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COUNCIL OF EUROPE SECOND EXPERT REPORT

on Remedies and Redress Mechanisms for War-Affected Individuals in Ukraine

October 2026

The expert report has been produced as part of the Council of Europe Projects "Further Strengthening Judicial and Non-judicial Remedies for the Human Rights Protection of the War-affected People in Ukraine" and "Fostering Human Rights in the Criminal Justice System in Ukraine – Phase II", implemented under the Council of Europe Action Plan for Ukraine "Resilience, Recovery and Reconstruction" 2023–2026.

The views expressed are those of the author and may not necessarily reflect the official position of the Council of Europe or / and its particular projects

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ABBREVIATIONS

CEB - Council of Europe Development Bank

CCSV - Coordination Center for the Support of Victims and Witnesses

CMU - Cabinet of Ministers of Ukraine

CPC - Criminal Procedure Code of Ukraine

CRSV - Conflict-Related Sexual Violence

e-CMS - Electronic Case Management System (of criminal proceedings)

European Convention - European Convention on Human Rights

European Court - European Court of Human Rights

GC - Grand Chamber of the European Court of Human Rights

ICC - International Criminal Court

ICJ - International Court of Justice

IHL - International Humanitarian Law

OPG - Office of the Prosecutor General

PPO - Prosecutors' Office of Ukraine

RD4U - Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine

RoV - National Register of Victims of War Crimes

SOP(s) - Standard operating procedures

SRPR - State Register of Property Rights

TOT - Temporary Occupied Territories

UNCC - United Nations Compensation Commission

UN - United Nations

URPI - Unified Register of Pre-trial Investigations

VSM - Victims Support Mechanism (Mechanism for Support for Victims and Witnesses of War and Other International Crimes)

EXECUTIVE SUMMARY

This expert report reviews the development of Ukraine's domestic framework of individual compensatory and other relief measures and mechanisms, as well as procedural and related remedies for civilians affected by the current phase of the Russian Federation's aggression against Ukraine, which escalated on 24 February 2022 (hereinafter - the Russian aggression). It also identifies areas for further development.

This report builds on the previous expert report of November 2023 (Report 1.0) and updates its findings and recommendations (Report 2.0). It examines the further expansion of systemic support provided by the Ukrainian authorities to civilians, assesses improvements and identifies remaining gaps and shortcomings. It analyses Ukraine's efforts to provide all measures of redress and assistance that are feasible in the circumstances to address the individual harm suffered by civilians and other adverse consequences of the Russian aggression. It also considers obligations relating to immediate procedural remedies and the provision of appropriate redress measures.

The report covers developments from November 2023 up to 1 July 2026 and, in some instances, subsequent developments. It reassesses and updates the earlier findings of the Report 1.0 and puts forward further and new recommendations.

With the system of measures and mechanisms remaining basically unchanged, Ukrainian authorities continue to provide primarily monetary support measures and otherwise alleviate the selected harms suffered by civilians. The system comprises mechanisms concerned with damaged and destroyed housing; internally displaced persons; persons deprived of liberty and their family members; persons missing under special circumstances and their next of kin; persons disabled as a result of injury or other damage caused to health by explosives, ammunition or weapons; volunteers and individual helpers repelling armed aggression, who became disabled or lost their life as a result of injury, contusion, maiming or illness; persons who became disabled or lost their life as a result of injury, contusion, maiming or illness, while performing official or professional duties; children affected by hostilities and armed conflicts; overall environmental and cultural damage-related interventions.

In terms of additional support program, the system has been expanded by the mechanism providing certain categories of IDPs with housing vouchers, privileged mortgage scheme, direct monetary payments for sheltering IDPs, further narrower or ad hoc instruments alleviating the housing and household difficulties. The basic mechanism for supporting persons deprived of their liberty has been complemented by a scheme of initial logistical and other support measures comprising one-time allowance available to the civilians released from the captivity. The array in issue now involves the targeted immediate assistance measures for deported and illegally relocated children, comprising one-time allowance and other tailored support.

The main assessments, considerations and proposed actions are set out in the accompanying list of recommendations.

Report 2.0 generally follows the structure of Report 1.0. Where the earlier analysis remains relevant, it is retained without unnecessary repetition. The same section numbering has been preserved to facilitate continuity and cross-referencing. General references to Report 1.0 should be read in conjunction with the corresponding sections of that report. Additional subsections address

new areas of support, mechanisms and remedies, as well as relief measures, without altering the correspondence between the existing sections of the two reports.

The report was finalised following consultations with key stakeholders, who received an initial draft. In addition to providing written comments, representatives of most relevant public authorities discussed the report with the consultant and the project teams during a series of online meetings in the second half of June 2026.

1 INTRODUCTION

The present expert report reviews the domestic framework of individual compensatory and other relief measures and mechanisms, as well as procedural and related remedies introduced by Ukraine for civilians affected by the current phase of the aggression of the Russian Federation against Ukraine, which escalated on 24 February 2022. It also suggests further considerations regarding this framework. In addition to the scale and scope of the damage and other consequences to be addressed, the report takes into account the relevant timeline specified in Resolution CM/Res(2023)3 establishing the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine, as well as other relevant Council of Europe documents establishing further instruments of reparation and liability.[1] It clearly distinguishes between assistance provided by Ukraine to alleviate the effects on affected people and the responsibility of the Russian Federation, including its related obligations to provide full reparation.

The present report builds on the initial report of November 2023 (Report 1.0). It follows its rationale and draws on its findings and recommendations, while considering subsequent developments. Report 2.0 covers developments up to 1 July 2026 and, where relevant, later developments.[2] It verifies the validity of the earlier findings and updates them where necessary.

Similarly to Report 1.0, the present report aims to assist the Ukrainian authorities in their ongoing efforts to provide victims-centred redress and remedies in accordance with the European Convention on Human Rights, the case-law of the European Court of Human Rights, and the practices and recommendations of the Committee of Ministers, as well as international humanitarian law and customary international law. The relevant part of Report 1.0 outlines the fundamentals of the international legal framework, the relevant standards and the circumstances specific to the Russian aggression. Since Report 1.0 was developed and presented before, or at the initial stages of, the establishment of the Register of Damage for Ukraine (RD4U), Report 2.0 takes account of the fact that the relevant Claim Forms, Rules and other documents are now available and that the RD4U is fully operational. It therefore focuses on guidance for the further development of domestic mechanisms and relief measures, rather than anticipating the practicalities of the Register's operation.

Report 2.0 generally mirrors the structure of Report 1.0. Where the considerations set out in the earlier report remain relevant, they are retained without being recapitulated in detail. The same

[1] See also the Convention establishing an International Claims Commission for Ukraine; the Agreement between the Council of Europe and Ukraine on the Establishment of the Special Tribunal for the Crime of Aggression against Ukraine", CM/Del/Dec(2025)1532/2.3. In terms of the timeframe, the report(s) accordingly cover the large-scale military invasion and the period since 24 February 2022. The report does not provide any independent findings regarding the classification under international humanitarian law or human rights law of violations, whether on a broad scale or in individual incidents caused by the military aggression of the Russian Federation against Ukraine. The document focuses specifically on people-centred and individual-victim-centred assistance measures and mechanisms introduced by Ukraine. The report and its assessment are not conclusive, as the situation in Ukraine and the international landscape, particularly as regards reparations, evolve rapidly and continue to change.

[2] This includes the most recent structural reshuffle of the Government of Ukraine. See CMU Decree No. 963 of 17 July 2026, which concerns a number of ministries responsible for or implementing the mechanisms under consideration. In addition to specifying these modifications, Report 2.0 refers to the ministries according to their actual functions and titles during the relevant periods.

structure, including the numbering of chapters, has been preserved to ensure continuity and facilitate cross-referencing. General references to Report 1.0 that do not identify specific sections should be read as referring to the corresponding parts of that report. Additional sections address newly introduced support streams, mechanisms and remedies.[3]

In terms of the nuanced approach pursued in Report 2.0, the wording concerning damage attributable to the Russian aggression has been refined. It refers to damage caused by combat operations or other acts or omissions of the Russian authorities, their armed forces and related individual perpetrators. As discussed in the report, this distinction is important for establishing causal links with wrongful acts, including acts constituting elements of the crime of aggression or giving rise to the overall responsibility of the State for aggression. Moreover, the report distinguishes remedies as well as assistance and relief measures from immediate positive obligations to protect life and other rights, for example through evacuation or urgent medical interventions. It also distinguishes them from other measures required in response to military impacts and other dangers attributable to the Russian aggression.

Furthermore, the wording "compensatory and other relief measures and mechanisms", specifically introduced in Report 1.0, is applied more consistently in Report 2.0. This nuanced wording, in particular the use of "compensatory" instead of "compensation" and "relief" (or alternatively "alleviating"), indicates the primarily partial and interim character of the support provided at domestic level. The report also uses the composite terms "reparation" and "reparation and assistance programme", encompassing the different forms recognised by the international legal framework: restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.[4] At the same time, these formulations reflect the scale and nature of the atrocities, the number of affected individuals, the range of damage and loss, and Ukraine's inability, in the circumstances, to provide immediate and complete redress. This is without prejudice to Ukraine's duty to endeavour to establish national programmes for reparation and other assistance.[5]

The recommendations proposed in the report are addressed to the relevant Ukrainian authorities, including their legislative, executive and municipal or self-governing branches, bodies (including military administrations) and institutions, as applicable. Civil society organisations, international partners and other stakeholders involved in or interested in designing and providing support measures and mechanisms, and in ensuring of reparation more generally, are also encouraged to take the recommendations into account and adapt them to their respective purposes.

The analysis involved in-depth desk research and assessment of legislation, relevant policy instruments, and various supplementary materials and information, including online sources. The present expert report was prepared by the international consultant, Mr Erik SVANIDZE, under the

[3] See, *inter alia,* Sections 3.1.2, "eRecovery-based Housing Vouchers for IDPs", and 6.4, "Free Legal Aid and Legal Assistance".

[4] See Chapter IX, in particular paragraphs 18–23 of the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, as adopted by the UN General Assembly in 2006 (hereinafter, the UN Basic Principles and Guidelines). When used in the plural, "reparations" accordingly refers to the term's international liability-based connotation and/or its overarching scope, comprising both its domestic and international limbs.

[5] See, *inter alia*, the UN Basic Principles and Guidelines, paragraph 16: "States should endeavour to establish national programmes for reparation and other assistance to victims in the event that the parties liable for the harm suffered are unable or unwilling to meet their obligations."

Council of Europe co-operation projects "Further strengthening of judicial and non-judicial remedies for human rights protection of war-affected people in Ukraine"[6] and "Fostering Human Rights in the Criminal Justice System in Ukraine – Phase II", implemented through the Council of Europe Action Plan for Ukraine "Resilience, Recovery and Reconstruction" (2023–2026).

The report was finalised following consultations with key stakeholders, who were provided with the initial draft. In addition to submitting written comments, representatives of most of the relevant governmental counterparts, the Ombudsperson's institution and civil society organisations discussed the report with the consultant and the project teams during a series of online meetings held in the second half of June 2026.

[6] At the final stage of the analysis and research, the preparation of the sections of this report concerned with individual compensatory and other relief measures (Sections 3.1–3.8) was facilitated by the set of prior written contributions provided by the national consultants engaged by this project.

2 GENERAL CONSIDERATIONS

The primary rationale of the support measures and the system of immediate compensatory and other relief measures[7] provided to individuals affected by the Russian aggression is to alleviate their situation and address immediate humanitarian needs. For this purpose, the Ukrainian authorities are not required to substantiate specific internationally wrongful acts and the relevant causal links to the damage by applying *jus in bello* and the relevant human rights norms.[8]

The laws and subsequent regulations establishing the domestic mechanisms under consideration continue to refer to the aggression (or armed aggression or military aggression) and use highly diverse terminology. Although recent key legislative acts suggest more consistent wording and predominantly refer to the "armed aggression of the Russian Federation", concerns regarding the basic concepts applied in this context remain valid. These concern legislative technique and the wording used to describe the causal links between the damage and the internationally wrongful acts, crimes and the Russian Federation to which the damage is attributed.[9]

Apart from considerations relating to legal certainty, this does not cause immediate difficulties at the domestic level. However, the approach and domestic expectations concerning the straightforward application of the peremptory general principle that acts of aggression entail an obligation to provide full reparation would need to be fine-tuned when seeking redress at the international level. Moreover, the domestic legal framework in question should take account of further developments in international instruments, particularly those of the Council of Europe, and in compensation and judicial mechanisms, now that the RD4U is fully operational.[10]

In this context, the earlier advice remains relevant. This concerned the peremptory obligation of the aggressor State under *jus ad bellum* to provide full reparation; a more nuanced application of the substantiation of specific internationally wrongful acts under *jus in bello* and relevant human rights norms; the co-ordinated structuring and preparation of claims on behalf of the Ukrainian

[7] See above the Introduction to this Report and relevant remarks with further references suggested in footnotes 4 and 5 above.

[8] As discussed in Report 1.0, Ukraine is not responsible for the core breaches of international human rights law or serious violations of IHL and is not bound by the state accountability-based obligations to provide full (all-embracing) reparations attributable to the Russian Federation.

[9] See, *inter alia*, Law No. 4067-IX of 20.11.2024 "On the legal and social protection of persons affected by sexual violence related to the armed aggression of the Russian Federation against Ukraine, and the provision of urgent interim reparations to them"; Law No. 4071-IX of 20.11.2024 "On Accounting for Information on Damage Caused to Personal Non-Property Rights of Individuals as a Result of the Armed Aggression of the Russian Federation against Ukraine". While the former uses the word combination "related to" (пов'язаного), the latter uses "resulting from" (внаслідок), without explaining the underlying distinction or its specific implications. The principles of attribution and causality depend on the legal nature of the violations, the grounds for liability, and the subjects concerned. For further particulars and specific considerations, see the analysis relating to the clause "in zone of hostilities and armed conflicts" and the more detailed review of international standards in Section 3.8 of Report 1.0. For developments in the relevant legislative provisions, see the corresponding section of this Report below.

[10] In addition to Section 4.1.2 and the further considerations in this Report concerning the RD4U, its work and related documents, see the Convention establishing an International Claims Commission for Ukraine; and the Agreement between the Council of Europe and Ukraine on the Establishment of the Special Tribunal for the Crime of Aggression against Ukraine, CM/Del/Dec(2025)1532/2.3.

authorities; and the development of a consistent approach as part of an overall domestic policy on reparation. These considerations merit further emphasis in the following recommendation.

Recommendation 1. Advance the domestic legal framework, individual and other support mechanisms, and remedies by adjusting key provisions, evidentiary requirements and rules on substantiation in a balanced manner, taking account of the immediacy of domestic assistance. The aim should be to ensure that these provisions and rules remain relevant to ongoing international reparation procedures based on the RD4U, further procedures driven by the International Claims Commission for Ukraine, and other prospective international reparation procedures. This is particularly important regarding internationally wrongful acts, the causal links between those acts and the damage, and the attribution of that damage to the Russian Federation and/or the relevant perpetrators.

3 DOMESTIC COMPENSATORY AND OTHER RELIEF MECHANISMS

3.1 'eRecovery' and other Primarily Housing-related Redress Measures

The scale of the immediate destruction and damage to housing infrastructure caused by military attacks and the consequences of Russian aggression, which deprive individuals of their right to respect for their home and to the peaceful enjoyment of their possessions,[11] has made the alleviation of immediate harm and the provision of housing to those affected a priority. It is welcome that, notwithstanding financial and other constraints, the Ukrainian authorities are striving to expand the system of relevant compensatory and other housing-related support measures, both in terms of resources and the range of measures available.

In addition to 'eRecovery' and the associated mechanisms reviewed below, several other, narrower or *ad hoc* instruments alleviate housing difficulties directly or indirectly resulting from Russian aggression. These include, *inter alia*: benefits specifically for IDPs and residents of frontline territories under the broader 'eHome' programme, which provides compensation for 70% of the down payment and certain further reimbursements under a general scheme of reduced-rate mortgages for purchasing housing;[12] rent subsidies for IDPs; free temporary accommodation centres for IDPs;[13] direct monetary payments to owners who provide housing to IDPs free of charge

[11] As enshrined in Article 8 of the European Convention and Article 1 of Protocol No. 1 thereto, and in the relevant case-law of the European Court, see *mutatis mutandis* and *inter alia*, *Kerimova and Others v. Russia*, judgment of 3 May 2011, applications nos. 17170/04, 20792/04, 22448/04, 23360/04, 5681/05 and 5684/05, paragraphs 286–305 (including with regard to the rights directly affected by the destruction of homes through aerial attacks, with further references); *Georgia v. Russia (II)*, Grand Chamber judgment of 21 January 2021, application no. 38263/08, paragraphs 194–222 (including with regard to the relationship with international humanitarian law, displacement and other considerations, with further references).

[12] According to the 'eHome' programme ('єОселя'), as amended by CMU Resolution No. 998 of 13 August 2025, compensation for the category of persons affected by aggression mentioned above (who do not own any housing apart from property in temporarily occupied territories or frontline areas), together with a processing fee of UAH 40,000, covers 70% of the down payment, which may amount to UAH 460,000, subject to limits on the overall price of the housing object and the floor area per person. It also covers 70% of further monthly mortgage payments, up to a total of UAH 150,000 during the first year of the mortgage. Furthermore, civilians affected by Russian aggression, persons with disabilities resulting from war, families of deceased (fallen) war veterans as defined in Article 10 of the Law of Ukraine 'On the Status of War Veterans, Guarantees of Their Social Protection', and families of deceased (fallen) Defenders of Ukraine are eligible for state-budget subsidies covering preferential mortgage interest rates of 3% per annum for the first 10 years and 6% per annum for subsequent years, for a period of up to 10 years. IDPs are entitled to rates of 7% and 10%, respectively. Furthermore, IDPs may combine this scheme with, or contribute to it through, housing vouchers (see Section 3.1.2 of this Report below). The most recent adjustments to the programme concern restrictions on the cost of housing objects, intended to prevent the scheme from being used to purchase expensive real estate, and a reduction in the average loan amount from UAH 4–5 million to UAH 1.9–2.0 million, with the aim of making the programme accessible to more persons and families, particularly those most in need. See CMU Resolution No. 794 of 17 June 2026.

[13] CMU Resolution No. 930 of 1 September 2023, as subsequently amended, establishes a unified system of premises (housing facilities) subject to minimum living-area requirements per person (typically 6 m² for standard rooms or at least 4.5 m² in specialised settings). The facilities must provide heating, potable water, electricity, ventilation, adequate sanitation (showers, toilets and laundry facilities), and other infrastructure, including shared facilities. Recent regulatory updates concern the initial monitoring of these facilities, with the involvement of civil society and international actors. The facilities are included in an inventory compiled by regional (military) administrations and consolidated by the relevant ministry. Until recently, this was the Ministry for Development of Communities and Territories. Following the Government reshuffle in July 2026, it was split into the Ministry for Communities,

under the 'PrykhystOK' social programme, as well as monthly targeted financial assistance to IDPs;[14] transit centres providing accommodation for persons evacuated from frontline areas for periods of up to 3–7 days;[15] and one-off cash assistance of UAH 19,400 per household to help families in frontline areas purchase solid fuel for heating. Introduced in 2025 in response to intensified attacks on energy infrastructure, this assistance also helps alleviate the related consequences.[16]

The need to consolidate the management of various housing-related support measures and infrastructure is being addressed through the development of an Information and Analytical System (register) of real estate objects intended to provide housing for internally displaced persons.[17] This IT instrument, including its interoperability with other information and communication systems,[18] is under development and is expected to become operational later in 2026.[19]

Notwithstanding the overall and targeted budgetary resources[20] and other resources mobilised, including with the support of international partners,[21] for eRecovery and related mechanisms and further housing-related initiatives,[22] the scale of the damage and destruction caused by Russian aggression,[23] its far-reaching consequences and the overall costs understandably limit the capacity of the reparation initiatives concerned. The situation remains particularly acute for IDPs, including because of insufficient capacity and poor living conditions in collective accommodation facilities, as well as the specific needs of vulnerable groups.

In addition to the consolidated interactive platform of verified real estate objects available for accommodating IDPs envisaged by the recently adopted Law No. 4924-IX,[24] the complexity of housing support measures has prompted the inclusion of a relevant intervention in the Plan for the

Territories and Internally Displaced Persons of Ukraine and the Ministry of Restoration, Infrastructure and Transport of Ukraine.

[14] CMU Resolution No. 332 of 20 March 2022 (see Section 3.2 of this Report).

[15] As envisaged by the relevant regulations, as updated by CMU Resolution No. 1307 of 10 October 2025.

[16] CMU Resolution No. 985 of 13 August 2025.

[17] CMU Resolution No. 894 of 16 July 2025.

[18] Including the Shelter Information Damage Assessment & Response Database (SIDAR) and other related tools.

[19] See also the amendments to the primary legislation concerning housing funds intended for the temporary accommodation of internally displaced persons introduced by Law No. 3446-IX of 8 November 2023.

[20] Law of Ukraine on the 2026 State Budget, No. 4695-IX, Article 25 of which sets out the relevant expenditure under the Fund for the Elimination of the Consequences of Armed Aggression, with further details in Annex 3 on co-operation. There are multiple and, understandably, considerably more extensive housing-related support measures for members of the armed forces and their family members, as well as combat veterans, than those available to civilians. These measures, however, fall outside the scope of this Report.

[21] This includes support provided by the Council of Europe Development Bank (CEB) under the project 'HOME: Compensation for Destroyed Housing', as well as the Financing Agreement for the Housing Repair for People Empowerment Project (HOPE), among other initiatives.

[22] Multiple programmes and projects are in place, including initiatives introduced by local and municipal authorities. One example is 'Support for Kyivans – Defenders', which is available to veterans and provides up to UAH 500,000 for adapting housing to individual needs, among other forms of assistance.

[23] According to the fifth Rapid Damage and Needs Assessment (RDNA5), as of 31 December 2025, 14% of the housing stock had been damaged or destroyed, affecting more than three million households. As of June 2026, the Register of Damaged and Destroyed Property recorded more than 342,000 objects damaged or destroyed as a result of Russian aggression. Almost 300,000 of these were residential buildings. Accessed on 20 July 2026.

[24] See Section 3.2 of this Report below.

Ukraine Facility. It has also prompted the development of a comprehensive policy instrument which will, *inter alia*, specifically address the needs of IDPs and other vulnerable groups.[25]

3.1.1 Compensation for Damaged and Destroyed Housing (eRecovery)

Law No. 2923-IX, which establishes the conditions and procedure for compensating damage to or destruction of housing caused by Russian aggression, has remained the primary legislative basis for the relevant administrative compensation mechanism since its launch in 2023.[26] The Law retains the same forms of compensation (payments for repairs and housing certificates), the principal procedures and the institutional framework. The latter includes Compensation Commissions,[27] established by local self-government bodies, which manage the assessment process and decide on applications.

During the period covered by this Report, the Ministry for Development of Communities and Territories (Ministry for Development) was responsible for the overall implementation of the mechanism.[28] The mechanism remains available to Ukrainian citizens who are natural persons and who own the damaged or destroyed property, as well as to their heirs. It covers damage or destruction occurring on or after 24 February 2022.

Several amendments adopted in 2023–2024 addressed, *inter alia*, issues raised in Report 1.0. They:

- clarified the definition of eligible immovable property, including household auxiliary premises and buildings;
- extended priority access to compensation, including for internally displaced persons, as defined by the Cabinet of Ministers;
- refined the financing arrangements, programming and certain other powers of local self-government bodies; and
- adjusted registration and notarial procedures and introduced other improvements.

Further legislative developments have also strengthened the mechanism. In particular, amendments to the Land Code of Ukraine addressed specific cases in which land plots must be transferred free of charge to former owners of destroyed real estate.[29]

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[25] The instrument is being developed with the support of international partners, including the Council of Europe. See the Council of Europe's information on support for the development of Ukraine's state housing policy strategy.

[26] According to data published on the website of the Ministry for Development as of 10 July 2026, 231,681 Ukrainian families had already received compensation for damaged and destroyed housing under the state programme "eRecovery", amounting to almost UAH 119.1 billion in total.

[27] The requirements governing the composition of the Commissions have remained unchanged. Each Commission consists of at least five members and includes representatives of state bodies, local self-government bodies, enterprises, institutions and organisations, as well as experts, surveyors, architects and representatives of international and public organisations. At least 30% of its membership is reserved for representatives of the public, nominated by mass media organisations, non-governmental organisations and individuals.

[28] Following the institutional reorganisation of the Government of Ukraine in 2024, the Ministry for Development retained this responsibility until 17 July 2026. Following further reorganisation under CMU Resolution No. 963 of 17 July 2026, it was transformed into the Ministry of Recovery, Infrastructure and Transport of Ukraine.

[29] Amendments introduced by Law No. 4625-IX of 8 October 2025, which concern immovable property generally, including categories covered by the compensation mechanism.

The secondary legislative framework has also been developed through amendments to relevant Cabinet of Ministers of Ukraine (CMU) resolutions and ministerial orders.[30] These changes aim to improve access to and the overall effectiveness of the mechanism. The main changes addressing shortcomings identified in Report 1.0 include:

- **Co-ownership:** measures to address difficulties arising when co-owners are unavailable or fail to respond;[31]
- **Repeated applications:** provision for applying again for outstanding compensation where the relevant procedure has been discontinued;[32]
- **Remote assessment:** simplified requirements and clearer technical parameters for remote inspections, including the use of satellite technologies and other technical solutions.[33]

Despite these advances, further clarification is needed regarding the detailed procedures and decision-making criteria for remote assessments, including ensure consistent practice.

The most significant improvements have been made to the information technology infrastructure used to administer applications and process claims.[34] The relevant systems support technical inspections and other checks, including the automatic generation of assessment reports, damage calculations, decision-making and the processing of individual cases. They also support the transfer to the State of Ukraine or the relevant local authorities, as applicable, of the right to claim compensation from the Russian Federation for the same damage.

