



RD4U-Board(2024)56-EN

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

CLAIM FORM AND RULES

Claims category B3.1 – Environmental damage

The Hague

www.RD4U.claims

CLAIM FORM AND RULES

Claims category B3.1 – Environmental damage

Adopted by the Board of the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine on 21 February 2025.

Approved by the Conference of Participants of the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine on 28 February 2025.

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 **B3.1 – Environmental damage**. 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 of the 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 B3.1, the following rules shall apply in addition to the Claims Rules:
 - 3.1. Claims in category B3.1 can be submitted by the State of Ukraine (including its regional and local authorities and State-owned or controlled entities) in relation to environmental damage caused by the Russian Federation's internationally wrongful acts in the territory of Ukraine within its internationally recognised borders, extending to its territorial waters, on or after 24 February 2022.
 - 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), "State of Ukraine (including its regional and local authorities and State-owned or controlled entities)" 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. "Environmental damage" shall mean any adverse impact on the fauna, flora, soil, water, air, ecosystems formed by these elements, as well as characteristic aspects of the landscape and environmental amenities or on the interaction among these factors. This includes natural elements that are or may be the product of human intervention, such as foodstuff, agricultural areas, drinking water and livestock.
 - 3.4. Losses or expenses associated with damage to the environment that can be claimed under this category can result from:
 - a. reasonable and proportionate measures to prevent and abate environmental damage;
 - b. reasonable and proportionate measures to monitor and assess environmental damage for the purpose of evaluating and abating the damage;

- c. reasonable and proportionate measures for cleaning, restoring and reinstating the environment;
 - d. the impairment of the environment, including non-commercial environmental goods and services or loss of intrinsic ecological value.
- 3.5. Category B3.1 covers Claims in relation to damage to the environment in and of itself. Claims for damage to persons or property that may accompany or result from damage to the environment, as well as Claims for related humanitarian expenditures, or the demining and clearance of unexploded ordnance, shall be submitted in other relevant categories.
- 3.6. Claims for the pillaging and/or appropriation of natural resources, i.e. the exploitation of natural resources for their commercial value shall be submitted in category B3.2 – Pillaging and/or appropriation of natural resources.
- 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. 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 person listed as the head of a State body or of a regional or local authority) 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.
- 3.9. 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 B3.1"** 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 B3.1

- (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 B3.1 – Environmental damage**.
- (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 by the State of Ukraine (including its regional and local authorities) in relation to environmental damage caused by the Russian Federation's internationally wrongful acts in the territory of Ukraine within its internationally recognised borders on or after 24 February 2022 – **Claims category B3.1**. Losses or expenses associated with damage to the environment that can be claimed under this category can result from: reasonable and proportionate measures to prevent and abate environmental damage; reasonable and proportionate measures to monitor and assess environmental damage for the purpose of evaluating and abating the damage; reasonable and proportionate measures for cleaning, restoring and reinstating the environment; the impairment of the environment, including non-commercial environmental goods and services or loss of intrinsic ecological value. 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) Category B3.1 covers Claims in relation to damage to the environment in and of itself. Claims for damage to persons or property that may accompany or result from damage to the environment, as well as Claims for related humanitarian expenditures, or the demining and clearance of unexploded ordnance, shall be submitted in other relevant categories.
- (7) Claims for the pillaging and/or appropriation of natural resources, i.e. the exploitation of natural resources for their commercial value shall be submitted in category B3.2 – Pillaging and/or appropriation of natural resources.
- (8) 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*.
- (9) 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, and proof of the Claimant's identity (including, as applicable, full economic management («повне господарське відання») or operational control («оперативне управління»)). You will also be asked to submit further information about the environmental damage in question, including information about how the damage occurred, a description and evaluation of the damage, and 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.
- (10) 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.

- (11) 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.
- (12) 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.
- (13) 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.
- (14) 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.
- (15) 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. Claimant's status as government entity
10. Registered Address
11. Actual Business/Headquarters' Address
12. Contact phone number(s)
13. Email address(es)
14. Full Name of Director/Chairperson
15. 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
16. Have the Claimant's directors (managers) been convicted of a crime in relation to Russian aggression against Ukraine
II. Identification of the Claimant's Principal Representative
17. Full Name
18. Gender

19. Date of Birth
20. Nationality
21. ID document/Passport number
22. Ukrainian Tax ID number
23. Ukrainian Demographic Register Entry number
24. Registered Address
25. Current Address
26. Contact phone number(s)
27. Email address
28. If the Claim is submitted through an additional Representative, equivalent ID information about such Representative
III. Description of the Claim
29. Detailed description of the Claim as a whole
IV. Information About the Affected Environment
30. Type of affected environment
31. Location of the affected environment
32. Benefit of the affected environment prior to the event(s) that caused the damage
33. Further narrative description of the affected environment prior to the event(s) that caused the damage
V. Event(s) that Caused the Damage to the Environment
34. Type of event(s) that caused the environmental damage
35. Date of the event(s) that caused the environmental damage
36. Description of the event(s)
37. Further narrative description of the event(s)
VI. Damage to the Environment
38. Type and degree of damage to the environment
39. Description of the damage
40. Proof of damage
41. Further narrative description of damage
VII. Information on Damage Assessment, Prevention and Restoration Measures
42. Measures (such as abatement, prevention, assessment, clean-up, restoration or reinstatement) taken to address the damage
43. Detailed description of the measures taken
44. Evidence of the measures taken
45. Results of the evaluation of the extent of the damage (if applicable)
46. Further narrative description of damage assessment, prevention and restoration measures
VIII. Amount of the Claim
47. Estimated amount of Claim
48. Itemisation of the estimated amount of Claim
49. Methodology of calculation
50. Further narrative description of the amount of the Claim
51. Evidence regarding the estimated amount and itemisation of the estimated amount of Claim
IX. Other Legal Proceedings
52. Information about relevant court cases or law enforcement investigations (if applicable)
X. Check and submission
53. Check and confirmation of data
54. Verification of identity prior to submission
55. Agreement to transmit personal data
56. Submission of the Claim

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