



Republika e Kosovës  
Republika Kosova – Republic of Kosovo  
Qeveria –Vlada – Government

## **CRIME VICTIM COMPENSATION PROGRAM INFORMATION FOR APPLICANTS**

### **Frequently Asked Questions**

#### **What is the Crime Victim Compensation Program?**

The Crime Victim Compensation Program is funded by the Government of the Republic of Kosovo. The program allows victims of compensable violent crimes to apply for financial compensation for harm caused by a crime. Compensation from the Government may be requested in cases where the victim cannot get restitution from the defendant or compensation from other sources.

#### **What violent crimes are compensable under the Law on Crime Victim Compensation?**

Any offenses resulting in the following:

1. Death of the victim
2. Serious bodily injury, and
3. Impairment to physical and mental health.

#### **Who is an eligible victim of crime?**

Any victims of violent crimes who suffer the above harm caused by a crime. Some of the categories of victims that most often apply to the compensation program are:

1. Victims of domestic violence
2. Victims of rape and sexual abuse (children, minors, and adults)
3. Relatives of homicide victims
4. Victims of human trafficking

5. Victims of physical assault or attempted murder who suffer serious physical harm
6. Those victims who have suffered disfigurement, constant torture, physical, mental and sexual abuse, or deprivation of freedom.

#### **Who other than the victim is eligible for compensation?**

1. Family members or dependents of the deceased victim.
2. Random victims (if they meet the criteria provided by law)

#### **When is immediate compensation access available and to whom?**

Only certain categories of victims may be entitled to immediate compensation. Victims who may seek immediate compensation before the disposition of the court case are:

1. Child victims
2. Victims of human trafficking
3. Victims of rape
4. Victims of domestic violence
5. Relatives of the deceased victim.

#### **What is compensable under immediate compensation?**

The purpose of immediate access to compensation is to compensate victims for expenses incurred due to the crime. Immediate access to compensation covers the following:

1. Funeral expenses (also covered under regular compensation)
2. Medical and hospitalization expenses, medication, and medical equipment (documented)
3. Other reasonable emergency expenses.

#### **What is covered by regular compensation?**

Regular compensation applications are made after the conclusion of regular court proceedings, namely after the judgment becomes final. In order to request regular compensation, the victim must initially request restitution from the defendant in criminal proceedings, except in cases where the victim demonstrates that it has been impossible to file such a motion.

Under regular compensation, victims may request compensation from the categories provided by law depending on the impairment or harm suffered from the criminal offense.

#### **What are the types of compensation?**

1. Compensation for physical injury or health impairment
2. Compensation for mental health impairment

3. Compensation for mental suffering
4. Compensation for suffering due to the loss of a family member
5. Compensation for loss of entitlement to maintenance
6. Compensation for medical device damage or destruction

### **What is compensable under compensation for physical injury or health impairment?**

Compensation under this scope is granted for physical suffering caused as a result of serious physical injury, health impairment, reduction of vital capacity or illnesses that have resulted from a crime. Compensation is based on the degree of injury determined by the Law, and documented medical expenses are also compensated.

### **What is the difference between compensation for mental health impairment and compensation for mental suffering?**

Under the scope of compensation for mental health impairment, compensation is provided for documented expenses for specialist services, hospitalization expenses, medications, and projected expenditures for mental health treatment. While compensation for mental suffering can only be awarded to victims of certain categories who are considered to have suffered psychological trauma without serious physical harm as a result of a crime and such compensation is awarded in a fixed amount. The same victims may be compensated in other categories, including mental health compensation, provided they have been treated and have documented expenses.

### **Who is eligible for compensation for mental suffering?**

Compensation for mental suffering as a result of a crime may be awarded to:

1. Child victims
2. Victims of domestic violence
3. Victims of human trafficking
4. Victims of rape, sexual assault, degradation of their sexual integrity, or coercion into pornography
5. Those victims who have suffered disfigurement, constant torture, physical, mental and sexual abuse, etc.

### **What is covered by compensation for suffering due to the loss of a family member?**

Compensation under this category allows the compensation of expenses for mental health treatment of family members of the deceased victim. Compensation may be awarded for documented expenses and

also for the required treatment and anticipated expenses for the remediation of the psychological condition.

### **What is compensation for loss of entitlement to maintenance?**

In cases where the victim was the primary provider for their family, the victim or the family members of the deceased victim may be compensated up to a certain amount, based on the categorization of injuries under the type of compensation for health impairment. Family members must document that the deceased victim was the primary provider for their family.

### **Do funeral expenses need to be documented?**

Compensation for funeral expenses is awarded in a fixed amount and requires no documentation. Compensation may be claimed as part of an application for immediate or regular compensation. The fixed amount is awarded to all family members and the applicant must provide the authorization of the other family members to withdraw such compensation.

### **What is compensable under compensation for medical device damage or destruction?**

The victim may be compensated for medical devices required for victim's health, which were damaged by a crime. Such devices may be prescription glasses, hearing aids, wheelchairs, orthopedic prostheses, dental prostheses, etc.

### **Can I apply for more than one type of compensation?**

Victims are entitled to compensation for any harm suffered due to a crime. Consequently, victims may apply for more than one type of compensation, depending on the type of harm suffered. Certain types of compensation have law-determined criteria and require documentation. Victims should be carefully advised before submitting an application for compensation, in order to identify the types of compensation for which the victim is eligible to apply.

### **What is not compensable under the Crime Victim Compensation Program?**

1. Harm that is not caused by a violent crime
2. Harm that has been fully compensated for by other sources
3. Crimes related to public traffic safety
4. Attorney fees for completing and submitting the compensation application.

### **Where can you find the compensation application forms?**

1. At the Ministry of Justice (paper-based or electronic copy on the official website)
2. At the Victims' Advocacy and Assistance Office

3. At police facilities
4. At the Free Legal Aid offices

### **Who can help you complete your compensation application?**

Victim advocates and representatives of governmental and non-governmental organizations that provide free legal aid services can help you complete your application form. The attorney's fee for filing a compensation application shall not be reimbursed.

### **What documents must be attached to the application form?**

1. Police document on the criminal offense, in case of filing for immediate access to compensation
2. Final court judgment, in case of filing for regular compensation
3. Identity Document
4. Medical Reports
5. Evidence of expenditure
6. Authorizations and certificates
7. Other additional documents, as required.

### **What are the deadlines for compensation applications?**

Applications for immediate compensation can be filed within three (3) years after the reporting of the criminal offense or receiving the final judgment.

### **Where should you submit your compensation application form?**

1. You must submit your application in person or by mail to the Ministry of Justice, in Prishtinë.
2. You can also submit your application by e-mail to the Commission at [kkvk.md@rks-gov.net](mailto:kkvk.md@rks-gov.net)

### **Who decides and when?**

The Crime Victim Compensation Commission shall decide within 90 days of receipt of the completed application.

### **How will you be informed of the Commission's decision?**

The Crime Victim Support Division shall notify you of the Commission's decision by e-mail, phone, or mail.

### **Can you appeal the Commission's decision?**

In case of grievance with the Commission's decision, you may initiate an administrative conflict proceeding in accordance with applicable law.

**Where can you get additional information?**

For detailed information about your application, you can contact:

**Crime Victim Compensation Commission**

Ministry of Justice

**Department of Transitional Justice and Crime Victim Support**

Former Rilindja Building, Prishtinë 10 000

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