The eRecovery programme is now administered as an electronic public service through the Register of Damaged and Destroyed Property and the Diia platform. Together, these systems provide a digital solution that enables automatic interoperability and integration with the State Register of Property Rights, the Unified State Electronic System in the Field of Construction and other databases.[35]

The basic parameters for individual compensation[36] and the maximum amounts payable for repairs or construction, as well as the limits applicable to housing certificates for destroyed housing, have remained unchanged. Compensation for minor, straightforward repairs are capped at UAH 200,000. For major repairs, the limits are UAH 350,000 for apartments and UAH 500,000

[30] CMU Resolution No. 381 of 21 April 2023 on the procedure for providing compensation for damaged immovable property through the electronic public service "eRecovery"; CMU Resolution No. 516 of 19 May 2023 on the model regulations governing the Commission for Compensation for Destroyed Immovable Property; and CMU Resolution No. 600 of 30 May 2023 on the procedure for providing compensation for destroyed housing.

[31] CMU Resolution No. 1525 of 26 November 2025.

[32] CMU Resolution No. 802 of 7 July 2025.

[33] CMU Resolution No. 1347 of 22 October 2025. Simplified requirements concerning image accuracy, quantity and technical specifications, together with the possibility of using satellite technologies and other technical solutions, have made eRecovery more readily applicable to eligible housing regardless of its location, including in frontline areas. The latest amendments in this area also provide for the involvement of the Security Service of Ukraine, the Armed Forces of Ukraine and other authorities in verifying the results. See also CMU Resolution No. 511 of 22 April 2026.

[34] Among other changes, the improvements have significantly reduced difficulties associated with the burden of proof when applicants are required to provide evidence of title to damaged or destroyed property.

[35] The Ministry of Digital Transformation is responsible for administering these systems, ensuring their technical management and overseeing their further development.

[36] The formulas provide for adjustments that are reasonable in the circumstances, taking into account the location and area of the property, the number of rooms, the year of construction and the cost of the necessary works.

for private houses. Housing certificates for destroyed apartments and private houses remain subject to limits of 150 m² and 200 m², respectively.[37]

At the same time, the regulations have been adjusted to reflect economic and related developments. These adjustments include changes to regional coefficients and to the estimated costs of construction materials, services and works.[38] Specific provisions have also been introduced for housing that has cultural or archaeological heritage status.[39]

The considerations and specific recommendations set out in Report 1.0 remain relevant. These include the feasibility of individual compensation and larger projects aimed at environmental recovery; compensation for damage to agricultural land; giving priority to other groups, such as victims of conflict-related sexual violence (CRSV); gradually extending eligibility to non-Ukrainian property owners; further extending the application period; facilitating alternative, paper-based verification of property title; and strengthening the working methods, procedures and capacity of the relevant Commissions.

Further measures to improve the effectiveness of the mechanism should be considered:

Recommendation 1. Improve heirs' access to compensation for destroyed housing. The public authorities responsible for the relevant property register and compensation procedures should ensure that the register contains the information needed to establish property rights, clarify the rules governing the inheritance of housing certificates, and establish a clear procedure for heirs who opt for compensation to rebuild destroyed housing. This procedure should cover the main stages of the process, including final verification of the restored property.

Recommendation 2. Clarify the eligibility of new owners who acquired property after it had been destroyed as a result of Russian aggression. The public authority responsible for administering the compensation mechanism should establish clear rules on whether and under what conditions such owners may qualify for compensation, including where ownership has been transferred through relevant market transactions.

Recommendation 3. Establish clear rules on eligibility for compensation where housing purchased using a certificate issued under the eRecovery mechanism is subsequently destroyed.

Recommendation 4. Extend housing-specific compensation mechanisms to tenants of state-owned and municipal (communal) housing. The public authority responsible for the relevant housing and compensation framework should establish the applicable eligibility criteria and procedures.

Recommendation 5. Enable the relevant information technology systems to process claims for reimbursement of repair costs where owners have already repaired damaged housing at their own expense. The public authority responsible for administering the eRecovery mechanism should ensure that the system implements the relevant legislative and regulatory changes.

[37] Owners of private houses may opt to receive compensation for the relevant repair costs instead of obtaining a housing certificate.

[38] See CMU Resolution No. 296 of 14 March 2025.

[39] CMU Resolution No. 1237 of 1 October 2025, as subsequently amended.

3.1.2 eRecovery-based Housing Vouchers for IDPs

The mechanism providing assistance for resolving housing issues for certain categories of internally displaced persons (IDPs) is one of the offshoots of the 'eRecovery' programme. This targeted but important administrative support instrument[40] applies to IDPs who lived in temporarily occupied territories (TOT) and meet additional eligibility criteria. Applicants are eligible provided that neither they nor their family members (spouse and children) own housing in non-frontline or adjacent regions of Ukraine,[41] and that they have not previously received housing for permanent residence from the authorities.

At present, the mechanism is available only to two categories of IDPs: combatants and persons with war-related disabilities. The relevant period also covers the phase of Russian aggression that began in 2014, before February 2022. The mechanism provides substantial one-off assistance to address beneficiaries' housing needs. Eligible persons receive a housing voucher with a fixed nominal value of UAH 2 million. The mechanism has been allocated substantial budgetary funding of UAH 15 billion.[42] The latest amendments provide for synergies with the 'eHome' programme regarding the use of housing certificates.[43]

From an efficiency perspective, the mechanism has been designed using approaches and technical solutions already applied under eRecovery. This applies both to the IT systems and to the use of existing Commissions.[44] Applicants' compliance with the eligibility criteria can be verified through the interoperability of the relevant electronic registers via Diia.[45] This approach enables the use of existing infrastructure rather than the establishment of a separate system to administer the assistance.

To further enhance the mechanism, it is recommended to consider the following measures:

Recommendation 1. Enhance the individualised approach to determining the amount of assistance. The public authority responsible for administering the mechanism should provide for the possibility of adjusting the amount of funding according to key indicators of beneficiaries' actual housing needs.

Recommendation 2. Extend the range of eligible categories, including victims of conflict-related sexual violence (CRSV) and other particularly vulnerable individuals.

Recommendation 3. Establish and maintain a consolidated system for recording damage and expenditure related to Russian aggression. The public authority responsible for coordinating the relevant compensation mechanisms and maintaining the associated information systems should ensure that the system records claims transferred to the State or local self-government bodies. These records should include information on the actual damage suffered by IDPs, including key

[40] By CMU Resolution No. 1176 of 22 September 2025.

[41] Except for real estate objects secured by mortgages that have not been repaid.

[42] Law of Ukraine on the 2026 State Budget, No. 4695-IX.

[43] See footnote 12 above.

[44] The authorities in charge can alternatively delegate these prerogatives to the Commissions established to process applications under the urgent works to eliminate the consequences of the armed aggression of the Russian Federation related to damage to buildings and structures, as envisaged by CMU Resolution No. 473 of 19 April 2022.

[45] In addition to the solution available through Diia, applications can be submitted through administrative service centres or notaries.

characteristics of lost housing and other property, as well as details of the rights affected and the related loss.[46]

The consolidated system should also cover actual expenditure incurred by public authorities and individuals under housing, compensation and other support measures related to Russian aggression. The authority responsible for maintaining the system should ensure automated data entry, including key evidence of damage, supporting expenditure documents and documents recording the transfer of claims. The system should take account of the data and technical solutions used by the Register of Damage for Ukraine (RD4U), while covering a broader range of damage and related expenditure incurred by national authorities.[47]

3.2 Internally Displaced Persons

Pending the entry into force of the new Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons" No. 4924-IX on 22 October 2026, the legal framework governing the status of internally displaced persons (IDPs), the assistance available to them and the relevant procedures remains based on Law No. 1706-VII "On Ensuring the Rights and Freedoms of Internally Displaced Persons" (the Law on IDPs) and the key resolutions of the Cabinet of Ministers of Ukraine (CMU).[4849] The new Law consolidates previous legislative developments and introduces a more systematic, long-term framework. Its key innovations include automatic recognition of IDP status without requiring formal registration, electronic confirmation of that status, individual needs assessments, and tailored assistance at every stage, from evacuation to return and integration. It also provides for further development of the information and communication system, including a dedicated electronic personal account for each IDP linked directly to state registers.

More generally, IDP status continues to cover displacement resulting from circumstances related to Russian aggression before and after February 2022. The relevant support is also available to certain persons who are not Ukrainian citizens.[50] Previous amendments to the legal framework extended compulsory state social insurance to IDPs and refined the relevant administrative procedures, including appeals. The period during which IDPs may stay abroad without losing their status, unless there is a valid reason for a longer absence, was extended from 60 to 90 consecutive

[46] Time-related factors are also important when determining the eligibility of related claims under the RD4U and any subsequent international mechanism (the International Claims Commission for Ukraine) with jurisdiction over the phase of aggression following 24 February 2022.

[47] The database in question should take account of the RD4U claims scheme and IT solutions, while extending beyond them to reflect the broader range of damage and related expenditure incurred by national authorities. See Section 4.2 of this Report above.

[48] Adopted on 1 July 2026 and signed into law on 21 July 2026. Given the timeframe of Report 2.0 (see the introductory sections), this Report does not examine the new Law in detail, including all the measures envisaged or indicated in it, such as enhanced safeguards against the introduction of additional procedures for accessing social and other support, and exhaustive grounds for eviction. See also the introductory comments to Section 3.1 of this Report above.

[49] CMU Resolution No. 509 of 1 October 2014 'On the registration of internally displaced persons', and CMU Resolution No. 332 of 20 March 2022 on the living allowance for IDPs.

[50] Unlike other compensation mechanisms, this support is also available to foreigners and stateless persons who are lawfully present in Ukraine and entitled to permanent residence in Ukraine.

days. More flexible rules on temporary stays abroad may also facilitate the return of Ukrainian citizens who sought asylum abroad, including in EU Member States.

The monthly living allowance of UAH 2,000 for adults and UAH 3,000 for children and persons with disabilities remains an immediate and regular form of support available to a broad range of IDPs.[51] The eligibility rules and administration of this allowance were adjusted significantly in 2024–2025.[52] To improve the efficient and fair use of resources, the allowance is no longer granted indefinitely and is subject to reassessment every six months, except for the most vulnerable categories. The amendments also introduced requirements concerning registration with employment services for job-seeking, able-bodied recipients and consideration of property-related criteria. Given the development of the support infrastructure, including the Unified Information Database on IDPs and the interoperability of relevant systems through Diia, reassessment appears proportionate to the objectives pursued.

The scope of the main compensation measures and centralised in-kind assistance available to IDPs has otherwise remained broadly stable, while new mechanisms have gradually been introduced. These include housing vouchers and the extension of subsidies and other housing assistance, including measures under the 'eHome' programme.[53] IDPs can also access rehabilitation and medical services, free meals for children in pre-school, school and vocational education institutions, and support for employment, business activities and education.[54] IDPs, particularly those in vulnerable situations, may also receive *ad hoc* assistance, such as the 'Winter Support' payment of UAH 6,500.[55]

In addition to Diia, ministry and other state institution websites, as well as municipal centres, provide IDPs with organised information and guidance. Where necessary, they also facilitate referrals to healthcare, psychosocial support and other relevant services.

However, significant difficulties remain in verifying or changing civil status information, including birth and marriage records, where the relevant events occurred in temporarily occupied territories (TOT) or frontline areas. These difficulties persist even where paper certificates are available, if there is no accessible procedure for their lawful restoration or confirmation. As a result, individuals often have to pursue lengthy court proceedings. This places a considerable burden on applicants and adds to the workload of the courts. The situation is particularly challenging for IDPs from Crimea. According to information provided during consultations for this Report, only around

[51] This includes IDPs from TOT or areas affected by hostilities; those whose housing has been destroyed or declared uninhabitable; and children born to IDPs. The income threshold is set at four times the subsistence minimum for persons who have lost their ability to work, per IDP family member. Based on the parameters of the 2026 State Budget, it currently amounts to

[52] See the amendments to CMU Resolution No. 332 of 20 March 2022 introduced since the second half of 2023.

[53] See Section 3.1 of this Report above.

[54] The range of assistance available to IDPs and their children is illustrated by the 'Municipal Nanny' programme, established by CMU Resolution No. 664 of 7 June 2024, as adapted to the conditions of martial law. It provides monthly payments of up to UAH 8,000 per child for children up to three years of age, or up to six years of age in areas where kindergartens do not operate during martial law.

[55] This measure covered various vulnerable groups, including IDP children and IDPs with category I disabilities. See CMU Resolution No. 1433 of 5 November 2025.

57,000 residents of Crimea have registered as IDPs, although they may also be eligible for other, albeit limited, support mechanisms.[56]

The new Law and subsequent legislative, institutional and policy developments are expected to address these gaps and improve the effectiveness of support for IDPs. It is also welcome that the authorities have continued the policy-planning cycle. Following the expiry of the State Policy Strategy on Internal Displacement until 2025 and its Operational Plan for 2023–2025, a new Strategy until 2030 was adopted. It is accompanied by an Operational Plan for 2026–2028, adopted at the same time, and is intended to align policy with the legislative developments.[57]

However, these policy documents remain weak in several respects. Their funding provisions refer generally to state and local budgets and other lawful sources, without providing sufficiently detailed estimates or a clear allocation of the financial and other resources required.[58] In addition, repeated changes to government structures, most recently affecting the ministry responsible for this policy area,[59] and the distribution of IDP-related responsibilities across multiple public authorities make effective coordination particularly important.

Against this background, and to support the implementation of the legislative and policy initiatives, the national authorities are invited to consider the following recommendations:

Recommendation 1. Align the regulatory and policy framework with available resources and the need to use them efficiently and fairly. Improve cost and resource estimates and clarify how resources should be allocated and prioritised. Ensure that support measures reflect the growing challenges caused by continued Russian aggression, further displacement and the changing needs of IDPs.

Recommendation 2. Strengthen proposed intersectoral Council for coordinating state policy on internal displacement**.** Enhance its decision-making powers and organisational capacity. Consider integrating it into a broader coordination mechanism covering compensation, housing assistance and other relief measures, in order to ensure a coherent approach across the relevant policies and institutions.

Recommendation 3. Translate the EU guidance on the transition out of temporary protection for displaced persons from Ukraine into concrete national measures. Specify the steps, responsibilities and timelines required to support the transition from temporary protection to other appropriate legal statuses and arrangements, while taking account of the circumstances and needs of displaced persons.[60]

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[56] See also Section 4.1.1 and the relevant recommendation in this Report below. The figure was provided by the Acting Permanent Representative of the President of Ukraine in the Autonomous Republic of Crimea during consultations held for the purposes of preparing this Report.

[57] CMU Directive No. 598-p of 10 June 2026.

[58] Despite the evident financial constraints caused by Russian aggression and related factors, the policy documents do not include a dedicated action, or a set of measures, specifically addressing these resource-allocation issues.

[59] Most recently, this was the establishment of the Ministry for Communities, Territories and Internally Displaced Persons of Ukraine under CMU Decision No. 963 of 17 July 2026.

[60] Council Recommendation on a coordinated approach to the transition out of temporary protection for displaced persons from Ukraine.

Recommendation 4. Ensure that the further development of the integrated IT system for IDPs meets their individual needs and supports effective monitoring of assistance. Provide IDPs with accessible, user-oriented digital services and link the system to a consolidated database recording actual expenditure arising from Russian aggression. The database should cover expenditure incurred by both public authorities and individuals under housing, compensation and other support measures, and include the key supporting evidence and documents recording the transfer of claims.

3.3 Persons Deprived of Liberty and Their Family Members

Apart from amendments concerning administrative procedures,[61] there have been no significant changes to Law of Ukraine No. 2010-IX regarding the grounds for providing social and legal support to civilians deprived of their liberty by the Russian Federation.[62]

Although the main legal framework remains largely unchanged, the support available to these civilians is being expanded and adjusted. New measures have been introduced to address their immediate needs following release from captivity. Government regulations have refined the provision of medical and other assistance, including immediate recovery measures, post-isolation support, reintegration, adaptation and further assistance.[63]

Initial support for civilians released through exchanges or who return on their own has been expanded. It now includes a one-off payment of UAH 50 000,[64] transportation, medical care, other immediate rehabilitation measures, free legal aid, temporary accommodation and other assistance.[65] Importantly, the new regulations no longer require that the person's deprivation of liberty have resulted from support for the Ukrainian authorities. They also make it easier to confirm captivity. Verification is based primarily on information recorded in the Register maintained by the Ukrainian National Centre for Peacebuilding.[66] The regulations also provide for the formal recognition of civilians as victims of relevant war-related crimes during pre-trial criminal proceedings, allowing them to access the victim support mechanism operating within the prosecution system.[67]

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[61] The cross-cutting legislative package concerned other administrative support mechanisms. See, for example, Section 3.2 of this Report above.

[62] Law "On Social and Legal Protection of Persons for Whom the Fact of Deprivation of Liberty as a Result of Armed Aggression Against Ukraine has been Established, and Their Family Members" (Law No. 2010-IX). The wording of the regulatory framework, "individuals affected by deprivation of personal liberty as a result of armed aggression", extends its application to places of captivity beyond the internationally recognised territory of Ukraine.

[63] See CMU Resolution No. 296 of 15 March 2024. The system was further strengthened by CMU Resolution No. 1775 of 24 December 2025.

[64] This amount is taken into account when calculating the one-off assistance of UAH 100,000 available under Law of Ukraine No. 2010-IX if the person subsequently receives support under that mechanism (see below). In principle, the two mechanisms do not allow overlapping payments.

[65] This includes an initial-priority kit containing clothing, footwear, hygiene products, food and a mobile phone with a SIM card. Certain support measures are also available at this stage to family members of persons held in captivity.

[66] The Ukrainian National Centre for Peacebuilding acts as the National Information Bureau under the management remit of the Ministry for Development. It operates in cooperation with the Security Service of Ukraine, other law-enforcement agencies and the Coordination Centre for Victim Support of the Office of the Prosecutor General. If information or other evidence confirming captivity is unavailable, the Commission on Establishing the Fact of a Person's Deprivation of Liberty as a Result of Armed Aggression against Ukraine is involved.

[67] See Section 6.2 of this Report below.

These developments[68] appropriately prioritise the immediate needs of people released from captivity, particularly given the widespread practice of indiscriminate repression and the grave human rights violations committed against people deprived of their liberty by Russia during its ongoing aggression.[69] However, according to the stakeholders consulted, the initial support mechanism has not yet become operational because of organisational and related obstacles.[70]

Further support for civilians deprived of their liberty by Russia continues to be governed by Law No. 2010-IX and the relevant government regulations.[71] It includes an annual allowance of UAH 100,000 payable to family members of a person deprived of liberty during captivity, as well as a one-off allowance payable to that person after release.[72] Additional in-kind assistance is available to the person concerned or their family members during detention and in the event of the person's death.

This existing mechanism continues to apply to Ukrainian citizens whose detention was linked to their support for the Ukrainian authorities. The additional requirement that the deprivation of liberty, or the actions of the aggressor state, be unlawful also remains in force.[73] Applicants face significant difficulties in providing evidence of capture, unlawful apprehension, arrest or other unlawful deprivation of liberty, and in establishing the required links to the relevant circumstances and other eligibility criteria. These difficulties are compounded by procedural shortcomings, including insufficient communication with applicants and inadequate opportunities for them to participate in the process, as well as operational constraints affecting the interagency Commission

[68] These developments largely reflect the considerations and recommendations made in Report 1.0. However, the mechanism remains limited to Ukrainian citizens. A small number of non-Ukrainian civilians have also been released under the same conditions. These include foreigners and, in particular, stateless persons who were legally residing in Ukraine and who are also in urgent need of support. Foreign nationals may be referred to their respective embassies, but stateless persons risk being excluded from comparable and much-needed assistance.

[69] Facts corroborated at both national and international levels indicate that the treatment of civilians held in captivity in this context is even more severe than the administrative practices established by the European Court in *Ukraine v. Russia (re Crimea)*. See the Grand Chamber judgment of 25 June 2024, applications nos. 20958/14 and 38334/18: European Court judgment.

[70] The wording of the regulatory framework, "civilians affected by deprivation of personal liberty as a result of armed aggression of the Russian Federation", extends its application to places of captivity beyond the internationally recognised territory of Ukraine.

[71] CMU Resolution No. 1281 of 15 November 2022.

[72] The UAH 50,000 payment is deducted from the subsequent allowance if the person has already received it under the initial support mechanism.

[73] The relevant provisions refer to the "actual or potential risks of their illegal persecution" and the unlawfulness of taking hostages (paragraphs 1(a) and 1(b) of Article 2). As discussed in Report 1.0, these criteria do not clearly align with the general principle that acts of aggression entail an obligation to provide full reparation or with the broader assessment of administrative practices involving grave violations in this area. Internment is also relevant, as it is a legitimate ground for deprivation of liberty recognised under international humanitarian law and may give rise to related arguments. Although the Register of Damage for Ukraine (RD4U), its Claim Form and the Rules for Claims Category A2.6: Deprivation of Liberty do not address these details for their purposes, they may be raised and considered in subsequent international procedures.

responsible for determining cases.[74] Reports also indicate significant delays in paying approved allowances.[75]

Furthermore, despite the specific provisions concerning civilians and the tools available within the relevant support system, including those of the Coordinating Headquarters for the Treatment of Prisoners of War,[76] its practical work remains focused primarily on members of the armed forces, combatants and other persons affiliated with the State.[77]

The recent expansion of immediate support for civilians released from captivity does not remove the concerns identified in Report 1.0 regarding the main assistance mechanism for persons deprived of liberty and their family members. The recommendations made in that Report therefore remain relevant. In particular, support should be more sensitive to gender and other individual circumstances and should better reflect the duration of captivity and other factors affecting the harm suffered.[78] Assistance should also be extended to all persons who have suffered comparable harm as a result of widespread violations associated with conflict-related deprivation of liberty.

A consistent budgetary, strategic and legislative approach is also needed to ensure that the overall system of support is coherent. This includes a consolidated national policy instrument and coordination mechanism that take gender-related considerations into account. Finally, the credibility of the support framework continues to be undermined by accumulated payment arrears, the non-enforcement of judicial decisions and continued non-compliance with the general measures required to execute the European Court's judgments.[79]

In addition, the national authorities are invited to consider the following recommendations:

Recommendation 1. Ensure that the initial support mechanism for civilians released from captivity becomes operational without further delay. The public authorities responsible for

[74] The Commission on Establishing the Fact of a Person's Deprivation of Liberty as a Result of Armed Aggression against Ukraine comprises representatives of the relevant government institutions and five representatives of relevant civil society organisations.

[75] The Report on the results of a public examination of the activities of the Ministry of Development of Communities and Territories of Ukraine in terms of compliance with social and legal protection requirements for persons recognised as deprived of their personal liberty as a result of armed aggression against Ukraine and their family members.

[76] See, *inter alia*, the dedicated Directory for family members of civilians held in captivity, and the Algorithm for providing services and assistance to released civilians deprived of their personal liberty as a result of the armed aggression of the Russian Federation against Ukraine, whose deprivation of liberty has been confirmed under the established procedure and/or who have been released during exchanges. These documents were maintained and adopted, respectively, by the Coordinating Headquarters on 1 October 2025.

[77] Although the legal framework was initially drafted with civilians in mind, the broader term "person(s)" and the demands arising from the subsequent full-scale aggression have shifted its practical focus. Notably, Law No. 4632-IX of 9 October 2025 introduced a monthly payment of UAH 50,000 for members of the armed forces who suffer from illnesses resulting from captivity while receiving inpatient medical treatment. There are clear reasons for prioritising members of the armed forces and other combatants, including limited resources. However, the medical, psychological and other consequences of the unacceptable conditions and treatment endured by civilians deprived of their liberty in this context, particularly for prolonged periods and often amounting to torture, can be equally severe. Comparable support should therefore be considered for non-combatants.

[78] Individual circumstances and harm vary significantly depending on the duration of deprivation of liberty, detention conditions, deliberate ill-treatment and the combination of these factors with other serious violations of international humanitarian law or human rights. The rationale underlying annual payments does not adequately account for these differences.

[79] See the Ivanov/Burmych group of cases.

implementing the mechanism should resolve the outstanding organisational and administrative obstacles and ensure that eligible persons released through exchanges or returning on their own can access the full range of envisaged assistance. This should include the one-off payment of UAH 50,000, transportation, medical care, immediate rehabilitation, free legal aid, temporary accommodation and other support.

Recommendation 2. Introduce a targeted support mechanism for victims of ill-treatment attributable to Russia in the context of its aggression against Ukraine. Consider developing it as an extension of the existing support measures for persons deprived of liberty, while taking account of the specific forms of deliberate ill-treatment and the most serious forms of non-deliberate or indirect ill-treatment.[80]

Recommendation 3. Strengthen coordination between the specialised support mechanisms and the victim support mechanism operating within the prosecution system. Ensure that eligible civilians can be referred between these mechanisms and access the relevant assistance without unnecessary procedural barriers.

3.4 Persons Missing Under Special Circumstances and Their Next of Kin

The mechanism has been improved in procedural, technical and related respects. Amendments allowing the territorial jurisdiction of criminal proceedings concerning persons missing under special circumstances to be changed have addressed some difficulties faced by their next of kin, particularly in participating in proceedings and communicating with investigators.[81] The introduction in 2025 of the Unified Information Platform on Persons Missing under Special Circumstances, administered by the Ministry of Internal Affairs, has also partially addressed the lack of information and communication with the relatives of missing persons. These improvements facilitate the verification of information and the formal recognition of a person as missing under special circumstances through the relevant Register. They have been complemented by the introduction of a formal mechanism for guardianship over the property of missing persons.[82]

Nevertheless, the gaps and shortcomings identified in Report 1.0 remain, meaning that the general recommendations made in that Report are still partly relevant. Further improvements are needed in the working methods of the administrative bodies concerned to reduce the need for judicial proceedings to establish eligibility or obtain other decisions.[83] Support should also be strengthened to enable victims to pursue potential individual claims, claims supported by the State or inter-State claims. This requires further development of the domestic mechanism and its instruments, including those for documenting harm and expenses incurred, identifying available assistance

[80] See the discussion of harm arising from inadequate detention conditions and the proposed reparations in Section 4.1.2 of this Report below.

