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2026/0065 (NLE)

Proposal for a

COUNCIL DECISION

**on the conclusion of the Convention Establishing an International Claims Commission
for Ukraine**

EXPLANATORY MEMORANDUM

With this proposal, the Commission is requesting authorisation from the Council for the conclusion of the Convention Establishing an International Claims Commission for Ukraine.

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

On 14 November 2022, the United Nations General Assembly adopted Resolution A/RES/ES-11/5¹, titled “Furtherance of remedy and reparation for aggression against Ukraine”. In this resolution, the General Assembly affirmed that the Russian Federation must be held accountable for any violations of international law committed in or against Ukraine, including its aggression in violation of the Charter of the United Nations, as well as any violations of international humanitarian law and international human rights law, and that it must bear the legal consequences of all of its internationally wrongful acts, including making reparation for the injury, including any damage, caused by such acts.

The Resolution further recognised the need to establish, in cooperation with Ukraine, an international mechanism for reparation for damage, loss, or injury arising from the internationally wrongful acts of the Russian Federation in or against Ukraine. It also recommended that Member States, in cooperation with Ukraine, create an international register of damage. This register would serve as a documentary record of evidence and claims information regarding damage, loss, or injury suffered by all natural and legal persons concerned, as well as the State of Ukraine, caused by the internationally wrongful acts of the Russian Federation in or against Ukraine. Additionally, the register would promote and coordinate evidence-gathering. In line with the UN General Assembly Resolution, States adopted a stepwise approach, choosing to establish the register first, followed by the other elements of the compensation mechanism: a claims commission and a compensation fund.

On 12 May 2023, the Committee of Ministers of the Council of Europe adopted Resolution CM/Res(2023)3² establishing the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (hereinafter ‘Register’). The Union joined the Enlarged Partial Agreement on the Register as a founding Associate Member in May 2023³ and changed its status from Associate Member to Participant in July 2024⁴. This change underscored the Union’s firm commitment to the Register’s activities, including through the payment of its annual compulsory contribution.

On 2 April 2024, the Register officially launched its activities on occasion of the ‘Restoring Justice for Ukraine’ Ministerial Conference. On this occasion, interested States agreed to initiate discussions on a draft instrument to establish a claims commission. This administrative body would review, assess, and decide on eligible claims, as well as determine

¹ UNGA resolution A/RES/ES-11/5, OP2-OP.

² 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, Adopted by the Committee of Ministers on 12 May 2023 at the 1466th meeting of the Ministers’ Deputies.

³ Commission Decision of 11.5.2023 on the EU participation as Founding Associate Member in the Enlarged Partial Agreement on the Register of damage caused by the Aggression of the Russian Federation against Ukraine within the institutional framework of the Council of Europe. C(2023) 3241.

⁴ Council Decision (EU) 2024/2045 of 22 July 2024 on the position to be taken on behalf of the EU within the Council of Europe bodies as regards the status of the European Union in the Enlarged Partial Agreement on the Register of Damage caused by the Aggression of the Russian Federation against Ukraine. OJ L, 2024/2045, 24.7.2024.

the amount of compensation due in each case, building on the work of the Register. The Secretariat of the Register prepared a ‘zero draft’ of the instrument establishing the future Claims Commission (‘draft instrument’). Together with Ukraine and the Netherlands, it organised four preparatory meetings between July 2024 and January 2025 to exchange preliminary views on the draft instrument and its subsequent revisions. All 94 States that had voted in favour of the aforementioned UN General Assembly Resolution were invited to participate in these meetings.

On 17 March 2025, the Council adopted a Decision authorising the Commission to participate, on behalf of the Union, in the negotiations on the draft instrument setting up an International Claims Commission for Ukraine⁵.

Around 55 delegations, including the European Union and all its Member States, participated in the four negotiation meetings held in The Hague between March and September 2025. The first three meetings were convened in the format of an Intergovernmental Negotiation Committee on an International Treaty to establish a Claims Commission for Ukraine (INC). The European Commission, in close coordination with the European External Action Service (EEAS), actively contributed to the negotiations on the basis of the objectives set out in the Council’s negotiating directives and regularly reported to the Council Working Party on the Organisation for Security and Cooperation in Europe and the Council of Europe (COSCE) pursuant to the abovementioned Decision.

During its third meeting, the INC decided to develop the International Treaty as an open Council of Europe convention (hereinafter ‘Convention’). Accordingly, the fourth round of negotiations, held in September 2025, took place as the first meeting of the Ad-hoc Committee on the Establishment of an International Claims Commission for Ukraine (CAHEC). At this meeting, the CAHEC discussed and provisionally approved the Convention, the Rules of Procedure, the Resolution, and the Final Act. On 22 October 2025, the Committee of Ministers of the Council of Europe provisionally adopted the Convention⁶.

On 16 December 2025, the Council adopted Decision (EU) 2025/2655⁷ authorising the Commission to sign, on behalf of the European Union, the Convention subject to its conclusion at a later stage. The Decision also authorised the signing of the Final Act of the Diplomatic Conference and approved the adoption of the Resolution, which sets out the necessary arrangements for the commencement of the Claims Commission’s functions and the fulfilment of its mandate.

Following the Diplomatic Conference’s agreement on minor technical amendments to the draft Convention on 15 December 2025 in The Hague, the Convention, the Resolution, and the Final Act were formally adopted on 16 December 2025. 34 States and the European Union signed the Convention on 16 December. With another state signing on 19 December, the total number of signatories is currently 36.

⁵ Council Decision (EU) 2025/702 of 17 March 2025 authorising the European Commission to take part, on behalf of the Union, in the negotiations for an international instrument setting up an International Claims Commission for Ukraine. OJ L, 2025/702, 8.4.2025.

⁶ CM(2025)139-final - [1541/10.1] Ad hoc Committee on the Establishment of an International Claims Commission for Ukraine (CAHEC) - Draft Convention Establishing an International Claims Commission for Ukraine (Strasbourg, 22 October 2025).

⁷ Council Decision (EU) 2025/2655 of 16 December 2025 on the signing, on behalf of the European Union, of the Convention Establishing the International Claims Commission for Ukraine. OJ L, 2025/2655, 23.12.2025.

The Diplomatic Conference reaffirmed that the Russian Federation must bear the legal consequences of all its internationally wrongful acts, including the obligation to make reparation for any injury or damage caused by such acts. It also encouraged all participants to continue exploring, both at the international level and in accordance with international law, possible sources to secure funding for the compensation determined and awarded by the International Claims Commission for Ukraine under the Convention.

As stipulated by the Resolution of the Diplomatic Conference, the Council of Europe, in cooperation with the Register of Damage, is to establish an advance team to prepare for the operational launch of the Claims Commission. In this context, the European Union announced, on 16 December 2025, a voluntary contribution of up to EUR 1 million to support these preparatory activities.

Following the Diplomatic Conference of 16 December 2025, interested States and the European Union are invited to conclude the Convention. The purpose of this proposal is therefore to seek authorisation from the Council to conclude the Convention, enabling the Union to become a Member of the Claims Commission as provided for under Article 27(1) of the Convention.

In accordance with Article 10(1)(a) of the Convention, the Council of the Claims Commission should be composed of a minimum of nine and a maximum of 15 members, who shall serve for a term of three years on a rotational basis. Pursuant to Article 30(3) of the Convention, once the conditions for its entry into force are fulfilled, the Assembly should designate the initial nine members constituting the Council. The Assembly should subsequently designate additional members in line with the progressive increase in the number of deposits of instruments of ratification or acceptance of the Convention, as provided for in Article 10(1)(c) thereof. It is therefore in the Union's interest to be among the first nine Parties to consent to be bound by the Convention, in order to be included among the initial nine members of the Council.

