

**ISO: ES**

**COUNTRY: Spain**

**MINISTRY:** Ministry of Interior

**OFFICE:** Direction General of Support to Victims of Terrorism.

**NOTES:** The DG Victims is a one stop office for information of victims for terrorist attacks in Spain. It facilitates the completion and processing of the requests for compensation and support.

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**Name of the law:** Ley 29/2011, de 22 de septiembre, de Reconocimiento y Protección Integral a las Víctimas del Terrorismo

**link to the law** <https://www.boe.es/boe/dias/2011/09/23/pdfs/BOE-A-2011-15039.pdf>

**Specific Law:** YES

#### **FOLLOW UP:**

In this document prepared by Asociación Víctimas del Terrorismo you may find:

1. PROCEDURE TO OBTAIN COMPENSATION AND SUPPORT
2. PROCEDURE TO BE REFUNDED OF IMMEDIATE PSYCHOLOGICAL ASSISTANCE
3. PARTICIPATION IN THE CRIMINAL PROCEEDING.

PROCEDURE TO OBTAIN COMPENSATION AND SUPPORT

# INFORMATION FOR VICTIMS OF TERRORIST ATTACKS IN SPAIN:

## PERSONAL DAMAGES & PSYCHOLOGICAL ASSISTANCE

What you must do to obtain the compensation and support foreseen in Spain for Victims of Terrorism according to Law 29/2011, on the *Recognition and Integral Protection of Victims of Terrorism*

### A. PERSONAL DAMAGE:

- 1- First you must request the compensation for personal damages caused by acts of terrorism by filling in the special form.

#### **Documents that must be attached to the application:**

- If you are the victim of a terrorist attack your application should be accompanied by documents proving how you have been affected. This could be through a **report** of a professional such as a **doctor** which indicates that **clinical** and / or **psychological assistance** is required as a result of a terrorist attack or other documents of evidence.

- If you are **related** to the victim you should also indicate and demonstrate your relationship to the victim (e.g. through a **family book**)

- 2- Second, you must present the application and documents attached in the **Spanish consulates or consular offices** or by **online registration**:

[https://sede.mir.gob.es/procedimientos/victimas\\_terrorismo](https://sede.mir.gob.es/procedimientos/victimas_terrorismo).

- 3- Third, **once this request has been accepted** by administrative resolution from the Direction "General Victims of Terrorism of the Ministry of Interior, you may request the certificate of victim of terrorism by filling in the appropriate form .

Present the application and documents attached in the Spanish consulates or consular offices or by **online registration**:

[https://sede.mir.gob.es/procedimientos/victimas\\_terrorismo](https://sede.mir.gob.es/procedimientos/victimas_terrorismo).

- 4- Once the Condition of Victim of Terrorism has been acknowledged by resolution of the Ministry of Interior you may request the rest of aid and support recognized in Spain to victims of Terrorism by Law 29/2011, of September 22, *on the Recognition and Integral Protection of Victims of Terrorism*

## If you need PSYCHOLOGICAL ASSISTANCE after terrorist attack once back home: IMMEDIATE & SUBSEQUENT

The victims and their relatives suffering psychological effects resulting from terrorist acts may receive psychological treatment in their countries of residence and will be entitled to the funding of the cost of their psychological treatment by the Spanish Ministry of Interior.

The following Q& A have been prepared by Asociación Víctimas del Terrorismo, AVT, to help you understand the procedure.

### 1. Will the Spanish Ministry of Interior pay for the psychological support once back in the country of residence?

Yes, the Spanish Ministry of Interior foresees to pay for the psychological support the victim of terrorism may need once back home.

Please note that you may also request psychological support of specially qualified psychologists on the assistance to victims of Terrorism of the Spanish National Network of Psychologists through the General Support Office of the Ministry of Interior. It can be provided in English or French by Skype.

### 2. How can I request the assistance?

You must fill in this bilingual English/Spanish official application form:

link to doc

You must annex supporting documents to the application:

- a. The **original report** signed by the psychologist establishing the **need** for treatment and the **causal nexus** of the need for treatment with the terrorist attack and accreditation of **non-adaptation** to the **trauma** caused by terrorist attack.
- b. The **original invoices** of the psychologist.
- c. Present the application and documents attached in the Spanish consulates or consular offices or by online registration:

Incluir este link

[https://sede.mir.gob.es/procedimientos/victimas\\_terrorismo](https://sede.mir.gob.es/procedimientos/victimas_terrorismo).

### 3. Is there an economic limit for the provision of psychological support?

It is necessary to distinguish between:

- a. **Immediate psychological assistance** : the one immediately received after the attack and during the subsequent months, to be determined by the specialist, up to the maximum time limit of approximately one year.

The immediate assistance has no limit of amount.

# PARTICIPATION OF VICTIMS OF TERRORISM IN THE CRIMINAL PROCEEDING in SPAIN

## I. How can the victim of terrorism take part in the criminal proceeding

Victims of terrorism can either wait to be contacted by the National Court (Audiencia Nacional) or file a complaint. The National Court is the court with the jurisdiction to try cases of terrorism in Spain.

- a. The National Court (Audiencia Nacional) will contact the victim to be part of the process.

The offer will be made to all those persons who appear as having suffered physical or psychological damages according to the information available from the Emergency Services and police forces.

Hence, even if the filing of a complaint before the **police is not mandatory**, it may be **appropriate** to prevent situations in which citizens have not specifically been registered as a victim of the terrorist attack before the emergency services or competent police forces.

We don't know if there are already established procedures to handle complaints between the police of the country of residence and Spanish police. This is why the juridical department of Asociación Víctimas del Terrorismo, AVT advises victims of terrorist actions in Spain residing abroad, **to file a complaint at the National Court (Audiencia Nacional) by means of a Solicitor and a Lawyer in Spain**. You must therefore appoint a lawyer and a solicitor in Spain and grant them general power for lawsuits through the Spanish consulates or consular offices.

If the victim decides not to be part of the criminal proceeding it will not be understood that they waive their right to restitution, reparation or compensation. In these cases it is understood that the interests of the victims will be defended by the **Public Prosecutor**.

If the victim decides to renounce to the right to reparation this must be done **explicitly** (in writing or before the Court).