[81] Law No. 4555-IX of 22 July 2025.

[82] Law No. 4174-IX of 19 December 2024, under which the relevant entry is introduced into and managed through the Unified Register of Persons Missing under Special Circumstances.

[83] Judicial practice and reporting indicate that the next of kin of civilians missing under special circumstances have to resort extensively to judicial proceedings to access the mechanism. See, *inter alia*, the Annual Report of the Ukrainian Parliament Commissioner for Human Rights on the State of Observance and Protection of Human and Citizen Rights and Freedoms in Ukraine in 2024, Section 3.6; and the Supreme Court of Ukraine ruling of 17 July 2025 in case No. 160/24320/24.

measures, and collecting relevant evidence of violations of international humanitarian law and/or human rights.

In addition, the following measures should be considered:

Recommendation 1. Enact the proposed amendments to the Code of Criminal Procedure of Ukraine (CPC) to facilitate the identification of unidentified bodies and human remains. The amendments should cover the collection of biological material, the processing and state registration of individuals' genomic information, and cooperation with foreign States and international organisations.[84]

Recommendation 2. Introduce systematic, targeted psychological and related support for the next of kin of persons missing under special circumstances. Consider gradually bringing this support into line with the assistance available to family members of members of the Armed Forces of Ukraine.

3.5 Support for Individuals with Disabilities Resulting from Injury or Other Harm to Health Caused by Explosives, Ammunition or Weapons

Ordinary civilians who sustain injury or other harm to their health as a result of Russian aggression can access various forms of support. However, these measures are fragmented and available only through selected schemes. There are no targeted mechanisms to compensate for injury that do not result in disability, even where they are serious and require substantial support. Although the intensity and scale of aerial attacks and the use of other weapons have increased significantly beyond the immediate frontline and combat zones, the resulting needs are addressed through the State Health Care Guarantee Programmes[85] and other parts of the general healthcare system. If an ordinary civilian is killed, their next of kin are covered by general pension and social protection schemes.

3.5.1 Persons with Disabilities Resulting from Injury or Other Harm to Health Caused by Explosives, Ammunition or Weapons

Targeted assistance for ordinary civilians who acquire disabilities as a result of the war was introduced through amendments to Law No. 3551-XII of 22 October 1993, 'On the Status of War Veterans, Guarantees of Their Social Protection'. However, this remains largely a potential support mechanism for people whose health has been damaged by the war. It is limited to serious injury resulting in a formally recognised disability[86] and applies to impacts involving weapons on territory where measures necessary to ensure Ukraine's defence against Russian military aggression are being carried out.[87]

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[84] Draft Law No. 14095.

[85] CMU Resolution No. 1503 of 24 December 2024. It provides for assistance to patients with war-related injury. Expenditure on surgery for severe wounds and mine and blast injury is increasing from UAH 15.99 billion to UAH 19.53 billion in 2026, among other changes.

[86] Other health damage, including serious injury that do not result in disability, and deaths of ordinary civilians arising from the same circumstances are addressed through general healthcare and state social assistance schemes, despite the associated consequences and difficulties.

[87] The full definition of the territorial scope used in the Law is 'the territory of carrying out measures necessary to ensure the defence of Ukraine, protect the security of the population and the interests of the State in connection with

The mechanism does not provide for immediate compensation payments. Its support consists of direct access to medical services without waiting in queues and other non-monetary and in-kind benefits, together with compensatory financial support. The latter includes increased pensions, monthly lifetime cash assistance or state social assistance, depending on the disability group: 50% for Group I, 40% for Group II and 30% for Group III. Other benefits include free or discounted medicines, transport costs and utility payments.[88]

The cross-cutting amendments concerning administrative procedures introduced in October 2024[89] also covered Law No. 3551-XII. They could reduce some of the decision-making, procedural and institutional constraints, including difficulties with evidence requirements and procedures and the limited operational capacity of the specialised Interagency Commission.[90] However, the legal framework and operational and technical capacities of the Unified State Register of War Veterans, which have been significantly improved for combatants and similar categories, have not been extended to the civilian-specific mechanism.

In particular, the amendments introduced by Law No. 3443-IX of 8 November 2023, which were welcomed in Report 1.0, shifted responsibility for collecting additional documents and making further enquiries from applicants to the competent authorities. These changes have not been extended to the mechanism for civilians with war-related disabilities. As a result, the shortcomings identified previously have become more pronounced as the number of casualties and potential beneficiaries continues to rise.

In general, extending Law No. 3551-XII, with appropriate adjustments, to ordinary civilians affected by the war would have been the most straightforward legislative approach to addressing health-related harm. However, the institutional design and placement of the mechanism mean that it risks being overshadowed by the primary functions of the Ministry of Veterans Affairs and its relevant structures. This is illustrated by the methodology for calculating damage and loss attributable to Russian aggression, introduced in 2023, which applies only to war veterans.[91] It should also be noted that responsibility for implementing a positive decision of the Commission lies with the Ministry of Social Policy, Family and Unity of Ukraine.

3.5.2 Persons with Disabilities Resulting from Explosives

Another mechanism provides limited direct compensation for health damage resulting in disability caused by explosives. It is based on Law No. 2642-VIII of 25 April 2019, 'On Counter-Mines

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the military aggression of the Russian Federation against Ukraine'. This criterion should be compared with the definitions of territories affected by hostilities under other legal frameworks, which are regularly updated by the Ministry for Development.

[88] It should also be noted that state budget laws continue to suspend some benefits, including in 2026. For example, this applies to the annual provision of free sanatorium and resort treatment, including compensation for travel to and from the relevant facility. Such suspension is understandable in view of wartime needs and the associated financial implications. At the same time, it illustrates the importance of a realistic, itemised approach to budgeting that avoids the accumulation of arrears and the non-enforcement of potential judicial decisions.

[89] Law No. 4017-IX of 10 October 2024.

[90] However, the Statute of the Commission has not been amended since its approval.

[91] Order No. 85 of 26 April 2023 of the Ministry of Veterans Affairs, discussed in Report 1.0, has not been substantially amended.

Activities', and is administered directly by the Ministry of Social Policy, Family and Unity of Ukraine.

Eligibility is determined by the disability group and the connection between the injury and explosives. The assessment is based primarily on the conclusions of medical and social expert assessment for adults or medical advisory commissions for children, as provided for under the procedure for assessing a person's daily functioning.

CMU Resolution No. 1020 of 29 September 2021 further specifies the amounts of the one-off compensation and annual healthcare allowance, which are adjusted annually.

The one-off compensation is calculated as a multiple of the subsistence minimum. For adults, the amounts are five times the subsistence minimum for Group I disability, four times for Group II and three times for Group III. For children with disabilities in subgroup A, the amount is five times the subsistence minimum; for other children with disabilities, it is four times.

The annual healthcare allowance amounts to 40% of the subsistence minimum for persons with Group I or II disabilities and children with disabilities, and 35% for persons with Group III disabilities.

The recommendations previously made concerning support for ordinary civilians with disabilities resulting from weapons used in Russian aggression remain fully applicable. They concern the territorial scope of eligibility; the streamlining of institutional, procedural and other arrangements, including IT-based solutions and the transfer of responsibility for collecting additional documents and making further enquiries from applicants to the competent authorities; and the extension of relevant methodologies for calculating individual and collective damage and expenses.

Given the considerable increase in casualties and the resulting need for support among war-affected civilians who have sustained injury or other harm to their health, further measures should be considered:

Recommendation 1. Address the fragmentation of the current system by consolidating its legislative, institutional, procedural and IT arrangements, and establish a streamlined, unified and targeted mechanism providing financial compensation and in-kind assistance to civilians for the harm they have sustained.

Recommendation 2. Prioritise the gradual extension of compensation and other additional support beyond cases resulting in disability to cover serious injury that can be treated and other substantial harm to health attributable to Russian aggression.[92] Consider extending appropriate assistance to the next of kin of civilians who have been killed.

3.6 Volunteers and Individual Helpers Who Became Disabled or Lost Their Life

There are grounds for providing more favourable assistance in cases where civilians who act on their own initiative (individual helpers) or through volunteer organisations die or sustain injury

[92] To establish the seriousness of health impairments or assess other relevant criteria, see paragraph 3.2 of the RD4U Claim Form and Rules, Claims Category A2.3, 'Serious Personal Injury', including the definition referring to 'any other injury likely to significantly impact the quality of life of the injured person'.

resulting in disability.[93] However, eligibility for such assistance is conditional on their involvement in activities to counter Russian aggression.

These categories also illustrate the variation in support measures and mechanisms available to combatants, other individuals involved in armed or related activities that are prioritised in the context of repelling Russian aggression, and civilians who sustain the types of harm considered in this Report. As discussed in Report 1.0, budgetary constraints, considerations of importance and priority, and other relevant factors may be considered when determining the amounts and scope of allowances, whether monetary or otherwise, including assistance in kind. However, there is little or no justification for inconsistencies in the amounts of payments or benefits awarded for the same category of harm, particularly where the disability group is the determining factor. The differences become especially striking when disability-related allowances for different categories of persons are compared. Any differential treatment should be reasonable and proportionate; only to a limited extent can it be justified by the exigencies of war, resource availability and other relevant factors.[94]

3.6.1 Individual Helpers Who Became Disabled or Lost Their Lives as a Result of Trauma or Diseases

Under Law No. 3551-XII, individual helpers, including foreign nationals and stateless persons, who perform tasks related to the introduction and implementation of measures under the legal regime of martial law[95] are entitled to enhanced compensatory and support measures if they are officially recognised as persons with disabilities. Their family members are entitled to assistance if the individual helper dies.

The mechanism has been further refined through amendments to the Law, CMU Resolution No. 685 of 8 September 2015 and the related regulatory framework. The changes have addressed the definitions used, inconsistencies in the territorial scope and other legislative provisions, as well as technical and procedural aspects of the supporting documents, particularly the criteria for establishing involvement in the relevant activities, as discussed in Report 1.0.[96] The most recent amendments aligned CMU Resolution No. 685 with further digitalisation and procedural improvements. These include eliminating the need to submit repeated applications for paper documents, simplifying criminal record checks and introducing other improvements, including dispensing with administrative verification and enabling the immediate implementation of relevant court decisions.[97] The Law No. 3443-IX of 8 November 2023, together with improvements to the Unified State Register of War Veterans and Diia-based services, has also benefited this

[93] In Report 1.0, these issues were addressed jointly in Section 3.6.

[94] See also Sections 3.5 and 3.7.

[95] In terms of their military or related status and activities, the category concerned (defined in paragraph 16 of Part 2 of Article 7) may be distinguished from combatants, members of law-enforcement bodies and other individuals involved in armed or related activities. A comparative interpretation of subparagraphs 11–16 of Part 2 of Article 7 and Law No. 3551-XII as a whole, together with Law No. 2114-IX of 3 March 2022, *On Ensuring the Participation of Civilians in the Defence of Ukraine*, supports treating them as civilians.

[96] In particular, the terms "injury, contusions, mutilations or diseases" have been replaced by "trauma (injury, contusions, mutilations) or diseases".

[97] CMU Resolution No. 601 of 13 May 2026.

mechanism.[98] Decisions on granting the relevant status have been delegated to local structures of the Ministry of Veterans Affairs.

In the event of death, a one-off monetary allowance equivalent to 750 subsistence minimums applicable on the date of death is payable to family members. The disability allowance amounts to 400, 300 and 250 subsistence minimums for disability Groups I, II and III, respectively.[99]

In addition to the medical care, other in-kind support and benefits provided under Law No. 3551-XII, the range of compensatory measures available to this category of civilians within the broader framework of preferential support is regularly expanded. This includes relatively modest, targeted improvements to existing benefits, such as the payment of compulsory third-party motor liability insurance premiums,[100] and a tax deduction for housing rental expenses.[101] Similar developments concern assistance with participation in physical education and sports, as well as various other government-supported pilot projects, some of which are facilitated and processed directly through the Diia platform.[102]

3.6.2 Volunteers Who Became Disabled or Lost Their Lives as a Result of Trauma or Diseases

The assistance available to volunteers who sustain the same types of harm is governed by Law No. 3236-VI of 19 April 2011, *On Volunteering*, and provided in accordance with CMU Resolution No. 604 of 19 August 2015. It is limited to a one-off monetary allowance. Its parameters, including the amounts applicable to different disability groups, remain unchanged, as noted in Report 1.0. In the event of death, the allowance amounts to 500 subsistence minimums and is payable to family members. The disability allowance amounts to 250, 200 and 150 subsistence minimums for Groups I, II and III, respectively.

Of the 12 types of volunteering activities recognised under the Law, the mechanism continues to cover only one, namely support for the Armed Forces and related activities. It remains to be seen whether the updated regulations governing the specialised Interagency Commission on volunteers under the Ministry of Veterans Affairs, the establishment of a dedicated subdivision within the Ministry to support its work,[103] the requirements concerning supporting documents and the pending extension of IT solutions available to other preferential beneficiaries[104] will resolve the mechanism's persistent operational difficulties and implementation shortcomings.

In view of the limited improvements to the mechanisms for individual helpers and volunteers who sustain injury or die, the recommendations made in Report 1.0 remain applicable. They concern the need to address inconsistencies in the regulatory framework regarding category-specific eligibility criteria and the scope of benefits; excessive variation in the relevant military, legal and medical terminology and other parameters, which would benefit from greater coherence and

[98] See also Section 3.6.1 of this Report.

[99] CMU Resolution No. 1090 of 24 September 2024.

[100] CMU Resolution No. 1611 of 26 November 2025.

[101] Law No. 4536-IX of 6 July 2025.

[102] CMU Resolution No. 2 of 3 January 2025 provides for quarterly payments of UAH 1,500.

[103] Minister's Order No. 644 of 11 August 2025, as amended on 6 January 2026.

[104] See Section 3.6.1 of this Report.

uniformity;[105] the explicit extension of the volunteer-specific mechanism to all types of activities under Law No. 3236-VI undertaken to address non-military needs and other consequences of Russian aggression; the alignment of the grounds and procedures for recognising a missing person as deceased for the purposes of these mechanisms, thereby minimising the need for judicial intervention; and the administrative and institutional difficulties associated with the operation of one-off monetary allowance schemes.

In addition, it is recommended that the following measure be considered:

Recommendation 1. Build on the reorganisation of the disability assessment system[106] and further streamlining, improve the consistency of the relevant mechanisms by eliminating unjustified differences in treatment of the same types of harm or categories of victims. This could include merging or otherwise consolidating the mechanisms through Diia-based IT solutions.

3.7 Persons Who Became Disabled or Lost Their Life as a Result of Injury, Contusion, Maiming or Illness, While Performing Official, Professional and Labour Duties

The significant increase in the intensity and scale of aerial attacks and the use of other weapons beyond the immediate frontline and combat zones has further highlighted the importance of Law No. 2980-IX of 20 March 2023, "On One-Time Monetary Assistance for Damage to Life and Health Caused to Employees of Critical Infrastructure Facilities, Civil Servants and Local Self-Government Officials as a Result of Armed Aggression of the Russian Federation Against Ukraine" (Law No. 2980-IX). Following a delay, also noted in Report 1.0, the mechanism providing compensatory assistance for serious individual harm sustained while performing non-combatant professional or official duties was effectively launched through CMU Resolution No. 1396 of 27 December 2023.

Given the diversity and complexity of the eligibility criteria used in the relevant legislative frameworks,[107] the wording "areas subjected to bombings, airstrikes and other armed attacks" remains a useful example of an appropriate legislative solution. As previously discussed, the definition of eligible categories of persons, particularly the requirement for formal affiliation with critical infrastructure operators or state institutions,[108] has proved excessively formalistic and insufficiently reflective of the actual nature of the work performed and the status of those undertaking it. There are indications that incidents and applications for payments under this mechanism have been underreported,[109] partly due to the complexities of the formal inquiry procedure.

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[105] The amendments referred to in footnote 82 above have not been incorporated into Law No. 3236-VI, further widening the questionable and unnecessary differences between the two mechanisms.

[106] Since 2024, disability assessment has been based on evaluations of individuals' daily functioning by expert teams, under CMU Resolution No. 1338 of 15 November 2024.

[107] See, inter alia, Law No. 3551-XII and Section 3.6 of this Report.

[108] This is partly due to the specific legal framework governing strategic infrastructure facilities and the accreditation of the relevant status, which depends on the inclusion of facilities in the applicable register.

[109] In 2024, of the UAH 480.3 million allocated for the payments concerned, only UAH 27.1 million (5.7%) was disbursed, according to the Ministry of Finance of Ukraine.

These and other shortcomings prompted further amendments to Law No. 2980-IX.[110] They included the retrospective extension of its scope to cover labour duties, using a broader term alongside official and professional duties; employees of branches and subsidiaries of the relevant critical infrastructure operators; a wider range of eligible family members; and claims made within three years after the termination or cancellation of martial law.

The one-off monetary assistance payable when an eligible person dies, including as a result of an illness sustained in the relevant circumstances, remains UAH 1 million. The amounts payable to persons who become disabled are UAH 800,000, UAH 500,000 and UAH 200,000 for disability Groups I, II and III, respectively. The mechanism is administered by the Pension Fund, which is also responsible for budgetary allocations and the relevant online services. Its administration also involves coordination with the general social security payments available to the persons concerned.

The remaining disparities in the rationale and amounts of compensatory payments and other support measures reinforce the need to pursue the preceding recommendation: to avoid unjustified differences in treatment, ensure consistency in the amounts of comparable allowances and benefits, coordinate their application, and adopt more comprehensive work-related eligibility criteria. Accordingly, it is recommended that:

Recommendation 1. Develop consolidated and consistent policies and instruments addressing health-related harm sustained by individuals in the context of Russian aggression, including the available compensatory payments and other support measures and mechanisms for different categories of persons.

3.8 Children Affected by Hostilities and Armed Conflicts

3.8.1 Children Affected by Hostilities and Armed Conflicts: General Framework

The system of assistance for war-affected children has continued to develop, including through adjustments to the existing legislative framework to address the consequences of Russian aggression. The principal Law No. 2402-III of 26 April 2001, "On Childhood Protection", together with CMU Resolution No. 268, which governs the granting of the status of a child affected by hostilities and armed conflicts, and related secondary legislation, has been subject to targeted and broader thematic legislative changes. These have been accompanied by institutional, administrative and budgetary measures.

According to the relevant state service, as of 31 December 2025, more than 455,000 children had been granted this status. At the same time, estimates cited by the Ministry of Social Policy, Family and Unity indicate that the number of children actually affected by the war exceeds one million.[111]

The amendments have clarified and broadened the range of harm covered. Separate grounds have been introduced for cases in which a parent[112] is missing under special circumstances, dies as a result of injury, contusions or maiming, or where a child is otherwise deprived of parental care as

[110] Law of Ukraine No. 4793-IX of 25 February 2026. The regulatory framework established by CMU Resolution No. 1396 of 27 December 2023 is also being further adjusted, including through a series of amendments introduced on 10 and 17 June 2026.

[111] See the Ministry's announcement, accessed on 21 December 2025.

[112] This also includes other persons performing parental duties.

a result of hostilities and armed conflicts. The amendments have also appropriately removed territorial and related restrictions that previously limited eligibility by reference to the period and geographical area of hostilities and armed conflicts.[113] The definition of psychological suffering,[114] including the wording "not requiring further substantiation", has been refined.[115] Procedural improvements include greater flexibility in where an application for the status may be submitted and the status granted.[116]

Institutional changes have included the establishment of the State Service for Children as the central executive body responsible for protecting and upholding children's rights, with its regional structures handling the procedures for granting the status.[117] The Government has also streamlined budgetary procedures, allowing financial resources for the social protection of children and families to be used and reallocated more flexibly according to priorities.[118]

Various government and executive bodies, including the Ministry of Health, as well as municipal structures, are involved in assessing children's needs and providing support. Coordination among these actors and consolidation of the relevant mechanisms therefore remain important. In terms of information technology, improvements have included upgrades to the database focused on orphans and other particularly vulnerable children, which forms part of the Unified Information and Analytical System "Children".[119] However, procedures for granting the status are still not available through the Diia platform.

Alongside other protection measures, Law No. 2402-III provides support to children who have been granted the status, including compensation for rented accommodation and certain other benefits available until the age of 23. The relevant executive and other authorities use this status as a basis for determining eligibility for existing assistance mechanisms. Consequently, access to many forms of support remains subject to restrictions or prioritisation based on the circumstances of the child's parents. At the same time, the range of measures available to children with this status, including ad hoc support, continues to expand.

3.8.2 Deported and Illegally Relocated Children

One of the major developments has been the expansion of measures aimed at securing the release, return, rehabilitation and reintegration of children who have been abducted, deported or otherwise illegally relocated. In addition to refining the definitions of the latter two categories and specifying the unlawful conduct concerned, the return mechanism and associated support measures have been expanded to include a one-off payment of UAH 50,000. This payment is made to the child's legal

[113] Such restrictions remain in place for comparable forms of harm under other support mechanisms. See Section 3.5.2 of this Report.

[114] The introduction of this concept was particularly welcomed in Report 1.0.

[115] This issue was also addressed in Report 1.0.

[116] The application may be submitted and the status granted not only at the place of internal displacement, but also at the place where the application is made or the child is discovered.

[117] The State Service for Children operates under the relevant line ministry, the Ministry of Social Policy, Family and Unity of Ukraine.

[118] CMU Resolution No. 1474 of 30 December 2022.

[119] See the preceding sections on other assistance mechanisms, including those for internally displaced persons. See also, for example, CMU Resolution No. 107 of 26 January 2026, concerning the provision of portable electric charging units to children with Group A disabilities.

representative or a person authorised by that representative. The measure has subsequently been extended to persons aged 18 to 23.[120] The assistance is intended to provide partial compensation for essential needs following return.

The framework also establishes detailed, coordinated interdepartmental procedures, including specific budgetary and reporting arrangements. It assigns a particular role to the Centre for the Protection of the Rights of the Child, operating within the Ombudsperson's Institution and based in Kyiv, together with its regional branches, and incorporates an approach based on the Barnahus model.

Given the sensitivity and specific objectives of these processes, the relevant procedures, institutional arrangements and supporting information technology infrastructure have been developed as a distinct mechanism. The Register of Information on Deported Children is provided for by Law No. 4071-IX of 20 November 2024, with further details set out in CMU Resolution No. 1240 of 29 October 2024. The Register and the associated mechanism are administered by the Ministry of Justice through the Interdepartmental Commission for Verification of Information on Children Deported or Forcibly Displaced in Connection with the Armed Aggression of the Russian Federation against Ukraine.

Notwithstanding these developments, the recommendations concerning assistance for children set out in Report 1.0 remain relevant, either in full or in part. Further improvements should include expanding monetary assistance and specifying the available remedies and forms of relief; distinguishing between children who are direct or indirect victims, including through harm suffered by their family or community; introducing child-centred legal instruments rather than relying on derivative mechanisms; and avoiding the prioritisation of children's assistance or benefits on the basis of their relatives' circumstances. Further measures should also strengthen coordinated, cross-cutting institutional approaches, including universal information technology solutions based on Diia, and refine the assessment of harm sustained by war-affected children. This assessment should take account of the attribution of responsibility to the Russian Federation, its military personnel or agents, the specific causes of harm, and the applicable evidential standards.

In addition, the relevant mechanisms would benefit from:

Recommendation 1. Ensure that the specific needs of children are duly reflected in the proposed unified inventory or database of actual expenditure attributable to Russian aggression and incurred by Ukrainian authorities and individuals.

3.9 Persons Affected by the Destruction of the Kakhovka Hydro-Electric Power Station Dam

The targeted (cluster/serious incident-related) mechanism immediately launched by the Ukrainian authorities in order to provide partial compensation to the persons affected by the destruction of the Kakhovka hydro-electric power station dam has largely served the purpose. Indicatively, the relevant CMU Resolution No. 626 of 19.07.2023 has been amended only to formally mirror the structural changes in the Ukrainian Government.

[120] CMU Resolution No. 551 of 14 May 2024, as amended on 1 October 2025.

At the same time, it would be worth reminding a more general recommendation made in in this context in Report 1.0 as to implementing uniform (template) arrangements for ceding the right to claim compensation from the Russian Federation to the Government of Ukraine or self-governing bodies, depending on the source of assistance provided, for all the mechanisms concerned. It should be taken into account with regard to the related (overarching) recommendation developed in Report 2.0 concerning united inventory (database) of actual expenses attributable to the Russian aggression and endured by the Ukrainian authorities and individuals.[121]

3.10 Environmental Damage-related Mechanisms

There are potential avenues and the immediate (unsuspended) specified obligation of the state to apply, including to the civilians, the Procedure for Determining and Compensating for Damage to Land Owners and Land Users.[122] The procedure provides for (full) compensation of loss caused including in case of temporary takeover of plots of land (including for constructing military fortification structures etc.), restrictions on their use, deterioration of the quality of the soil and otherwise rendering them unusable. The Procedure extends beyond the land and comprises related environmental and attached constituents. Notwithstanding the overall referencing and some aggression-related adjustments introduced on the ministerial level[123] and the only CMU-level update concerned with the composition of the commissions in charge, which are to be created by the regional (military, as now appropriate) administrations, executive bodies of village, settlement, and city councils, the mechanism is not systemically applied. It largely remains inactive, including with regard to the damage caused as a result of or due to combat operations and other military specifics, actual compensations, ceding and other related considerations.[124]

As a result, with the intensive application period of the Kakhovka dam destruction-related mechanism being exhausted, currently there are neither general nor *ad hoc* effective individual compensatory, any in-kind support measures that would address immediate environmental damage attributable to the Russian aggression.[125]

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[121] See Section 4.2 of this Report below.