Content of the Convention

The text of the Convention, annexed to the present proposal, provides for the following:

- (1) The Claims Commission is established as an independent body with international legal personality within the institutional framework of the Council of Europe. It constitutes the second component of the international compensation mechanism, following the Register of Damage. The functions of the Register should continue as part of the Claims Commission, which becomes the Register's legal successor and receives its digital platform, data, and archives.
- (2) The Convention clarifies that, while it addresses internationally wrongful acts committed by the Russian Federation in or against Ukraine on or after 24 February 2022, this does not absolve the Russian Federation of responsibility for internationally wrongful acts committed in or against Ukraine on or after 20 February 2014 nor does it preclude the possibility of a future amendment to the Convention extending its temporal scope to 20 February 2014.
- (3) Any member State of the Council of Europe, any other State, and the European Union that participated in the Diplomatic Conference, as well as any other States that

voted in favour of United Nations General Assembly resolution ES-11/5 of 14 November 2022 may become a Member of the Claims Commission. After the entry into force of the Convention, the Parties to the Convention may invite any State or Regional Integration to accede to the Convention. Members are required to pay annual contributions to fund the Claims Commission until such time as the Russian Federation bears the costs. Observers generally participate without voting rights; however, those making substantial voluntary contributions are granted voting rights with respect to specific financial reports and the budget.

- (4) Should the Russian Federation seek membership, it must make a declaration accepting responsibility for all damage, undertaking to fund compensation and agreeing to reimburse the costs incurred by all Members and Observers from the date of the Convention's entry into force.
- (5) The Convention provides that the Claims Commission will have an Assembly, composed of all Members, which serves as its governing body. The Assembly is responsible for overseeing the fulfilment of the Claims Commission's mandate, appointing and authorising its key organs and officials, and adopting rules and budget. The Assembly should meet at the seat of the Claims Commission unless it decides otherwise. Its first meeting is to be convened within one year of the Convention's entry into force.
- (6) The Convention further provides for a Council composed of a minimum of nine and a maximum of 15 Members, serving for a term of three years on a rotational basis. The initial nine Members of the Council should be designated by the Assembly at its first meeting or as soon as possible thereafter. The Council of the Claims Commission is responsible for exercising the Claims Commission's mandate by appointing Commissioners and Panels, adopting substantive and procedural rules on claims and compensation, and adopting or remitting compensation decisions based on the Panels' recommendations, subject to oversight by the Assembly.

- **Consistency with existing policy provisions in the policy area**

The present proposal is consistent with the actions undertaken by the Union in response to the Russian Federation's war of aggression against Ukraine, launched in February 2022. It consolidates the Union's commitment to upholding international law, ensuring accountability for the commission of international crimes in and against Ukraine, and supporting Ukraine's right to justice and to full reparation.

In particular, the proposal builds directly on the Union's commitment to the establishment of an international compensation mechanism for Ukraine, including its participation in the Register of Damage. The Register was announced at the Fourth Summit of Heads of State and Government of the Council of Europe, held in Reykjavik on 16-17 May 2023, and serves as a documentary record of evidence and claims information relating to damage, loss, or injury caused to all concerned natural and legal persons, as well as to the State of Ukraine, on or after 24 February 2022, in the territory of Ukraine, as a result of the Russian Federation's internationally wrongful acts in or against Ukraine. As noted above, the Union joined the Enlarged Partial Agreement on the Register from the outset as a founding Associate Member and further strengthened its commitment in July 2024 by becoming a full Participant.

On 9 July 2025, the Committee of Ministers approved the extension of the Register beyond May 2026 by adopting Resolution CM/Res(2025)3⁸ confirming the establishment of the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine.

As provided for by the Convention, as well as by Resolution CM/Res(2023)3 establishing the Enlarged Partial Agreement on the Register of Damage, the transfer of the work of the Register to the Claims Commission shall include the Register's digital platform, including all information on claims and evidence contained therein, as well as all other documentation, archives, and movable and immovable property. This transfer should encompass, inter alia, bank accounts, IT equipment, software and any related licences, contracts, and arrangements of the Register, together with any associated data, in such a manner that the Claims Commission becomes the legal successor of the Register.

The Union's financial support to the establishment of the international compensation mechanism for Ukraine has been enabled primarily through Regulation (EU) 2024/792 (hereinafter 'Ukraine Facility Regulation')⁹, adopted on the basis of Article 212 of the Treaty on the Functioning of the European Union (TFEU). Among its objectives, the Facility aims to "support initiatives, bodies and organisations involved in promoting and enforcing democracy, international justice and anti-corruption efforts in Ukraine" (Article 3(2)(i)) and to "strengthen compliance with international law" (Article 3(2)(h)). In accordance with Article 34(3) of the Ukraine Facility Regulation, the Union has been providing financial support to "processes that promote justice, truth-seeking, comprehensive post-conflict rehabilitation for an inclusive and peaceful society, as well as the collection of evidence of crimes committed during the war", including the Register of Damage and the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA).

On 14 January 2026, the Commission adopted a Proposal for a Regulation implementing enhanced cooperation on the establishment of the Ukraine Support Loan for Ukraine for 2026 and 2027¹⁰. The proposal aims to ensure the establishment of a new instrument to address Ukraine's urgent needs by providing Union assistance of EUR 90 billion in the form of a loan to be repaid from reparations due by the Russian Federation. Recital 24 of the proposal provides that macro-financial assistance may be used by Ukraine to support the financing of compensation, as a form of reparations, for individuals who have suffered damage as a result of the illegal actions of Russia, including through the Claims Commission for Ukraine established under the auspices of the Council of Europe.

On 14 January 2026, the Commission adopted a Proposal for amending the Ukraine Facility Regulation¹¹, based on Article 212 TFEU, as one of the instruments to enable the delivery of the EUR 90 billion financial support package to Ukraine.

⁸ Resolution CM/Res(2025)3 confirming the establishment of the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine, Adopted by the Committee of Ministers on 9 July 2025 at the 1534th meeting of the Ministers' Deputies.

⁹ Regulation (EU) 2024/792 of the European Parliament and of the Council of 29 February 2024 establishing the Ukraine Facility. OJ L, 2024/792, 29.2.2024.

¹⁰ Proposal for a Regulation of the European Parliament and of the Council implementing enhanced cooperation on the establishment of the Ukraine Support Loan for 2026 and 2027. Brussels, 14.1.2026. COM(2026) 20 final.

¹¹ Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2024/792 establishing the Ukraine Facility. Brussels, 14.1.2026. COM(2026) 22 final.

- **Consistency with other Union policies**

The proposal is consistent with the Union’s broader policies in support of Ukraine and seeks to pursue distinct but mutually reinforcing objectives within the wider accountability architecture addressing the Russian Federation’s unlawful war of aggression.

On 2 February 2023, the Commission announced the establishment of the ICPA, hosted at Eurojust. Established in July 2023, the ICPA has played an instrumental role in strengthening national investigations into the crime of aggression carried out by Ukraine and five Member States, by securing evidence and facilitating joint case-building for future proceedings before the Special Tribunal.

Between January 2023 and March 2025, the Union participated in the Core Group on the Establishment of a Special Tribunal for the Crime of Aggression against Ukraine (hereinafter ‘Core Group’), which discussed the modalities for establishing a tribunal empowered to investigate, prosecute, and try persons bearing the greatest responsibility for the crime of aggression against Ukraine.

On 9 May 2025, the Ministers for Foreign Affairs and other representatives of the participants in the Core Group convened in Lviv and adopted the “Lviv Statement,” committing to the establishment of the Special Tribunal within the framework of the Council of Europe, to the swift commencement of its operations, and to supporting its effective functioning, while acknowledging the instrumental contribution of the Commission and the European External Action Service throughout the process.

