



Board/RD4U(2023)03

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**BOARD OF THE REGISTER OF DAMAGE
CAUSED BY THE AGGRESSION OF THE RUSSIAN FEDERATION
AGAINST UKRAINE**

1st meeting / 2023

11 December 2023

The Hague

**Rules of Procedure of the Board
of the Register of Damage Caused by the Aggression of the Russian Federation
against Ukraine**

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**Rules of Procedure
of the Board of the Register of Damage Caused by the Aggression of the Russian
Federation against Ukraine**

*(Adopted by the Board of the Register of Damage Caused by the Aggression of the Russian
Federation Against Ukraine on 11 December 2023 at its 1st meeting)*

Rule 1 – Functions of the Board and its Composition

1. Pursuant to the Statute of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (“Statute”), and without prejudice to Article 5 of the Statute, the Board of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (“Board”) shall:
 - a. have responsibility for the exercise of the functions of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (“Register”);
 - b. propose the rules and regulations governing the work of the Register and implement them as appropriate, including, in particular as regards the determination of the categories of claims, the procedures for the receiving, processing and recording of claims, the format of the claim forms and the requirements for evidence with respect to each category of claims, that shall be approved by the Conference of Participants of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (“Conference”);
 - c. have the ultimate authority in determining the eligibility of claims to be recorded in the Register, including based on the recommendation of the Executive Director;
 - d. perform any other function necessary for the fulfilment of the mandate of the Register that is not vested by this Statute in the Conference, Executive Director or Secretariat.
2. The Board shall approve the necessary rules and protocols related to the access to and use of the digital platform of the Register that will contain information on claims and evidence submitted to the Register. The Executive Director, in consultation with relevant experts and specialists, if necessary, shall propose a draft for Board’s consideration.
3. The Board shall determine the dates from which the Register shall be open for submission for each category of claims, evidence and related information.
4. Composition of the Board shall be governed by the Statute.

Rule 2 – Chair and Vice-Chair

1. At the first meeting of the Board, or as soon as possible, the Board shall elect a Chair and a Vice-Chair from among its Members. The term of office of the Chair and Vice-Chairs shall be three years and can be renewed.
2. Any Board Member can nominate a candidate for the positions of Chair and Vice Chair. Self-nominations are also allowed.
3. Unless the Board agrees to another procedure by consensus, elections shall be conducted through a secret ballot. Each Board Member shall have one vote for each position. Two-thirds majority of all Board Members shall be required for election. If no candidate receives the required number of votes, further rounds of voting shall be conducted until Chair and Vice-Chair are elected. Executive Director of the Register shall facilitate and administer the elections.

4. The newly elected Chair and Vice Chair shall assume their roles immediately following the election.
5. If the posts of Chair or Vice Chair of the Board become vacant, the Board shall hold an election to fill the vacant post/s at its next scheduled Board meeting.

Rule 3 – Functions of Chair and Vice-Chair

1. The Chair shall:
 - a. preside over meetings of the Board;
 - b. supervise preparation of meetings in cooperation with the Executive Director;
 - c. coordinate and organize the work of the Board and its Members between the meetings, as necessary;
 - d. periodically meet with the Conference of Participants to inform it about the state of the Board's work, including presentation of the quarterly reports of the Board as well as any other issue relating to the functioning of the Register;
 - e. perform all other functions conferred upon him/her by the Statute, these Rules of Procedure or by the Board.
2. The Chair may delegate his/her functions to the Vice-Chair. The Vice-Chair shall execute the duties of the Chair if the latter is unable to carry out his/her duties or if the post of Chair is vacant.

Rule 4 – Secretariat

The Secretariat of the Board shall consist of the Executive Director of the Register and the Secretariat of the Register. The Secretariat shall, under the authority of the Executive Director, provide substantive, technical and administrative support for the Board.

Rule 5 – Languages

The official languages of the Board shall be English and French. Pursuant to the decision of the Conference of Participants adopted on 12 September 2023,¹ English shall be the working language of the Board to ensure the smooth functioning of the work of the Register and the Board.