[122] CMU Resolution No. 284 dating back to 28.04.1993 with the latest amendment introduced in 2024 is still in force for individuals (including lessees). Compensations under this regulation has been suspended in 2024 only for municipal authorities and state owners in case of specific needs. It embraces also perennial plantations; forest and tree and shrub plantations; water sources (wells, ponds, reservoirs, boreholes, etc.), irrigation and drainage systems, anti-erosion and anti-mud structures etc., as well as lost (unearned) income. It is also to be indicated that this resolution provides for compensation of the costs of residential buildings, industrial and other buildings and structures, including construction in progress, and thus partially overlaps in this regard with the e-Recovery mechanism (see Section 3.1 of this Report above).

[123] See Order N295 of 18.05.2022 of the Ministry of Agricultural Policy and Food as to Methods for determining damage and loss caused to the land fund of Ukraine as a result of the armed aggression of the Russian Federation, which has been amended in 2025 in terms of fine-tuning the account of expenditures-based calculation of expenses (damage).

[124] It is to be noted, that this Report does not concern legal entities, businesses, including farmers, who can benefit from de-mining-related and other relevant mechanisms and support measures.

[125] They are addressed through the eRecovery and serious health damage-specific mechanisms (see sections 3.1, 3.5-3.7 of this Report above), as implicit part of the household-related damage and relevant illnesses prompted by munition residues or similar consequences.

At the same, the "EcoZagroza" database-driven notification, documenting and reporting solution, which was just introduced at the time of developing Report 1.0, is being further advanced.[126] It provides an avenue, some structuring fiches and technical tools for developing appropriate evidential package (digital images, video,[127] monitoring data[128]) and reporting as to the environmental damage and relevant further verification procedures established in accordance with CMU Resolution No. 783 of 28.07.2023.[129] However, as suggested, this comprehensive documenting and reporting system does not lead to any immediate compensatory or other measures.[130]

The unprecedented scale[131] of the environmental destruction and specifics of various damage (caused to air, soil, water resources, forestry etc.), as well as their extend beyond the actual deterioration or direct loss and restoration costs, ranging from prevention/abating costs up to (reasonable) monitoring and assessment expenses still require further nuanced advancement of the regulatory framework with incorporated or specific methodological instruments.[132] These considerations coupled with the repeated reorganisation of the governmental structure affecting the ministry in charge,[133] intensive interaction with the local and other, including investigative authorities,[134] accordingly necessitate enhanced, including intra-institutional coordination, considerable budgetary and human resources. These are to be underpinned by the satellite and other advanced technologies and equipment, required for assessing direct 'war markers', related diverse measurables, including verification of the baseline indicators verifying the weaponry impacts, other impairments caused as a result of constructing engineering and fortification structures and relevant loss.

Many of the operational and related methodological regulations used for these purposes have been just briefly amended in terms of being applicable for the purposes of determination of the damage attributable to the Russian aggression. As a result, they lack not only the weaponry-related specifics.[135] As suggested in Report 1.0, their monitoring and procedural algorithms are devoid

[126] Although it was just partially operational due to the technical, including updating reasons. Accessed on 16.02.2026.

[127] The mobile application and relevant IT protocols applied, online resources making it possible to comply with the basic metadata requirements and further chain of custody necessary for securing their admissibility.

[128] In combination and as interoperable part of the wider general platform "EcoSystem".

[129] Envisaging the introduction of the relevant 'verification service' to be provided by the State Ecological Inspection acting as the lead agency responsible for the procedures concerned.

[130] It is to be noted that the RD4U Claims category B3.1 – Environmental damage can be currently submitted by the State of Ukraine (including its regional and local authorities and State-owned or controlled entities) and is not open for individuals.

[131][131] For the overall estimations and ascertained environmental damage by the end of 2025 see the data provided by the Ministry of Ministry of Economy, Environment and Agriculture.

[132] On methodologies see Section 5.2.1 of this Report below.

[133] During December 2025 – July 2026 it was the (consolidated) Ministry of Economy, Environment and Agriculture, which formally incorporated the forestry and other segment-specific government agencies. By CMU Decision N 963 of 17.07.2026 it has been reduced to the Ministry of Economy and Environment.

[134] For the domestic and international criminal law and procedure-related remedies see Section 6.1 of the Report below.

[135] See Section 5.2 of this Report below.

(even in general terms) of requirements as to linking the damage to particular strikes, military or other relevant impacts, verification of baseline conditions.[136]

The practices of international reparation mechanisms that dealt with environmental damage concerned primarily the inter-state claims, including due to the individualisation-related methodological and evidential difficulties. However, there are indications,[137] and, in case of appropriately progressing with the person/victim-centric dimension and existing, in particular, "EcoZagroza"-driven verification scheme, there are good perspectives of driving the forthcoming international reparations mechanism and avenues towards respectively advancing and introducing both inter-state and more nuanced, direct and, therefore, fair individual remedies for proceeding with environmental claims.

The numerous and various particular harms, incidents and cumulative country and entire environmental ecosystem-wide devastation, the outlined coordination and other, including resources-related considerations, the need for structuring and streamlining a system of overall, group and individual verification tools, as well as relevant (compensatory and procedural) remedies would indeed require developing a standalone policy framework (strategic instrument) in this regard. It could form a segment of more general comprehensive environmental recovery strategy and synchronized with the considerable EU environmental acquis transposition and legal approximation endeavours under the Ukraine Facility.[138]

With the Report 1.0 recommendations as to base line data, evidential considerations and further synchronisation of the regulatory and methodological framework with the "EcoZagroza"-based framework remaining valid, the Ukrainian authorities are invited to contemplate:

Recommendation 1. Carry out targeted rectification of the legislative inconsistencies so to secure systemic (realistic) applicability of the general compensatory mechanism, normative acts itemising the land and other environmental elements-related parameters, to the relevant damage attributable to the Russian aggression, including with the view of avoiding accumulation of debts and subsequent non-enforcement of (potential) judicial decisions.[139]

Recommendation 2. Advance the victim-centric dimension and capitalising on the existing (domestic) EkoZagroza-driven verification schemes both in terms of potential inter-state and more nuanced and, therefore, fair individual remedies for proceeding with environmental claims and reconciling them with (relevant components of) mechanisms concerned with property, health-related or other damage.

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[136] See for example, Order N295 of 18.05.2022 of the Ministry of Agricultural Policy and Food as to Methods for determining damage and loss caused to the land fund of Ukraine as a result of the armed aggression of the Russian Federation.

[137] See, *inter alia*, S/AC.26/2005/10, 30 June 2005, UNCC, Report and Recommendations Made by the Panel of Commissioners Concerning Part One of The Fifth Instalment of "F4" Claims, Paras. 687-699. See also footnote 64 in Report 1.0.

[138] Comprised of the adoption of the Law on Integrated Prevention and Control of Industrial Pollution and other primary and secondary legislation, addressing the industrial pollution, climate governance and other environmental benchmarks.

[139] See also Law No 4625-IX of 08.102025 'On Amendments to Certain Legislative Acts of Ukraine Regarding the Protection of Land Rights of Owners of Real Estate Objects Destroyed as a Result of Hostilities'.

Recommendation 3. Develop a standalone policy framework (strategic instrument) on structuring and streamlining a system of overall, group and individual verification tools, as well as relevant (compensatory and procedural/accountability) remedies for environmental damage attributable to the Russian aggression, which could form, be further integrated or synchronised with a comprehensive environmental recovery strategy.

Recommendation 4. Ensure that the most recent modification of the functions of the line ministry (the Ministry of Economy and Environment) involve appropriate prioritisation of their segment concerned with environment-related damage attributable to the Russian aggression.

3.11 Cultural Damage

The introduction of special conditions for immovable property with cultural or archaeological heritage status under the 'eRecovery' mechanism may be considered a limited but nevertheless first compensatory remedy available to individuals for this type of damage. The introduction of a preferential coefficient (currently set at 1.22) for calculating compensation for destroyed housing[140] was followed by measures applicable to both destroyed and damaged housing, with the existing compensation ceilings remaining unchanged.[141] These measures included expanding the range of authorised building materials, increasing the eligible costs of specific restoration works, and adjusting planning requirements, specific permissions (including relevant specialist cultural heritage assessments) and other related procedures.[142] The application of 'eRecovery' to cultural heritage objects is supported by relevant functionalities and by interoperability, facilitated through Diia, between the 'eRecovery' public electronic service and the Unified State Electronic System in the Construction Sector.[143]

As with other types of damage, the continuing and intensified Russian aggression, particularly aerial attacks across the entire territory of Ukraine, has significantly increased the damage to cultural infrastructure.[144] Looting and other damage to movable cultural heritage objects and valuables, whether directly inflicted or otherwise attributable to Russian aggression, have also been addressed through improvements to the domestic framework for criminal procedural remedies, including those specific to international crimes and war crimes. In this regard, the Ministry of Culture and Strategic Communications and its subordinate bodies work closely with the relevant specialised units of the Ukrainian prosecution authorities,[145] as well as with law-enforcement and intelligence agencies.

Since Report 1.0, significant progress has been made in introducing information technology solutions for recording and documenting the damage in question. In addition to broader digital

[140] CMU Resolution No. 600 of 30 May 2023 on the administrative procedure for compensation for destroyed housing, as amended with effect from 12 March 2024.

[141] See Section 3.1.1 of this Report.

[142] CMU Resolution No. 1237 of 1 October 2025.

[143] Under the Register of Damage for Ukraine (RD4U), individuals are not eligible to submit claims under categories B2 and C2 (damage to, destruction or loss of objects or buildings of cultural value). They may instead pursue the general categories A.3 or A3.7 (Other Economic Loss).

[144] See the latest update provided by the relevant Ministry: https://mincult.gov.ua/news/rosiyany-poshkodyly-1913-pamyatok-культурної-spadshhyny-ta-2573-obyekty-kulturnoyi-infrastruktury/, accessed on 20 July 2026.

[145] For further details, see Section 6.1 of this Report.

repository and data-management arrangements, the pilot Register of the Museum Fund of Ukraine and the State Register of Immovable Monuments are intended to support valuation, damage identification and other procedural purposes.

These welcome developments confirm the continued relevance of the recommendations made in Report 1.0. The authorities are therefore encouraged to proceed with establishing fully fledged registers and further developing their data-storage, documentation (including evidentiary) and processing functionalities. At the same time, it would be appropriate to:

Recommendation 1. Extend and refine the framework for addressing damage to cultural heritage to account for its broader, non-pecuniary dimensions and associated benefits.

4 DOCUMENTING AND REGISTERS

4.1 Documenting Requirements and Evidentiary Standards

4.1.1 Administrative Procedures

The adoption of the Law of Ukraine "On Administrative Procedure" and relevant cross-cutting amendments introduced by Law No. 4017-IX of 10.10.2024 to the relevant legislative acts concerned with the reviewed individual compensatory and related mechanisms have significantly harmonised and advanced in this regard the legal framework and the procedures accordingly. As discussed,[146] they spelled out applicability of uniform principles and requirements with regard to the adoption, entry into force, appeal, execution, termination of administrative acts and other related procedures. At the same time, reportedly, some of the commissions and administrative bodies in charge have still to fully catch up with the reasoning (of their decisions), appropriate involvement of the person concerned in the decision making and other legal requirements.

The administrative procedures have been significantly streamlined by lifting unnecessary duplication, confirmation or simplification of the procedures and, very importantly, by introducing automated retrieval of data through enhanced interoperability of databases, other IT and in particular Diia-based, satellite images, digital other advanced documenting and verification tools. Some of them are being provided as electronic public services.[147] However, the health damage-related and some other mechanisms are considerably lagging behind in this regard.

There is a room for introduction of and further advancement of administrative and other non-judicial avenues for initial or parallel verification of specific legal facts and statuses, in particular, in case of loss of primary (birth, marriage, and other) certificates or difficulties with availability of services and archives remaining on ToT, with the Crimea-related situation being particularly complicated, including due to the inexistence of corresponding administrative-territorial structures operating within the system of the Ukrainian authorities. Further reasonable shifts of the responsibility for assembling additional documents, including by registrars or notaries (as applicable), and proceeding with ensued enquiries from the applicant over to the competent authorities await their more consistent implementation. The same applies to the administrative (hierarchical) appeals. Some of the mechanisms, e.g. for persons deprived of their liberty, do not provide for such appeals. Moreover, the judicial practice developed in this regard is limited to requesting the commissions to re-consider the appealed administrative acts thus leading to significant delays and questionable efficiency of the mechanisms in issue.

In addition to continuing the previously proposed endeavours as to enhancement of the administrative procedures by improving immediate, including video, photo, sample-based and other verifications, accessibility, efficiency of the procedures and individual mechanisms, would still mandate putting accents on:

[146] See Chapter 3 of the current Report above.

[147] *Ibid.* In particular, the most considerable eRecovery and IDPs-related mechanisms. In terms of balancing the availability/accessibility of electronic (online) instruments with regard to the actual situation in the frontline areas and ToT, see Section 4.2.1 of this Report below.

Recommendation 1. Advance the institutional and related, including human capacities of the commissions and administrative bodies in charge of the mechanisms so that they better comply with the enhanced legal requirements on administrative procedure.

Recommendation 2. Improve further the existing and expanding the range of individual compensatory mechanisms operating as electronic public services.

Recommendation 3. More consistent fine-tuning of the procedures towards reasonably proactive machinery for obtaining additional confirmations/certificates, verification of required conditions and criteria, bypassing initial and parallel judicial corroboration of facts, including by shifting of the responsibility on registrars or notaries (as applicable), as well as enhancement or introduction of effective administrative (hierarchical) appeals.

Recommendation 4. Adjust the existing procedures and mechanisms applicable in the Crimea-specific circumstances, including taking into account the lack of functioning legitimate administrative-territorial structures, as well as addressing hurdles caused by the exigencies of entire ToT, in particular those seized during the Russian invasion preceding February 2022.

4.1.2 Correlation with International Reparations' Procedures[148]

The general and common jus foundations, as well as complementarity, victims-centric and related principles requiring that they are provided with, to the extent possible, ready and necessary support and procedures for seeking redress for the harm suffered, dictate the importance of consistency and appropriate correlation between the domestic and international mechanisms.[149] Moreover, it is increasing in view of their further advancement and, in particular, due to the introduction of the Russian aggression-specific reparations instruments. With Report 1.0 being developed and presented respectively prior to and at the nascent stages of establishing the RD4U and contemplation of further procedures, it suggested some general and primarily bottom-up considerations of their correlation.[150]

Currently, the full-fledged operation, relevant Claim Forms and Rules being developed and adopted by the RD4U for the specific categories of claims/damage provide overall additional top-down guidance for the advancement of the domestic mechanisms and system of relief measures. Even with the disclaimer as to further specifics of (potential) reparations mechanisms, including the International Claims Commission for Ukraine,[151] it is and should continue to serve as a source of guidance. In addition to the indications as to the discussed facets of health impairments,

[148] Taking into account that Report 2.0 is developed with regard to the period, during which the RD4U has been operational, the specific introductory comments and general assumptions as to its correlation with the domestic compensatory and relief mechanisms, which proved to be very appropriate, it skips suggesting a corresponding separate extensive similar to Chapter 8 of Report 1.0. The relevant considerations have been incorporated in the current Section of Report 2.0 accordingly.

[149] "Riga Declaration" is worth invoking once again in this regard.

[150] For other general considerations as to the differences in legal bases and frameworks, procedures, relevant evidential and valuation approaches, scope of damage and loss, their temporal and other parameters, categories of claims, their structuring between the domestic compensatory and relief and international reparations mechanisms, see the relevant sections (Chapter 4) of Report 1.0.

[151] The disclaimer as to specifics of its reduced mandate and future impact of the RD4U (with no or very limited indications as to nuanced evidential, substantial compensatory and other parameters) on future reparations mechanism(s) or existing international avenues remains fully relevant.

environmental, cultural, and other damage and related measures,[152] the RD4U workings suggest their further development with regard to ill-treatment and other non-pecuniary damage,[153] and economic or other pecuniary loss.

At the same time, the domestic framework, in its turn, could suggest further indications with regard to fine-tuning the RD4U approaches and shaping further international mechanisms both substantially and procedurally, as it has been done with regard to the internal displacement, housing-related and other claims, as well as Diia-driven IT solutions. One of the openings, could concern the conditions of detention-related dimension of the ill-treatment or/and deprivation of liberty. The current setting of the RD4U forms and rules[154] actually skip specifying the damage, suffering caused by (inadequate) conditions of detention-related ill-treatment. The ample reports and already international findings, including the Strasbourg Court judgment, confirm the scale, considerable degree and intensity of suffering caused by highly inadequate conditions of detention.[155] The domestic framework could spell out and address this dimension, including in terms of valuation specifics, accordingly.

Moreover, notwithstanding the intensive outreach concerned with the RD4U (forthcoming International Claims Commission for Ukraine), in particular, online communication campaigns, provision of information and guiding materials, as well as the increased scope of legal support[156] and introducing relevant (Diia-driven) IT solution, there would be a need to maintain and advance them, including on a systemic basis by envisaging relevant interventions in policy steering instruments.[157]

The developments and outlined perspectives in terms of correlation with the international reparations' procedures firm up the initially suggested advice. It concerned:

- Streamlining the procedures, balancing the safeguards against the potential abuse with excessive burdens and complication;
- Minimising, to the extent possible, duplicative efforts and ensuring that victims have the necessary support and evidence to seek redress on all levels, including by reasonably fine-tuning evidential rules under the administrative procedures, as well as their digitalisation

[152] See relevant section of Chapter 3 of this Report above.

[153] See below.

[154] On claim categories A2.6 Deprivation of liberty and A2.5 Torture or Inhuman or Degrading Treatment or Punishment. While the former omits to spell out the (inappropriate) conditions of detention as one of grounds for seeking compensation and other reparations, the latter (according to the stipulations set out in its paras. 3.3-3.4 and further echoing provisions) limits them to only 'intentional' ill-treatment. For the nuances of the conditions of detentions-related deliberate and undeliberate (oblique) ill-treatment see *Ilaşcu and Others* v. *Moldova and Russia*, Strasbourg Court [GC] judgment of 8 July 2004, appl. no. 48787/99, paras. 434-454 (with further references); compare with *Muršić* v. *Croatia*, [GC] judgment of 20 October 2016, appl. no. 7334/13, paras. 96-151 (with further references)

[155] *Ukraine* v. *Russia* (re Crimea), [GC] judgment of 25 June 2024, appl. nos. 20958/14, 38334/18, paras. 829, 1208, 1230-1238 (with further references). Although it concerns the preceding period of the Russian intervention, it re-confirms the significance of the conditions of detention-related damage and relevant reparations. Notwithstanding the existing option of submitting the claims in issue under category A2.10 (Other violations of international human rights law, international humanitarian law or laws and customs of war), the outlined scale and significance, as well as particularities of the detention conditions-related suffering and its reparation mandate focusing on it accordingly.

[156] See section 6.4 of this Report above.

[157] For example, there are no relevant RD4U-related provisions in the newly adopted set of internal displacement policy instruments. See Section 3.2 of this Report above.

and automation, in terms of their sufficiency or approximation to the subsequent international reparations' procedures;

- Advanced anticipation of evidentiary standards and valuation methods, in particular, by drawing on the practice of other claims mechanisms, such as the UNCC, that dealt with similar, including mass claims processing;
- Co-ordination as to the protocols, language, structure, and technical parameters;
- Further facilitation of the development, collection and channelling the claims.

In addition, it could be suggested to reinforce both the top-down and bottom-up dimensions of the correlation with the international reparations' procedures and:

Recommendation 1. Capitalise on the advanced phase(s) of the RD4U operation and further progress with the shaping and establishment of the International Claims Commission, relevant top-down guidance, including with regard to the prioritisation, structuring of loss, specific damage to be addressed by, developing and adjusting the evidentiary standards and valuation methods and, accordingly, the relevant functionalities, configuring databases, IT solutions and entire ecosystem of the domestic compensatory and relief mechanisms.

Recommendation 2. Develop the domestic mechanisms and specific measures, their framework and provisions with the view of serving as background, guiding the international reparations procedures and mechanisms accordingly.

Recommendation 3. Continue and secure systemic, including by envisaging particular interventions in policy steering instruments, communication and information campaigns, general awareness raising and provision of tailored (guiding) information support to the (potential) claimants about the RD4U (forthcoming International Claims Commission for Ukraine), available avenues and requirements, procedures and relevant perspectives.

4.2 Registers and Databases

The IT infrastructure underpinning or immediately processing the compensation and other relief mechanism, as well as other databases and management tools concerned with the Russian aggression-related damage and victims have comprised a relevant tailored ecosystem. Due to the scope, variation of data and functionalities, institutional and administrative specifics of the processes, as well as technical and related resources invested and required for the development of an ecosystem of this scale, it could not be expected that the absolute targets as to its creation and advancement would be fully achieved within the period under consideration. Nevertheless, the Ukrainian authorities should be commended for progressing with its development and enhancement. The directions followed in this regard very much confirm the pertinence of the considerations and key further interventions in this area discussed in Report 1.0.

4.2.1 Multiplicity of Databases and Registers

There are several developments that could be highlighted for the purposes of systemic overview of the state of play as to the existing measures-specific databases and registers. They include, the gradual extension of the functionalities of the Register of Damaged and Destroyed Property; integration of the IDP's Housing Vouchers' mechanism in the existing 'eRecovery' machinery;

developing the Information and analytical system (register) of real estate objects for providing internally displaced persons with housing;[158] launch of the augmented Unified Information Platform on Persons Missing in Special Circumstances;[159] upgrade of the Unified Information and analytical System "Children".[160] The IDPs, some other payments and in-kind support (relief) measures-specific informative and processing directories of the Ministry of Social Policy, Family and Unity of Ukraine, as well as electronic services web portal of the Pension Fund have been also advanced[161].

At the same time, the health damage-related, besides the limited category of civilians covered by the Unified State Register of War Veterans,[162] and some other specific mechanisms remain undeveloped or just partially digitalised.

In terms of newly introduced specific databases it is the particular importance of the Register of information on deported children[163] and the state portal 'Children of War'[164] functioning as its public front-end requires specific emphasis in this regard.

At the same time, it is appropriate that the Ukrainian authorities take into account the difficulties and actual situation in the frontline areas and ToT with regard to availability of necessary conditions, not to mention communication infrastructure, for using online resources and IT solutions concerned. The recent amendments to the relevant package of Governmental regulations that have excluded the criteria of operation of information resources from the clause(s) defining the territories of hostilities or temporarily occupied by the Russian Federation, which required additional verification and led to inconsistent application of the mechanisms in issue.[165]

4.2.2 Consolidation of Registers

The mechanism(s), relevant registers and databases-specific developments have been profoundly reinforced by means of the advanced inter-operability and other consolidation functionalities of the wider Diia ecosystem, available including for the beneficiaries of several compensatory and relief measures concerned with the Russian aggression. In this status it secures data exchange between and facilitates interoperability of the basic (mechanisms-specific) registers with other databases and IT solutions and secures one-stop-shop approach in this regard. As discussed, the 'eRecovery' and some other mechanism-specific legal frameworks, procedures and sufficiently developed IT infrastructure have made it possible to upgrade their delivery to the level of (automatic) electronic public service.[166] Diia is accessible on its website and via relevant application. For the mechanisms and other measures not yet integrated into it, Diia serves as an overarching informative and

[158] See Sections 3.1, 3.1.1, 3.1.2 of this Report above.
[159] See Section 3.4 of this Report above.
[160] See Section 3.8 of this Report above.
[161] See Section 3.7 of this Report above.
[162] See Sections 3.5, 3.6-3.7 of this Report above.
[163] See Section 3.8.2 of this Report above.
[164] https://childrenofwar.gov.ua/, accessed on 25.02.2026.
[165] Introduced by CMU Resolution No. 635 of 20.05.2026.
[166] As governed by Law No. 1689-IX 'On the Specifics of Providing Public (Electronic Public) Services' of 15.07.2021 and related normative acts.

communication resource. Moreover, as discussed, Diia ecosystem have secured and serves the purpose of channelling the submission of claims submitted to the RD4U.[167]

In general terms, the rational balance between developing new (initially isolated/standalone) registers and their consolidation, coherent advancement of the IT ecosystem has been more consistently respected by the legislature and in the course of further regulatory interventions. The normative framework is being amended so to directly provide for itemised and business processes-specific provisions as to consolidation of the databases by streamlining relevant administrative and technical interaction in this respect.[168]

The welcome shift from an immediate proliferation of issue-specific registers towards the balanced consolidation of IT infrastructure has been once again reinforced by the significant legislative initiative concerned with the (draft) Law on the Register of Victims with Loss of Life and Health-related Impairments. It has importantly fine-tuned the scope of and systematised the non-pecuniary loss and indicatively changed its title to 'On Recording Information about Damage Caused to the Personal Non-Property Rights of Individuals as a Result of the Armed Aggression of the Russian Federation against Ukraine.'[169] In terms of IT solutions, its earlier versions discussed in Report 1.0, have been modified so to provide only for the Register of information on deported children. As to the rest, the adopted Law provides for an overall (conceptual) IT solution that is to comprise of a 'system for recording information on damage(s)'.[170] Further governmental regulations issued in this regard specify the Rules as to maintenance of the system, the duty of the owners and administrators of the state registers and databases to secure exchange (interoperability). Moreover, it recaps the three-fold function of the system as to processing data on affected persons (individual victims of infringement of non-property rights); relevant damage; and the support measures taken,

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[167] See Section 4.1.2 of this Report above.

[168] See, *inter alia*, CMU Resolution No. 1432 of 13.12.2024 'On the Procedure on providing compensation to internally displaced persons for damaged/destroyed real estate objects as a result of hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine.' Its (extensive) Para.3 is worth being quoted for exemplifying the regulatory approach (English text developed by means of Google-translate functionality).

"3.At the request of the Ministry of Development and Reform, the state enterprise "DIIA" as the administrator of the Register of Damaged and Destroyed Property generates, using the Register of Damaged and Destroyed Property, information on the list of compensation recipients for whom the authorized body has approved a decision to provide compensation, and transfers the list of compensation recipients to the state enterprise "Information and Computing Center of the Ministry of Social Policy of Ukraine" by the 20th of each month to the Ministry of Development and Reform.