On 25 June 2025, Ukraine and the Council of Europe signed an agreement establishing the Special Tribunal¹². Subsequently, work has continued within the Council of Europe’s framework to finalise the necessary legal acts to establish the Tribunal, in particular the Enlarged Partial Agreement on the Management Committee of the Special Tribunal.

Further testament to the Union’s commitment to support Ukraine and ensure accountability for the international crimes committed in and against Ukraine is the Union’s support to the Advance Team preparing the Special Tribunal with EUR 10 million for 24 months as of January 2026¹³ via the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)¹⁴.

The present proposal also complements the Union’s active participation in coordination platforms such as the US-UK-EU Atrocity Crimes Advisory Group, which provides expert assistance to the Office of the Prosecutor General of Ukraine, and the Dialogue Group, which serves as a hub for coordinating support to Ukraine’s justice sector by international organisations, civil society actors, and donors.

Finally, the proposal is consistent with the Union’s policy of imposing an ever-expanding range of restrictive measures against the Russian Federation, with a view to increasing the costs borne by the Russian Federation for its illegal actions and constraining its ability to

¹² CM(2025)104-final - [1532/2.3] Consequences of the aggression of the Russian Federation against Ukraine - Agreement between the Council of Europe and Ukraine on the Establishment of the Special Tribunal for the Crime of Aggression against Ukraine. (Strasbourg, 24 June 2025).

¹³ Commission Implementing Decision on the financing of the multiannual action plan for Support to the preparations of the launch of the Special Tribunal for the Crime of Aggression against Ukraine for 2025 and 2026. Brussels, 4.12.2025, C(2025) 8248 final.

¹⁴ Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009 (Text with EEA relevance).

continue its aggression¹⁵. To strengthen the enforcement of restrictive measures, the Union has, *inter alia*, established the Freeze and Seize Task Force and adopted Directive (EU) 2024/1226¹⁶, which harmonises the definition of, and criminal penalties for, violations of Union restrictive measures. In addition, the Commission has appointed an EU Sanctions Envoy to ensure continuous high-level engagement with third countries on preventing the evasion or circumvention of Union restrictive measures, particularly those adopted against the Russian Federation, and has published guidance for national authorities and private operators on the interpretation of the relevant Union rules.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

The substantive legal basis for the adoption of the Council Decision authorising the conclusion of the Convention is Article 212 TFEU. Likewise, Council Decision (EU) 2025/2655 on the signing of the Convention was adopted on the substantive legal basis of Article 212 TFEU.

The procedural legal basis for the adoption of the Council Decision authorising the conclusion of the Convention is Article 218(6)(a)(v) TFEU, which provides that the Council should adopt a decision concluding the agreement after obtaining the consent of the European Parliament.

As illustrated by the United Nations General Assembly resolutions referred to above and in the preamble to the Convention, the Claims Commission is to be established in order to ensure that victims of the Russian Federation's aggression against Ukraine, in manifest violation of Article 2(4) of the United Nations Charter, are duly compensated for the damage they have suffered as a result of Russia's internationally wrongful acts, in accordance with international law. The establishment of this mechanism therefore also forms part of the broader efforts of the international community to ensure respect for human rights and the principles of international law, as well as for international peace and security. From the perspective of the Union, participation in this mechanism corresponds to the objectives underpinning the Union's external action, as set out in Article 21(2) of the Treaty on European Union (TEU).

- **Subsidiarity (for non-exclusive competence)**

In accordance with Article 216(1) TFEU, the Union's conclusion of the Convention establishing an International Claims Commission for Ukraine falls within the Union's external competence.

Pursuant to the second subparagraph of Article 212(3) TFEU, the Union's conclusion of the Convention does not affect the competence of the Member States "to conclude international agreements." This provision, read in conjunction with Article 4(4) TFEU, confirms the

¹⁵ Most recent: Council Decision (CFSP) 2026/260 of 29 January 2026 amending Decision (CFSP) 2024/2643 concerning restrictive measures in view of Russia's destabilising activities. OJ L, 2026/260, 29.1.2026; Council Decision (CFSP) 2025/2648 of 22 December 2025 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine. OJ L, 2025/2648, 23.12.2025; Council Decision (CFSP) 2025/2572 of 15 December 2025 amending Decision (CFSP) 2024/2643 concerning restrictive measures in view of Russia's destabilising activities. OJ L, 2025/2572, 15.12.2025.

¹⁶ Directive (EU) 2024/1226 of the European Parliament and of the Council of 24 April 2024 on the definition of criminal offences and penalties for the violation of Union restrictive measures and amending Directive (EU) 2018/1673. OJ L, 2024/1226, 29.4.2024.

parallel nature of the competence and allows Member States to become Parties to the Convention alongside the Union, should they wish to do so.

The proposed initiative is also consistent with the principle of subsidiarity, as set out in Article 5(3) TEU, as it represents a coherent step towards the broader goal shared by the Union and the Member States of the establishment of a mechanism to decide on claims for compensation for damage, loss, or injury caused by internationally wrongful acts committed by the Russian Federation in or against Ukraine. The added value of action at Union level lies in the Union's capacity to coordinate a coherent and unified position internationally, to reinforce its political and legal commitment to accountability, and to ensure consistency with its broader external action and support to Ukraine.

- **Proportionality**

The proposal is consistent with the principle of proportionality, as set out in Article 5(4) TEU, since the objectives described above can only be effectively achieved through the Union's conclusion of the Convention establishing an International Claims Commission for Ukraine.

- **Choice of the instrument**

The Union's conclusion of the Convention requires a proposal for a Council Decision pursuant to Article 218(6) TFEU, under which the Council may authorise the conclusion of an international agreement.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

Not applicable.

- **Stakeholder consultations**

Not applicable.

- **Collection and use of expertise**

Not applicable.

- **Impact assessment**

Not applicable.

- **Regulatory fitness and simplification**

Not applicable.

- **Fundamental rights**

Not applicable.

4. BUDGETARY IMPLICATIONS

In accordance with international law, and as stipulated by the Convention, the Russian Federation should bear the costs of the work of the Claims Commission. Until such time as

the Russian Federation becomes a Member of the Commission, the Convention provides that the Claims Commission should be financed through annual contributions from its Members and voluntary contributions, without prejudice to the possibility of recovering the related costs from the Russian Federation.

In this context, the Union's conclusion of the Convention requires the payment of an annual contribution. While the date of entry into force of the Convention remains uncertain, the Claims Commission's full annual budget is not expected to be required before 2028. As indicated in Council Decision (EU) 2025/2655 on the signing of the Convention, the Union's annual contribution to the Claims Commission is expected to reach EUR 3 million during peak operational years. The Union's mandatory contribution may be provided under the Global Europe Instrument, subject to the outcome of interinstitutional negotiations on the Multiannual Financial Framework (MFF) 2028-2034, and thereafter to be determined through the annual budgetary procedure and the steering mechanism.

As announced at the Diplomatic Conference on 16 December 2025, the Union will finance the costs of the Advance Team within the Council of Europe, with the participation of the Register of Damage, to prepare for the operational launch of the Claims Commission. These costs are estimated at EUR 880 000 over 18 months and will be financed under the Rapid Response Pillar of the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe). The Union's voluntary contribution will notably cover costs related to the setting up of an Advance Team of the Claims Commission as well as to enabling the work of the Preparatory Committee, as envisaged in the Resolution annexed to Council Decision (EU) 2025/2655.

Meanwhile, the Union will continue to provide its annual mandatory contribution to the Register of Damage in 2026 and 2027 through Regulation (EU) 2024/792 establishing the Ukraine Facility.

Further details on the financial impact of this proposal are set out in the annexed legislative financial statement.

