Sign Language video interpreter service/SERV IIN – via video call (+351 12 472), 10am to 6pm on working days.

Commission for Citizenship and Gender Equality (*Comissão para a Cidadania e Igualdade de Género - GIG*):

- Information Service for Victims of Domestic Violence (*Serviço de Informação às Vítimas de Violência Doméstica*) (provides information on victims' rights and on the means of redress available throughout the national territory and where psychological and social support, and legal information can be obtained) – Telephone: (+351) 800 202 148 (free, anonymous, confidential service available 24/7).

Last update: 04/02/2026

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