

RD4U-Board-CLD(2026)32

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

Board Decision

Category A2.6 – Deprivation of liberty

Group G-A2.6-000001

(Prisoners of war with documentary evidence)*

15 September 2026

The Hague

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** This Decision is final. It may be subject to editorial revision.*

TECHNICAL SUMMARY	2
I. INTRODUCTION	3
II. METHODOLOGY	3
III. ASSESSMENT	3
IV. DECISION	6

TECHNICAL SUMMARY

1. RCMS Group ID	G-A2.6-000001
2. Date of submission to the Board	1 September 2026
3. Claims category	A2.6
4. Description	Claims by prisoners of war (POWs) with documentary evidence confirming their detention as POWs
5. Number of Claims	105
6. Submitted by Claimants on their own behalf	105
7. Submitted by Representatives using the issued Digital Authority	0
8. Submitted by a parent or guardian	0
9. Submitted through CPAS	0
10. Data from integrated registers or databases	Demographic Register
11. External data	No
12. Use of mass claims processing methods and techniques	Grouping
13. Use of AI in processing	No
14. Executive Director's recommendation	To record the Claims in the Register

I. INTRODUCTION

1. This group comprises 105 claims (Claims) in category A2.6 – Deprivation of liberty (Group).
2. The Claims have been reviewed by the Secretariat in accordance with Article 19 of the Rules Governing the Submission, Processing and Recording of Claims (Claims Rules).

II. METHODOLOGY

3. The Group was formed by the Secretariat according to the following criteria:
 - a. the Claims were submitted by natural persons who are Ukrainian nationals;
 - b. the Claims were submitted by Claimants on their own behalf;
 - c. the Claims were submitted by Claimants who had reached the age of majority at the time of submission;
 - d. the Claimants are military service members;
 - e. the Claimants were captured by the Russian Federation during military operations and detained as POWs;
 - f. as per the Claimants' submissions, their initial capture and deprivation of liberty occurred on the internationally recognised territory of Ukraine;
 - g. as per the Claimants' submissions, their capture and deprivation of liberty occurred on or after 24 February 2022;
 - h. the Claims contain documentary evidence confirming that the Claimants were detained as POWs; and
 - i. the Claims fulfil the general requirements set out in Articles 10 and 13 of the Claims Rules, as well as the technical requirements prescribed by Article 17 of the Claims Rules.
4. The Board has reviewed the criteria and the methodology applied by the Secretariat to identify and select the Claims in the Reparations Claims Management System (RCMS) for inclusion in the Group. Moreover, the Board has assessed the verification conducted by the Secretariat to ensure that the Claims meet the eligibility criteria.

III. ASSESSMENT

5. Article 6.5(c) of the Statute of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (Statute) provides that the Board has the “ultimate authority in determining the eligibility of claims to be recorded in the Register,

based on the recommendation of the Executive Director”. In accordance with Article 2.1 of the Statute, the Register’s role is to assess and determine the “eligibility of claims for inclusion in the Register” and to record eligible claims “for the purposes of their future examination and adjudication”. The Register does not have any adjudicative functions with respect to such claims, including a determination of responsibility and an allocation of any payments or compensation.

6. On this basis, the Board considers that in the performance of its functions under the Statute, its role is limited to ascertaining whether the criteria for the eligibility of claims submitted, as laid down in Article 2.2 of the Statute and Article 18 of the Claims Rules, have been met. This determination is made applying a *prima facie* standard of review of the evidence and the information provided in the recommendation of the Executive Director.
7. Pursuant to Article 18 of the Claims Rules, claims shall be eligible for recording if they meet the following criteria:
 - a. the claims are submitted by or on behalf of an eligible Claimant;
 - b. the claims are for damage, loss, or injury that occurred on or after 24 February 2022;
 - c. the claims are for damage, loss, or injury that occurred in the territory of Ukraine within its internationally recognised borders, extending to its territorial waters; and
 - d. the claims are for damage, loss, or injury that was caused by the Russian Federation’s internationally wrongful acts in or against Ukraine.
8. Claims cannot be recorded in the Register if they are manifestly unfounded.
9. The Claimants in the Group are natural persons of Ukrainian nationality who have submitted Claims on their own behalf.
10. The Board notes that the Claims concern the detention as POWs of individuals who are military service members and may therefore qualify as combatants.¹ The Board recalls its previous determinations that claims for the death, disappearance, or serious personal injury of combatants can in principle be recorded in the Register if they otherwise meet the eligibility criteria.²

¹ Claimants in the Group selected “military service member” as their special status. The description of this special status, as presented to Claimants when submitting their Claims in Diia, does not encompass non-combatant military personnel such as religious and medical personnel.