5. OTHER ELEMENTS

• **Implementation plans and monitoring, evaluation and reporting arrangements**

The Convention provides for the establishment of a Financial Committee, which, pursuant to Article 8 of the Convention annexed to this Decision, is tasked with determining the annual contributions of Members and providing advice to the Secretariat in the preparation of the Claims Commission's budget.

Monitoring activities are assigned to the Assembly, composed of all Members of the Commission, which is responsible for adopting the annual financial report and activity report of the Claims Commission (Article 7 of the Convention). Similarly, the Council of the Claims Commission, composed of a minimum of nine and a maximum of 15 Members serving on a three-year rotational basis, is required to provide reports to the Assembly twice a year. These reports should include the number of claims considered by the Council, the total amount of compensation awarded in each category, and a summary of any other significant factual or legal matters relevant to the work of the Claims Commission (Article 10(8) of the Convention).

- **Explanatory documents (for directives)**

Not applicable.

- **Detailed explanation of the specific provisions of the proposal**

Article 1 concerns the conclusion of the Convention Establishing an International Claims Commission for Ukraine.

Article 2 provides for the date on which the decision will enter into force.

- **Text of the Convention and depository**

The text of the Convention is submitted to the Council together with this proposal.

In accordance with the Treaties, it is for the Commission to proceed to make the notification provided for in Article 37 of the Convention, in order to express the consent of the Union to be bound by the Convention.

Proposal for a

COUNCIL DECISION

on the conclusion of the Convention Establishing an International Claims Commission for Ukraine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 212 in conjunction with Article 218(6), second subparagraph, point (a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹⁷,

Whereas:

- (1) On 16 December 2025, in accordance with Council Decision (EU) 2025/2655¹⁸, the Commission signed, on behalf of the Union, the Convention establishing an International Claims Commission for Ukraine ('Convention' of 'Claims Commission'), subject to its conclusion. It also signed its Final Act and approved the adoption of the Resolution laying down the necessary arrangements for the commencement of the functions of the Claims Commission and the fulfilment of its mandate within the context of a Diplomatic Conference in The Hague.
- (2) The Convention notes that the Claims Commission constitutes the second component of the international compensation mechanism, which is to succeed the Register of Damage for Ukraine, whose work will be transferred to the Claims Commission as soon as possible after the establishment of the latter. The Convention also recognises that the third component of the international compensation mechanism may also include a future compensation fund mandated to pay compensation for damage, loss or injury caused by the Russian Federation's internationally wrongful acts in or against Ukraine.
- (3) Following the start of the unprovoked and unjustified war of aggression waged by the Russian Federation against Ukraine, the European Council, in its Conclusions of 24 February 2022, condemned in the strongest possible terms the Russian Federation's military aggression against Ukraine and affirmed that the Russian Federation bears full responsibility for this aggression and all the destruction and loss of life it causes, and that it will be held accountable for its actions¹⁹.
- (4) On 14 November 2022, the United Nations (UN) General Assembly adopted Resolution A/RES/ES-11/5²⁰ in which it recognised that the Russian Federation must be held to account for any violations of international law in or against Ukraine. In

¹⁷ Consent published in OJ C , , p. .

¹⁸ Council Decision (EU) 2025/2655 of 16 December 2025 on the signing, on behalf of the European Union, of the Convention Establishing the International Claims Commission for Ukraine. OJ L, 2025/2655, 23.12.2025.

¹⁹ Special meeting of the European Council (24 February 2022) – Conclusions, EUCO 18/22.

²⁰ UNGA resolution A/RES/ES-11/5, OP2-OP.

addition, it recognised that the Russian Federation must bear the legal consequences of all its internationally wrongful acts, including making reparation for the injury, including any damage, caused by such acts. Against this background, the UN General Assembly recognised the need for the establishment, in cooperation with Ukraine, of an international mechanism for reparation for damage, loss or injury, arising from the internationally wrongful acts of the Russian Federation in or against Ukraine. To this end, the UN General Assembly recommended the creation of an international register of damage to serve as a record, in documentary form, of evidence and claims information on damage, loss or injury to all natural and legal persons concerned, as well as to the State of Ukraine, caused by internationally wrongful acts of the Russian Federation in or against Ukraine, as well as to promote and coordinate evidence-gathering.

- (5) On 12 May 2023, the Committee of Ministers of the Council of Europe adopted Resolution CM/Res(2023)3²¹ establishing the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine ('Register of Damage'). As reflected in that Resolution, the establishment of a register of damage constitutes a first step in setting up an international compensation mechanism, which may include a claims commission and a compensation fund. Accordingly, Resolution CM/Res(2023)3 acknowledges that the Register of Damage, including its digital platform with all data about claims and evidence recorded therein, is intended to constitute an integral part of the compensation mechanism to be established by a separate international instrument in cooperation with Ukraine and relevant international organisations and bodies.
- (6) The Union joined the Register of Damage as a founding Associate Member on 11 May 2023²² and changed its status to full Participant on 22 July 2024²³.
- (7) On 29 February 2024, the European Parliament and the Council adopted Regulation (EU) 2024/792 establishing the Ukraine Facility²⁴, which provides, among others, for funding for initiatives and bodies involved in supporting and enforcing international justice in Ukraine. This includes, among others, the Union's financial contribution to the Register of Damage.
- (8) In 2024, the Office of the President of Ukraine, the Ministry of Foreign Affairs of Ukraine, the Ministry of Foreign Affairs of the Kingdom of the Netherlands and the Register of Damage for Ukraine invited the States that supported the adoption of UN General Assembly Resolution A/RES/ES-11/5 to preparatory meetings on an International Instrument to establish a Claims Commission for Ukraine in The Hague.

²¹ Resolution CM/Res(2025)3 confirming the establishment of the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine, Adopted by the Committee of Ministers on 9 July 2025 at the 1534th meeting of the Ministers' Deputies.

²² Commission Decision of 11.5.2023 on the EU participation as Founding Associate Member in the Enlarged Partial Agreement on the Register of damage caused by the Aggression of the Russian Federation against Ukraine within the institutional framework of the Council of Europe. C(2023) 3241.

²³ Council Decision (EU) 2024/2045 of 22 July 2024 on the position to be taken on behalf of the EU within the Council of Europe bodies as regards the status of the European Union in the Enlarged Partial Agreement on the Register of Damage caused by the Aggression of the Russian Federation against Ukraine. OJ L, 2024/2045, 24.7.2024.

²⁴ Regulation (EU) 2024/792 of the European Parliament and of the Council of 29 February 2024 establishing the Ukraine Facility (OJ L, 2024/792, 29.2.2024).

- (9) On 17 March 2025, the Council adopted Decision (EU) 2025/702²⁵ authorising the Commission to take part, on behalf of the Union, in the negotiations for an international instrument setting up an International Claims Commission for Ukraine.
- (10) Between March and September 2025, approximately 55 delegations, including the European Union and all its Member States, participated in four rounds of negotiations in The Hague. The first three rounds were held in the framework of the Intergovernmental Negotiation Committee on an International Treaty to Establish a Claims Commission for Ukraine (INC), which exchanged views on the draft treaty, concluded several readings of the text and produced subsequent revised versions thereof.
- (11) During the third round of negotiations in July 2025, the INC decided to develop the International Instrument to establish a Claims Commission for Ukraine as a Council of Europe Convention open to State Parties that are not members of the Council of Europe and to the European Union. The work of the INC was subsequently transferred to, and continued within, the framework of that Ad hoc Committee on the Establishment of an International Claims Commission for Ukraine under the auspices of the Council of Europe ('Ad hoc Committee'). The Ad hoc Committee further examined and provisionally approved the Convention as well as the Rules of Procedure for the Diplomatic Conference for the adoption of the Convention, the Resolution laying down necessary arrangements for the commencement of the functions of the Claims Commission and the fulfilment of its mandate and the Final Act for adoption at a Diplomatic Conference to be held in The Hague on 16 December 2025. The Final Act included the Convention, the Resolution and the meeting report of the Diplomatic Conference as appendices.
- (12) On 22 October 2025, the Committee of Ministers of the Council of Europe provisionally adopted the Convention²⁶ in view of its adoption and opening for signature on the occasion of the Diplomatic Conference on 16 December 2025.
- (13) Pursuant to Article 30 of the Convention, the Convention is open for ratification, acceptance or approval by all member States of the Council of Europe, the European Union and any other States that participated in the Diplomatic Conference on 16 December 2025, and any other States that voted in favour of UN General Assembly Resolution A/RES/ES-11/5. Pursuant to Article 31 therein, other states and regional organisations may also be invited to accede to the Convention after its entry into force.
- (14) The Union is firmly committed to ensuring that the Russian Federation bears the legal consequences of its internationally wrongful acts against Ukraine, including the obligation to make reparation for any damage, loss, or injury caused by those acts. It is therefore appropriate for the Union to approve the Convention establishing an International Claims Commission for Ukraine.

