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| FEDERAL PUBLIC SERVICE JUSTICE |  |
|  | **VICTIMS OF TERRORISM**  **APPLICATION FOR**  **FINANCIAL AID AND/OR FOR THE GRANTING OF NATIONAL SOLIDARITY STATUS** |
| **COMMISSION FOR FINANCIAL AID**  **TO VICTIMS OF INTENTIONAL**  **ACTS OF VIOLENCE**  **AND CHANCE RESCUERS**  **TERRORISM DIVISION** |  |

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| **LODGE AN APPLICATION FOR FINANCIAL AID AND/OR**  **FOR THE GRANTING OF NATIONAL SOLIDARITY STATUS IN 3 STEPS:**  **1. Complete the application form in full**  **2. Attach a copy of your identity card or passport and a copy of supporting documents to complete your application**  **3. Send the entire form:**  **By registered post, to the following address:**  COMMISSION POUR L’AIDE FINANCIERE AUX VICTIMES D’ACTES INTENTIONNELS DE VIOLENCE ET AUX SAUVETEURS OCCASIONNELS – DIVISION 'TERRORISME'  Postal Address: Boulevard de Waterloo, 115 1000 BRUXELLES  **Or hand in to our offices:** SPF JUSTICE – Rue Evers 2-8, 1000 BRUSSELS  **Email (all attachments must be in PDF format)**: [terrorvictims@just.fgov.be](mailto:terrorvictims@just.fgov.be) |

**THE APPLICATION: APPLICATION FOR FINANCIAL AID AND/OR FOR THE GRANTING OF NATIONAL SOLIDARITY STATUS**

In addition to the possibility of securing financial aid, victims (and their relatives) of terrorist acts may in certain circumstances be granted national solidarity status, a status which is intended specifically for the victims of terrorist acts. The victim may apply for both financial aid and national solidarity status, or they may apply solely for the latter. Applications for national solidarity status will be automatically forwarded by the Commission for financial aid for victims to the Unit for civilian victims of war and terrorism, which will review the application and get in touch with you. **The Commission for financial aid is not involved in the decision to grant national solidarity status or in the decision to grant a solidarity pension. Please indicate which you wish to apply for:**

❒ I wish to apply for financial aid and national solidarity status

❒ I wish to apply only for national solidarity status

**I. VICTIM CATEGORIES**

# Further information on victim categories can be found in the attachment at the end of the form.

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| Please tick the relevant victim category :  ❒ I am a direct victim  ❒ I am an indirect victim (relative of a direct victim who is deceased)  ❒ I am an indirect victim (relative of a direct victim who was injured)  ❒ I am an indirect victim (relative of a direct victim who disappeared following an act of terrorism)  ❒ I am a chance rescuer  ❒ I am a family member of a chance rescuer |

# II. THE CLAIMANT (the claimant is the individual for whom the application is being made)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Surname | | | First name | | |
| ❒ Mr ❒ Mrs / Miss | Date and place of birth | | | | Nationality |
| Address | | | | | |
| Post Code and City | | | | Country | |
| Telephone | | E-mail | | | |
| Employment situation before/after the incident | | | | | |
| Name and contact details for your lawyer (or the victim support service) only if a lawyer or the service is representing you and/or assisting you in your appeal to the Commission: | | | | | |

# III. IF YOU ARE THE LEGAL REPRESENTATIVE OF A MINOR

If you are the legal representative of a minor claimant/applicant, please complete the following section

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Surname | | | First name | | |
| ❒ Mr ❒ Mrs / Miss | Date and place of birth | | | | Nationality |
| Post Code and City | | | | Country | |
| Telephone | | E-mail | | | |
| Relationship to the claimant: | | | | | |

# IV. IDENTITY OF THE DIRECT VICTIM, IF DECEASED

please complete this section only if the claimant is an indirect victim

|  |  |  |  |
| --- | --- | --- | --- |
| Surname | | First name | |
| ❒ Mr ❒ Mrs / Miss | Date and place of birth | | Nationality |
| Date and place of death | | | |
| Relationship to the claimant: | | | |

# V. IDENTITY OF THE DIRECT VICTIM IF THEY SUFFERED SIGNIFICANT PHYSICAL OR MENTAL HARM BUT ARE NOT DECEASED

please complete this section only if the claimant is an indirect victim

|  |  |  |  |
| --- | --- | --- | --- |
| Surname | | First name | |
| ❒ Mr ❒ Mrs / Miss | Date and place of birth | | Nationality |
| Relationship to the claimant: | | | |

