



RD4U-Board(2024)41-EN

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

CLAIM FORM AND RULES

**Claims category C1.5
Damage or destruction of non-residential immovable property (not
related to business losses)**

The Hague

www.RD4U.claims

CLAIM FORM AND RULES

Claims category C1.5 Damage or destruction of non-residential immovable property (not related to business losses)

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 **C1.5 – Damage or destruction of non-residential immovable property (not related to business losses)**. 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 C1.5, the following rules shall apply in addition to the Claims Rules:
 - 3.1. Claims in category C1.5 can be submitted by legal persons, that are owners of non-residential immovable property (not related to business losses) 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.
 - 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, "non-residential immovable property (not related to business losses)" shall mean non-residential immovable property the purpose of which is not to generate profit.
 - 3.4. Claims in this category can be submitted only for the value of the destroyed property or for the cost of repairs or reconstruction of the damaged property. Claims related to other losses related to damage or destruction of non-residential immovable property (not related to business losses) submitted in this category will not be recorded in the Register.
 - 3.5. 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. "**Disclaimer, Information and Instructions for the Claimants for category C1.5**" 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 C1.5

- (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 C1.5 – Damage or destruction of non-residential immovable property (not related to business losses)**.
- (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, non-residential immovable property (not related to business losses) 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 C1.5**. 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 property. You will also be asked to submit further information about the property in question, including the title to the property, information on the submission to the Register of Damaged and Destroyed Property (if such submission was made), information about how the property was damaged or destroyed, a description and evaluation of the damage and destruction, and information about the estimated value of the Claim.

- (8) 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.
- (9) 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.
- (10) 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.
- (11) 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.
- (12) 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.
- (13) 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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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. 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
II. Identification of the Claimant's Director or Chairperson (Principal Representative)
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
III. Identification of Property
28. Is the property non-residential
29. Type of property
30. Does the property have the purpose to generate profit
31. Is it part of a building or a stand-alone structure
32. Is construction of the property completed
33. Address of the property
34. Geographical coordinates of the property
35. Property surface area
36. Floor of the property
37. Is the property registered as historic or cultural heritage
38. Information on the building/structure
IV. Title to Property
39. Is the Claimant the owner of the property
40. Is the property title recorded in the State Registry of Immovable Property Rights in Ukraine
41. Information about the title from the State Registry of Immovable Property Rights in Ukraine
42. Evidence of attempted and denied registration of title in the State Registry of Immovable Property Rights in Ukraine
43. Date of creation of title
44. Information about co-owners of the property and their shares
V. Submission to the Register of Damaged and Destroyed Property (RDDP) in Ukraine
45. Has an application with respect to this property been submitted to the RDDP
46. Registration number in RDDP
47. Information on Act of Commissions' Review (Damage Act)
48. Information on Engineering Inspection Report
49. Information on Evaluation Act and Evaluation Report

VI. Event that Damaged or Destroyed the Property
50. Type of event that caused damage to or destruction of the property
51. Date of the event that caused damage to or destruction of the property
52. Description of the event
VII. Damage to or Destruction of the Property
53. Type and degree of damage or destruction
54. Description of damage or destruction
55. Proof of damage or destruction
VIII. Amount of the Claim
56. Estimated amount of Claim
57. Evidence of any expert evaluation of damages
58. Amount of any expert evaluation of damages
59. Evidence on the value of the property prior to 24 February 2022
60. Evidence on repairs made to the property
61. Evidence on the cost of repairs
62. Amount of compensation assessed by Ukrainian authorities
63. Amount of compensation payments received from Ukrainian authorities
IX. Other Legal Proceedings
64. Information about relevant court cases or law enforcement investigations (if applicable)
X. Additional Evidence
65. Additional evidence with respect to the Claimant's identity
66. Additional evidence with respect to the identity of the Claimant's Representative
67. Additional evidence with respect to the Claimant's Representative's authorisation to act on behalf of the Claimant
68. Additional evidence with respect to property title
69. Additional evidence with respect to event of the damage or destruction
70. Additional evidence with respect to the damage to or the destruction of the property
71. Additional evidence with respect to property value
72. Additional evidence with respect to other aspects of the Claim
XI. Check and submission
73. Check and confirmation of data
74. Verification of identity prior to submission
75. Agreement to transmit personal data
76. Submission of the Claim

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