²⁵ Council Decision (EU) 2025/702 of 17 March 2025 authorising the European Commission to take part, on behalf of the Union, in the negotiations for an international instrument setting up an International Claims Commission for Ukraine. OJ L, 2025/702, 8.4.2025.

²⁶ CM(2025)139-final - [1541/10.1] Ad hoc Committee on the Establishment of an International Claims Commission for Ukraine (CAHEC) - Draft Convention Establishing an International Claims Commission for Ukraine (Strasbourg, 22 October 2025).

HAS ADOPTED THIS DECISION:

Article 1

The Convention Establishing an International Claims Commission for Ukraine is hereby approved²⁷.

Article 2

This Decision shall enter into force on [one day after the publication in the Official Journal].

Done at Brussels,

*For the Council
The President*

²⁷ The text of the Convention is published in OJ L, [...].

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1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Proposal for a Council Decision for conclusion of the Convention Establishing an International Claims Commission for Ukraine.

1.2. Policy area(s) concerned

Justice

Financial and technical assistance to third countries

1.3. Objective(s)

1.3.1. General objective(s)

The International Claims Commission for Ukraine will be an independent administrative body with international legal personality, operating within the institutional framework of the Council of Europe. The Claims Commission constitutes the second component of the international compensation mechanism. The functions of the Register of Damage should continue as part of the Claims Commission, which will become the Register's legal successor, inheriting its digital platform, data, and archives. The Claims Commission will provide the necessary assistance to Ukraine to ensure that the Russian Federation bears the legal consequences of its internationally wrongful acts against Ukraine, including the obligation to make reparation for any damage, loss, or injury resulting from those acts.

1.3.2. Specific objective(s)

(1) To conclude the Convention on the International Claims Commission with the intent of ensuring the Union's participation therein.

(2) To provide the International Claims Commission with the means to review, assess, and decide eligible claims recorded in the Register of Damage, and to determine the amount of compensation due in each case.

(3) Once the Convention enters into force and the Claims Commission becomes operational (expected in 2028), the Union will contribute annually between EUR 1 million and EUR 3 million during peak operational years, depending on the overall workload and the number of claims submitted, for the Claims Commission's estimated lifespan of at least 10 years, in accordance with Article 36(1) of the Convention²⁸.

1.3.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

The International Claims Commission will function as a fact-finding body tasked with reviewing, assessing, and deciding eligible claims, and determining the amount of compensation due in each case. It will ensure that the Russian Federation bears the

²⁸ The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure and the steering mechanism. All appropriations and staffing allocations as of 2028 are indicative.

legal consequences of its internationally wrongful acts against Ukraine, including the obligation to provide reparation for any damage, loss, or injury resulting from those acts.

1.3.4. *Indicators of performance*

Specify the indicators for monitoring progress and achievements.

The setting up of the International Claims Commission.

1.4. **The proposal/initiative relates to:**

- a new action
- a new action following a pilot project / preparatory action²⁹
- the extension of an existing action
- a merger or redirection of one or more actions towards another/a new action

1.5. **Grounds for the proposal/initiative**

1.5.1. *Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative*

In the short term, it is required to obtain the Council's authorisation for the Union to conclude the Convention establishing an International Claims Commission. The consequence is that, in the long term, the Union will pay mandatory contributions to the Claims Commission's general budget so that the latter can fulfil its mandate to review, assess and decide eligible claims recorded in the Register of Damage and determine the amount of compensation due in each case³⁰.

1.5.2. *Added value of EU involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this section 'added value of EU involvement' is the value resulting from EU action, that is additional to the value that would have been otherwise created by Member States alone.*

Reasons for action at EU level (ex-ante)

The Union has consistently reiterated its commitment to ensuring that the Russian Federation bears the legal consequences of its internationally wrongful acts, including the obligation to make full reparation for the injury and damage resulting from its war of aggression against Ukraine. This position aligns with the United Nations General Assembly Resolution ES-11/5 of 14 November 2022, entitled "*Furtherance of remedy and reparation for aggression against Ukraine*", which recognised the need to establish an international mechanism for reparation for damage, loss, or injury arising from the Russian Federation's acts of aggression.

In response to that Resolution, on 12 May 2023, the Committee of Ministers of the Council of Europe adopted the Resolution establishing the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian

²⁹ As referred to in Article 58(2), point (a) or (b) of the Financial Regulation.

³⁰ The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure and the steering mechanism. All appropriations and staffing allocations as of 2028 are indicative.

Federation against Ukraine. The States agreed to pursue a stepwise approach, beginning with the creation of the Register as the first component of a future international compensation mechanism, to be followed by the establishment of a Claims Commission and, at a later stage, a compensation fund. The Statute of the Register explicitly provides that it constitutes the first element of this broader mechanism, to be completed through a separate international instrument to be developed in cooperation with Ukraine and relevant international organisations and bodies.

The Union joined the Register of Damage as a founding Associate Member on 11 May 2023 through a Commission Decision and, following the Council Decision of 22 July 2024, became a full Participant. This participation enables the Union to support Ukraine in seeking justice and reparation, to contribute to strengthening the rules-based international order, and to ensure coherence between the Union's actions and those of its Member States.

The Commission, together with the European External Action Service (EEAS), actively participated in negotiations on the draft Convention establishing an International Claims Commission, based on the Council Decision of 17 March 2025. Pursuant to the Council Decision of 16 December 2025, the Commission signed the Convention on behalf of the Union. In this context, the present proposal seeks the Council's authorisation to conclude the Convention pursuant to Articles 212 and 218(6) TFEU.

Expected generated EU added value (ex-post)

Once the Convention enters into force and the Claims Commission becomes operational, the Union's participation as a Member will contribute to ensuring that the Russian Federation bears the legal consequences of its internationally wrongful acts, in accordance with international law. The Union's involvement will promote consistency between the actions of the Union and those of its Member States, and reinforce the Union's role in advancing accountability and reparation for Ukraine. As a Member, the Union will also support the Claims Commission by contributing to its financing, thereby helping to ensure its financial stability.

1.5.3. *Lessons learned from similar experiences in the past*

The establishment of the International Claims Commission draws on lessons learned from previous mechanisms established to address large-scale violations of international law. The most relevant precedent is the United Nations Compensation Commission (UNCC), which operated from 1991 to 2022 to adjudicate claims arising from Iraq's invasion of Kuwait. While the UNCC's adjudicative activities lasted approximately 12 years, the institution itself remained in existence for over three decades. Building on this experience, and taking into account the groundwork laid by the Register of Damage as well as significant technological and procedural advances achieved in recent decades, the International Claims Commission is expected to have a shorter operational duration, currently estimated for 10 years.