**VI. DETAILS REGARDING THE ACT OF TERRORISM**

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| Place and date of the terrorist incident |
| Detailed description (circumstances surrounding the incident, your precise whereabouts at the time of the attack). If you have a copy of your police interview statement, please attach it to your application. |
| Have you initiated legal proceedings (e.g. complaint, injured party declaration, civil suit, etc.)? If yes, please provide details. |

# VII. TYPE OF FINANCIAL AID SOUGHT

**Please tick the box corresponding to the type of financial aid you are seeking (there are several options).**

The minimum amount for which you can apply is €500. The maximum amount is €125,000

If you are applying for an "advance”, you do not need to specify under which heading you which to apply

|  |  |
| --- | --- |
| ❒ **I wish to apply for an Advance** | ❒ Amount sought (€) :……………… .  Or  ❒ The claimant refers the decision regarding the amount to be awarded to the Commission |

|  |  |
| --- | --- |
| **❒ I wish to apply for Financial aid** | ❒Amount sought (€) :……………… .  or  ❒ The claimant refers the decision regarding the amount to be awarded to the Commission |

**Under which heading do you wish to apply for financial aid? Please tick the corresponding boxes, taking into account the applicable victim category. Remember to attach supporting documents for the headings under which aid is sought (further information regarding supporting documents is attached at the end of the form).**

|  |  |  |
| --- | --- | --- |
| ❒ Moral damage | ❒ Lawyer's fees (max. €12,000) | ❒ Court costs – procedural compensation (max. €6,000) |
| ❒ Healthcare costs (drugs, hospital, psychological and/or psychiatric counselling, etc.) | ❒ Material expenses \* | ❒ Funeral costs (max. €6,000) |
| ❒ Temporary and/or permanent incapacity/disability \* | ❒ cosmetic damage | ❒ Loss of income \*\* |
| ❒ Loss of maintenance \*\*\* | ❒ Loss of one or more years of schooling | ❒Travel costs \*\*\*\* |

\*= only for direct victims

\*\*=only for direct victims

\*\*\*= only in the event of death

\*\*\*= only for Belgian victims or victims resident in Belgium for attacks abroad, or for non-resident foreigners in the case of terrorist attacks in Belgium

**🛈 NB: The Commission may award additional aid within 10 years of granting financial aid if the injury suffered has worsened significantly. This aid can therefore only be sought if you have already been granted financial aid (commonly referred to as 'primary aid').**

# VIII. INFORMATION REGARDING INSURANCE AND OTHER COMPENSATION SOURCES

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| --- |
| Have you applied for and/or received compensation from an organisation located abroad? (for example, if you are not a Belgian national and have applied in your country of origin). If yes, to which organisation/authority did you apply, and for what amount? |
| Did the attack happen at your place of work or on your way to work (legislation on accidents in the workplace)? If yes, please provide details of your employer's insurer and indicate the amount of the settlement. |
| Do you have insurance (e.g. life insurance, third-party liability, legal protection, hospitalisation, etc.) ? Please list your insurance policies and indicate whether or not a compensation claim is pending. If your claim has already been settled, please state the amount received. |

**SIGNATURE (MANDATORY)**

###### I hereby affirm that this statement is complete and accurate

Drawn up on ………………………………………… Signature:

In ………………………………………

🛈 Signature (mandatory) of the victim/relative or their lawyer

# APPENDIX – IMPORTANT INFORMATION:

**DOCUMENTS TO ATTACH TO YOUR APPLICATION:**

In order to verify the event which you have experienced and its impact on you, you need to provide us with a number of documents which will constitute your application for financial aid. In accordance with the legal provisions of the law of 1 Aug 1985, please attach the following documents to your application:

* medical and specialist reports describing how the incident has affected you (which includes stable/permanent effects);
* a copy of your identity card and/or passport;
* a copy of your police interview and/or a detailed description of the incident (e.g. your precise whereabouts at the time of the terrorist attack);
* funeral costs and any reimbursements received in the event of death;
* a statement of household make-up;
* a copy of insurance policies and details of the settlement or official documents rejecting the claim, if you have them;
* evidence to show loss of income;
* a copy of paperwork to show medical costs, material expenses, travel costs, court costs and lawyer's fees which you have incurred.

**VICTIM CATEGORIES**

**What do we mean by direct victim?:**

A direct victim is someone who has suffered significant physical or mental harm as the direct result of an intentional act of violence

**What do we mean by indirect victim (if the direct victim is deceased)?:**

An indirect victim under the terms of article 31 (2) is the heir (within the meaning of article 731 of the Civil Code) up to the second degree or a relative up to the second degree of an individual who has died as a result of an intentional act of violence, or the individual who was in a lasting family relationship with the deceased.

