

COMPENSATION FOR VICTIMS OF TERRORISM

HOW DOES THE COMPENSATION PROCEDURE WORK?

WHO CAN BE COMPENSATED?

For acts of terrorism occurring in France, any victim, regardless of their nationality, may be compensated.

For terrorist acts committed abroad, the Fund compensates victims with French nationality and their beneficiaries (regardless of the latter's nationality).

The Fund provides full compensation for personal injury (physiological and psychological injuries) caused by acts of terrorism. It also compensates emotional distress and economic losses of the relatives of deceased or seriously injured victims.

The French national anti-terrorist prosecutor informs the Fund of the circumstances of the event and the identity of the deceased victims and unconscious injured victims. The Fund has a list of the conscious injured victims and shock victims who have been hospitalised.

This information allows the Fund to initiate the procedure for the offer of compensation very quickly.

This list of victims is not exhaustive. Any unreported persons who consider themselves a victim of an act of a terrorist nature may submit a compensation claim to the Fund if they provide the necessary supporting documents.

Victims have a period of 10 years in which to apply to the Fund (article [L.422-3](#) of the Insurance Code).

Damage to property and damage to legal persons are not covered by the Fund, as insurance policies cover damaged property.

WHAT SUPPORTING DOCUMENTS ARE REQUIRED?

The first necessary elements are documents proving civil status, to which any documents relating to the personal injury suffered may be attached. Secondly, other documents may be necessary to assess certain types of injury (in particular, documents proving income for economic loss).

The Guarantee Fund for Victims assists victims in compiling the claim, as provided for by law (article [R.422-6](#) of the Insurance Code).

Victims can seek assistance from a lawyer, a victims' association or victim support association. **Victims of terrorism are entitled to full legal aid regardless of income** (article [9-2](#) of Law no. 91-647 of 10 July 1991 on legal aid).

WHAT ARE THE STEPS LEADING TO FINAL COMPENSATION?

In order to be able to make a complete and final offer of compensation, the Fund is required to follow a compensation procedure. Where the personal injury is serious or the economic situation is complicated, this procedure, similar to court proceedings, can be long, which is due to the investigations and consultation that must take place in order to ensure that fair compensation is given.

- **Immediate payment of an advance**

Within the month the claim is accepted, the Fund pays an initial advance (financial advance on the final compensation) to cover the initial costs related to the event.

If warranted by the situation, other advance payments may be made to allow the victim to meet the costs until final compensation for the injury has been paid.

- **Medical examination**

For victims who have suffered physical or psychological injuries, the assessment of the full extent of the injury can only be made after a full medico-legal examination organised by the Fund. Qualified medical experts (psychiatry, ENT, orthopaedics, etc.) may be designated in addition to the primary examination (the [medical examination for victims of acts of terrorism](#)).

Prior to any classification of injury, **the doctor examines the victim and consults the medical records provided to determine whether the victim is 'consolidated', i.e. whether their state of health has stabilised and is normally no longer likely to worsen or improve.**

If this is not the case, the expert shall advise that it is necessary to see the victim again at a later date before a definitive evaluation of the victim's injuries can be made.

It is up to the doctors to determine the date of consolidation, which varies greatly depending on the victim and the injury suffered. Sometimes it can take several months – or even years in the most severe cases – before the physical or psychological injuries are consolidated.

To spare victims the ordeal of being examined several times, the Fund asks them to first ask their attending physician or the medical specialist treating them to find out whether they are consolidated and whether the final examination can take place.

Victims may be assisted during the assessment by the doctor of their choice, whose fees are covered by the Fund.

- **Final offer of compensation**

The medico-legal consolidation allows the Fund to make an offer within the 3-month period provided for by law, subject to the assessment of all of the factors of the economic loss.

The compensation takes into account the specificities of the nature and severity of the injuries and the personal situation of the victims.