The Union did not participate in the UNCC. However, the envisaged participation of the Union in both the International Claims Commission and the Special Tribunal for the Crime of Aggression against Ukraine reflects a broader and structured approach to ensuring accountability and reparation for internationally wrongful acts committed by the Russian Federation.

1.5.4. Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments

The Union's unwavering support for Ukraine reflects a shared commitment to democratic principles and to safeguarding the rules-based international order and peace in Europe. The present proposal is therefore consistent with other Union policies aimed at supporting Ukraine and upholding the international order and peace, particularly in the context of the Russian Federation's ongoing war of aggression against Ukraine.

1.5.5. Assessment of the different available financing options, including scope for redeployment

In accordance with international law, and as stipulated by the Convention, the Russian Federation should bear the costs of the work of the Claims Commission. At least until the Russian Federation becomes a Member of the Commission, the Convention provides that the Claims Commission should be financed through annual contributions from its Members and voluntary contributions, without prejudice to the possibility of recovering the related costs from the Russian Federation.

The Union's mandatory contribution as of 2028 will range between EUR 1 million and EUR 3 million, with EUR 3 million being required during peak operational years. The mandatory contributions to the Claims Commission will likely become effective once the Claims Commission will become operational (expected for 2028). In accordance with Article 36(1) of the Convention, the lifespan of the Claims Commission is estimated at 10 years. The Union's contribution is calculated at approximately EUR 1 million for 2028 and will in subsequent years increase progressively to a sum of annual EUR 3 million in peak years.

The Union's contribution may be provided under the Global Europe Instrument subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter to be determined through the annual budgetary procedure and the steering mechanism.

As announced at the Diplomatic Conference on 16 December 2025, the Union will finance the costs of the Advance Team within the Council of Europe, with the participation of the Register of Damage, preparing the Claims Commission, as well as cover any costs arising from the meetings of the Preparatory Committee envisaged by the Resolution annexed to Council Decision (EU) 2025/2655. These costs will amount to EUR 880 000 over 18 months under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe).

In the meantime, the Union will also continue to provide its annual mandatory contribution to the Register of Damage in 2026 and 2027 through Regulation (EU) 2024/792 establishing the Ukraine Facility.

1.6. Duration of the proposal/initiative and of its financial impact

limited duration

- in effect from the date of entry into force of the Convention [YYYY] upon the fulfilment of the Claims Commission's mandate, with a duration expected for 10 years [YYYY].
- financial impact from YYYY to YYYY for commitment appropriations and from YYYY to YYYY for payment appropriations.

unlimited duration

- Implementation with a start-up period from YYYY to YYYY,
- followed by full-scale operation.

1.7. Method(s) of budget implementation planned

Direct management by the Commission

- by its departments, including by its staff in the Union delegations;
- by the executive agencies

Shared management with the Member States

Indirect management by entrusting budget implementation tasks to:

- third countries or the bodies they have designated
- international organisations and their agencies (to be specified)
- the European Investment Bank and the European Investment Fund
- bodies referred to in Articles 70 and 71 of the Financial Regulation
- public law bodies
- bodies governed by private law with a public service mission to the extent that they are provided with adequate financial guarantees
- bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that are provided with adequate financial guarantees
- bodies or persons entrusted with the implementation of specific actions in the common foreign and security policy pursuant to Title V of the Treaty on European Union, and identified in the relevant basic act
- bodies established in a Member State, governed by the private law of a Member State or Union law and eligible to be entrusted, in accordance with sector-specific rules, with the implementation of Union funds or budgetary guarantees, to the extent that such bodies are controlled by public law bodies or by bodies governed by private law with a public service mission, and are provided with adequate financial guarantees in the form of joint and several liability by the controlling bodies or equivalent financial guarantees and which may be, for each action, limited to the maximum amount of the Union support.

Comments

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

The Commission on a regular basis, and whenever requested by the Council or the European Parliament, will report on the advancement of the work of the International Claims Commission.

The Convention provides for the establishment of a Financial Committee that, pursuant to Article 8 of the Convention (Annex I), is tasked with determining the annual contribution of Members and provide advice to the Secretariat in the preparation of the budget of the Claims Commission. In parallel, monitoring activities have been assigned to the Assembly, composed of all Members of the Claims Commission, which should adopt the annual financial report and activity report of the Claims Commission (Article 7 of the Convention). Similarly, the Council of the Claims Commission, composed of a minimum of nine and a maximum of 15 Members on a three-year-rotational basis, is required to provide reports to the Assembly twice a year. Such reports should include the number of claims considered by the Council and the total amount of compensation awarded in each category, as well as a summary of any other significant factual or legal matters relevant to the work of the Claims Commission (Article 10(8) of the Convention).

2.2. Management and control system(s)

2.2.1. *Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed*

With regard to the method of implementation, Article 245 of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council, which enables the Union to pay membership fees to bodies of which the Union is a member, is applicable to the Union's contribution to the Claims Commission.

2.2.2. *Information concerning the risks identified and the internal control system(s) set up to mitigate them*

No specific risks have been identified at this stage.

2.2.3. *Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment & at closure)*

Following the Commission central services' guidance, the cost of the controls at Commission level is assessed by the cost of the different control stages. The overall assessment for each management mode is obtained from the ratio between all those costs and the total amount paid in the year for the related management mode.

2.3. Measures to prevent fraud and irregularities

Standards rules on funding management shall apply.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- New budget lines requested

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff. ³¹	from EFTA countries ³²	from candidate countries and potential candidates ³³	From other third countries	other assigned revenue
3	[Budget line for Global Europe] ³⁴	Diff.	NO	NO	NO	NO

³¹ Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.

³² EFTA: European Free Trade Association.

³³ Candidate countries and, where applicable, potential candidates from the Western Balkans.

³⁴ The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure and the steering mechanism. All appropriations and staffing allocations as of 2028 are indicative.

3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

- The proposal/initiative does not require the use of operational appropriations
- The proposal/initiative requires the use of operational appropriations, as explained below

3.2.1.1. Appropriations from voted budget

EUR million (to three decimal places)

Heading of multiannual financial framework - 2028 - 2034	3 ³⁵	Global Europe
---	-----------------	---------------

DG			Year	Year	Year	Year	Year	Year	Year	TOTAL MFF 2028-2034
			2028	2029	2030	2031	2032	2033	2034	
Operational appropriations										
[Budget line for Global Europe ³⁶]	Commitments	(1a)	1.000.000	2.000.000	3.000.000	3.000.000	3.000.000	3.000.000	3.000.000	18.000.000
	Payments	(2a)	1.000.000	2.000.000	3.000.000	3.000.000	3.000.000	3.000.000	3.000.000	18.000.000
Appropriations of an administrative nature financed from the envelope of specific programmes										
Budget line		(3)								0.000
TOTAL appropriations	Commitment	=1a+1b+3	1.000.000	2.000.000	3.000.000	3.000.000	3.000.000	3.000.000	3.000.000	18.000.000

³⁵ The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure and the steering mechanism. All appropriations and staffing allocations as of 2028 are indicative.

