



RD4U-Board(2024)20-final-EN

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

CLAIM FORM AND RULES

**Claims categories B1.1, B1.2, C1.1, C1.2
Damage or Destruction of Critical and Non-Critical Infrastructure**

The Hague

www.RD4U.claims

CLAIM FORM AND RULES

Claims categories B1.1, B1.2, C1.1, C1.2 Damage or Destruction of Critical and Non-Critical Infrastructure

Adopted by the Board of the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine on 2 July 2024.

Approved by the Conference of Participants of the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine on 8 July 2024.

Capitalised terms in this Claim Form shall have the meaning ascribed to them in Article 1 of the Rules Governing the Submission, Processing and Recording of Claims of the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine.

1. This Claim Form shall be used by Claimants to submit Claims in the categories of Claims **B1.1, B1.2, C1.1, and C1.2 – Damage or Destruction of Critical and Non-Critical Infrastructure**. It contains specific rules applicable to the categories in question, a description of the information and Evidence Claimants are required to submit, as well as additional information and Evidence that may be submitted to support the Claim.
2. The Board will decide whether to record the Claim under category B1.1, B1.2, C1.1 or C1.2, based on the nature of the Claimant and on the qualification of the infrastructure as critical or non-critical.
3. In accordance with Article 10 of the Claims Rules, this Claim Form shall be available in digital form on the Diia web portal. The Secretariat shall ensure that this Claim Form is reproduced on the Diia web portal in an efficient, flexible, and user-friendly way, bearing in mind peculiarities of digital forms in general.
4. For Claims relating to infrastructure, the following rules shall apply in addition to the Claims Rules:
 - 4.1. Claims relating to infrastructure can be submitted by owners of infrastructure situated or operating in the territory of Ukraine within its internationally recognised borders, extending to its territorial waters which was damaged or destroyed on or after 24 February 2022 by the Russian Federation's internationally wrongful acts in or against Ukraine.
 - 4.2. For the purposes of this Claim Form, in case of entities that are owned or controlled by Ukraine (including its regional or local authorities), "owner of infrastructure" shall also mean legal persons who have full economic management («повне господарське відання») or operational control («оперативне управління») of the relevant infrastructure in accordance with Ukrainian law.
 - 4.3. "Infrastructure" shall mean assets, objects, structures, or systems, virtual or physical, that facilitate the functioning of the State of Ukraine and its society, by providing a function or service to the benefit of, or for the use by, the general public.
 - 4.4. "Critical infrastructure" shall mean assets, objects, structures, or systems, virtual or physical, the functioning of which, in part or in full, on their own or in connection with other infrastructure, is of critical importance to vital interests of the State of Ukraine, such as economy, security, defence, and/or the provision of vital functions or services

to its society, the improper functioning, incapacitation, or destruction of which has or risks considerable impact on the provision of said functions and services.

4.5. Infrastructure in the following sectors may be considered as critical infrastructure:

- a. governance and provision of essential public (administrative) services;
- b. energy supply (including heat supply);
- c. water supply and sewerage;
- d. food supply;
- e. healthcare;
- f. pharmaceutical industry;
- g. production of vaccines, sustainable operation of biolaboratories;
- h. information services;
- i. electronic communications;
- j. financial services;
- k. transport;
- l. defence, state security;
- m. law and order, administration of justice, and detention;
- n. civil protection of the population and territories, rescue services;
- o. space activities, space technologies and services;
- p. chemical industry; and
- q. research activities.

4.6. “Non-critical infrastructure” is infrastructure that does not qualify as critical infrastructure.

4.7. Claims in relation to infrastructure can be submitted only for the value of the destroyed property or for the cost of repairs or reconstruction of damaged infrastructure or its function. Claims related to other losses related to damage or destruction of infrastructure submitted in these categories will not be recorded in the Register. They will have to be submitted in a different category to be eligible for recording.

4.8. Under Article 11(2) of the Claims Rules, Claims by legal persons shall be submitted through Representatives only in accordance with the Rules on the Use of Representatives. An individual that has general authority to act on behalf of the Claimant (such as a director or a chairperson) and is named as such in the relevant legal person’s registry entry shall be considered as that Claimant’s Representative by default and may appoint other Representatives in accordance with the Rules on the Use of Representatives.

