



RD4U-Board(2024)39-EN

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

CLAIM FORM AND RULES

**Claims category A3.6
Loss of access or control of immovable property in the temporarily
occupied territories**

The Hague

www.RD4U.claims

CLAIM FORM AND RULES

Claims category A3.6 Loss of access or control of immovable property in the temporarily occupied territories

Adopted by the Board of the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine at its 4th meeting on 6 September 2024.

Approved by the Conference of Participants of the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine on 6 November 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 category of Claims **A3.6 – Loss of access or control of immovable property in the temporarily occupied territories**. It contains specific rules applicable to the category 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. In accordance with Article 10 of the Claims Rules, this Claim Form shall be available in digital form in *Diia*. The Secretariat shall ensure that this Claim Form is reproduced in *Diia* in an efficient, flexible and user-friendly way, bearing in mind peculiarities of digital forms in general.
3. For Claims in category A3.6, the following rules shall apply in addition to the Claims Rules:
 - 3.1. Claims in category A3.6 can be submitted by or on behalf of individuals who are owners of immovable property in the territory of Ukraine within its internationally recognised borders, extending to its territorial waters, who lost access or control of such property on or after 24 February 2022 as a consequence of the temporary occupation of the territory where the property is located, as a result of the Russian Federation's internationally wrongful acts in or against Ukraine.
 - 3.2. For the purposes of this category, "loss of access or control of property in the temporarily occupied territories" shall mean the deprivation, in whole or in significant part, of the ability of the property's owner to access, use, enjoy or dispose of his or her property without the reliance on the Russian Federation, its government, local and regional authorities or any entity owned or controlled by them.
 - 3.3. Should the Claimant be able to regain access or control of the immovable property, he/she is required to submit relevant information to the Register by updating the relevant Claim.
 - 3.4. Claims on behalf of minor children or persons under guardianship shall be submitted in accordance with the Rules on the Use of Representatives.
 - 3.5. Claims in category A3.6 can be submitted only for the value of the immovable property. Claims related to other losses related to immovable property shall be submitted in a different category, e.g. categories A3.1 – Damage or destruction of

residential immovable property, or A3.2 – Damage or destruction of non-residential immovable property.

4. “**Disclaimer, Information and Instructions for the Claimants for category A3.6**” contained in this Claim Form shall be reproduced verbatim in digital form in *Diia*. The Secretariat shall also publish it on the Register’s website.

* * *

Disclaimer, Information, and Instructions for the Claimants for category A3.6

- (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 category A3.6 – Loss of access or control of immovable property in the temporarily occupied territories**.
- (2) The determination of whether your 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 to you is due. Examination of your 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 the Claims, in particular - Rules Governing the Submission, Processing and Recording of Claims, Claim Form and Rules: Claims category A3.6 – Loss of access or control of immovable property in the temporarily occupied territories, as well as Frequently Asked Questions.
- (4) All Claims must be submitted by using Claim Forms approved by the Register for each category of Claims. This Claim Form is to be used for submission of Claims by or on behalf of individuals for loss of access or control of immovable property in the temporarily occupied territories, 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 category A3.6**. 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.
- (5) Category A3.6 covers Claims related to the value of the loss of access or control of the immovable property in the temporarily occupied territories. Claims related to damage or destruction of residential or non-residential immovable property should be submitted using the Claim Forms for the relevant categories (A3.1 – Damage or destruction of residential immovable property, or A3.2 – Damage or destruction of non-residential immovable property). Claims related to other losses related to immovable property should be submitted using Claim Forms for the relevant categories.
- (6) Your Claim must be submitted to the Register through *Diia* web portal at www.dii.gov.ua/services/RD4U. The Register will process and review the Claim

and the supporting Evidence and decide whether your Claim is eligible for recording in the Register. You will be informed of the Register's decision in due course through *Diia*.