³⁶ The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure and the steering mechanism. All appropriations and staffing allocations as of 2028 are indicative.

for DG	s									0	0	
			1.000.000	2.000.000	3.000.000	3.000.000	3.000.000	3.000.000	3.000.000	3.000.000	18.000.000	
Payments			=2a+2b+3								0	0
			Year	Year	Year	Year	Year	Year	Year	TOTAL MFF 2028-2034		
			2028	2029	2030	2031	2032	2033	2034			
TOTAL operational appropriations	Commitments	(4)	1.000.000 0	2.000.000	3.000.000 0	3.000.000 0	3.000.000 0	3.000.000 0	3.000.000 0	18.000.000		
	Payments	(5)	1.000.000 0	2.000.000	3.000.000 0	3.000.000 0	3.000.000 0	3.000.000 0	3.000.000 0	18.000.000		
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
TOTAL appropriations under HEADING 3³⁷ of the multiannual financial framework	Commitments	=4+6	1.000.000 0	2.000.000	3.000.000 0	3.000.000 0	3.000.000 0	3.000.000 0	3.000.000 0	18.000.000		
	Payments	=5+6	1.000.000 0	2.000.000	3.000.000 0	3.000.000 0	3.000.000 0	3.000.000 0	3.000.000 0	18.000.000		

3.2.1.2. Appropriations from external assigned revenues

			Year	Year	Year	Year	TOTAL MFF 2021-2027
			2024	2025	2026	2027	
TOTAL operational appropriations	Commitments	(4)	0.000	0.000	0.000	0.000	0.000
	Payments	(5)	0.000	0.000	0.000	0.000	0.000

³⁷ The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure and the steering mechanism. All appropriations and staffing allocations as of 2028 are indicative.

TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING <....> of the multiannual financial framework	Commitments	=4+6	0.000	0.000	0.000	0.000	0.000
	Payments	=5+6	0.000	0.000	0.000	0.000	0.000
			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
TOTAL operational appropriations	Commitments	(4)	0.000	0.000	0.000	0.000	0.000
	Payments	(5)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING <....> of the multiannual financial framework	Commitments	=4+6	0.000	0.000	0.000	0.000	0.000
	Payments	=5+6	0.000	0.000	0.000	0.000	0.000
			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
• TOTAL operational appropriations (all operational headings)	Commitments	(4)	0.000	0.000	0.000	0.000	0.000
	Payments	(5)	0.000	0.000	0.000	0.000	0.000
• TOTAL appropriations of an administrative nature financed from the envelope for specific programmes (all operational headings)		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under Headings 1 to 6	Commitments	=4+6	0.000	0.000	0.000	0.000	0.000

of the multiannual financial framework (Reference amount)	Payments	=5+6	0.000	0.000	0.000	0.000	0.000
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Heading of multiannual financial framework	7	'Administrative expenditure'					
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EUR million (to three decimal places)

DG: <.....>	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021- 2027
• Human resources	0.000	0.000	0.000	0.000	0.000
• Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
TOTAL DG <.....>	0.000	0.000	0.000	0.000	0.000
Appropriations					

DG: <.....>	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021- 2027
• Human resources	0.000	0.000	0.000	0.000	0.000
• Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
TOTAL DG <.....>	0.000	0.000	0.000	0.000	0.000
Appropriations					

TOTAL appropriations under HEADING 7 of the multiannual financial framework	(Total commitments = Total payments)	0.000	0.000	0.000	0.000	0.000
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EUR million (to three decimal places)

	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
TOTAL appropriations under HEADINGS 1 to 7	0.000	0.000	0.000	0.000	0.000
Commitments					

of the multiannual financial framework	Payments	0.000	0.000	0.000	0.000	0.000
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3.2.2. *Estimated output funded from operational appropriations (not to be completed for decentralised agencies)*

Commitment appropriations in EUR million (to three decimal places)

Indicate objectives and outputs ↓			Year 2024		Year 2025		Year 2026		Year 2027		Enter as many years as necessary to show the duration of the impact (see Section 1.6)						TOTAL	
	OUTPUTS																	
	Type ³⁸	Average cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	Total No	Total cost
SPECIFIC OBJECTIVE No 1 ³⁹ ...																		
- Output																		
- Output																		
- Output																		
Subtotal for specific objective No 1																		
SPECIFIC OBJECTIVE No 2 ...																		
- Output																		
Subtotal for specific objective No 2																		
TOTALS																		

³⁸ Outputs are products and services to be supplied (e.g. number of student exchanges financed, number of km of roads built, etc.).

³⁹ As described in Section 1.3.2. 'Specific objective(s)'

3.2.3. Summary of estimated impact on administrative appropriations

- The proposal/initiative does not require the use of appropriations of an administrative nature
- The proposal/initiative requires the use of appropriations of an administrative nature, as explained below

3.2.3.1. Appropriations from voted budget

VOTED APPROPRIATIONS	Year	Year	Year	Year	TOTAL 2021 - 2027
	2024	2025	2026	2027	
HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

3.2.3.2. Appropriations from external assigned revenues

EXTERNAL ASSIGNED REVENUES	Year	Year	Year	Year	TOTAL 2021 - 2027
	2024	2025	2026	2027	
HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

3.2.3.3. Total appropriations

TOTAL VOTED APPROPRIATIONS + EXTERNAL ASSIGNED REVENUES	Year	Year	Year	Year	TOTAL 2021 - 2027
	2024	2025	2026	2027	
HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000

Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together, if necessary, with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

3.2.4. Estimated requirements of human resources

- The proposal/initiative does not require the use of human resources
- The proposal/initiative requires the use of human resources, as explained below

3.2.4.1. Financed from voted budget

Estimate to be expressed in full-time equivalent units (FTEs)

VOTED APPROPRIATIONS		Year 2024	Year 2025	Year 2026	Year 2027
• Establishment plan posts (officials and temporary staff)					
20 01 02 01 (Headquarters and Commission's Representation Offices)		0	0	0	0
20 01 02 03 (EU Delegations)		0	0	0	0
01 01 01 01 (Indirect research)		0	0	0	0
01 01 01 11 (Direct research)		0	0	0	0
Other budget lines (specify)		0	0	0	0
• External staff (inFTEs)					
20 02 01 (AC, END from the 'global envelope')		0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)		0	0	0	0
Admin. Support line [XX.01.YY.YY]	- at Headquarters	0	0	0	0
	- in EU Delegations	0	0	0	0
01 01 01 02 (AC, END - Indirect research)		0	0	0	0
01 01 01 12 (AC, END - Direct research)		0	0	0	0
Other budget lines (specify) - Heading 7		0	0	0	0
Other budget lines (specify) - Outside Heading 7		0	0	0	0
TOTAL		0	0	0	0

3.2.4.2. Financed from external assigned revenues

EXTERNAL ASSIGNED REVENUES		Year 2024	Year 2025	Year 2026	Year 2027
• Establishment plan posts (officials and temporary staff)					
20 01 02 01 (Headquarters and Commission's Representation Offices)		0	0	0	0
20 01 02 03 (EU Delegations)		0	0	0	0
01 01 01 01 (Indirect research)		0	0	0	0
01 01 01 11 (Direct research)		0	0	0	0

Other budget lines (specify)		0	0	0	0
• External staff (in full time equivalent units)					
20 02 01 (AC, END from the ‘global envelope’)		0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)		0	0	0	0
Admin. Support line [XX.01.YY.YY]	- at Headquarters	0	0	0	0
	- in EU Delegations	0	0	0	0
01 01 01 02 (AC, END - Indirect research)		0	0	0	0
01 01 01 12 (AC, END - Direct research)		0	0	0	0
Other budget lines (specify) - Heading 7		0	0	0	0
Other budget lines (specify) - Outside Heading 7		0	0	0	0
TOTAL		0	0	0	0

3.2.4.3. Total requirements of human resources

TOTAL VOTED APPROPRIATIONS + EXTERNAL ASSIGNED REVENUES	Year	Year	Year	Year
	2024	2025	2026	2027
• Establishment plan posts (officials and temporary staff)				
20 01 02 01 (Headquarters and Commission’s Representation Offices)	0	0	0	0
20 01 02 03 (EU Delegations)	0	0	0	0
01 01 01 01 (Indirect research)	0	0	0	0
01 01 01 11 (Direct research)	0	0	0	0
Other budget lines (specify)	0	0	0	0
• External staff (in full time equivalent units)				
20 02 01 (AC, END from the ‘global envelope’)	0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)	0	0	0	0
Admin. Support line [XX.01.YY.YY]	- at Headquarters	0	0	0
	- in EU Delegations	0	0	0
01 01 01 02 (AC, END - Indirect research)	0	0	0	0
01 01 01 12 (AC, END - Direct research)	0	0	0	0
Other budget lines (specify) - Heading 7	0	0	0	0
Other budget lines (specify) - Outside Heading 7	0	0	0	0
TOTAL	0	0	0	0