4.9. Claimants are required to submit a narrative description of the elements of their Claim required in accordance with the Claim Form, including a general description of their Claim.

5. “**Disclaimer, Information and Instructions for the Claimants for categories B1.1, B1.2, C1.1, and C1.2**” contained in this Claim Form shall be reproduced verbatim in digital form on the *Diia* web portal. The Secretariat shall also publish it on the Register’s website.

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Disclaimer, Information, and Instructions for the Claimants for categories B1.1, B1.2, C1.1, and C1.2

- (1) This Claim Form is for the submission of a Claim to the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine **in categories B1.1, B1.2, C1.1 and C1.2 – Damage or Destruction of Critical and Non-Critical Infrastructure.**
- (2) The determination of whether a Claim is eligible to be recorded in the Register is made by the Board of the Register. Such a determination does not mean that the substance of the Claim or its valuation has been examined, any compensation has been awarded, or any payment is due. Examination of a Claim and award of any compensation will be carried out by a future compensation mechanism (within the meaning of the Statute of the Register) that is yet to be established.
- (3) Before submitting the Claim, you are encouraged to consult the information about the Register on its website at www.RD4U.claims or www.RD4U.coe.int and the various rules and instructions related to the submission of Claims, in particular the Rules Governing the Submission, Processing and Recording of Claims.
- (4) All Claims must be submitted by using Claim Forms approved by the Register for each category of Claims.
- (5) This Claim Form is to be used for submission of Claims for damage to, or destruction of, infrastructure that was sustained on or after 24 February 2022 in the territory of Ukraine within its internationally recognised borders as a result of the Russian Federation's internationally wrongful acts in or against Ukraine – **Claims categories B1.1, B1.2, C1.1, and C1.2.** If you wish to submit a Claim for a different type of loss, damage, or injury, you should use the Claim Form for the relevant Claims category.
- (6) The Claim must be submitted to the Register through *Diia*, via the web portal at www.diia.gov.ua/services/RD4U. The Register will process and review the Claim and the supporting Evidence and decide whether the Claim is eligible for recording in the Register. The Register's decision will be communicated in due course through *Diia*.
- (7) As a Representative of a Claimant, you will be required to submit certain information and Evidence in support of the Claim you file, including proof of your identity and authorisation to act on behalf of the Claimant, proof of the Claimant's identity, and proof of ownership (including, as applicable, full economic management («повне господарське відання») or operational control («оперативне управління»)) of the infrastructure. You will also be asked to submit further information about the infrastructure in question, including information about how the infrastructure was damaged or destroyed, a description and evaluation of the damage and destruction, and information about the estimated value of the Claim as well as whether it is the Claimant's submission that the infrastructure in question qualifies as critical infrastructure. You are required to submit a detailed description of your Claim as a whole, as well as its elements in the Claim Form.
- (8) Claims in this category can be submitted only for the value of the destroyed property or for the cost of repairs or reconstruction of damaged infrastructure or its function. Claims for other consequences of damage or destruction of infrastructure shall be

submitted in other appropriate categories. Accordingly, you should not submit Evidence with respect to such other aspects of this Claim.

- (9) Some information will be drawn from various existing electronic sources and will be automatically available through Diia. Some information and Evidence will have to be put in manually. You will have a chance to check all information before it is submitted to the Register.
- (10) You are encouraged to submit all relevant Evidence in support of the Claim. This encompasses any documents, records, statements, photos or other material that will facilitate the Register's processing and review of the Claim. You are encouraged to preserve originals of all Evidence and all potential further Evidence that you may wish to submit at a later date while awaiting the resolution of the Claim.
- (11) You do not need to complete the Claim Form all at once, and you will be able to save the draft Claim and complete it at a later stage.
- (12) You should ensure that the files submitted as part of the Claim are accessible, readable and not infected with computer viruses or any form of malicious software. If the Register identifies any files submitted by you as inaccessible, unreadable, or infected, the Claim may not be recorded in the Register.
- (13) By submitting the Claim and the supporting Evidence and information, you confirm that you have the right to transfer any personal data contained in the Claim or related Evidence to the Register, you agree to such transfer and authorise the Register to store, process and transfer such personal data in accordance with the Register's Principles on the Protection of Personal Data.
- (14) By submitting the Claim and the supporting Evidence and information, you confirm that the information about your identity and authorisation to act on behalf of the Claimant is true. The Claimant confirms its identity and that the content of the Claim Form and the attached Evidence and information is true. You understand that submitting an untruthful or false Claim, may result in your Claim being considered as manifestly unfounded and not recorded in the Register.