The State Enterprise "Information and Computing Center of the Ministry of Social Policy of Ukraine" within two working days from the date of receipt of the list of compensation recipients from the Ministry of Development and Reform shall form a list of compensation recipients from among internally displaced persons using the Unified Information Database on Internally Displaced Persons and send it to the Pension Fund of Ukraine for the formation, through electronic information interaction with the Ministry of Justice, of information on the presence/absence of ownership rights to real estate objects of individuals in accordance with the list provided by the State Enterprise "Information and Computing Center of the Ministry of Social Policy of Ukraine".

In order to form information on the presence/absence of ownership rights to residential real estate objects of individuals specified in the list of compensation recipients from among internally displaced persons, the Pension Fund of Ukraine uses information from the State Register of Real Rights to Real Estate in the manner of electronic information interaction."

[169] Law No. 4071-IX of 20.11.2024. See also Sections 3.8.2 and 5.1 of this Report.

[170] It is to be automatically populated by obtaining the necessary information from the relevant state-owned communication and reference systems, registers, data banks and databases and individual victims' submissions via Diia and Social web portal of electronic services.

including accounting for the actual expenditures of the state, social insurance and local budgets.[171] An appropriate operational and technical implementation of the system is pending (and postponed) due to the complexity and scope of harmonization and technical issues and resources required.

Resolution of the Cabinet of Ministers of Ukraine No. 326 of 20.03.2022 'On Approval of the Procedure for Determining Damage and Loss Caused to Ukraine as a Result of the Armed Aggression of the Russian Federation' is an earlier and more comprehensive instrument that attempts to encompass and structure both the material loss and basic pecuniary parameters of non-pecuniary harm, related budgetary and other state expenses.[172] While it primarily sets out the basic valuation methodologies and logging processes thematically assigned to the relevant (lead) ministries and government institutions, it does not meaningfully provide for IT solutions to be used in this regard. As far as the Register of Damaged and Destroyed Property is concerned, according to the regulatory basis, it is to cover movable and immovable assets. However, actually and for good reasons, it operates only as an 'eRecovery' instrument and, therefore, applies to the housing objects only.[173]

Furthermore, IT-based systemic and comprehensive accumulation, logging and further management should concern the criminal law and criminal procedure-driven redress and remedies. Accordingly, the ecosystem in issue is to incorporate relevant solutions for already operational and progressing Mechanism of Support for Victims and Witnesses of War and Other International Crimes. There is an advanced Concept, Terms of Reference, and relevant Road Map for developing the Register of Victims of War and other International Crimes for underpinning the work of the PPO-integrated Coordination Center for the Support of Victims and Witnesses (CCSV) and its regional structures.[174] The existing primary legislation is awaiting some further detalisation in this regard.[175] The Register is supposed to serve the two-fold (intertwined) task of, firstly, generating and processing data, analytical and other derivative information on victims and damage remedied through criminal and criminal procedure law-based redress measures and, secondly, facilitating their tailored synchronisation and supplement by other domestic and international compensatory and relief mechanisms and reparations. The appropriate autonomy of the IT solutions to be used for these purposes are determined by the confidentiality of the criminal procedures and advanced personal data protection standards. Furthermore, the primary procedural prerogatives of the investigation and prosecution and corresponding functionalities of the e-case management

[171] CMU Resolution No. 450 of 15.04.2025 'Some issues of ensuring the functioning of the System for recording information on damage caused to the personal non-property rights of individuals as a result of the armed aggression of the Russian Federation against Ukraine'

[172] See also Chapter 5 of this Report below.

[173] CMU Resolution No. 624 of 13.08.2023. See also Section 3.1.1 above.

[174] Drafted with the support of the Council of Europe Project "Fostering Human Rights in the Criminal Justice System in Ukraine – Phase II". Further implementation of the initiative is pending due to the lack of required financial resources.

[175] Law No. 4071-IX of 20.11.2024 (in Part 4 of its Article 11), as well as CMU Resolution No. 450 of 15.04.2025, just refer to a general interoperability between the system for recording information on damage(s) and PPO IT infrastructure. CPC (in Article 106[1]) provides for the use the information and communication system of the pre-trial investigation.

system,[176] the Register is to be designed and operate as its adjacent, fully synchronised, interoperable sub-system.

Notwithstanding the significant progress with advancing the specific IT solutions and, in particular, consolidation of their infrastructure into a relevant tailored ecosystem, the remaining and newly emerging challenges require that in addition to sticking to the relevant general (strategic) directions discussed in Report 1.0,[177] further endeavours in this regard are accentuated on:

Recommendation 1. Further enhancement of the regulatory framework so that it specifies algorithms, business-processes of administrative and technical interaction (interoperability) of the data management systems, including for improving their automated pro-active operation for the purposes of streamlining the procedures envisaged under the framework of compensatory and other relief measures.

Recommendation 2. Technical, institutional and methodological development of a consolidated, comprehensive, well-structured and consistent information and data management solution, (inbuilt in the architecture of the consolidated IT ecosystem) for accumulating and processing data on the entire range of the aggression-related damage(s), loss, and actual expenditures, including with regard to the pecuniary and non-pecuniary damage and relevant monetary parameters.

Recommendation 3. The development and launch of the Register of Victims of War and other International Crimes required for underpinning the PPO-integrated Coordination Center for the Support of Victims and Witnesses and its regional structures and the relevant criminal and criminal procedure-driven Victims Support Mechanism.[178]

[176] More advanced e-CMS (electronic case management system) that is supposed to replace the outdated Unified Register of Pre-trial Investigations-based IT infrastructure is currently developed with the support of international partners (EU).

[177] Relevant attention also is to be paid to the particular considerations dealt with in Report 1.0., including as to tailored support of the territorial and ethnic communities (national minorities) with less access to digital tools and enabling them to make applications.

[178] For further itemised recommendations see Section 6.2.2 of this Report below.

5 VALUATION METHODOLOGIES

5.1 Cross-cutting Considerations

The principal nature of the cross-cutting valuation and related key issues elaborated on in view of the nascent stages of development of the Russian aggression-specific domestic and international redress mechanisms make them pertinent for the further advancement purposes.[179] Moreover, their relevance, including in terms of mutual coherence, bottom-up and top-down correlation, is reinforced by the magnitude of outstanding valuation endeavours still to be undertaken on the domestic level.

While the actual launch of the International Claims Commission for Ukraine is pending and in addition to the valuation approaches applied by other international judicial and specialised reparations mechanism,[180] there are important structuring indications already suggested by the RD4U. As expected, in view of its limited mandate, the RD4U indeed does not develop any valuation methodologies. However, besides the breakdown into the claimant-specific general baskets (submitted by individuals, on behalf of the State of Ukraine, and other legal entities), each of the claim forms and relevant rules developed for the thematic categories of damage should be considered as a source of guidance in this regard. In conceptual terms, it is to be noted that for the structuring purposes the RD4U maintains a distinction between the core specific damage and immediately intertwined expenses,[181] nuanced violations of the international human rights law, international humanitarian law or laws and customs of war and pecuniary (economic) loss. Moreover, there are indications as to the (damage) claims-specific structure, which are significant for the valuation purposes.[182] At the same time, as suggested in Report 1.0, the 'damage valuation does not necessarily need to be identical. The criteria and methodologies for damage valuation in Ukrainian programmes should be clear, transparent, and consistently applied'. These considerations suggested that the synchronisation of the international and domestic frameworks, in particular, development and review (advancement) of the valuation methodologies, should not disregard the reasonable, justified divergences attributable to the differences in terms of the specifics of their legal framework, temporal and other parameters. Moreover, the domestic mechanisms still could use their 'bottom-up influencing' potential for further advancement and fine-tuning of the international mechanism(s).[183]

These considerations are particularly relevant for Resolution of the Cabinet of Ministers of Ukraine No. 326 of 20.03.2022 'On Approval of the Procedure for Determining Damage and Loss Caused to Ukraine as a Result of the Armed Aggression of the Russian Federation'.[184] It is an immediate

[179] See the corresponding Chapter of Report 1.0 and Chapter 4 of this Report below.

[180] *Ibid.*

[181] E.g. for the category of claims A2.6 Deprivation of liberty it differentiates between the deprivation of liberty, related injury, which could be submitted under relevant thematic category, and pecuniary consequences of deprivation of liberty such as loss of income or gainful employment, as well as the other nuanced violations of the international human rights law, international humanitarian law or laws and customs of war.

[182] E.g. the category of claims A2.3 Serious personal injury involves dismemberment; permanent or temporary significant disfigurement, resulting in a substantial change in one's outward appearance; permanent or temporary significant loss of use or limitation of use of a body organ, limb, function or system; involuntary termination of pregnancy; other injury likely to significantly impact the quality of life of the injured person.

[183] See Section 4.1.2 of this Report above.

[184] See also Chapter 4 of this Report above.

instrument that primarily sets out the basic valuation methodologies and logging processes, as well as thematically assigns and delegates their further itemisation to the relevant (lead) ministries and government institutions. It outlines the 22 clusters with the human loss (comprising death or injury of civilians) and related social costs, military loss (in terms of human loss) just vaguely referring to the non-pecuniary dimension of the damage and their remaining range starting from indirect economic loss associated with population decline and the corresponding decline in the country's economic performance up to the damage caused to farms encompassing and structuring primarily pecuniary parameters of the damage, related budgetary and other state expenses.

As far as another set of cross-cutting conceptual considerations that concern valuation of moral, non-pecuniary damage and, in particular, mental suffering, it is the recent adoption of Law No. 4071-IX of 20.11.2024 and relevant Resolution of the Cabinet of Ministers of Ukraine No. 450 of 15.04.2025 that have scoped damage caused to the personal non-property rights of individuals by the Russian aggression. They have advanced and structured their scope accordingly. They provide for 15 specified types and an open-ended provision on non-pecuniary damage and corresponding victims that largely mirrors the international, in particular, the European Convention on Human Rights' and Strasbourg Court's case-law approach. While it differs from their basic categorisation under the CPC,[185] it is to be noted that does not automatically mirror the RD4U claims structure. While this discrepancy could be remedied by offering an explanatory chart or directory, more importantly, the set of items (parameters) to be specified and logged in the system[186] omits to suggest criteria for valuation of mental suffering (psychological trauma), which is essential for the redress and entire reparations in case of non-pecuniary damage. The suggested overall description of the circumstances in which these damage were inflicted, their types (injury etc.) and primarily expenses-related items concerned with them is devoid of any indications in this regard. The Regulations do not envisage further advancement of the methodologies in this regard either. As discussed in Report 1.0, including with the extensive overview of the practice of international reparations and Strasbourg Court case-law, and once again exemplified in the preceding sections of this Report,[187] an appropriate valuation of non-pecuniary damage should include tangible dimensions, indicators of (mental) suffering and relevant estimation of compensation (just satisfaction) due.

The outstanding tasks concerned with advancement of valuation of damage attributable to the Russian aggression would require more profound advancement of the relevant methodologies, including the highlighted in Report 1.0 specifics of psychological damage and trauma. For these purposes, it would be advisable to:

Recommendation 1. Proceed with further advancement of the valuation scheme and methodologies with the aim of developing a comprehensive, coherent overarching well-structured instrument reconciling the pecuniary and non-pecuniary dimensions of the damage attributable to the Russian aggression followed by the adjustment of the regulatory basis, institutional arrangements and IT infrastructure.

[185] CPC and the similar legislative acts in general terms break them into physical, moral, material damage.

[186] Spelled out in the List of information that is entered into the System for Recording Information on Damage Caused to Personal Non-Property Rights of Individuals as a Result of Armed Aggression of the Russian Federation against Ukraine by Means of Electronic Information Interaction of the Unified Information System of the Social Sphere approved by CMU Resolution No. 450.

[187] See, for example, the discussion as to conditions of deprivation of liberty and ill-treatment in sections 3.3., 4.1.2 of this Report above.

Recommendation 2. Enhance and itemise the methodologies as to valuation of non-pecuniary damage so to include tangible dimensions, indicators of (mental) suffering and relevant estimation of compensation due, including by taking into account the well-established Strasbourg Court case-law and parameters as to calculation and estimation of just satisfaction in this regard.

Recommendation 3. Capitalise on the top-down (structuring and related) indications suggested by advanced phase(s) of the RD4U operation and, as part of the enhancement of the valuation of damage, carry out a targeted compatibility exercise with specific emphasis on structuring of loss, specific damage, developing and adjusting relevant methodologies, charts and other materials.[188]

5.2 Country-wide Damage and Loss

The country-wide damage and loss relate to primarily to the specifics of their environmental and cultural clusters. The economic infrastructure, relevant objects, other facilities and property are subject to more straightforward structuring[189] and financially quantifiable valuation, accordingly.

5.2.1 Valuation of Environmental Damage

The findings as to the room for further improvement of verification and, including "EcoZagroza"-driven, monitoring of the environmental damage caused by the Russian aggression, and (domestic) mechanisms are relevant for the system of their valuation methodologies. Although the line ministries and specialised agencies[190] were among the first to proceed with the implementation of the overarching Resolution of the Cabinet of Ministers of Ukraine No. 326 of 20.03.2022 and, in principle, specified them on the basis of the existing framework with regard to the atmospheric air, nature reserve and forests, land and soil, water and other natural resources by issuing relevant orders, all of them remain substantially unchanged. As a result, the key regulatory and methodological instruments in force continue to apply the formula(s) comprising taxes, fines, flat (punitive) coefficients-related summands, which have highly questionable relevance for international reparations mechanisms.[191]

The adjustment and advancement of the valuation methodologies of aggression-related environmental damage would be a part of the process of aligning with EU environmental and climate acquis. The Ukraine's accession-related requirements specifically defined in the field of environment and climate change are relevant in this regard, in particular, in terms of liability principles, monitoring, impact assessment considerations and institutional, technical capacities of the governmental structures in charge.[192]

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[188] For the required linkages with criminal justice framework and remedies see Section 6.2.2 of this Report below.

[189] See, *inter alia*, Order of the Ministry of Economy and State Property Fund, No. 3904/1223 of 18.10.2022 'On approval of the Methodology for determining the damage and extent of loss caused to enterprises, institutions and organizations of all forms of ownership as a result of the destruction and damage to their property in connection with the armed aggression of the Russian Federation, as well as lost profits from the impossibility or obstacles in conducting economic activities'. See also, in terms of international framework, the RD4U Claim form and Rules, Claims categories B1.1, B1.2, C1.1, C1.2, B1.3, C1.3, B1.4, C1.4, B1.5, B1.6, and B.5.

[190] Of Environmental Protection and Natural Resources of Ukraine at that time. See Section 3.8 of this Report above.

[191] See the corresponding Section of Report 1.0.

[192] See European Commission, 'Ukraine 2025 Report' SWD(2025) 759 final (4 November 2025), p.p. 91-93.

With the internationally supported research and guidance provided as to the environmental clusters-specific monitoring and valuation methodologies,[193] and further reinforcement of the international law framework, including with regard to the full reparation obligation, involving compensations for financially quantifiable loss and related specifics of evidential and other substantiation requirements,[194] all the recommendations suggested in Report 1.0 have retained their validity. Moreover, the RD4U framing of the structure of the environmental damage is of relevance in this respect. According to the RD4U they comprise impairment of the environment, including non-commercial environmental goods and services or loss of intrinsic ecological value, and reasonable and proportionate measures to prevent and abate, monitor and assess the damage; clean, restore and reinstate the environment.[195]

Therefore, the earlier advice as to:

- reviewing the valuation methodologies of the environmental impairments in terms of taxes and coefficients;
- addressing technological and other requirements, including elements related to the costs of reasonable monitoring and assessment, correlating with public health and medical screening, increased health risks resulting from environmental damage;
- prioritising the gradual introduction of further relevant assistance measures, and mechanisms for alleviating the environmental damage-related suffering of individuals concerned, including in line with the internationally tested methodologies and, possibly, by proceeding with cluster, incidents, harm-specific measures;
- accounting for the actual costs of environmental abatement and other interventions necessary for cleaning and restoring the environment;

is to be supplemented by the further accents on:

Recommendation 1. Integrate with and prioritise the enhancement of the methodologies of valuation of environmental damage caused by the Russian aggression within the Ukraine's accession-related process of aligning with EU environmental and climate acquis, in particular, in terms of liability principles, monitoring, impact assessment considerations and institutional, technical capacities of the governmental structures.

5.2.2 Cultural Values

The prioritised protection, logging of cultural heritage objects, movable works, other items, as well as relevant infrastructure, its repair, and advancement await corresponding advancement of the valuation methodologies. In addition to the undertaken and planned cataloguing, digitalisation and

[193] Among the most recent see the Report Climate Damage Caused by Russia's War in Ukraine, Initiative on Greenhouse Gas Accounting for War, October 2025.

[194] See ICJ, Climate Change Advisory Opinion, 23 July 2025, paras. 452-454.

[195] See the RD4U Claim form and Rules, Claims category B3.1 – Environmental damage. The group of state claims include the related pillaging and/or appropriation of natural resources (Claims category B 3.2), which are more of straightforwardly pecuniary nature.

other measures,[196] there is an acknowledged need for enhancing the assessment of the loss beyond their straightforward infrastructure, property and repairs costs-based valuations.[197]

They are expected to properly assess composite, including complex physical damage, non-tangible and non-pecuniary loss in this specific sphere that are attributable to the Russian aggression.[198] The methodologies in force just in general terms outline the structure, particularities of cultural heritage-specific damage. Besides the basic categorisation of the cultural and heritage objects, archaeological and related sites, specifying their affiliation with the museum fund, archives and other state institutions, the overarching valuation scheme does include an entry concerned with 'the lack of access of citizens of the state to the cultural heritage and cultural values of Ukraine'[199] and suggests that the specifics of valuation of the cultural heritage sites involve the costs of their restoration.[200] The cultural values-specific considerations are furthered in the overarching 'Methods for determining the damage and extent of loss caused to enterprises, institutions and organisations of all forms of ownership as a result of the destruction and damage to their property in connection with the armed aggression of the Russian Federation, as well as lost profits from the impossibility or obstacles in conducting economic activities'.[201] However, the particularities of the calculation of damage caused by the cultural heritage values (material and spiritual objects, items, property) suggested in these methods, including their split into the values presented on the domestic and (or) foreign markets (with the comparative cost estimation for the former) and just others, conduct of the relevant expertise, taking into account the insurance-pertinent assessments, require further itemisation and enhancement of the techniques. This would be particularly required for the very non-tangible and non-pecuniary damage caused to specific cultural values and items. It is indicative that the Methods provide for a list of itemised coefficients of the value of immovable cultural heritage objects for calculating the monetary parameters of actual loss that are determined by their formal oldness and location within or outside settlements and some other, however, still very flat and arbitrary multipliers.

As highlighted in Report 1.0, the composite advanced valuation of the cultural loss has good perspectives for international claims, including in terms of seeking relevant compensation(s). Moreover, the RD4U framework has suggested good additional guidance as to the structuring of the damage in issue. The non-exhaustive outline of the notion of 'objects or buildings of cultural value' embraces movable and immovable objects having artistic, historic, religious, ethnographic, or scientific importance. It indicatively offers further specific itemisation involving references to

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[196] See, section 3.11 of this Report above. See also, *inter alia*, draft Law (No. 14391) On Amendments to Certain Legislative Acts of Ukraine on Improving State Administration Procedures in the Field of Culture and Cultural Heritage providing for depositories of museum objects and other measures.

[197] Reportedly there are further draft methodologies being developed by the authorities that are undergoing coordination and internal discussion procedures. As to the international expertise and targeted support, see, *inter alia*, European Commission, Directorate-General for Education, Youth, Sport and Culture, *Recommendations from the European Commission-led expert group on the safeguarding of cultural heritage in Ukraine*, Publications Office of the European Union, 2024, https://data.europa.eu/doi/10.2766/505423.

[198] For the differentiation between tangible and non-tangible cultural objects (values) see also the Council of Europe Convention on Offences relating to Cultural Property and further international instruments invoked.

[199] See s/para. 17 of Para 2 of CMU Resolution No. 326 of 20.03.2022. In addition to the considerations offered in Section 5.1 of this Report above, is to be highlighted that it is the only direct mention of non-pecuniary damage ('moral' in the prevailing legal classification applied in Ukraine) in this document.

[200] For other kinds of destroyed property it involves determining the market value or the cost of replacing such property with a modern equivalent.

[201] Approved by Order of the Ministry of Economy and State Property Fund of Ukraine No. 3904/1223 of 18.10.2022.

intangible objects of cultural heritage and other various particularities and dimensions of the values in issue. At the same time, in view of its mandate, the RD4U has rightly refrained from spelling out the assessment techniques and further, including monetisation parameters.[202] The advancement of methodologies in this regard would be necessary for the bottom-up approach to shaping the practice of forthcoming international reparations.

As a result, it could be suggested that there is a good progress within the first slot of the proposed two-fold course of action as to the advancement of the valuation of the cultural damage concerned with the identification and logging of the cultural objects and objects of cultural heritage damaged or destroyed through the Russian aggression.[203] At the same time, the second direction and relevant recommendation(s) made in Report 1.0, remains highly topical and is worth advancing for these purposes:

Recommendation 1. Prioritise developing and adopting with the assistance and on the basis of relevant (including international) expertise and practice the special methodologies appropriate for the assessment of the entire range of cultural damage and determination of the types and amounts of reparations, including with regard to non-tangible values and non-pecuniary damage accordingly.

5.2.3 Reimbursement Claim(s) by the State of Ukraine

The CMU Resolution No. 326 of 20.03.2022, establishing the relevant valuation framework, and CMU Resolution No. 365 of 29.03 2024 form the regulatory and primarily Diia -driven domestic administrative procedures for submitting of all, including the state claims, to the RD4U.[204] By mirroring, in principle, their structure and the basic rules set out by the RD4U, these regulations, in particular CMU Resolution No. 365, serve the purpose of adapting the domestic arrangements and capitalising on the joint Diia-based IT infrastructure accordingly. It is welcome that the Procedures are being amended in line with the advancement of the RD4U framework, categories of claims, including anticipating their formal introduction by the latter.[205]

Although the valuation and, not less importantly, evidential considerations are more relevant for later stages of international procedures (beyond submission of claims to the RD4U), already at this stage there are some concerns as to preparatory work in this regard. It is to be noted that, after the exclusion from CMU Resolution No. 326[206] of the provisions as to proposals on claim categories and related issues presented to the RD4U, the domestic valuation system is devoid of any

[202] See the RD4U Claim Form and Rules, Claims categories B2 and C2, Damage, destruction, or loss of objects or buildings of cultural value. In addition to the straightforward costs of repair and related expenses, para. 4.5 and Section VIII Amount of the Claim of the Form just refer to the unpacked term 'value' and request to specify the methodologies used.

[203] This includes the advanced coordination and cooperation within the domestic and international law-enforcement and criminal law (procedures) reparation streams, which recently have comprised the introduction of the dedicated to prosecuting the systematic destruction and looting of Ukrainian cultural heritage and wider genocide-related criminal proceedings.

[204]"On approval of the Procedure for submitting applications for compensation for damage, loss, and injury caused by the aggression of the Russian Federation against Ukraine to the Register of loss caused by the aggression of the Russian Federation against Ukraine, through the means of the Unified State Web Portal of Electronic Services". The Resolution has approved separate Rules for individual, as well as state and legal entities' claims.

[205] For example, the amendments introduced to CMU Resolution No. 365 on 27.05.2026 by its Resolution № 670 itemize (single out), as far as the state claims are concerned, the categories related to cultural objects, environmental damage, humanitarian support of the affected population etc.

[206] Introduced by CMU Resolution No. 1256 of 01.12.2023 and recalled CMU Resolution No. 142 of 05.02.2026.

structuring and further synchronisation with the Ukraine and the aggression context-specific indications suggested by this international mechanism.

The fundamental formulas, breakdown and overall data are useful for basic valuation(s), aggregation, inclusive analysis, policy development and management of the machinery in issue. At the same time, for the purposes of the domestic and international legal remedies they should be furthered in terms of more itemised structuring and valuation, as well as their appropriate, including evidential substantiation. B1.1-1.5 categories of claims are comparatively straightforward in terms of structuring the objects, items and summands concerned. At the same time, the provisions as to open-ended categories, for example, B 1.6 Other loss of property and B.4 Humanitarian public expenditures, not to mention categories related to cultural, environmental damage, require itemisation and further specific guidance. They equally are to mature for the particularities of the categories concerned with infringement of non-pecuniary rights and relevant loss. This mandates necessary fine-tuning and furthering of the domestic preparatory work, including in terms of its systemic coordination, securing legal and methodological consistency.[207]

The claims-processing solution, entire IT ecosystem and infrastructure underpinning or immediately processing the compensation and other relief mechanism, as well as other registers and management tools concerned with the Russian aggression-related damage already process and provide ample data. However, the disintegrated (institution and damage-specific) claims processing approach still requires accumulation of a wide range of data on entire actual expenses and proven damage so to embrace at least their most considerable and important segments. This would be crucial for reconciling, balancing with or upgrading it to the internationally accepted combined nation-wide, group or cluster claims.

The earlier advice as to clarity, transparency, appropriateness of the valuation methodologies and consistency with the damage and loss; bottom-up channelling and drawing on international standards, including the case-law of the European Court and reparations practices; specifics of quantification of "moral damage" are to be further streamlined by the emphasis on:

Recommendation 1. Enhance systemic coordination, legal and methodological consistency of the domestic system of development and submission of the state claims in line with the progress of the RD4U framework and forthcoming International Claims Commission. This is to be supplemented by proceeding with the state claims at further stages of their consideration.

Recommendation 2. Advance the (Diia-based) IT solution for processing of the state (and other) claims including with regard to their evidential considerations-based structuring, valuation and substantiation, formation in line with the legal, formatting and procedural requirements of the RD4U and further international mechanisms in issue. Complementing it with development of the functionalities for consolidation of individual and other itemised data on actual expenses and damage attributable to the Russian aggression[208] and proceeding with combined nation-wide, group or cluster claims.

