

# I HAVE RIGHTS

...in SPAIN

If you've been mistreated, YOU HAVE RIGHTS

- Crimes are acts that harm a person and are **punishable by law**. Whether something is recognised as a crime depends on national law.
- Crimes can occur in many different contexts.
- Crimes can be committed by a stranger, someone you know, even by people holding official positions.

## What is a crime?



## Have you been the victim of a crime?



- A victim is anyone who has suffered physically, mentally, emotionally or economically because of a crime.*
- You are a victim even if:**
- You did not report the crime to the police.
  - The person who harmed you has not been identified, arrested, or convicted by the authorities.
  - You were not directly injured, but you are the family member of someone who died because of a crime.

## Your rights, regardless of immigration status

*Whether you are a citizen, an asylum seeker, a student, a worker, a tourist, undocumented, or anyone else who has been mistreated, you have the right to:*

- **Report crimes to the police** without fear of immigration consequences.
- **Receive free, confidential assistance**, including specialist services, like women's shelters, even if you don't report the crime.
- **Be informed of existing services** and referred to them when necessary.
- **Protection**, including restraining orders for perpetrators.
- **Be treated respectfully** and professionally by the authorities.

## Why reach out for help?

- Get **advice** about your situation, and about where to get help.
- Be assisted in **reporting the crime**, if you wish to report.
- Get information about **safe accommodation**.
- Get **access to the help of a medical professional** or counsellor for you or your child, if you need it.

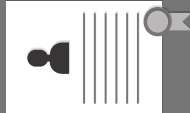
- Get support in **understanding the criminal justice system** and your rights as a victim.
- Get **protection** for you and your children.
- Get **information** about social or other benefits you might be able to get, because of your situation.

Under EU law, your country has a duty to protect all victims of crime.



In Spain you have the RIGHT to:

The national laws of Spain protect you, too.



## Not all officials know or apply these laws. To ensure your safety, and to know all your options, please contact the NGOs listed for advice and support.

- You have the right to **report crimes, regardless of your residence status**.
- If you are in an irregular situation, please **contact an NGO for assistance before going to the police**.
- If you are in an irregular situation, you have the right to **avoid sanctioning procedure or to have existing ones suspended**. Please contact an NGO for more information and advice.
- You have the right to **report directly to the court of duty**, if you prefer.
- You have the right to **obtain a copy of your complaint**, duly certified.

## Receive information in a way you understand



- You have the right to know:
- What kind of **help you can get** as a victim of crime.
  - The ways you can receive **protection** from the perpetrator.
  - Where you can go for legal and other kinds of **advice**, and whether you can get it for free.

## Protection from Further Victimisation



- You have the right to be protected from further abuse or violence.
- You have the right to have your need for protection evaluated by the authorities, based on your **individual circumstances**.
- You have the right to **ask the authorities to keep you and abuser away from you** and your child, even if you did not report the crime to the police.

## Be Treated Respectfully



- You have the right to be treated in a professional and respectful way by the police and every official you are in contact with.
- You have the right to **make a complaint** if you are insulted, demeaned, treated disrespectfully, or mistreated by police or any other official you are in contact with.

## Free, Confidential Assistance



- If you (and your child) are victim of domestic violence, you have the right to a **safe place** to stay.
- You have the right, if you need it, to **free counseling** that respects your privacy.
- You have the right to see a doctor or other **medical professional** if you have been injured.

## Report Crimes to the Police without Fear



- You have the right to report any mistreatment or violence against you to the police or other authorities.
- You have the right to make your complaint **in a language you understand**, or with help.

## Where can I go for HELP?

**Emergency: 016**  
24/7 five languages

**For victims of trafficking: 012**  
Monday-Friday 42 languages

**Resources in your country:**  
WEBSITE:  
[wrap.seguridad.gob.es/recursos/search/SearchForm.action](http://wrap.seguridad.gob.es/recursos/search/SearchForm.action)

- **Police:** "Tipo de recurso"
- **Tribunals:** "Atención Policial"
- **Juzgados:** "Tipos de recursos"
- **Shelters:** "Tipos de recursos"
- **Asociaciones de mujeres:** "Asociaciones de mujeres"
- **Legal Assistance:** "Tipo de recurso"
- **Information:** "Tipo de recurso"
- **Asesoramiento legal:** "Asesoramiento legal"
- **Servicios de información y asesoramiento:** "Servicios de información y asesoramiento"

## Where to report violence or other crime:

**Police**  
**Tribunals**  
**Offices for Assistance to Victims of Crime** in every Autonomous Community

**More on Legal Assistance:**  
**SOJ of the Bar Association in your city:** [www.abogacia.es](http://www.abogacia.es)

**NGO Counselling:**  
**Accom:** [www.redacoge.org/es](http://www.redacoge.org/es)  
**Red Acoge:** [www.redacoge.org/es](http://www.redacoge.org/es)

**Find more help:**  
Download **LIBRES App**

- You have the right to be **accompanied by a person or organization of your choice** from the very first contact with the authorities and officials.
- You have the right to **file a complaint** before the Ombudsman if you consider you have been mistreated in the process or the case has been badly managed.

**24h helpline: 914 327 900**

- You have the right to obtain **safe and alternative accommodation** away from your abuser.
- You have the right to **request a protective order** or other precautionary measures.
- You have the right to **legal assistance and counselling in administrative procedures** on denial of entry, return, expulsion from Spanish territory and asylum.

- You have the right to receive **free legal assistance**, you won't need to prove insufficient resources.
- You have the right to receive **protection** based on your personal situation, your children's or your other dependants'.
- You have the right to **free emergency medical care** and **childbirth and postpartum**.

- You have the right to ask for clarifications and for simple and accessible **information in your language**.
- You have the right to **free linguistic assistance** and a written translation of documentation.
- If you are under 18 or have your capacity judicially modified, all communications will be made to your representative or to the person who assists you.

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# HAVE YOU BEEN VICTIM OF A CRIME?

People are not allowed to mistreat you

Forced confinement

Stalking

Refused wages

Bullying

Forced work

Take your ID/passport

Control you

Hit you

**NO!**

Burn you

Child abuse

Forced sex

Cut you

Threaten your safety

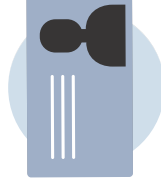
Female genital mutilation



Crimes should be prosecuted



Your immigration status does not matter



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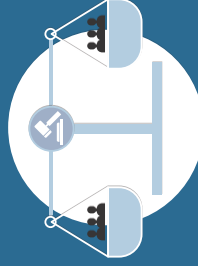
Advice



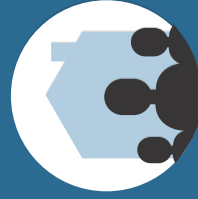
Protection for you and your family



Health



Justice



Safe Accomodation



With Support from:



With financial support from the European Union Programme for Employment and Social Innovation "Erasmus+" (2014-2020). For further information please consult: <http://ec.europa.eu/eas/> or see here: The information reflect the official position of the European Commission.



OPEN SOCIETY FOUNDATIONS

SIGRID RAUSING-TRUST

PICUM gratefully acknowledges the input of country-specific information by:

RED **acoge**

women's **IN** worldwide