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Preliminary Questions
1. Language of Claim submission (Ukrainian or English)
2. Category of Claim
I. Claimant Identification
3. Name
4. Organisational form (type) of a legal person
5. Identification Number
6. Date of Registration
7. Place of Registration
8. Is the legal person in good standing (not liquidated/in liquidation)?
9. Claimant's status as government entity (if applicable)
10. Registered Address
11. Actual Business/Headquarters' Address
12. Contact phone number(s)
13. Email address(s)

14. Full Name of Director/Chairperson
15. Is the Claimant (as a legal person) or any of its directors (managers) or shareholders subject to sanctions or other equivalent restrictive measures imposed by a government or an international organisation
16. Have the Claimant's directors (managers) been convicted of a crime in relation to Russian aggression against Ukraine
II. Identification of the Claimant's Director or Chairperson (Principal Representative)
17. Full Name
18. Gender
19. Date of Birth
20. Nationality
21. ID document/Passport number
22. Ukrainian Tax ID number
23. Ukrainian Demographic Register Entry number
24. Registered Address
25. Current Address
26. Contact phone number(s)
27. Email address
28. If the Claim is submitted through an additional Representative, equivalent ID information about such Representative
III. Description of the Claim
29. Detailed description of the Claim as a whole
IV. Identification of the infrastructure
30. Type of infrastructure
31. Is construction of the infrastructure completed
32. Address of the infrastructure, if applicable
33. Geographical coordinates of the infrastructure, if applicable
34. Surface area, if applicable
35. Information on the asset/object/structure/system
36. Further narrative description of the asset/object/structure/system
V. Ownership of property
37. Is the Claimant the owner or the operator of the infrastructure
38. Is the property title recorded in the State Registry of Immovable Property Rights in Ukraine
39. Information about the title from the State Registry of Immovable Property Rights in Ukraine
40. Date of creation of title
41. Is the infrastructure registered in any other kind of property register?
42. Information about co-owners of the property and their shares
43. Further narrative description of the ownership
VI. Qualification as Critical Infrastructure
44. Does the infrastructure qualify as critical infrastructure?
45. Is the infrastructure registered in the Register of Critical Infrastructure of Ukraine?
46. If yes, number of registration in the Register of Critical Infrastructure of Ukraine
47. Sector to which the infrastructure belongs
48. What vital function or service does the infrastructure provide
49. What is the impact of the absence/non-functioning of the infrastructure?
50. Is the infrastructure critical in itself, or in connection with other infrastructure?
51. If infrastructure is critical in connection with other infrastructure, which other (critical) infrastructure?
52. Further narrative description of the why the infrastructure in question should be qualified as critical infrastructure
VII. Event(s) that Damaged or Destroyed the Infrastructure
53. Type of event(s) that caused damage to or destruction of the infrastructure
54. Date of the event(s) that caused damage to or destruction of the infrastructure

55. Description of the event(s)
56. Further narrative description of the event(s)
VIII. Damage to or Destruction of the Infrastructure
57. Type and degree of damage or destruction
58. Description of damage or destruction
59. Proof of damage or destruction
60. Further narrative description of the damage or destruction
IX. Amount of the Claim
61. Evidence of formal evaluation of damages carried out
62. Amount of damages evaluated
63. Evidence on the value of the infrastructure prior to 24 February 2022
64. Evidence on repairs made to the infrastructure or repairs to restore its function
65. Evidence on the cost of repairs
66. Estimated amount of Claim
67. Further narrative description of the amount of the Claim
X. Other Legal Proceedings
68. Information about relevant court cases or law enforcement investigations (if applicable)
XI. Check and submission
69. Check and confirmation of data
70. Verification of identity prior to submission
71. Agreement to transmit personal data
72. Submission of the Claim