[207]The tasks of the Working Group on the Development and Implementation of International Legal Mechanisms for Compensation for Damage Caused to Ukraine as a Result of the Armed Aggression of the Russian Federation established by the Decree of the President of Ukraine No. 346/2022 of 18.05.2022 do not involve the specifics required.

[208] As elaborated on in Recommendation 2 under Section 4.2.2 of this Report.

6 REMEDIES AND REPARATION IN CRIMINAL AND CIVIL LAW CONTEXTS

The criminal law and relevant remedies serving the purposes of effective investigation of international and related atrocities, war, conflict-related crimes, including those encompassing serious human rights violations, as well as discharging ensued procedural positive obligations have matured. The advancements also concerned the victims support measures and civil (administrative) justice chain measures providing or contributing to further relevant reparation(s).

6.1 Criminal Law and Procedural Framework

6.1.1 Effective Investigation and prosecution of Atrocity/War/Conflict-related Crimes

The welcome tailored amendments of the Criminal Code have comprised the codification of the Crimes against Humanity. The introduction of the dedicated article (442[1]) and, accordingly, *corpus delicti*, streamlined the Rome Statute compatible classification in law of murder, extermination, enslavement, deportation, torture, sexual violence and some other criminal acts when committed as part of a widespread or systematic attack directed against any civilian population. The amendments have also enhanced compliance of the domestic framework with the international criminal law as to the command responsibility (already in force against the Russian hierarchy), territorial application, statute of limitations and some other provisions.

Besides the criminal liability and corresponding remedies, these amendments are also important for substantiation, linking the damage with the conflict-related crimes and circumstances envisaged by the individual compensation and relief mechanisms. As a minimum, the eligibility requirements under the missing persons-specific and some other individual domestic mechanisms require an extract from the Unified Register of Pre-trial Investigations (URPI) or evidence and verification of the causal link(s) with the damage resulting from the Russian aggression.[209] At the same time, it is to be noted that the RD4U framework (in general terms, due to its limited mandate), corresponding international mechanisms their jurisdictional and related stipulations, link the damage with the internationally wrongful acts in or against Ukraine, compliance with the territorial and other eligibility criteria. These requirements and related practice of similar or other international, in particular, judicial mechanisms demand at least some substantiating evidence in this regard. These considerations necessitate more rigorous review of the sufficiency of the criminal procedure-based certificates (extracts from UPRI) for international reparations procedures.

The legislative developments, in particular the fine tuning of the elements of international and other conflict-related crimes have not yet been followed by the proposed more advanced delineation of the category of the Russian aggression-related crimes. Currently, many of the damage and criminal episodes, individual victims are bundled and processed within proceedings and cases initiated and prosecuted based on the classification in law according to *corpus delicti*[210] that do not necessarily

[209] See Chapter 3 of this Report above.

[210] E.g. articles 110-111, 113 of the Criminal Code providing for the criminal responsibility for infringement of territorial integrity; treason, collaborating with and aiding an aggressor state and some other crimes against national security and so on.

comprise the internationally wrongful acts. The latter, as discussed, is not necessarily required by the domestic compensatory and relief mechanism and is subject to the discretion of the domestic authorities. However, it is not the case with the RD4U, and International Claims Commission for Ukraine, which have a tailored (limited to internationally wrongful acts) jurisdiction in this regard. Moreover, there is a number of 'general' pre-trial criminal proceedings, including so-called 'key cases' on the Russian aggression, deportation of children that cover many of damage and victims.

The issue can be once again exemplified by the cumulative statistics, as well as respective public, international communication instruments published and referred to by the PPO and other Ukrainian authorities. According to the data mirroring the structure of crimes still regarded as related to the (full-fledged) aggression of the Russian Federation[211], there were 220,086 crimes (criminal proceedings) registered under this group. They comprise 214503 war crimes, 117 crimes of aggression, 94 propaganda of war, (already) 6 crimes against humanity and 5366 others. In addition, according to the same data, the scope of the crimes in issue concern Articles 110-111, 113 of the Criminal Code providing for the criminal responsibility for infringement of territorial integrity; treason, collaborating with and aiding an aggressor state and some other crimes against national security. There were 24,630 proceedings/crimes registered under this group accordingly. The procedurally verified and confirmed damage and victims-specific data, at the same time, are more important for the individual remedies,[212] as well as macro-management, planning of the discharge of the investigative and procedural obligations concerned with the Russian aggression.

Further criminal law and procedure-driven response to the Russian aggression included legislative and institutional developments have streamlined the procedural leadership and immediate investigative functions of the Public Prosecutors Office, reinforced its tailored War Crimes Department, relevant subdivisions in the front-line and adjacent regional PPOs. Besides building their human, specific professional and institutional capacities, it is welcome that the recent managerial level adjustments balance the excessive fragmentation of proceedings handled by specialised environmental PPOs. Further thematic specialisation includes CRSV, crimes against cultural heritage and other elements of relevant crimes and damage. The necessary engagement of juvenile prosecutors is ensured by means of cross-cutting regulations.[213] At the same time, the expanding set of methodological instruments, standard operating procedures providing uniform guidance and capacity building with regard to investigation and prosecution of the conflict-related crimes would benefit from further elaboration and provision specific guidance as to procedural corroboration of crime-specific parameters, circumstances of damage and other harm concerned.[214]

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[211] https://www.gp.gov.ua, accessed on 09.03.2026.

[212] In terms of housing infrastructure, human impact, as of December 2025, about 14 percent of the national housing stock is estimated to be damaged or destroyed, and more than 3 million households affected, verified civilian casualties exceed 15,000 killed and more than 40,600 injured, though actual figures are likely higher given reporting challenge; an estimated 6 million Ukrainians remained refugees globally, while around 4.7 million people were internally displaced etc. For other relevant data see Rapid Damage and Needs Assessment (RDNA5), World Bank, February 2026 (with further references).

[213] See Prosecutor General's Order No. 309 of 30.09. 2021 (as amended) 'On the organisation of the prosecutor's activities in criminal proceedings.

[214] The recent developments in this regard include drafting of the Instruction on the organization of pre-trial investigation in criminal proceedings on crimes of sexual violence related to the armed aggression of the Russian Federation against Ukraine.

The investigation and prosecution of these crimes are being improved through further digitalisation of procedures for collecting, organising and analysing evidence, including measures to ensure proper chain of custody, tamper-proof metadata and compliance with other technical and procedural standards. The challenges arising from the scale and specific nature of combat operations, including the use of various weapons for aerial strikes, are being addressed through satellite and other modern monitoring data, including military data, relevant investigative technologies, and the involvement of specialists and experts. The in-house solutions developed for interdepartmental cooperation and interoperability of IT infrastructure have involved their extension over the factual consequences and damage inflicted by the particular military impacts.

In addition to the procedural leadership, the PPO, Prosecutor General and his office through the coordination instruments[215] lead the consolidated and jurisdiction-specific endeavours of the Ministry of Internal Affairs, National Police, State Security Service, State Bureau of Investigations and other investigative or operative and support structures. The preceding amendments to the CPC have secured appropriate procedural interaction with the ICC (office of its Prosecutor), including in terms of its direct presence and immediate operation in Ukraine. In addition, the horizontal and multi-party co-operation with state jurisdictions is expanded both in the bi- and multi-lateral formats, Joint Investigative Team(s) and International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA).[216]

These and other developments, capacity building, guidance as to investigation of war crimes, some of their specific kinds, other interventions were envisaged by the Strategic Plan on the Implementation of Powers of the Office of the Prosecutor General in the Area of Prosecution for International Crimes for 2023-2025 and new one for 2026 - 2028.[217] Although there is an overall Strategy for the Development of the Prosecution Service of Ukraine for 2025–2028[218] and corresponding action plan suggesting relevant key provisions a further specific policy instrument is required in view of the complexity of the criminal justice chain-related reparation(s) streams, relevant tasks and framework in general.[219]

The challenges identified in carrying out investigations, prosecutions and related redress measures confirm the need to further clarify the categories of crimes related to Russian aggression and develop standard operating procedures. These should provide consistent guidance on investigating and documenting damage and other harm, as well as on collecting and organising individual and consolidated data on the various costs of investigations and subsequent criminal proceedings. In addition, they would benefit from particular attention being paid to:

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[215] See https://gp.gov.ua/ua/posts/zasidannya-koordinaciinogo-stabu-z-pitan-vzajemodiyi-pravooxoronnix-i-derzavnix-organiv-u-dokumentuvanni-ta-rozsliduvanni-miznarodnix-zlociniv , accessed on 11.03.2026.

[216] See https://www.eurojust.europa.eu/news/four-years-full-scale-invasion-continuing-road-accountability-ukraine, accessed on 11.03.2026.

[217] Developed with the support of the Council of Europe Project "Fostering Human Rights in the Criminal Justice System in Ukraine": https://www.coe.int/en/web/kyiv/-/prosecutor-general-approved-strategic-plan-on-the-implementation-of-powers-of-the-office-of-the-prosecutor-general-in-the-area-of-prosecution-for-international-crimes-for-2023-2025.

[218] Approved by Prosecutor General's Order N322 of 08.10.2025.

[219] The draft policy instrument concerned with the international crimes for the subsequent period is being developed with the support of the Council of Europe ("Fostering Human Rights in the Criminal Justice System in Ukraine – Phase II").

Recommendation 1. Rigorous review of the appropriateness and sufficiency of the criminal procedure-based certificates (extracts from UPRI) and other verification documents for the eligibility and substantiation of individual and state claims for the purposes of international reparations procedures. This should comprise relevant classification in (domestic and /or international) law and some factual attribution of the damage to the specific internationally wrongful act(s) as envisaged by the RD4U and International Claims Commission for Ukraine.

Recommendation 2: Accelerate adoption of further specific policy instrument as to investigation, prosecution for International Crimes with relevant prioritisation, resource and time-bound dimensions being specified and its expansion over the system or linkage with policy initiatives of other agencies and institutions contributing to the discharge criminal justice-related obligations concerned with the Russian aggression.

6.2 Criminal Procedures-driven and Other Relevant Assistance for Victims

6.2.1 Victims' Rights and Status under Criminal Procedure

The procedural norms concerning the victims' status and scope of their procedural prerogatives, including of those, who suffered from the crimes committed in the context of the Russian aggression and attributable to relevant perpetrators, remained basically unchanged. There was one targeted amendment introducing the martial law-specific norm for addressing the difficulties of the next of kin of persons missing in the special circumstances. For facilitating their procedural involvement and communicating with the investigator(s), Article 615 of the CPC has specifically envisaged a possibility for adjustment upon their motion of the territorial investigative jurisdiction of relevant criminal proceedings.[220] This martial law-specific possibility (subject to balanced discretion of the investigative agency/prosecution) could be extended over other crimes and procedures concerned with the loss of life or grave health impairments.

The procedures on interaction with ICC have also incorporated some norms concerning the victims. They are the general stipulations as to applicability of the domestic legislation of Ukraine in case of questioning of victims, use of measures to ensure their and family members safety (Articles 627, 621, 618 of the CPC). In addition, they are complemented by the General Prosecutor's prerogative to submit observations to the ICC regarding the assessment of damage or material, physical or other harm caused to the victim(s), as well as the types or forms of compensation (Article 618 of the CPC). While the corresponding right of the victim is secured by the Rome Statute (Article 75) and the Rules of Procedure and Evidence (Rule 94), it would be still appropriate to envisage on the domestic level that the victims concerned are to be consulted by the PPO for these purposes.

As it was the case at the preceding periods, the domestic criminal law and procedure-based redress even leading to conviction of the perpetrators comprise satisfaction and other non-pecuniary aspects. The civil claims or other forms of pecuniary sanctions against convicted individual

[220] See also Section 3.4 of this Report above.

perpetrators of the crimes concerned have limited potential for actual reparation.[221] In addition, most trials are conducted *in absentia*.

Besides the still valid general considerations already suggested in Report 1.0, it would be appropriate to consider:

Recommendation 1. Extend the right currently available under martial law for victims to request a change in the location of pre-trial proceedings to other cases involving loss of life, serious injury or other harm, where victims face difficulties exercising their procedural rights, while taking into account the legitimate needs of the investigation and the efficient administration of justice.

Recommendation 2. Reinforce the victims-centred approach and envisage that the victim is to be consulted or informed by the prosecution on its observations to the ICC regarding the assessment of relevant damage and types or forms of compensation proposed.

6.2.2 Criminal Procedure-based Support Mechanism

The PPO-integrated Mechanism of Support for Victims and Witnesses of War and Other International Crimes[222] ("VSM"), with the Coordination Center for the Support of Victims and Witnesses ("CCSV") and its regional units acting as underpinning institutional structure, comprise a machinery of and facilitate provision of criminal procedure-driven reparation. The mechanism is available for the victims (CPC-based status-assigned individuals[223]) that suffered from war and other international crimes committed in the context of the Russian aggression and attributable to relevant perpetrators.[224] It supplements the procedural remedies with the related referral services. The mechanism accordingly streamlines, facilitates, individualises provision of the compensation and in-kind relief measures.

In terms of the institutional framework, VSM has been reinforced by upgrading CCSV as the OPG's structural division comprised of three sections with establishment of its subdivisions in the front-line and adjacent regional PPOs, recruitment and intensive capacity building of their staff. The initial VSM Concept[225] has been subsequently augmented by the Order 'On the Organisation of the Activities of Prosecutor's Offices on Issues of Supporting Victims and Witnesses' and CCSV Regulations.[226] At the same time, VSM still awaits its relevant acknowledgment and basic endorsement by the primary legislation, which would be important for its more profound

[221] Moreover, the detained, charged and convicted perpetrators are subsequently exchanged. This is further diminishing the prospects for obtaining compensation from them. As to the civil liability of the Russian Federation, see Section 6.3 of this Report below.

[222] In view of the confirmed initial focus of VSM on the victims, with its effective extension over witnesses being postponed for later stages, the current Report operates with the wording concerned with the former category only. For the same reasons it skips referring to the term 'survivors', which is less relevant in view of the criminal procedure-based nature of the mechanism.

[223] See Section 6.2 of Report 1.0.

[224] However, the regulatory framework would further benefit from specifying the range of the crimes, *corpus delicti* and/or specific damage embraced by the general notion of war and other international crimes. Moreover, the wording used in this Report (referring to the relevant perpetrators) underlines the differentiation from the crimes that are committed in the same context by private individuals or that could not be attributed to the Russian Federation (perpetrators acting on its behalf or engaging its responsibility).

[225] See Report 1.0 and Prosecutor General's Order of 11.04.2023.

[226] Introduced by respectively Order N.263 of 28.10.2024 ; Order No. 210 of 24.07.2025.

integration into the criminal procedure framework. Moreover, it would reinforce the accession-driven alignment with the EU acquis, in particular, Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime.[227]

The CCSV work-related business-processes and operational issues have been further delineated by tailored SOPs, which itemise the two-fold principal tasks of the system in issue. They include securing an appropriate interaction between investigator and prosecutor and victims for the purposes of related criminal proceedings, on the one hand. The second stream ensures victims-centric distribution of basic responsibilities between the procedural and victims support frameworks with the latter dealing with the individualisation of the referral measures envisaged by the compensatory and relief mechanisms, tailored socio-psychological, medical, legal and other, including state, international and civil society assistance available to them. These two intertwined directions incorporate streams that put emphasis on individual (personal circumstances and CRSV, other incident/case-specific) risk, needs assessment, and support, as well as prevention of repeated victimisation, intimidation and revenge. CCSV is in charge of the related policy, regulatory and methodological initiatives accordingly.

The complex tasks carried out by VSM and CCSV require advanced, tailored IT solutions. These should support coordination between different support measures and the criminal justice system, particularly pre-trial proceedings, while taking into account the legal and institutional framework, international and cross-border cooperation, specific investigative and procedural requirements, and the protection of personal and other sensitive data. When multiplied with the unprecedented number of victims, the scale and complexity of direct and implicit damage, as well as other serious consequences of the Russian aggression, this becomes indispensable for ensuring adequacy of their operation. For this purpose, OPG with the expert support provided by the Council of Europe has developed and approved the concept, terms of reference and other guiding documents for the setup of the National Register of Victims of War Crimes (RoV). As discussed, its development is pending due to the associated high costs.[228]

VSM could provide an effective mechanism for systematically collecting and processing evidence about victims and damage, including information from case files and materials gathered during investigations or court proceedings. It could also help categorise and organise different types of damage and other relevant factors, including physical, psychological and moral harm, and record the specific circumstances of each victim's case. This work-stream should be used for reconciling CPC-based categorisation of physical, moral, pecuniary damage with classifications suggested by the Personal Non-Property Rights-related legislation and the international framework, in particular the Strasbourg Court practice of assessment of pecuniary and non-pecuniary damage, and other forms of just satisfaction, as well as the RD4U-developed categorisation of damage.[229]

The current state of affairs justify that further development of VSM follows the previously outlined general direction of proceeding with the victim-centred advancement of the entire system of

[227] With the support of international partners the OPG and related stakeholders are advancing relevant draft amendments to the CPC envisaging their (and witness) protection secondary and repeat victimization; fine-tuning the term 'victim' and spelling out their vulnerable categories, the informing, privacy and other considerations.

[228] See Section 4.2.2 of this Report above.

[229] *Ibid,* see also section 5.1 of this Report above.

domestic assistance mechanisms. This approach balances their selective and primarily compensatory and the Russian Federation's responsibility-oriented character through enhancement, as well as consolidation and co-ordination of the multiple, including CRSV and other support initiatives for victims of particular kinds of crimes.

Moreover, in view of the particular importance and hindering effects of unavailability of appropriate primary legislation and IT solution, there would be a need in treating as a highest priority:

Recommendation 1. Specify the range of the crimes, *corpus delicti* and/or range of damage and relevant victims embraced by the VSM/CCSV mandate currently outlined by the general notion of war and other international crimes.

Recommendation 2. Introduce basic provisions in the primary legislation, preferably CPC, outlining the overall prerogatives, key functionalities of VSM/CCSV and RoV accordingly.

Recommendation 3. Proceed (without further delay) with the development and introduction of RoV in coordination with the advancement of e-CMS and relevant judicial IT instruments so to secure effective operation of VSM, including systemic collection, processing, protection of derivative evidential data on victims and damage, synchronisation of the criminal justice remedies and compensatory, other redress and support measures.

Recommendation 4. Advance VSM machinery for securing appropriate categorisation, tailored classification, structuring of damage, other relevant factors and their application to individual victims and their circumstances, as well as reconciling CPC-based definition of physical, moral, pecuniary damage with classifications suggested by the Personal Non-Property Rights-related legislation, the RD4U and other international mechanisms, in particular the Strasbourg Court practice of legal treatment of pecuniary and non-pecuniary damage, and other forms of just satisfaction.

6.2.3 Support for CRSV Victims[230] and other Criminal Justice/Procedural Remedies-Driven Mechanisms

The discussed specifics of the damage indicative of and constituting war or other international crimes and mutually tangled serious human rights violations,[231] and, in particular, the associated non-pecuniary harm, psychological trauma and mental suffering, command that the (system of) required redress and support measures are provided with the criminal justice remedies serving as their primary operationalising engine.[232] As discussed, even the initial support or further compensatory and relief mechanisms are largely rightly determined and driven by the criminal procedure-based remedies. [233]This equally applies to sensitive crimes committed against children,

[230] Reports 1.0 and 2.0 treat the abbreviation and relevant term as generic reference to the wider category of related violations and damage, persons and victims, who suffered from and were affected by sexual violence and its consequences.

[231] On correlation of IHL and international human rights law, see, *inter alia*, *Ukraine* v. *Russia* (re Crimea), Strasbourg Court [GC] judgment of 25.06.2024, appl. nos. 20958/14, 38334/18.

[232] See the preceding sections of this Chapter, as well as the relevant considerations suggested in Sections 3.3, 3.4, 3.8, 5.1 of this Report above.

[233] See the considerations as to extracts from the Unified Register of Pre-trial Investigations (URPI) or evidence and further verification requirements discussed in Section 6.1.1 above (with further references).

CRSV victims, those harmed by ill-treatment with their identity and overall personal data protection, reporting, documenting and investigation difficulties, not to mention the remaining range of other crimes attributable to the Russian Federation and relevant perpetrators.

The dedicated Law No. 4067-IX of 20.11.2024 "On Legal and Social Protection of Persons Affected by Sexual Violence Related to the Armed Aggression of the Russian Federation against Ukraine and Provision of Urgent Interim Reparations to Them" have formally introduced an overarching framework for the CRSV victims-specific support mechanism. In general terms it provides for the non-delayable intermediary reparation comprised of provision of information as to their relevant rights; free of charge individual needs-specific set of medical, psychosocial and other rehabilitation measures and relevant social services; and immediate monetary compensation, supplemented (in terms of further tangible assistance) by entitlement to free legal aid (within the framework of the criminal procedures concerned with the crime in issue); temporary sheltered residence. Although it is not conditioned by necessarily invoking judicial or investigative remedies, the notion CRSV and facilitation of the provision of the measures is very much based on the criminal law and procedural frameworks.

After a delay,[234] it was only very recently, when this mechanism has been furthered by adopting CMU Resolution No. 811 of 4.06.2026. Pending its entry into force scheduled for 27.09.2026, the activation of the mechanism requires launching of the special Commission in charge, referrals and other institutional arrangements, as well as accumulation and disbursement of necessary funding (to be obtained from international sources).

In addition to the criminal justice and judicial remedies, CRSV victims and their next of kin continue to receive respectively considerable and some, however, still fragmented assistance provided to them under other thematic compensatory and relief mechanisms, as well as internationally and civil society backed projects and initiatives. Moreover, it is to be reminded that Ukraine still maintains its reservation as to Article 30 para. 2 (on state compensations) of the Council of Europe (Istanbul) Convention on Preventing and Combating Violence against Women and Domestic Violence.

The same considerations, essence of reparation denote the rationale of compensatory and in-kind support measures required for alleviating, adequate redress of the non-pecuniary damage, grave mental harm suffered by victims of deliberate ill-treatment attributable to Russia and inflicted in the context of its aggression against Ukraine.[235] In general, besides the enhancement of relevant valuation methodologies,[236] it would be appropriate to advance (fine-tune) the individual mechanisms, including the parameters of compensatory and in kind measures so that they better address the mental suffering-related harm and damage caused by the grave IHL and serious human rights violations.

[234] In addition to multiple other primarily international initiatives, interventions, and programmes, during this period CRSV victims continued to benefit from very similar support scheme provided by means of Global Survivors Fund (GSF) Pilot Project. By the beginning of 2026 it provided financial compensation and referral assistance to 1080 survivors. Accessed on 15.07.2026. The victims engaged by the pilot project will automatically be taken over by the mechanism.

[235] See Section 3.3 of this Report above.

[236] See section 5.1 of this Report above.

Against this background, it would be appropriate to consider the following:

Recommendation 1. Ensure without any further delay meaningful activation of the Cabinet of Ministers and further regulations, operationalisation of the Commission and the entire CRSV victims' support mechanism.

Recommendation 2. Revoke the reservation as to Article 30 para. 2 of the Council of Europe (Istanbul) Convention on Preventing and Combating Violence against Women and Domestic Violence.

Recommendation 3. Advance, in addition to the enhancement of relevant valuation methodologies,[237] and fine-tune the individual mechanisms, including their parameters of compensatory and in-kind measures so that they (better) address the mental suffering-related harm and damage caused by the crimes, grave IHL and serious human rights violations.

6.3 Civil and Other Judicial Remedies for Seeking Compensation from Russian Federation

6.3.1 Claims against Ukraine

The judicial practice has alleviated the initial concerns as to potentially questionable simplified application of the grounds that could and have been invoked by individuals for holding the state (of Ukraine) liable for damage sustained in the context of the Russian aggression. These grounds continue to comprise (including in combination) the criminal law and procedural norms as to compensating from the State budget of the damage sustained as a result of a criminal offence, the general tort law principles and the state liability norms (Articles 1173-1177 of the Civil Code) on compensating for damage by the relevant state bodies regardless of their or their officials' guilt, including in cases of wrongful decisions, actions or inactions. The claims against Ukraine also relied on alleged failure to fulfil positive obligations to protect the victim from a terrorist attack (with so far frequently invoked relevant legal framework) or a crime attributable to the Russian Federation (relevant perpetrators). They were often reinforced by the reference to European Convention and Strasbourg Court requirements as to relevant positive obligations to protect life, possessions and other values under substantial rights, as well as the duties to investigate serious human rights and related grave violations.

The domestic court practice have been further shaped so that it reinforces the clause about a specific law or other regulations providing for the grounds engaging responsibility of the state of Ukraine.[238] In the context of the Russian aggression, it seems to be rightly correlated with and delineated by the obligations legally undertaken and defined by Ukraine by the laws on individual compensation and other mechanisms. In the same vein, mere occurrence of negative consequences (death, injury destruction of property etc.) on the territory effectively controlled by Ukraine or the

[237] See section 5.1 of this Report above.

[238] This brief analysis skips dealing with the jurisdictional, including effective control, considerations, which are well-established and do not create difficulties with regard to the ToT. Ukraine cannot be responsible for substantial violations and damage and have some limited duties as far as procedural obligations are concerned. See, inter alia, *Ukraine* v. *Russia* (re Crimea), Strasbourg Court [GC] judgment of 25.06.2024, appl. nos. 20958/14, 38334/18. For the domestic practice, see Resolution of 12.05.2022 of the Grand Chamber of the Supreme Court of Ukraine in Case No 635/6172/17 (proceedings No.14-167цс20), paras. 102-108.

failure to establish all the circumstances, identify and hold responsible the specific perpetrator(s) do not immediately lead to respectively its full liability for the damage and incompliance with duty to (effectively) investigate the serious violations in issue.[239]

The gradual expansion of administrative compensatory and relief mechanisms and their wide application accordingly involve due development of relevant judicial practice (within the administrative jurisdiction) regarding the decisions of the bodies in charge, provision of the related services or payments. It is expectedly streamlined by the (discussed) cross-cutting enhancement of the administrative framework introduced by Law No. 4017-IX of 10.10.2024.[240]

No specific actions besides due crystallisation of the judicial practice, methodological and capacity building interventions would be required in this respect.