**What do we mean by indirect victim (if the direct victim is not deceased)?:**

An indirect victim under the terms of article 31 (3) is the heir (within the meaning of article 731 of the Civil Code) up to the second degree of an individual who didn't die (as a result of an intentional act of violence) who satisfies the conditions of article 31 (1) but also a relative up to the second degree or individuals who were in a lasting family relationship with the direct victim (who didn't die).

**What do we mean by indirect victim (if the direct victim disappeared following an intentional act of violence?:**

An indirect victim under the terms of article 31 (4) is the heir (within the meaning of article 731 of the Civil Code) up to the second degree (i.e. parents, children, brothers, sisters, grandparents, grandchildren) of a victim who has disappeared for over a year. This also covers relatives up to the second degree or the individual who was in a lasting family relationship with a victim who has disappeared, where it is accepted that the disappearance is most likely due to an intentional act of violence.

**What do we mean by chance rescuer?:**

A chance rescuer is an individual who comes to the aid of victims, and who does so not in a professional (security-related) capacity or as part of an organisation set up to provide rescue and assistance services.

**DAMAGE HEADINGS PER VICTIM CATEGORY**

**A) If you are a direct victim or a chance rescuer, you can apply under the following headings (this list is exhaustive):**

❒ Moral damage

❒ Temporary and/or permanent incapacity/disability

❒Disfigurement

❒ Loss of income

❒ Healthcare costs (drugs, hospital, psychological/psychiatric counselling, etc.)

❒ Material expenses (max. €6,000)

❒ Court costs (e.g. procedural compensation)

❒ Lawyer's fees

❒ Loss of one or more years of schooling

❒ Travel costs (only for Belgian victims or victims resident in Belgium for attacks abroad, or for non-resident foreigners in the case of terrorist attacks in Belgium)

**B) If you are an indirect victim – the relative of a direct victim (or chance rescuer) who died as a result of a terrorist act, you can apply under the following headings (this list is exhaustive):**

❒ Moral damage

❒ Healthcare costs (drugs, hospital, psychological/psychiatric counselling, etc.)

❒ Loss of maintenance

❒ Funeral costs (max. €6,000 per case)

❒ Court costs (e.g. procedural compensation)

❒ Lawyer's fees

❒ Loss of one or more years of schooling

❒ Travel costs (only for Belgian victims or victims resident in Belgium for attacks abroad, or for non-resident foreigners in the case of terrorist attacks in Belgium)

**C) If you are an indirect victim – the relative of a direct victim who didn't die but who suffered physical and/or mental harm as a result of a terrorist act, you can apply under the following headings (this list is exhaustive)**

❒ Moral damage

❒ Healthcare costs (drugs, hospital, psychological/psychiatric counselling, etc.)

❒ Court costs (e.g. procedural compensation)

❒ Lawyer's fees

❒ Travel costs (only for Belgian victims or victims resident in Belgium for attacks abroad, or for non-resident foreigners in the case of terrorist attacks in Belgium)

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**TYPES OF AID**

**Financial aid**

Financial aid (also known as primary aid) is financial assistance that the Commission for financial aid can grant to cover any damage suffered. The maximum amount that the Commission can award as financial aid is 125,000 euros (the Commission will naturally take into account any sum granted in the form of an 'advance'. Financial aid is capped at €125,000). This type of aid may be awarded to the victim or a relative. Before awarding financial aid, an analysis will be made of the harm suffered and the various damage headings under which the applicant may be entitled to assistance (e.g. mental harm, loss of income, disabilities, etc.). Consideration will also be given to any other sources of compensation available to the victim (e.g. insurance, etc.). In addition, when considering this type of aid it is assumed that the harm suffered by the victim is permanent (or stable).

**Advance**

An advance is a sum of money granted by the Commission in order to be able to provide urgent financial support to victims of terrorist acts to help with the initial outlay. Naturally, the terrorist incident first needs to have been recognised as such in a royal decree. An advance may be awarded for any damage costing in excess of 500 euros. An advance is capped at €125,000.

**Additional aid**

Additional aid may be sought by the victim if the injury suffered has worsened significantly within 10 years of primary aid being awarded. Evidence of the worsening of the injury must be provided in the form of medical or specialist reports.  Simply having incurred additional healthcare costs does not constitute proof of worsening of the injury.