Rule 6 – Convening meetings and venue of meetings

1. The Board shall meet in person as often as is necessary for the exercise of the functions of the Register as set out in Rule 1 above, but at least once each quarter (four times each year). Between quarterly meetings, the Board may meet virtually or in hybrid format or, if necessary, exercise its decision-making through written procedure. The Executive Director and the Chair of the Board shall ensure that meetings are planned, convened, organized and serviced as efficiently and economically as possible.
2. By its last meeting of a calendar year, the Board shall adopt the schedule of its quarterly meetings for the following year. In advance of each respective meeting, the Executive Director shall notify the Board Members of the date, place and time of each meeting, its probable duration, and any other practical modalities.

¹ Document COP/ROD(2023)AR02, para 19.

3. Meetings of the Board shall normally take place at the Seat of the Register in The Hague. Exceptionally, the Board may decide to hold its meetings in a different location if it is financially and practically feasible, and subject to the availability of the necessary budgetary resources.
4. Members who are unable to attend a Board meeting or a part thereof shall notify the Executive Director and the Chair as soon as possible in advance of the meeting.
5. The proposal to hold a meeting by videoconference or in a hybrid format shall be made by the Chair in consultation with Executive Director, and approved by the Board. The Board may decide, on a case-by-case basis, that remote attendance at a meeting shall be treated as presence in person for the purposes of these Rules of Procedure.
6. The Executive Director shall participate in the meetings of the Board in an advisory capacity.

Rule 7 – Agenda

1. The Executive Director, in consultation with the Chair, shall draw up the draft agenda for the meetings of the Board, and transmit it to the Board Members at least two weeks in advance of the meeting. Board Members may propose agenda items by informing the Executive Director and/or the Chair.
2. The agenda shall be adopted by the Board at the beginning of its meeting.

Rule 8 – Documents

1. The Executive Director shall be responsible for preparing and distributing working documents for the Board and shall bring to the Board's attention any relevant communications containing information submitted for the Board's consideration.
2. Documents requiring a decision shall be sent, whenever possible, to the Board at least two weeks before the opening of the meeting at which the decision is to be taken unless otherwise decided by the Board.
3. Maximum use should be made of information technology, including between meetings. This includes for the purposes of gathering amendments, comments and proposals, finalising texts, taking decisions and making the necessary reporting.

Rule 9 – Quorum

The quorum of the Board shall be the two thirds of all its Members. Quorum is required for any decision-making of the Board.

Rule 10 – Privacy of the Meetings and Confidentiality

1. Meetings of the Board shall be held in private, unless specifically decided otherwise by the Board itself in the interest of transparency and visibility of the Register's work. The Board, the Board Members and the Secretariat shall take appropriate measures to ensure the secure conduct of meetings.
2. Unless decided otherwise by the Board, apart from its Members and the Executive Director, Members of the Secretariat of the Register designated by the Executive Director may be present at the meetings of the Board.

3. Board Members, experts and other persons assisting the Board, and all other persons participating in the meetings of the Board are required, at all times, to maintain the confidentiality of the Board's deliberations.
4. The Board shall adopt rules determining a confidentiality regime of its work and of information on claims and evidence contained in the Register's digital platform.

Rule 11 – Voting

1. The Board shall endeavour to adopt decisions by consensus.
2. If, in the opinion of the Chair, it is impossible to reach a consensus, the Chair shall announce a vote.
3. Each Board Member shall have one vote.
4. The decisions of the Board are taken by a two-thirds majority of all Board Members, unless otherwise indicated in the present Rules of Procedure or in the Statute.

Rule 12 – Reports

The Board shall approve quarterly reports to the Conference. Such reports shall include the number of claims received and the number of eligible claims recorded in the Register, the relevant categories and the total amount of compensation sought (if applicable). Such reports shall also include the summary of other significant factual or legal matters relevant to the work of the Register.

Rule 13 – Amendments to the Rules of Procedure

The Board may amend these Rules of Procedure.

Rule 14 – Entry into force of the Rules of Procedure

These Rules of Procedure shall enter into force upon their adoption.

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