6.3.2 Claims against the Russian Federation

There has been further reassessment of straightforward application of jurisdictional immunity of the Russian Federation for the purposes of domestic judicial procedures. It has been reinforced and furnished with further fine-tuned deliberations and arguments in favour of lifting and, exceptionally, limiting it in particular in the context of the Russian aggression. The key arguments combining the well-established, including customary law-based principles with the Council of Europe and human rights law standards as to the right of access to court and fair trial in general, effective remedy, as well as reparations in general have been advanced through the increasing number of suits and civil cases processed.

It could be stated that the domestic judicial practice have been considerably advanced, including through the consistent Supreme Court rulings on these categories of cases already immediately concerned with the (current) stage of the Russian aggression.[241] The principal legal arguments as to inapplicability of the immunity in issue and related considerations used in the national jurisdiction[242] seem to have some (at this stage) probability of endorsement in other and international jurisdictions. The same applies to the legal (evidential/probable) value of scrutiny of the individual claims, proofs processed and awards granted, in particular in cases not reaching the cassation level. Although the Supreme Court is consistently developing demanding approach as to notification and other actions construed for securing engagement of the Russian Federation (its

[239] In addition to the judicial decisions referred to in Report 1.0, the principal judicial practice in this regard has been reviewed (mutatis mutandis) the Ruling of 2.02.2024 of Supreme Court of Ukraine (Civil Court of Cassation) in Case No 242/2367/21 (proceedings No. 61-10468св23). See also *Futornyak v. Ukraine*, European Court Decision of 04.06.2024, appl. No. 41678/20 (with further references). This and preceding Reports are limited to identification of the overall concerns and potential issues to be pursued by the judicial practice. In-depth research and analysis in this regard exceed their scope.

[240] See Sections 3.2, 3.3, 4.1 of this Report above.

[241] For the latest Supreme Court practice see the ruling of 04.11.2025 of the Civil Court of Cassation in case No. 362/7854/24 (proceedings No. 61-10577св25). In general, the Supreme Court invests in analytics and advancement of its practice in this regard, including by developing the Analysis of judicial practice in cases of recovery of damage caused as a result of the armed aggression of the Russian Federation against Ukraine, in commercial and civil jurisdiction, which has been shared by it during the consultations held for the purposes of developing this Report.

[242] Including by invoking Articles 11 and 12 of 1972 European Convention on State Immunities and 2004 UN Convention on Jurisdictional Immunities of States and their Property in cases relating to monetary compensation (reparation) for death or personal injury to a person or for damage to or loss of property resulting from acts or omissions of the (respondent) state.

relevant bodies), the grounds for seeking (and granting) claims and their substantiation, [243]the principal lack of adversariality of the procedures and relevant fairness considerations could be seen as the major risk and relevant argument questioning further, including international perspectives of the final domestic judicial decisions.[244]

No specific actions besides due further crystallisation of the judicial practice, methodological and capacity building interventions would be required in this respect either.

6.4 Free Legal Aid and Legal Assistance

The Russian aggression, its consequences in terms of the people affected, lawful interests and rights engaged, including access to the individual compensatory and relief mechanisms have accordingly magnified the need in legal assistance and scope of the services provided to its victims and individuals involved. As far as the state obligations in this regard are concerned, they have been immediately addressed by the adjustment of the free legal aid arrangements.

The system and the legal framework functioning prior to the large-scale invasion provided a good basis for building it further up and tackling the challenges in issue. The amendments introduced to the Law 'On Free Legal Aid' No. 3460-VI, which has been substantially reviewed on 10.04.2023, comprised its entire systemic enhancement, as well as the special provisions as to the entitlements of the beneficiaries and functionalities concerned with the Russian aggression.[245] In addition to the upscale of the primary (informative, consulting, proceeding with applications and other non-procedural interventions) legal aid available to all individuals provided by the entire system of state, including self-governance, bodies and institutions, and outsourcing scheme[246], the legal framework have specifically accustomed the secondary legal aid. The latter comprises defence, including by assignment in mandatory instances under criminal and related legislation; representation of interests in courts, other state bodies, local self-government bodies, and *vis-a-vis* other persons; drafting of procedural documents. The range of persons entitled to the secondary legal aid provided through the system managed by the relevant Coordinating Center with the regional and local branches actually have been expanded over the major categories of victims and war-affected people It has been further confined to the selected legal and administration of justice-based procedures immediately concerned with the issues. The most recent extension (since 2025), included the families of persons missing in special circumstances, persons affected by CRSV and applying for this status

Analysis of the latest statistics as to the beneficiaries and their requests expectedly confirmed the high share of IDP(s) (17, 6%) and increase of the veteran-related cases (up to 16,8%).[247] The tendencies evidently follow the dynamics of the categories of the aggression-affected individuals. The same applies to the issues addressed. There is an increase of the share of issues related to the

[243] *Supra note* 248.

[244] On evidential value and rationale of spending of judicial and related resources see Report 1.0.

[245] Mirrored in relevant thematic legislation.

[246] See CMU Resolution No. 1088 of 13.10.2023.

[247] See State System of Free Legal Aid of Ukraine, Report on 2025 (2025), p.43. The numbers refer to the categories of beneficiaries, with the veterans including combatants. Further statistics suggests breakdown into legal areas concerned, which however, do not necessarily are related to the Russian aggression-specific matters. However, they are indicative of the tendencies.

compensatory and relief mechanisms. It is indicative that it is increasing in comparison to the assistance in criminal matters. However, no well-tailored, focused data as to the incurred costs of the legal services in issue could be traced. Notwithstanding the Russian aggression–related factors and corresponding dynamics of the demand in free legal aid interventions, the system, reportedly, in principal terms handles the stream of services. The introduction and advancement of online consultations formats have been important in this regard. At the same time, in view of considerable increase of the number of beneficiaries entitled to the free secondary legal aid and the Russian aggression-related damage and, respectively, relevant interventions required, its further extension in terms of their range[248] and scope (beyond 6 interventions per year and some specific limitations), it is to be taken into account that the relevant (Coordination Center-driven) system is already functioning beyond the edge of its capacities.

Recommendation 1. The scope of the free secondary legal aid categories and, in particular, issues addressed could be further expanded. It should be preconditioned by the relevant advancement of the capacities of the system, its working, including IT solutions-based services and / or availability of resources.

Recommendation 2. The detailed statistical data, its structuring and accumulation, and advanced reporting schemes should specifically collect and suggest the breakdown of the costs of the free and other legal assistance provided to the war-affected individuals and matters, which could form an important item for the state claims. In general, the costs of legal assistance, including actual expenses incurred as a result of engaging lawyers (members of the bar) could form a part of specific claims and procedures initiated before the international mechanisms.

[248] There are several pending legislative initiatives envisaging its further expansion over victims of hate crimes and other grounds, not immediately related to the Russian aggression. At the same time, it is worth noting that the Coordination Center-led system provides free legal aid, services and methodological assistance to applicants, executive and local self-government authorities on issues related to submission of claims to the RD4U. See the Memorandum of Cooperation between the Ministry of Justice of Ukraine, the Coordination Center for Legal Aid and the International Register of Damage of 20.03.2025.

7 VICTIMS, CIVIL SOCIETY AND THE VICTIM-CENTRED APPROACH

7.1 Victim-centred Approach

The international accentuation on and initial domestic legal, policy, and practical indications as to recognition and understanding of the victim-centred approach have been further reinforced in Ukraine. As expected,[249] on the international level its rationale involving inclusivity, participation, accessibility, and security principles has been further well-elaborated by the RD4U. Its framework and operation, in particular, the dedicated directory and claims-specific guidance impact the discussed advancement of the domestic mechanisms, relevant procedures and business processes.[250]

The most effective with regard to all the composite dimensions of this approach, have been the upgrade of the IT infrastructure of particular mechanisms and their consolidation by the Diia-based ecosystem.[251] It is firming up the one-stop-shop approach, streamlining the administrative procedures, shifts the verification burdens and processes over the state. Besides contributing to better observance of the accessibility principle, the applied IT-solutions involve considerable technical and legal personal data protection safeguards and take into account relevant security considerations.

In terms of inclusivity the victim-centring secures that the system and any variation of support measures do not involve discrimination based on gender, disability, race, ethnicity, religion, sexuality, socio-economic background, marital or displacement status, age or other objectionable grounds. The war-related financial constraints and other exigencies justified, and transparent prioritization of compensatory and other support measures still require careful balancing and adjustment of the system of compensatory and relief (interim/partial) measures so that the principle of inclusivity is observed. The prioritization, more nuanced stance as to remedying gravest mental suffering, psychological trauma, sustained as a result of CRSV, deliberate ill-treatment, lifting of the remaining territorial eligibility restrictions with respect to health impairments, as well as adjustment of sometimes excessively flat (as in case of deprivation of liberty-related compensatory payments[252]) measures would be the most appropriate developments required by this approach.

As far as the institutionalised influence, participation of victims in the shaping and provision of individual measures is concerned, it remains limited, since the available formats require considerable capacities, and could be exercised through the formal public consultation avenues.[253] The former could be facilitated by securing targeted feed-back loop,[254] analysis of their requests,

[249] See Report 1.0, Sections 7.1 and 7.3. The latter attempted to anticipate the RD4U stance in this respect. The current Report skips addressing this dimension of the RD4U workings accordingly.

[250] See the RD4U dedicated directory Victim-centered Approach.

[251] See Section 4.2.2 of this Review above.

[252] See Sections 6.2

[253] See the following section of this Report below.

[254] To be differentiated from the general public consultation and applications frameworks. See, for example, https://mindev.gov.ua/hromadianam/zvernennia-hromadian, accessed on 24.03.2026.

specific needs and proposals, and taking into account individual victims experiences.[255] Appropriate individualisation can be exemplified by the criminal justice-related mechanisms, where this principle is reinforced by the introduction of the VSM, which allows for and is based on needs assessment and tailoring of the procedural assistance and referrals provided to individual victims.[256] However, the discussed shortcomings and recommendations suggested in this regard earlier in this Report are indicative of considerable room for improvement. This is of particular importance also in terms of balancing the procedures and business processes against the risks of re-traumatization and secondary victimization, which, for example raises concerns in view of the overall outline of the procedures envisaged by the CRSV mechanism.[257]

The fundamentals of the approach in issue, considerations of its more consistent observance at the current state of play and its systemic application would merit suggesting to:

Recommendation 1. Prioritise the victim-centring and adherence to it in law and to the letter in practice, in particular by attaching distinct weight to the inclusivity principle with regard to fine-tuning and further expansion of the compensatory and/or relief measures and mechanisms over most vulnerable and destitute categories, damage caused by grave physical and mental suffering, as well as focusing on its accessibility and security dimensions, including by further extension and advancement of the IT infrastructure and streamlining the procedures, alleviating evidential and other burdens.

Recommendation 2. Formalise and reinforce participation of victims in shaping the system of measures, individual and other compensatory and relief mechanisms, including by introducing relevant targeted feed-back avenues and conducting regular opinion polls among victims as to their potential improvement, required extension and other proposals, as well as their (optional/consent-based) further meaningful consultation in the processes and decision-making as to provision of individual support measures.

7.2 The Role of Civil Society, and NGOs in Relation to the Domestic Mechanisms in Ukraine

Civil society and, in particular, NGOs continue their contribution to the policy development, legislative initiatives under the established and legally envisaged formal and ad hoc public consultation procedures, relevant consultative forums and bodies.[258] The discussed fine-tuning and

[255] See Eastern Ukrainian Centre for Civic Initiatives and Ceasefire Centre for Civilian Rights, From Social Protection to Reparations for Ukraine: Lessons Learned from the Case of Civilian Detainees under Russia's Armed Aggression (London and Kyiv, 2025), p. 4.

[256] See Section 6.2.2 of this Review above.

[257] See Section 6.2.3 of this Review above.

[258] See, *inter alia*, the drafting of State Social Program for the Development of Volunteering until 2030; the Report on the results of a public examination of the activities of the Ministry of Development of Communities and Territories of Ukraine in terms of compliance with social and legal protection of persons in respect of whom the fact of deprivation of personal liberty as a result of armed aggression against Ukraine has been established, and members of their families. The Ministries of Veterans Affairs; Social Policy, Family and Unity of Ukraine have published the tentative plans for holding public consultations for 2026, which envisage them for a number of issues relevant to the mechanisms under consideration. The public consultations framework, including providing for Public Councils (consultative bodies) at the ministerial and other central government agencies, is established by earlier framework, including CMU Resolution No. 996 of 3.11.2010. It has been recently advanced with regard to the policy-making and legislative process by the Laws on "On Public Consultations" (Law No. 3841-IX) of 20.06.2024 and "On Law-making" No. 3354-IX

adjustment of the mechanisms and measures is, as a rule, initiated by and carried out in consultations with civil society. At the same time, not all these formats seem to and could be effectively applied under the Martial Law and war-related difficulties. However, they would be of particular importance for the most topical in the circumstances set of issues under consideration.[259]

In terms of the Government-led institutionalised operational coordination formats, in addition to the variety of ministerial and thematic bodies or platforms, NGOs are well-represented and their role cannot be overestimated in the system of regional and district Civilian Support Coordination Centers functioning at the relevant state (military) administrations and self-governing bodies. The Centers deal with the social assistance-related, considerably focusing on support, as well as other various multidisciplinary, including psychological and related, support measures. Their composition involves representatives of various specialized NGOs as their members.[260] As to the central (national) level, the representation of NGOs in the same capacity that would be adequate to their actual contribution to the entire work in this area, is rather reduced or inexistent. This could be illustrated by the Interdepartmental Coordination Council on Mental Health Protection and Psychological Assistance to Persons Affected by the Armed Aggression of the Russian Federation against Ukraine.[261]

The volunteering-based contribution, which is governed by Law No. 3236-VI of 19.04.2011 'On Volunteering' is the major and well-acknowledged avenue[262] of civil society support to the war-affected individuals, provision of various immediate and further assistance to them. Moreover, the majority of NGOs seek and obtain non-state funding and resources, including from international sources, crowdfunding and charity inputs. Besides their horizontal coordination, there are some very basic formats for mapping and harmonising of their activities.[263] The NGO-maintained web-resources remain vaguely integrated or referenced in the state administered databases or portals. Moreover, they often remain fragmented.[264]

NGOs are well-placed to provide targeted, including medical and other specialist certified services outsourced by the state in the course of provision of the support measures under the mechanisms in issue. NGOs and overall civil society involvement under partnership, formal procurement and related formats is hindered by the budgetary constraints. Nevertheless, state, self-governing bodies do engage them, in particular, under complementary (pooled funding/resources) schemes,

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24.08.2023, with the former to be enacted after lifting of the Martial Law. For the top-level framework see the 'Civil society and Government' directory of the CMU web-site.

[259] Thus, there is no such consultative body at the Ministry of Development, which is in charge of many individual mechanisms and support measures. It has not published its tentative plan for holding public consultations on its dedicated directory, accessed on 24.02.2026.

[260] Established in accordance with their Model Statute approved by CMU Resolution No. 470 of 9.05.2023 See further, for example, their composition in Kyiv, Luhansk Region and further system of Coordinating centers in other regions and at different levels. Unlike state officials, NGOs representatives are involved as members upon their consent.

[261] See CMU Resolution No. 539 of 7.05.2023. NGO representatives participate in the capacity of experts, members of the working groups etc.

[262] See also Section 3.6 of this Report above.

[263] See, for example, the List of Ukrainian non-governmental organizations implementing humanitarian projects, funded by international partners (compiled by the Ministry of Development), accessed on 24.03.2026.

[264] See, for example, the state free legal aid web-resources (Section 6.4 of this Report above). There is an array of NGOs specialised in or providing legal aid services as one of their work-streams. However, their mapping and synchronisation remains alliance or organisation-specific. See for example https://hotline.uba.ua/; https://ldn.org.ua/en/event/ldn-has-launched-a-humanitarian-response-map-standwithukraine/, accessed on 24.03.2026.

involving international partners, state and civil society inputs. For example, in addition to the particular regulatory base and practice of outsourcing the primary legal aid services, their human, specialist, technical and other capacities, experience are increasingly used for provision of psychological and mental health support under the state defined standards.[265] Some of the remedies and even entire support streams, categories of victims still predominantly rely on international partners' and NGOs. Thus, even with the VSM inputs and institutional participation of the government structures counted in, they provide the most, in comparison to the state resources allocated and effectively provided relief and targeted assistance to CRSV victims.[266]

The information campaigns, governmental web-resources and websites, which have incorporated dedicated directories and webpages, as well as well-structured information available on 'Diia' platform have improved outreach. More effective and consolidated mapping of relevant information and data maintained by NGOs, including the formats in which it is held, the technical properties of the databases and software tools used. At the same time, a victim-centred approach requires ensuring that digital mechanisms are complemented by accessible offline alternatives.

The pre-launch period considerations as to the role of victims, civil society, and NGOs in relation to the RD4U appeared to be relevant. The cooperation formats, in particular the Coordination Platform, established for these purposes should be replicated and advanced on the domestic level.[267]

The recommendations as to the role of civil society and NGOs remain valid. In particular, it would be advisable to reinforce, including through enhanced IT formats, information exchange, the established and legally envisaged formal and ad hoc public consultation procedures, co-ordination and joint input by and between relevant NGOs, including with the engagement of victims, in the policy development, legislative processes, design and implementation of domestic reparation and assistance programmes with a view to enhancement the existing and arriving at a comprehensive reparations framework for Ukraine. The consolidation and coordination should concern the mapping of relevant information and data about NGOs and maintained by them, their activities and capacities, as well as technical properties of the databases and software tools used.

In addition, it could be suggested to consider:

Recommendation 1. Prioritise and accordingly lift the Martial Law limitations or apply in practice and facilitate full implementation of the advanced framework envisaged by Law No. 3841-IX of 20.06.2024 'On Public Consultations' with regard to the individual compensatory and other relief measures introduced for redressing and mitigating the damage caused by or attributable to the Russian aggression, as well as the entire reparations framework related to it.

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[265] For legal aid outsourcing scheme see Section 6.4 of this report above. For the mental health and psychological assistance see: Alliance for Public Health, Mental Health and Psychosocial Support Needs of War-Affected Populations in Ukraine: Assessment Report (Kyiv, 2024). In terms of standartisation, see Ministry of Health Order No. 2118 of 23.12.2023.

[266] See Section 6.2 of this Report above. With multiplicity of other domestic NGOs and legal aid groups providing support to CRSV victims, the non-exhaustive (illustrative) references include: Ukrainian Women's Fund, Ukraine Is Not Silent: Chronicles of Fighting Against War-Related Sexual Violence (2022–2024) (Kyiv, 2024), available at: https://uwf.org.ua/wp-content/uploads/2025/06/book-10-web-eng.pdf, accessed 20 March 2026; see also online resources on https://semaukraine.org.ua/en.

[267] See the relevant Section of Report 1.0. See also: https://www.rd4u.coe.int/en/the-register-s-civil-society-coordination-platform

8 CONCLUSIONS

Ukrainian authorities have managed to largely retain, fine-tune and even advance the complex, multi-layered and composite domestic framework of tailored relief mechanisms introduced for civilians affected by the Russian aggression. The extent of the armed invasion and intensive combat operations with the significantly intensified aerial attacks targeting the entire country, its energy, other strategic, housing and communal infrastructure, leading to corresponding economic and budgetary exigencies, increasing scale of damage and number of affected individuals, require immense efforts for maintaining, not to mention expanding, the system of instant compensatory and other relief measures. They continue to discharge their duty to provide all possible, in the circumstances, interim assistance and immediate procedural remedies and related reparation.

With the system of the measures and mechanisms remaining basically unchanged, Ukrainian authorities continue to provide primarily partial (fixed) monetary compensation or otherwise alleviate the loss of life, disability, and other health impairments caused by military impacts; internal displacement and related social hurdles; certain damage caused to housing and provide relief for some other harms caused to civilians. Besides striving to secure resources to cover the increasing number of beneficiaries and damage under the same and slightly amended parameters for major support programmes, the system has been extended by provision of certain categories of IDPs with housing vouchers, rent subsidies, privileged mortgage scheme, direct monetary payments for sheltering IDPs, further narrower or ad hoc instruments alleviating the housing and household difficulties. Notwithstanding the budgetary and resource planning difficulties and related weaknesses, the continued policy steering of the (key) internal displacement segment that has been underpinned by parallel systemic legislative developments is a good basis for capitalizing on this experience and expanding it over so much needed conceptualisation and consolidated long/mid-term programming of the entire support system. The basic mechanism for supporting persons deprived of their liberty has been complemented by a scheme of initial logistical and other support measures comprising one-time allowance available to the civilians released from the captivity. The system has included the focused mechanism for the immediate post-relocation support of deported and illegally relocated children, comprising one-time allowance and other tailored measures. The procedural remedies and their individual synchronization with other relief measures have been enhanced by putting into operation of the prosecution system-driven victims support mechanism. The adoption of the dedicated law as to the CRSV victims-specific support mechanism was not reasonably followed by its meaningful implementation. It has been just recently furnished by the governmental regulations, with its actual launch scheduled for later in 2026. The introduction of the non-property rights-specific legal framework, providing for their structuring and logging, could serve as a basis for more systemic measures providing redress for the mental suffering caused by the wider range of grave IHL and serious human rights violations attributable to the Russian Federation and related perpetrators.

The system of and majority of mechanisms, their accessibility, management and resultant efficiency have been profoundly reinforced by means of enhancing data processing functionalities of registers and dedicated IT solutions secured by their integration into and advancing inter-operability under Diia platform. As a result, with some omissions to be remedied, the infrastructure of individual compensatory and relief mechanisms concerned with the Russian aggression support

has formed and is being advanced as consolidated IT ecosystem. Some of support streams are managed and operating as electronic public services. Moreover, it has secured and serves the purpose of assembling and channelling the claims submitted to the RD4U. In addition, the mechanisms have benefitted from general cross-cutting administrative procedures-related amendments, which to an extent lessen the decision-making, procedural and institutional constraints, including related to the corroboration demands and procedures.

The achieved resilience and gradual expansion, enhancement of the Ukrainian system of instant relief interventions offering targeted assistance, providing domestic procedural remedies and interim reparation to individuals affected by the Russian aggression deserve particular commendations. At the same time, **in terms of the overall course of action and general recommendation, it would be advisable to take further steps with the aim of securing its conceptualisation, coherence and progressive consolidation of the mechanisms into a comprehensive interim reparation programme, underpinned by relevant strategic and budgetary planning, consistent legislative basis, institutional structures, as well as fully holistic (gaps-free) IT ecosystem**. **The expansion of the range of damage dealt with, measures available, and categories of beneficiaries covered to be continued with due priority given to the most vulnerable groups, those who endured and continue to endure severe and/or multiple damage, with particular emphasis being paid to redressing grave mental suffering. The advancements should comprise reinforcement of individualised, victim-centred and gender-sensitive approaches. They should be synchronised with effective investigation and discharge of related procedural obligations with the best possible use and further development of the criminal procedures-driven victims support mechanism.**

The key assessment and considerations, relevant advice and proposed overall course of action are further itemised in the attached list of recommendations. It mirrors the structure of the Report, outlines its findings as to the validity of earlier and recaps new recommendations.

ANNEX 1 STRUCTURED LIST OF RECOMMENDATIONS[268]

GENERAL CONSIDERATIONS

Earlier and still pertinent advice suggested in Report 1.0:

- More nuanced application of the *jus ad bellum*-based peremptory obligation of the aggressor state to provide full reparations and *jus in bello*-based and relevant human rights norms-related substantiation of specific internationally wrongful acts, coordinated structuring and preparation of claim(s) on behalf of the Ukrainian authorities, and development of the consistent approach (es) as a part of reparations-related policy steering.

Report 2.0 recommendations:

1. Advance the domestic legal framework, individual and other support mechanisms and remedies in terms of balanced (against the immediacy of the domestic assistance) adjustment of the key provisions, evidential and substantiating rules with the view of securing their relevance for the ongoing (RD4U-based), further (International Claims Commission for Ukraine-driven) and other prospective international reparation procedures, including and in particular in terms of internationally wrongful acts and causation of the damage, their attribution to the Russian Federation and/or relevant perpetrators.

3 DOMESTIC COMPENSATORY AND OTHER RELIEF MECHANISMS

3.1 'eRecovery' and other Primarily Housing-related Redress Measures

3.1.1 Compensation for Damaged and Destroyed Housing ('eRecovery')

Earlier and still pertinent advice suggested in Report 1.0:

- Consider the feasibility of individual compensations or larger environmental (components-specific) recovery projects; compensate for damage to agricultural land; accord priority to other groups, such as, for instance, victims of CRSV; (gradual) opening to non-Ukrainian property owners; further increase of the filing period; facilitate alternative (paper-based) verification of property title; advance working methods and procedures, as well as the capacities of the relevant Commissions.

Report 2.0 recommendations:

1. Improve heirs' access to the procedure for obtaining compensation for destroyed housing by enhancing variability of relevant information on property rights in the relevant register (SRPR); fine-tuning inheritance of a housing certificate; provide for an algorithm for heirs opting for receiving construction compensation, in particular during the main stages of relevant procedures, including the final verification of the restored property.

[268] Following the rationale of interrelation between Report 1.0 and Report 2.0, the list mirrors their structure, recaps the current findings as to the validity of earlier and combines them (furnishes) with further or new recommendations.

2. Remedy the lack of certainty as to eligibility of new owners, individuals who acquired the property concerned after its destruction as a result of the Russian aggression, so to facilitate the scope of alleviation avenues by means by transfer of the ownership rights, including via relevant market instruments.

3. Provide for specifics of re-eligibility of housing purchased with a housing certificate issued under e-Recovery framework in case of its destruction.

4. Advance the legislative and regulatory framework so that the housing-specific mechanisms extend over the tenants lodging in state or municipal (communal) housing objects.

