

# L'INDEMNISATION DES VICTIMES DU TERRORISME

## HOW IS COMPENSATION CALCULATED ?

### WHAT IS THE PRINCIPLE OF FULL COMPENSATION IN FRENCH LAW ?

The assessment of the injury and the amount of compensation to which a victim is entitled is based on legal rules, as interpreted by case law. These rules are binding on the Fund.

**The assessment of the injury is always personalised, even if case law applies benchmarks.**

**The French system of personal injury compensation is one of the most protective in the world**

*(see the study : La réparation intégrale en Europe, Etudes comparatives des droits nationaux [Full Compensation in Europe, Comparative Studies of National Laws] by the European Research Group on Public Liability and Insurance).*

Moreover, the majority of French victims of terrorist acts abroad opt for compensation from the French Fund, even if there is a compensation scheme in the country where the terrorist act occurred that they could benefit from.

Conversely, when the event has occurred in France, foreign victims most often prefer to apply to the French Fund.

The principle of full compensation under French law benefits all victims of personal injury and not victims of terrorism only (victims of traffic accidents, victims of crime, etc.).

The only particularity relating to compensating the injuries of victims of terrorism is the payment of additional compensation, in addition to the full compensation, which relates to the specific exceptional injury of victims of terrorism (PESVT). It is an additional compensation that takes into account the specific nature of terrorist acts.

### WHAT INJURIES CAN BE COMPENSATED ?

In France, the courts (and the French Guarantee Fund for Victims) refer to a « [Dintilhac](#) » nomenclature of heads of damages, which lists the types of losses and gives a precise definition.

The medical experts determine the loss using this nomenclature included in the « standard » assessment mission (for a detailed view of the mission, click [here](#))

**There is no official « scale » that would impose a fixed amount for a specific type of injury without any possible margin of appraisal.**

For deceased victims, the amount of compensation may vary according to the number of relatives of the victim, their degree of kinship and, above all, whether there is still economic loss linked to the death.

For injured victims, the amount of compensation may be increased by the young age of some victims, depending on whether or not there is economic loss to be compensated. In the most serious cases, it takes into account, for example, the need for human assistance or adaptations to the home.