



RD4U-Board(2024)43-EN

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

**CLAIM FORM AND RULES**

**Claims category C3.2  
Loss of control of property in the temporarily occupied territories**

The Hague

[www.RD4U.claims](http://www.RD4U.claims)

## CLAIM FORM AND RULES

### Claims category C3.2 Loss of control of 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 **C3.2 – Loss of control of property in the temporarily occupied territories**. It contains specific rules applicable to the category in question and 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 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.
3. For Claims in category C3.2, the following rules shall apply in addition to the Claims Rules:
  - 3.1. Claims in category C3.2 can be submitted by legal persons that are owners of property in the territory of Ukraine within its internationally recognised borders, extending to its territorial waters, which lost 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 Claim Form, in case of entities that are owned or controlled by Ukraine (including its regional or local authorities), "owner" shall also mean legal persons who have full economic management («повне господарське відання») or operational control («оперативне управління») of the relevant property in accordance with Ukrainian law.
  - 3.3. For the purposes of this category, "loss of 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 use, enjoy or dispose of its property without the reliance on the Russian Federation, its government, local and regional authorities or any entity owned or controlled by them.
  - 3.4. "Property" shall mean any tangible asset, i.e. any item of value.
  - 3.5. Claims in this category can be submitted for the value of the property, the loss of profits resulting from the loss of control of the property, as well as for the total loss of business.

- 3.6. Should the Claimant be able to regain control of the property, it is required to submit relevant information to the Register by updating the relevant Claim.
  - 3.7. Claimants shall submit all the relevant supporting Evidence, as well as information on the itemisation of the Claim and on the methodology of determination of the estimated amount of the Claim.
  - 3.8. Where a Claim in this category is submitted for loss of profits, Evidence proving such losses must be provided. Relevant Evidence may include business accounts for the years preceding the losses. Evidence submitted with respect to loss of profits needs to account for costs that would have been incurred in order to earn the lost revenue.
  - 3.9. 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.
  - 3.10. 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.
4. **"Disclaimer, Information and Instructions for the Claimants for category C3.2"** 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 category C3.2*

- (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 category C3.2 – Loss of control of property in the temporarily occupied territories**.
- (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](http://www.RD4U.claims) or [www.RD4U.coe.int](http://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 the submission of Claims for loss of control of 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 C3.2**. 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](http://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 property. You will also be asked to submit further information about the property in question, including the title to the property, its location in the temporarily occupied territories, information about how control of the property was lost, a description and evaluation of the losses incurred as a result of the loss of control, information about the estimated amount of the Claim, its itemisation and methodology of calculation, as well as relevant Evidence in this respect. You are required to submit a detailed description of the Claim as a whole, as well as its elements in the Claim Form.
- (8) You can submit Claims in this category for the value of the property, for the loss of profits, as well as for the total loss of business resulting from the loss of control of the property.
- (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. The Claimant understands that submitting an untruthful or false Claim, may result in the Claim being considered as manifestly unfounded and not recorded in the Register.

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<b>Preliminary Questions</b>
1. Language of Claim submission (Ukrainian or English)
2. Category of Claim
<b>I. Claimant Identification</b>
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. Registered Address
10. Actual Business/Headquarters' Address
11. Contact phone number(s)
12. Email address(es)
13. Full Name of Director/Chairperson
14. 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
15. Have the Claimant's directors (managers) been convicted of a crime in relation to Russian aggression against Ukraine
<b>II. Identification of the Claimant's Director or Chairperson (Principal Representative)</b>
16. Full Name
17. Gender
18. Date of Birth
19. Nationality
20. ID document/Passport number
21. Ukrainian Tax ID number
22. Ukrainian Demographic Register Entry number
23. Registered Address
24. Current Address
25. Contact phone number(s)
26. Email address
27. If the Claim is submitted through an additional Representative, equivalent ID information about such Representative
<b>III. Description of the Claim</b>
28. Detailed description of the Claim as a whole

<b>IV. Identification of Property</b>
29. Type of property
30. Location of the property
31. Information on the property, depending on its type
32. Further narrative description of the property
<b>V. Ownership of the Property</b>
33. Is the Claimant the owner of the property
34. Date of creation of title
35. Is the property registered in any kind of property register
36. Information about co-owners of the property and their shares
37. Further narrative description of the ownership
<b>VI. Event(s) that resulted in the Loss of Control of the Property</b>
38. Type of event(s)
39. Date of the event(s)
40. Description of the event(s)
41. Further narrative description of the event(s)
<b>VII. Loss of Control of the Property</b>
42. Type and degree of loss of control of the property
43. Description of loss of control of the property
44. Date(s) of loss of control of the property
45. Proof of loss of control of the property
46. Further narrative description of the loss of control of the property
<b>VIII. Amount of the Claim</b>
47. Estimated amount of Claim
48. Evidence on the value of the property prior to 24 February 2022
49. Itemisation of the estimated amount of Claim
50. Methodology of calculation
51. Further narrative description of the amount of the Claim
52. Evidence regarding the estimated amount and itemisation of the estimated amount of Claim
53. Amount of compensation assessed by Ukrainian authorities
54. Amount of compensation payments received from Ukrainian authorities
<b>IX. Other Legal Proceedings</b>
55. Information about relevant court cases or law enforcement investigations (if applicable)
<b>X. Check and submission</b>
56. Check and confirmation of data
57. Verification of identity prior to submission
58. Agreement to transmit personal data
59. Submission of the Claim

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