



RD4U-Board(2024)44-EN

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

CLAIM FORM AND RULES

**Claims category C3.3
Relocation (evacuation) of businesses**

The Hague

www.RD4U.claims

CLAIM FORM AND RULES

Claims category C3.3 Relocation (evacuation) of businesses

Adopted by the Board of the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine on 18 October 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 **C3.3 – Relocation (evacuation) of businesses**. 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 *Diiia* web portal. The Secretariat shall ensure that this Claim Form is reproduced on the *Diiia* web portal in an efficient, flexible, and user-friendly way, bearing in mind peculiarities of digital forms in general.
3. For Claims in category C3.3, the following rules shall apply in addition to the Claims Rules:
 - 3.1. Claims in category C3.3 can be submitted by legal persons that are owners of businesses, located and/or operating in the territory of Ukraine within its internationally recognised borders, extending to its territorial waters, which were forced to evacuate or relocate their business to another location on or after 24 February 2022 as a result of, or in order to avoid, the adverse consequences 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 carry out their activities based on the right of full economic management («повне господарське відання») or operational control («оперативне управління») in accordance with Ukrainian law.
 - 3.3. For the purposes of this category, "relocation of a business" shall mean the physical transfer of operations, assets, and/or personnel of a business, in whole or in part, from its original location to a new location, with the business maintaining its existing legal identity.
 - 3.4. "Evacuation of a business" shall mean the urgent relocation of a business as a result of, or in order to avoid, an immediate and direct threat.
 - 3.5. Claims in this category can be submitted for the costs of the business evacuation or relocation, and for the loss of profits resulting from such evacuation or relocation.
 - 3.6. Costs of evacuation or relocation can include costs of, for example, transportation and logistical costs, business restart costs, rent of housing for personnel, as well as other direct costs.

- 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 C3.3"** 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 C3.3

- (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 C3.3 – Relocation (evacuation) of businesses**.
- (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 the submission of Claims for the evacuation or relocation of businesses located and/or operating in the territory of Ukraine within its internationally recognised borders, that occurred on or after 24 February 2022 as a result of the Russian Federation's internationally wrongful acts in or against Ukraine – Claims category C3.3. Claims in this category can be submitted for the costs of the

business evacuation or relocation, and for the loss of profits resulting from such evacuation or relocation. If you wish to submit a Claim for other losses not resulting from evacuation or relocation of the business, 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 (including, as applicable, full economic management («повне господарське відання») or operational control («оперативне управління»)), and proof of ownership of the business. You will also be asked to submit further information about the evacuation or relocation of the business in question, including information about the date and place of the evacuation or relocation, information about the items evacuated or relocated, 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) 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. 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.
- (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. Current Place of Registration
8. Is the legal person in good standing (not liquidated/in liquidation)
9. Current Registered Address
10. Current 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. Description of the Claim
28. Detailed description of the Claim as a whole
IV. Information on the Relocation or Evacuation
29. Date(s) of relocation or evacuation
30. Registered address prior to the relocation(s) or evacuation(s)
31. Location of the business prior to the relocation(s) or evacuation(s)
32. Geographical coordinates of the business prior to the relocation(s) or evacuation(s)
33. Registered address(es) after the relocation(s) or evacuation(s) (if different from Claimant's current registered address)
34. Location of the business after the relocation(s) or evacuation(s) (if different from Claimant's current address)
35. Geographical coordinates of the business after the relocation(s) or evacuation(s)
36. Date of business registration after relocation(s) or evacuation(s), if applicable

37. Further narrative description of the relocation(s) or evacuation(s)
V. Ownership of business
38. Is the Claimant the owner of the business
39. Sector of business activity
40. Date of creation or acquisition of business
41. Information about co-owners of the business and their shares
42. Relevant Evidence of ownership of the business
43. Further narrative description of the ownership
VI. Event(s) and circumstances that forced the Relocation or Evacuation
44. Type of event(s)
45. Date of the event(s)
46. Description of the event(s)
47. Further narrative description of the event(s) and circumstances that forced the relocation or evacuation
48. Evidence concerning the event(s) and circumstances that forced the relocation or evacuation
VII. Identification of items relocated or evacuated
49. Type of items relocated or evacuated (assets/personnel/other)
50. Further narrative description of items relocated or evacuated
51. Evidence concerning items relocated or evacuated
VIII. Amount of the Claim
52. Estimated amount of Claim
53. Itemisation of the estimated amount of Claim
54. Methodology of calculation
55. Further narrative description of the amount of the Claim
56. Evidence regarding the estimated amount and itemisation of the estimated amount of Claim
57. Amount of compensation received from Ukrainian authorities
IX. Other Legal Proceedings
58. Information about relevant court cases or law enforcement investigations (if applicable)
X. Check and submission
59. Check and confirmation of data
60. Verification of identity prior to submission
61. Agreement to transmit personal data
62. Submission of the Claim

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