5. Advance the functionality of the relevant IT solutions with regard to reimbursement of repair of the damaged housing already carried out on own accord so to operationalise the relevant legislative and regulatory changes introduced in this regard.

6. Introduce regulatory and IT solutions so that the mechanism becomes actually available for individuals owning real estate under construction customers' or other (already) legally defined statuses.

7. Continue to improve the Diia-based front-end consolidation and relevant interoperability of the Registers of Damaged and Destroyed Property; Real Estate Objects for IDPs and other various information and communication systems, including owned and administered by different state institutions.

3.1.2 'eRecovery'-based Housing Vouchers for IDPs

Report 2.0 recommendations:

1. Advance the individualised approach with regard to the amounts of resources made available and provide for their key scaling based on the actual needs of the beneficiaries.

2. Extend the range of eligible categories (including CRSV victims and other most vulnerable individuals).

3. Envisage a system of state-backed substantiation and updating the relevant database (integral part of relevant consolidated IT solution) accounting for the ceded claims taken over by the state (including municipal) authorities in terms of the valuation of the damage actually sustained by the IDPs (key parameters of the lost housing, other property and denomination of detriments caused to the related rights). This recommendation equally applies, including in terms of creation and (automatic) feeding of the consolidated inventory (database) of actual expenses attributable to the Russian aggression and endured (both by the authorities and individuals) under the entire range of the housing and, correspondingly other compensatory and support measures, comprising basic proofs and ceding documents.

3.2 Internally Displaced Persons

Report 2.0 recommendations:

1. Streamline the regulatory basis and policy framework in line with the resource-efficiency and their comparative scarcity, with particular attention being paid to more systemic cost and resource estimation and their distribution, fairness, prioritization, availability and related

considerations so to better address the surge of challenges caused by the continued Russian aggression, further increase of mass displacement and relevant realities.

2. Upgrade the institutional format and functionalities of the envisaged intersectoral mechanism (Council) of state policy coordination on internal displacement by reinforcing its decision-making and organisational prerogatives. Consider its integration into an advanced consolidated (holistic) coordination machinery (to be) created for steering the entire framework of the compensatory and other relief measures and mechanisms under consideration.

3. Enhance itemization and operationalization of the EU indications with regard to transition out of temporary protection.

4. Make sure that the (legally) envisaged further advancement of the consolidated IDPs-related architecture of the IT ecosystem, is furnished with enhanced individual IDPs-centric functionalities (front-end), as well as IDPs support-specific streams of a united inventory (database) of actual expenses attributable to the Russian aggression and endured (both by the authorities and individuals) under the entire range of the housing and, correspondingly other compensatory and support measures, comprising basic proofs and ceding documents.

5. Streamline further administrative avenues as to verification of birth, matrimonial and other civil and other legal statuses, their alteration, obtaining relevant benefits and support measures in case of unavailability of or, for some procedures, even with the valid paper certificates, in particular, concerned with the ToT or frontline areas.

3.3 Persons Deprived of Liberty and Their Family Members

Earlier and still pertinent advice suggested in Report 1.0:

- Apply gender-sensitive or otherwise more fine-tuned support better taking into account the length of captivity and other various factors affecting the individual damage sustained; further extension of assistance measures to all persons who have suffered similar damage resulting from widespread violations occurring in the conflict-related deprivation of liberty; consistent budgetary and overall strategic and legislative approach and entire framework of relevant relief measures, including a consolidated (single) domestic programming (policy) gender-sensitive instrument and steering mechanism; address the weakened credibility of the support framework due to accumulation of debts, non-enforcement of judicial decisions and further incompliance with the general measures obligations as to execution of European Court's judgments.

Report 2.0 recommendations:

1. Accelerate and ensure the actual launch of the set of the formally envisaged initial support measures for the civilians released from the captivity as a result of relevant exchange procedures or return on their own accord involving one-time payment of 50 000 UAH, transportation, medical, other immediate rehabilitation, free legal aid, temporary housing and other assistance.

2. Introduce a targeted mechanism for victims of ill-treatment attributable to Russia and inflicted in the context of its aggression against Ukraine that could be designed as an adjusted off-shoot

of the support measures for the persons deprived of liberty taking into account and expanding over the specifics of its deliberate forms and most serious undeliberate (oblique) ill-treatment.

3. Extend the synergy of the assistance under the specilised mechanism(s) with the criminal procedure-based victims support scheme operating within the prosecution system.

3.4 Persons Missing Under Special Circumstances and Their Next of Kin

Earlier and still pertinent advice suggested in Report 1.0:

- Further enhancement of the working methods of the administrative bodies concerned for reducing a need in judicial procedures for obtaining eligibility-related and other decisions; supporting the victims in pursuing further potential individual, or relevant state-backed, or inter-state claims through relevant advancement of the domestic mechanism and their instruments, including with regard to corroboration of damage, assistance measures and expenses incurred, the assembling of relevant evidence based on IHL and/or human rights violations.

Report 2.0 recommendations:

1. Enact the amendments to the CPC designed for facilitating identification of unidentified bodies (remains), including by the selection of biological material, processing of a person's genomic information and its state registration, involvement of a foreign state or international organizations.

2. Introduce systemic targeted psychological and related assistance for the next of kin of persons missing under the special circumstances, if not gradual upgrade of the support measures to the level applicable to members of armed forces of Ukraine.

3.5 Support of Individuals with Disabilities Resulting from Injury or Other Damage Caused to Health by Explosives, Ammunition or Weapons

3.5.1 Persons Disabled as a Result of Injury or Other Damage Caused to Health by Explosives, Ammunition or Weapons & 3.5.2 Persons Disabled as a Result of Impact of Explosives

Earlier and still pertinent advice suggested in Report 1.0:

- Lift the territorial eligibility; streamlining the institutional, procedural and other (including IT-based) solutions, including with regard to shifting the responsibility for assembling additional documents and proceeding with further enquiries; extending the relevant methodologies for calculation of individual and collective damage and expenses.

Report 2.0 recommendations:

1. Overcome the fragmentation, secure legislative, institutional, procedural and further IT-solutions-based consolidation and introducing a streamlined / unified (targeted) mechanism for provision of compensatory (monetary) assistance and in-kind measures for addressing the damage in issue sustained by the civilians.

2. Prioritise further gradual extension of the compensatory and other support measures beyond the disability level over curable serious injury and other considerable health damage attributable the Russian aggression, as well as relevant assistance to the next of kin of deceased civilians.

3.6 Individual Helpers and Volunteers Who Became Disabled or Lost Their Life

3.6.1 Individual Helpers Who Became Disabled or Lost Their Life as a Result of Trauma or Diseases & 3.6.2 Volunteers Who Became Disabled or Lost Their Life as a Result of Trauma or Diseases

Earlier and still pertinent advice suggested in Report 1.0:

- Address the inconsistency of the regulatory framework in terms of the category-specific criteria and scope of benefits; excessively diverse and would benefit from securing better coherence and uniformity in terms of relevant military and legal, as well as medical terminology and other parameters; clearly extending the volunteers-specific mechanism on all types of activities carried out in relation to addressing the non-military needs and remedying other consequences of the Russian aggression; approximation of the grounds and procedures concerned with the recognition of a missing individual as deceased for the purposes of the mechanisms in issue so to minimize a need in judicial interventions; administrative and institutional complications of operation of one-time monetary allowance(s)-related mechanisms.

Report 2.0 recommendation:

1. Capitalise on the reorganization of the disabilities verification system and further streamline, secure better consistency of the mechanisms by excluding inexplicably differential treatment of the same damage or categories of victims (individuals), including by merging or otherwise consolidating them under Diia-based IT solutions.

3.7 Persons Who Became Disabled or Lost Their Life as a Result of Injury, Contusion, Maiming or Illness, While Performing Official or Professional Duties

Earlier and still pertinent advice suggested in Report 1.0:

- Avoid discriminatory inferences and adhere to uniformity in scaling the similar allowances or benefits, as well as ensuring their synchronized application and more comprehensive work-related eligibility criteria by suggesting.

Report 2.0 recommendation:

1. Develop consolidated and consistent policies and instruments with regard to the health impairment-related damage, available compensatory and other support measures and mechanisms suffered by (various categories) individuals in the context of the Russian aggression.

3.8 Children Affected by Hostilities and Armed Conflicts

3.8.1 Children Affected by Hostilities and Armed Conflicts (general framework) & 3.8.2 Deported and Illegally Relocated Children

Earlier and still pertinent advice suggested in Report 1.0:

- Further advancement, including of monetary assistance and itemised determination of remedies and relief measures, including by specifying statuses of direct or indirect victim (as family or community member); introduction of child-centric (legal) instruments instead of derivative mechanisms and prioritisation of assistance or benefits for children based on merits of their relatives; advancing coordinated and cross-cutting institutional approaches, including universal IT (Diia-based) solutions; nuanced parameters of damage sustained by war-affected children, including with regard to attribution to the responsible party (Russian Federation, its military, agents), relevant specific causes, supported by the evidential standards.

Report 2.0 recommendations:

1. Pay particular attention to children-specific slot(s) of a united inventory (database) of actual expenses attributable to the Russian aggression and endured by the Ukrainian authorities and individuals.

3.9 Persons Affected by the Destruction of the Kakhovka Hydro-Electric Power Station Dam

Earlier and still pertinent advice suggested in Report 1.0:

- Implement uniform (template) arrangements for ceding the right to claim compensation from the Russian Federation to the Government of Ukraine or self-governing bodies, depending on the source of assistance provided, for all the mechanisms concerned.

3.10 Environmental Damage-related Mechanisms

Earlier and still pertinent advice suggested in Report 1.0:

- Advance base-line data, evidential considerations and further synchronisation of the regulatory and methodological instruments with the "EkoZagroza"-based framework

Report 2.0 recommendations:

1. Carry out targeted rectification of the legislative inconsistencies so to secure systemic (realistic) applicability of the general compensatory mechanism, normative acts itemising the land and other environmental elements-related parameters, to the relevant damage attributable to the Russian aggression, including with the view of avoiding accumulation of debts and subsequent non-enforcement of (potential) judicial decisions.

2. Advance the victim-centric dimension and capitalise on the existing (domestic) “EkoZagroza”-driven verification schemes both in terms of potential inter-state and more nuanced and, therefore,

fair individual remedies for proceeding with environmental claims and reconciling them with (relevant components of) mechanisms concerned with property, health-related or other damage.

3. Develop a standalone policy framework (strategic instrument) on structuring and streamlining a system of overall, group and individual verification tools, as well as relevant (compensatory and procedural/accountability) remedies for environmental damage attributable to the Russian aggression, which could form, be further integrated or synchronised with a comprehensive environmental recovery strategy.

4. Ensure that the most recent modification of the functions of the line ministry (the Ministry of Economy and Environment) involve appropriate prioritisation of their segment concerned with environment-related damage attributable to the Russian aggression.

3.11 Cultural Damage

Earlier and still pertinent advice suggested in Report 1.0:

- Introduction of fully-fledged registers, advancing their repository, documenting, including evidential, and processing functionalities. At the same time, it would be appropriate:

Report 2.0 recommendation:

1. Extend and fine-tune the framework concerned with the damage caused to the cultural (heritage) with regard to their advanced (non-pecuniary) dimension and benefits.

4 DOCUMENTING AND REGISTERS

4.1 Documenting Requirements and Evidentiary Standards

4.1.1 Administrative Procedures

Earlier and still pertinent advice suggested in Report 1.0:

- Further enhancement of the administrative procedures by improving immediate, including video, photo, sample-based and other verifications, accessibility, efficiency of the procedures and individual mechanisms.

Report 2.0 recommendations:

1. Advance the institutional and related, including human capacities of the commissions and administrative bodies in charge of the mechanisms so that they better comply with the enhanced legal requirements on administrative procedure.

2. Improve further the existing and expand the range of individual compensatory mechanisms operating as electronic public services.

3. Fine-tune the procedures towards reasonably proactive machinery for obtaining additional confirmations/certificates, verification of required conditions and criteria, bypassing initial and parallel judicial corroboration of facts, including by shifting of the responsibility on registrars or notaries (as applicable), as well as enhancement or introduction of effective administrative (hierarchical) appeals.

4. Adjust the existing procedures and mechanisms applicable in the Crimea-specific circumstances, including taking into account the lack of functioning legitimate administrative-territorial structures, as well as addressing hurdles caused by the exigencies of entire ToT, in particular those seized during the Russian invasion preceding February 2022.

4.1.2 Correlation with International Reparations' Procedures

Earlier and still pertinent advice suggested in Report 1.0:

- Streamline the procedures, balancing the safeguards against the potential abuse with excessive burdens and complication; Minimising, to the extent possible, duplicative efforts and ensuring that victims have the necessary support and evidence to seek redress on all levels, including by reasonably fine-tuning evidential rules under the administrative procedures, as well as their digitalization and automation, in terms of their sufficiency or approximation to the subsequent international reparations procedures; Advanced anticipation of evidentiary standards and valuation methods, in particular, by drawing on the practice of other claims mechanisms, such as the UNCC, that dealt with similar, including mass claims processing; Co-ordination as to the protocols, language, structure, and technical parameters; facilitation of the development, collection and channeling the claims.

Report 2.0 recommendations:

1. Capitalise on the advanced phase(s) of the RD4U operation and further progress with the shaping and establishment of the International Claims Commission, relevant top-down guidance, including with regard to the prioritisation, structuring of loss, specific damage to be addressed by, developing and adjusting the evidentiary standards and valuation methods and, accordingly, the relevant functionalities, configuring databases, IT solutions and entire ecosystem of the domestic compensatory and relief mechanisms.

2. Develop the domestic mechanisms and specific measures, their framework and provisions with the view of serving as background, guiding the international reparations procedures and mechanisms accordingly.

3. Continue and secure systemic, including by envisaging particular interventions in policy steering instruments, communication and information campaigns, general awareness raising and provision of tailored (guiding) information support to the (potential) claimants about the RD4U (forthcoming International Claims Commission for Ukraine), available avenues and requirements, procedures and relevant perspectives.

4.2 Registers and Databases

4.2.1 Multiplicity of Databases and Registers & 4.2.2 Consolidation of Registers

Earlier and still pertinent advice suggested in Report 1.0:

- Stick to the relevant general (strategic) directions discussed.

Report 2.0 recommendations:

1. Enhance the regulatory framework further so that it specifies algorithms, business-processes of administrative and technical interaction (interoperability) of the data management systems, including for improving their automated pro-active operation for the purposes of streamlining the procedures envisaged under the framework of compensatory and other relief measures.

2. Develop technical, institutional and methodological dimensions of a consolidated, comprehensive, well-structured and consistent information and management solution (inbuilt in the architecture of the consolidated IT ecosystem) for accumulating and processing data on the entire range of the aggression-related damage, loss, and actual expenditures, including with regard to the pecuniary and non-pecuniary damage and relevant monetary parameters.

3. Develop and launch the Register of Victims of War and other International Crimes required for underpinning the PPO-integrated Coordination Center for the Support of Victims and Witnesses and its regional structures and the relevant criminal and criminal procedure-driven Victims Support Mechanism.

5 VALUATION METHODOLOGIES

5.1 Cross-cutting Considerations

Earlier and still pertinent advice suggested in Report 1.0:

- More profound advancement of the relevant methodologies, including the highlighted in Report 1.0 specifics of psychological damage and trauma.

Report 2.0 recommendations:

1. Proceed with further advancement of the valuation scheme and methodologies with the aim of developing a comprehensive, coherent overarching well-structured instrument reconciling the pecuniary and non-pecuniary dimensions of the damage attributable to the Russian aggression followed by the adjustment of the regulatory basis, institutional arrangements and IT infrastructure.

2. Enhance and itemise the methodologies as to valuation of non-pecuniary damage so to include tangible dimensions, indicators of (mental) suffering and relevant estimation of compensation due, including by taking into account the well-established Strasbourg Court case-law and parameters as to calculation and estimation of just satisfaction in this regard.

3. Capitalise on the top-down (structuring and related) indications suggested by advanced phase(s) of the RD4U operation and, as part of the enhancement of the valuation of damage, carry out a targeted compatibility exercise with specific emphasis on structuring of loss, specific damage, developing and adjusting relevant methodologies, charts and other materials.

5.2 Country-wide Damage and Loss

5.2.1 Valuation of Environmental Damage

Earlier and still pertinent advice suggested in Report 1.0:

- Review the valuation methodologies of the environmental impairments in terms of taxes and coefficients; addressing technological and other requirements, including elements related to the costs of reasonable monitoring and assessment, correlating with public health and medical screening, increased health risks resulting from environmental damage; prioritising the gradual introduction of further relevant assistance measures, and mechanisms for alleviating the environmental damage-related suffering of individuals concerned, including in line with the internationally tested methodologies and, possibly, by proceeding with cluster, incidents, harm-specific measures; accounting for the actual costs of environmental abatement and other interventions necessary for cleaning and restoring the environment.

Report 2.0 recommendation:

1. Integrate with and prioritizing the enhancement of the methodologies of valuation of environmental damage caused by the Russian aggression within the Ukraine's accession-related process of aligning with EU environmental and climate acquis, in particular, in terms of liability principles, monitoring, impact assessment considerations and institutional, technical capacities of the governmental structures.

5.2.2 Cultural Values

Report 2.0 recommendation:

1. Prioritise developing and adopting with the assistance and on the basis of relevant (including international) expertise and practice the special methodologies appropriate for the assessment of the entire range of cultural damage and determination of the types and amounts of reparations, including with regard to non-tangible values and non-pecuniary damage accordingly.

5.2.3 Reimbursement Claim(s) by the State of Ukraine

Earlier and still pertinent advice suggested in Report 1.0:

- Clarity, transparency, appropriateness of the valuation methodologies and consistency with the damage and loss; bottom-up channelling and drawing on international standards, including the case-law of the European Court and reparations practices; specifics of quantification of "moral damage".

Report 2.0 recommendations:

1. Fine-tune and enhance, including in terms of systemic coordination, legal and methodological consistency of the domestic system of developing and submission of the state claims in line with the progress of the RD4U framework and forthcoming International Claims Commission. This is to be supplemented by proceeding with the state claims at further stages of their consideration

2. Advance further the (Diia Portal-based) IT solution for processing of the state (and other) claims including with regard to their evidential considerations-based structuring, valuation and substantiation, formation in line with the legal, formatting and procedural requirements of the RD4U and other international mechanisms in issue. Complement it with development of the functionalities for consolidation of individual and other itemised data on actual expenses and damage attributable to the Russian aggression and proceeding with combined nation-wide, group or cluster claims.

6 REMEDIES AND REPARATION IN CRIMINAL AND CIVIL LAW CONTEXTS

6.1 Criminal Law and Procedural Framework

6.1.1 Effective Investigation and prosecution of Atrocity/War/Conflict-related Crimes

Earlier and still pertinent advice suggested in Report 1.0:

- More advanced delineation of the category of the Russian aggression-related crimes and advancing standard operating procedures to provide uniform guidance, indications as to the investigative and overall criminal procedure-based corroboration of the damage and other harm, as well as structuring and collecting individualised and consolidated data concerning the various costs associated with fulfilling investigative and ensued procedural obligations.

Report 2.0 recommendations:

1. Rigorously review the appropriateness and sufficiency of the criminal procedure-based certificates (extracts from UPRI) and other verification documents for the eligibility and substantiation of individual and state claims for the purposes of international reparations procedures. This should comprise relevant classification in (domestic and /or international) law and some factual attribution of the damage to the specific internationally wrongful acts as envisaged by the RD4U and International Claims Commission for Ukraine.

2. Accelerate adoption of further specific policy instrument as to investigation, prosecution for International Crimes with relevant prioritization, resource and time-bound dimensions being specified and its expansion over the system or linkage with policy initiatives of other agencies and institutions contributing to the discharge criminal justice-related obligations concerned with the Russian aggression.

6.2 Criminal Procedures-driven and Other Relevant Assistance for Victims

6.2.1 Victims' Rights and Status under Criminal Procedure

Report 2.0 recommendations:

1. Extend the martial law-specific prerogative of the victim (injured party) to request adjustment of the place of conducting pre-trial proceedings (subject to other legitimate, including resource and efficiency-related interests of investigation and administration of justice) over other crimes and procedures concerned with the loss of life or grave health and possibly other impairments, when they face difficulties with regard to appropriate exercise of their procedural rights.

2. Reinforce the victims-centred approach and envisage that the victim is to be consulted or informed by the prosecution on its observations to the ICC regarding the assessment of relevant damage and types or forms of compensation proposed.

6.2.2 Criminal Procedure-based Support Mechanism

Earlier and still pertinent advice suggested in Report 1.0:

- Proceed with the victim-centred advancement of the entire system of domestic assistance mechanisms to balance the selective and primarily compensatory and the Russian Federation's responsibility-oriented character through enhancement, consolidation and co-ordination of the multiple, including CRSV and other support initiatives for victims of particular kinds of crimes.

Report 2.0 recommendations:

1. Specify the range of the crimes, *corpus delicti* and/or range of damage and relevant victims embraced by the VSM/CCSV mandate currently outlined by the general notion of war and other international crimes.

2. Introduce basic provisions in the primary legislation, preferably CPC, outlining the overall prerogatives, key functionalities of VSM/CCSV and RoV accordingly.

3. Proceed (without further delay) with the development and introduction of RoV in coordination with the advancement of e-CMS and relevant judicial IT instruments so to secure effective operation of VSM, including systemic collection, processing, protection of derivative evidential data on victims and damage, synchronisation of the criminal justice remedies and compensatory, other redress and support measures.

4. Advance VSM machinery for securing appropriate categorisation, tailored classification, structuring of damage, other relevant factors and their application to individual victims and their circumstances, as well as reconciling CPC-based definition of physical, moral, pecuniary damage with classifications suggested by the Personal Non-Property Rights-related legislation, the RD4U and other international mechanisms, in particular the Strasbourg Court practice of legal treatment of pecuniary and non-pecuniary damage, and other forms of just satisfaction.

6.2.3 Support for CRSV Victims and other Criminal Justice/Procedural Remedies-Driven Mechanisms

Report 2.0 recommendations:

1. Ensure without any further delay meaningful activation of the Cabinet of Ministers and further regulations, operationalisation of the Commission and the entire CRSV victims' support mechanism.

2. Revoke the reservation as to Article 30 para. 2 of the Council of Europe (Istanbul) Convention on Preventing and Combating Violence against Women and Domestic Violence.

3. Advance, in addition to the enhancement of relevant valuation methodologies, and fine-tune the individual mechanisms, including their parameters of compensatory and in-kind measures

so that they (better) address the mental suffering-related harm and damage caused by the crimes, grave IHL and serious human rights violations.

6.3 Civil and Other Judicial Remedies for Seeking Compensation from Russian Federation

6.3.1 Claims against Ukraine

Earlier and still pertinent advice suggested in Report 1.0:

- Due crystallisation of the judicial practice, further methodological and capacity building interventions.

6.3.2 Claims against the Russian Federation

Earlier and still pertinent advice suggested in Report 1.0:

- Concerns as to perspectives of enforcement of the final decisions, scrutiny of the claims and awards granted (including with regard to non-pecuniary damage), in particular those not reaching the cassation level; principal lack of adversariality of the procedures and relevant fairness considerations.

6.4 Free Legal Aid and Legal Assistance

Report 2.0 recommendations:

1. Expand further the scope of the free secondary legal aid categories and, in particular, issues addressed. It should be preconditioned by the relevant advancement of the capacities of the system, its working, including IT solutions-based services and / or availability of resources.

2. Specifically collect the detailed statistical data, its structuring and accumulation, and advanced reporting schemes and suggest the breakdown of the costs of the free and other legal assistance provided to the war-affected individuals and matters, which could form an important item for the state claims. In general, the costs of legal assistance, including actual expenses incurred as a result of engaging lawyers (members of the bar) could form a part of specific claims and procedures initiated before the international mechanisms.

7 VICTIMS, CIVIL SOCIETY AND THE VICTIM-CENTRED APPROACH

7.1 Victim-centred Approach

Earlier and still pertinent advice suggested in Report 1.0:

- The fundamentals of the approach in issue, considerations of its more consistent observance at the current state of play and its systemic application.

Report 2.0 recommendations:

1. Prioritise the victim-centring and adherence to it in law and to the letter in practice, in particular by attaching distinct weight to the inclusivity principle with regard to fine-tuning and

further expansion of the compensatory and/or relief measures and mechanisms over most vulnerable and destitute categories, damage caused by grave physical and mental suffering, as well as focusing on its accessibility and security dimensions, including by further extension and advancement of the IT infrastructure and streamlining the procedures, alleviating evidential and other burdens.

2. Formalise and reinforce participation of victims in shaping the system of measures, individual and other compensatory and relief mechanisms, including by introducing relevant targeted feedback avenues and conducting regular opinion polls among victims as to their potential improvement, required extension and other proposals, as well as their (optional/consent-based) further meaningful consultation in the processes and decision-making as to provision of individual support measures.

7.2 The Role of Civil Society, and NGOs in Relation to the Domestic Mechanisms in Ukraine

Earlier and still pertinent advice suggested in Report 1.0:

- Reinforcement, including through enhanced IT formats, information exchange, of the established and legally envisaged formal and ad hoc public consultation procedures, co-ordination and joint input by and between relevant NGOs, including with the engagement of victims, in the policy development, legislative processes, design and implementation of domestic reparation and assistance programmes with a view to enhancement the existing and arriving at a comprehensive reparations framework for Ukraine. The consolidation and coordination should concern the mapping of relevant information and data about NGOs and maintained by them, their activities and capacities, as well as technical properties of the databases and software tools used.

Report 2.0 recommendations:

1. Prioritise and accordingly lift the Martial Law limitations or apply in practice and facilitate full implementation of the advanced framework envisaged by Law No. 3841-IX of 20.06.2024 'On Public Consultations' with regard to the individual compensatory and other relief measures introduced for redressing and mitigating the damage caused by or attributable to the Russian aggression, as well as the entire reparations framework related to it.