

RD4U-Board-CLD(2025)07

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

Board Decision

Category A3.1 - Damage or Destruction of Residential Immovable Property

Group G-A3.1-000007

(RDDP assessed Claims but wrong date)

18 June 2025

The Hague

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TECHNICAL SUMMARY	2
I. INTRODUCTION	3
II. METHODOLOGY	3
III. ASSESSMENT	4
IV. DECISION	6

TECHNICAL SUMMARY

1. RCMS Group ID	G-A3.1-000007
2. Date of submission to the Board	2 June 2025
3. Category of Claims in the Group	A3.1
4. Description	Claims for properties assessed by RDDP from various locations in Ukraine (non-occupied territories) but where claimants indicated an event date prior to 24 February 2022
5. Number of Claims	14
6. Submitted by Claimants on their own behalf	14
7. Submitted by Representatives using Digital Authority	0
8. Submitted by a parent or guardian	0
9. Submitted through CPAS	0
10. Data from integrated registers or databases	<ul style="list-style-type: none"> • Demographic Register • RDDP • Property 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 all Claims in the Register

I. INTRODUCTION

1. This Group comprises 14 claims (Claims) in Category A3.1 - Damage or Destruction of Residential Immovable Property.
2. The Claims have been reviewed by the Secretariat in accordance with Article 19 of the Claims Rules.

II. METHODOLOGY

3. The following criteria were applied by the Secretariat to identify the Claims in this Group:
 - a. the Claims were filed by natural persons who are Ukrainian nationals;
 - b. the Claims concern damage or destruction to residential immovable property located in the territory of Ukraine;
 - c. the Claims concern properties included in Ukraine's State Register of Property Rights to Immovable Property (Property Register);
 - d. the Claims concern properties included in Ukraine's Register of Damaged and Destroyed Property (RDDP);
 - e. as per the Claimants' submissions, the events causing the damage or destruction took place **before** 24 February 2022;
 - f. as per RDDP data, the events causing the damage or destruction took place **after** 24 February 2022;
 - g. as per the Claimants' submissions, the damage or destruction: was caused by (i) aerial attacks, (ii) artillery shelling, (iii) combat in frontal or prefrontal areas; was sustained (iv) while under occupation; or was caused by (v) other events linked to the internationally wrongful acts of the Russian Federation;
 - h. 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; and
 - i. the Claims have not been the subject of a Board decision to date.
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 this Group. Moreover, the Board has assessed the verification conducted by the Secretariat to ensure that the Claims meet the eligibility criteria, including the techniques applied to exclude potential duplicate claims.

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 information 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 this Group are natural persons of Ukrainian nationality, submitting Claims on their own behalf.
10. All Claimants have indicated in the Claim Form that the event that allegedly caused the damage or destruction occurred **before** 24 February 2022. The Claims in this Group therefore appear to fall outside the Register’s temporal jurisdiction as specified in Article 2.2 of its Statute and Article 18(1)(b) of the Claims Rules.
11. However, all Claims are supported by data from the RDDP which confirm that the events in question have in fact occurred **on or after** 24 February 2022. In this regard, the Board recalls its decision on Group G-A3.1-000001, in which it considered that it

is appropriate to rely on RDDP data in addition to evidence contained in the relevant Claims, in accordance with Article 19(3) of the Claims Rules.¹

12. The Board therefore considers it clear that there is an error in the date of the event as submitted in the Claims. External evidence confirms that the event in fact occurred on or after 24 February 2022.²
13. For this reason, the Board is satisfied that the Claims concern damage or destruction that occurred on or after 24 February 2022.
14. The damage or destruction claimed by the Claimants in this Group occurred within the internationally recognised borders of Ukraine.
15. The Claims are included in the Property Register and concern damage or destruction that: was caused by (i) aerial attacks, (ii) artillery shelling, (iii) combat in frontal or prefrontal areas; was sustained (iv) while under occupation; or was caused by (v) other events linked to the internationally wrongful acts of the Russian Federation .
16. As noted in previous decisions, the Board considers that the inclusion of a property in the Property Register constitutes proof of ownership by the Claimant.³
17. The Board further recalls that a determination by the RDDP is sufficient evidence of a causal link as required by Article 18 of the Claims Rules.⁴
18. The Board therefore determines that the eligibility criteria in Article 18 of the Claims Rules for recording the Claims in the Register are met.

¹ Board Decision on Group G-A3.1-000001 (12 December 2024; corrigendum 16 March 2025) RD4U-Board-Sec-CLD(2024)01-corr [5].

² In the context of claims for departure from Kuwait or Iraq, the United Nations Compensation Commission (UNCC) held that: "Where a claim mentioning a date of departure outside the jurisdictional period [of the Commission] matched against a record that the Panel has determined to establish departure during such a period, the Panel has concluded that the claimant misinterpreted the claim form and that the claim should not be dismissed on the grounds that the claimant stated that he or she departed outside the relevant period". See UNCC, Report and Recommendations Made by the Panel of Commissioners Concerning the First Instalment of Claims for Departure from Iraq or Kuwait (Category "A" Claims) (15 September 1994) UN Doc S/AC.26/1994/2, 20.

³ See e.g. Board Decision on Group G-A3.1-000001 (n 1) [12]; Board Decision on Group G-A3.1-000002 (12 December 2024; corrigendum 16 March 2025) RD4U-Board-Sec-CLD(2024)02-corr [12].

⁴ See e.g. Board Decision on Group G-A3.1-000001 (n 1) [13].

IV. DECISION

19. 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-A3.1-000007**, 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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