- (7) You will be required to submit certain information and Evidence in support of your Claim, including information regarding your identity, proof of ownership of the property in question, including title to the property, its location in the temporarily occupied territories, information about how access or control of the property was lost, the property value prior to 24 February 2022, as well as relevant Evidence in this respect. Some information will be drawn from various existing electronic sources.
- (8) You will be able to submit additional information and upload files with Evidence to support your Claim consistent with the technical requirements of the Register. You will have a chance to check all information before it is submitted to the Register.
- (9) You do not need to complete your Claim all at once, and you will be able to save the draft Claim and complete it at a later stage. However, it is advisable to ensure that all the necessary information is prepared and available to you.
- (10) You should ensure that the files submitted as part of your 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, your Claim may not be recorded in the Register.
- (11) By submitting your Claim and the supporting Evidence and information, you agree to transfer personal data to the Register 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.
- (12) Claims by Russian nationals are not eligible to be recorded in the Register. However, Claims by Russian nationals may be recorded in the Register if they can establish that they also hold another nationality.
- (13) By submitting your Claim and the supporting Evidence and information, you confirm that they are a truthful representation of your identity as a Claimant, your nationality, your right to make a Claim and the content of the Claim. 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.

* * *

Preliminary Questions
1. Language of Claim submission (Ukrainian or English)
2. Category of Claim
I. Claimant Identification
3. Full name
4. Gender
5. Date of Birth
6. Nationality
7. ID document/Passport number
8. Ukrainian Tax ID number

9. Ukrainian Demographic Register Entry number
10. Claimant's Registered Address
11. Claimant's Current Address
12. Contact phone number(s)
13. Email address
14. Claimant Sub-Group (<i>such as member of the military, territorial defence, law enforcement, emergency/utilities/critical infrastructure worker, medical personnel</i>)
15. Has the Claimant been convicted of a crime in relation to Russian aggression against Ukraine
16. Is the Claimant subject to sanctions or other equivalent restrictive measures imposed by a government or an international organisation
17. If the Claim is submitted through a Representative, equivalent ID information about such Representative
18. If the Claim is submitted through a Centre for Provision of Administrative Services in Ukraine, information required under Article 7 of the Rules on the Use of Representatives
II. Identification of Property
19. Type of property (Apartment/House/Other)
20. Part of a building or a stand-alone structure, if applicable
21. Is construction of the property completed
22. Address of the property
23. Geographical coordinates of the property
24. Property surface area
25. Number of rooms
26. Floor(s) of the property (for apartments)
27. Number of floors of the property, if applicable
28. Number of people residing at the property, if applicable
29. Is the property registered as historic or cultural heritage
30. Information on the building/structure, if applicable
III. Title to the Property
31. Is the Claimant the owner of the property
32. Is the property title recorded in the State Registry of Immovable Property Rights in Ukraine
33. Information about the title from the State Registry of Immovable Property Rights in Ukraine
34. Evidence of attempted and denied registration of title in the State Registry of Immovable Property Rights in Ukraine
35. Date of creation of title
36. Information about co-owners of the property and their shares
IV. Event(s) that resulted in the Loss of Access or Control of the Immovable Property
37. Type of event(s)
38. Date of event(s)
39. Description of event(s)
40. Proof of loss of access or control of the immovable property
V. Amount of the Claim
41. Estimated amount of Claim
42. Evidence on the value of the property prior to 24 February 2022
VI. Other Legal Proceedings
43. Information about relevant court cases or law enforcement investigations (if applicable)
VII. Additional Evidence
44. Additional evidence with respect to Claimant's identity
45. Additional evidence with respect to property title

46. Additional evidence with respect to the loss of access or control of the immovable property
47. Additional evidence with respect to the property value
48. Additional evidence with respect to other aspects of the Claim
VIII. Check and submission
49. Check and confirmation of data
50. Verification of identity prior to submission
51. Agreement to transmit personal data
52. Submission of the Claim

* * *