² See e.g. Board Decision on Group G-A2.1-000002 (17 March 2025) RD4U-Board-CLD(2025)04 [7]-[11]; Board Decision on Group G-A2.2-000002 (8 September 2025, corrigendum 29 April 2026) RD4U-Board-CLD(2025)13-corr [8]; Board Decision on Group G-A2.3-000002 (23 September 2025) RD4U-Board-CLD(2025)17 [9].

11. The Board recognises that international humanitarian law, including the Third Geneva Convention of 1949 and its Additional Protocol I, in principle, permits the detention of combatants who have fallen into the hands of an adverse party as POWs.³ Therefore, the detention of POWs does not, in and of itself, constitute a violation of international humanitarian law that would trigger a corresponding obligation to make reparation.
12. However, the Board recalls that its mandate is not limited to violations of international humanitarian law but encompasses damage, loss, or injury caused by the internationally wrongful acts of the Russian Federation in or against Ukraine more generally. A deprivation of liberty by the Russian Federation, originating from its act of aggression against Ukraine, which constitutes the starting point for the Board's assessment under the Statute, remains "a direct consequence of a violation of the prohibition of the use of force under Article 2(4) of the UN Charter and customary international law".⁴ Accordingly, such claims, assuming they fulfil the other eligibility criteria, can be recorded in the Register. The Board reiterates that decisions on the merits of these claims and the underlying legal principles are for a future Claims Commission to make.⁵
13. The Claims contain documentary evidence confirming the capture and subsequent deprivation of liberty of Ukrainian combatants by the Russian Federation, including certificates issued by the Ukrainian Ministry of Defence or the Ukrainian National Centre for Peacebuilding,⁶ as well as, in some cases, witness statements.
14. The capture and detention of the Claimants occurred on or after 24 February 2022, as indicated by the Claimants and the attached documentary evidence.
15. As per the Claimants' submissions, their initial capture and detention occurred within the internationally recognised territory of Ukraine. The Board notes that some Claimants indicate that following their capture on Ukrainian territory, and/or after an initial period of detention on Ukrainian territory, they were transferred to detention facilities in the territory of the Russian Federation. The Claim Form and Rules for claims category A2.6 specify that this category encompasses the "submission of Claims by natural persons for deprivation of liberty that occurred outside of the territory of Ukraine but is directly linked to an event that occurred in the territory of Ukraine".⁷

³ See Geneva Convention (III) relative to the Treatment of Prisoners of War (adopted 12 August 1949, entered into force 21 October 1950), 75 UNTS 972 (Geneva Convention III) art 4; Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (adopted 8 June 1977, entered into force 7 December 1978), 1125 UNTS 3, art 44(1).

⁴ Board Decision on Group G-A2.1-000002 (n 2) [10].

⁵ See *ibid* [7]-[11]; Board Decision on Group G-A2.2-000002 (n 2) [8]; Board Decision on Group G-A2.3-000002 (n 2) [9].

⁶ The Ukrainian National Centre for Peacebuilding acts as a National Information Bureau for POWs pursuant to Article 122 of Geneva Convention III.

⁷ Claim Form and Rules for claims category A2.6 – Deprivation of liberty (6 November 2024) RD4U-Board(2024)33-EN [3.1].

The Board considers that such a link is established if a POW is captured on Ukrainian territory and subsequently detained in the Russian Federation. Therefore, the Claims *prima facie* fall within the territorial jurisdiction of the Register as specified in Article 18(1)(c) of the Claims Rules.

16. The Claimants in the Group were captured as POWs by the Russian Federation during combat operations, and subsequently detained,⁸ as confirmed by the attached documentary evidence. As such, their deprivation of liberty is inherently linked to the aggression of the Russian Federation against Ukraine and, accordingly, the internationally wrongful acts of the Russian Federation.
17. The Board therefore determines that the eligibility criteria in Article 18 of the Claims Rules for recording the Claims in the Register are met.

IV. DECISION

18. Pursuant to Articles 2.2 and 6.5(c) of the Statute and Articles 21(7) and (8) of the Claims Rules, the Claims in Group **G-A2.6-000001**, as listed in RCMS, shall be recorded in the Register.



Robert Spano

Chair of the Board of the Register of Damage for Ukraine

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⁸ This includes detention by entities whose conduct is attributable to the Russian Federation, including the “Donetsk People’s Republic” and “Luhansk People’s Republic”, which qualified as *de facto* organs of the Russian Federation prior to their annexation on 30 September 2022, and thereafter as *de jure* organs, pursuant to Article 4 of the Articles on the Responsibility of States for Internationally Wrongful Acts. See *Ukraine and The Netherlands v Russia*, Apps no 8019/16, 43800/14, 28525/20, and 11055/22 (ECtHR, 9 July 2025) (Grand Chamber) [326].