The staff required to implement the proposal (in FTEs):

	To be covered by current staff available in the Commission services	Exceptional additional staff*		
		To be financed under Heading 7 or Research	To be financed from BA line	To be financed from fees

Establishment plan posts			N/A	
External staff (CA, SNEs, INT)				

Description of tasks to be carried out by:

Officials and temporary staff	
External staff	

3.2.5. Overview of estimated impact on digital technology-related investments

TOTAL Digital and IT appropriations	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021 - 2027
HEADING 7					
IT expenditure (corporate)	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Policy IT expenditure on operational programmes	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

3.2.6. Compatibility with the current multiannual financial framework

The proposal/initiative:

- can be fully financed through redeployment within the relevant heading of the multiannual financial framework (MFF)
- requires use of the unallocated margin under the relevant heading of the MFF and/or use of the special instruments as defined in the MFF Regulation
- requires a revision of the MFF

3.2.7. Third-party contributions

The proposal/initiative:

- does not provide for co-financing by third parties
- provides for the co-financing by third parties estimated below:

Appropriations in EUR million (to three decimal places)

	Year 2024	Year 2025	Year 2026	Year 2027	Total
Specify the co-financing body					

TOTAL appropriations co-financed					
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3.3. Estimated impact on revenue

- The proposal/initiative has no financial impact on revenue.
- The proposal/initiative has the following financial impact:
 - on own resources
 - on other revenue
 - please indicate, if the revenue is assigned to expenditure lines

EUR million (to three decimal places)

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative ⁴⁰			
		Year 2024	Year 2025	Year 2026	Year 2027
Article					

For assigned revenue, specify the budget expenditure line(s) affected.

Other remarks (e.g. method/formula used for calculating the impact on revenue or any other information).

4. DIGITAL DIMENSIONS

Not applicable.

4.1. Requirements of digital relevance

4.2. Data

4.3. Digital solutions

4.4. Interoperability assessment

⁴⁰ As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 20% for collection costs.

4.5. Measures to support digital implementation

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Brussels, 24.2.2026
COM(2026) 105 final

ANNEX

ANNEX
to the Proposal for a
Council Decision
on the conclusion of the Convention Establishing an International Claims Commission
for Ukraine

ANNEX

Council of Europe Treaty Series – No. 229

Convention establishing an International Claims Commission for Ukraine

The Hague, 16.XII.2025

Preamble

The Signatories to this Convention,

Recalling the obligations of all States under Article 2 of the Charter of the United Nations, including the obligation to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, and to settle their international disputes by peaceful means;

Expressing grave concern at the loss of life, civilian displacement, catastrophic destruction of infrastructure and natural resources, loss of public and private property, and economic calamity caused by the Russian Federation's aggression against Ukraine;

Bearing in mind the importance of maintaining and strengthening international peace founded upon freedom, equality, justice, and respect for human rights, and of developing friendly relations among nations irrespective of their political, economic, and social systems or the levels of their development;

Recalling United Nations General Assembly Resolution ES-11/1 of 2 March 2022, entitled "Aggression against Ukraine", in which the General Assembly deplored in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2(4) of the Charter of the United Nations;

Recalling the International Law Commission's Articles on the Responsibility of States for Internationally Wrongful Acts and the obligation of the responsible State to make full reparation for the injury caused by the internationally wrongful act;

Recalling United Nations General Assembly Resolution 60/147 of 16 December 2005, in which the General Assembly adopted 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;

Recalling United Nations General Assembly Resolution ES-11/5 of 14 November 2022, entitled "Furtherance of remedy and reparation for aggression against Ukraine", in which the General Assembly recognised that the Russian Federation must be held to account for any violations of international law in or against Ukraine, including its aggression in violation of the Charter of the United Nations, as well as any violations of international humanitarian law and international human rights law;

Recalling that in Resolution ES-11/5, the General Assembly further recognised that the Russian Federation must bear the legal consequences of all of its internationally wrongful acts, including making reparation for the injury, including any damage, caused by such acts;

Recalling that the General Assembly further recognised the need for the establishment, in cooperation with Ukraine, of an international mechanism for reparation for damage, loss, or injury, and arising from the internationally wrongful acts of the Russian Federation in or against Ukraine;

Recalling that the General Assembly recommended the creation by member States, in cooperation with Ukraine, of an international register of damage to serve as a record, in documentary form, of evidence and claims information on damage, loss, or injury to all natural and legal persons concerned, as well as the State of Ukraine, caused by internationally wrongful acts of the Russian Federation in or against Ukraine, as well as to promote and coordinate evidence-gathering;

Welcoming the creation of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine through Resolution [CM/Res\(2023\)3](#) of the Committee of Ministers of the Council of Europe of 12 May 2023 establishing the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine as confirmed by Resolution [CM/Res\(2025\)3](#) of the Committee of Ministers of the Council of Europe of 9 July 2025;

Noting also that the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine is operational and receives, processes, and records claims in accordance with its Statute;

Recalling the Statute of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine, which stipulates that the work of the Register, including its digital platform with all data about claims and evidence recorded therein, is intended to constitute the first component of a future international compensation mechanism to be established by a separate international instrument in cooperation with Ukraine;

Noting that this Convention is such an international instrument and that it establishes the International Claims Commission for Ukraine, which constitutes the second component of the international compensation mechanism that may also include, as the third component, a future compensation fund mandated to pay compensation for damage, loss, or injury caused by the Russian Federation's internationally wrongful acts in or against Ukraine;

Noting that whilst this Convention addresses internationally wrongful acts committed by the Russian Federation in or against Ukraine on or after 24 February 2022, this does not absolve the Russian Federation of any responsibility for its internationally wrongful acts committed in or against Ukraine on or after 20 February 2014, nor does it preclude the possibility of a future amendment to this Convention to allow its temporal scope to be extended to 20 February 2014;

Committing to implement the provisions of this Convention in conformity with international law,

Have agreed this Council of Europe Open Convention as follows:

PART I – USE OF TERMS

Article 1 – Definitions

For the purposes of this Convention:

- (a) “Assembly” shall mean the Assembly of the Members of the Commission established in accordance with Article 7 of this Convention;
- (b) “Claims” within the meaning of Article 3 of this Convention shall mean claims submitted to the Register of Damage Caused by the Aggression of the Russian

Federation against Ukraine in accordance with its rules and, after the transfer of the work of the Register to the Commission under Part VII of this Convention, the claims submitted in accordance with the rules and procedures referred to in Article 25 of this Convention;

- (c) “Commission” shall mean the International Claims Commission for Ukraine established by this Convention;
- (d) “Commissioner” shall mean an individual appointed as a member of a Panel in accordance with Article 11 of this Convention;
- (e) “Council” shall mean the Council of the Commission established in accordance with Article 10 of this Convention;
- (f) “Executive Director” shall mean the Executive Director of the Commission appointed in accordance with Article 14 of this Convention;
- (g) “Financial Committee” shall mean the Financial Committee of the Commission established in accordance with Article 8 of this Convention;
- (h) “Major Contributor” shall mean any Member which, in any financial year, contributes the highest level of obligatory contributions to the budget of the Commission based on the criteria set out in Resolution (94) 31 of the Committee of Ministers of the Council of Europe of 4 November 1994;
- (i) “Member” shall mean any State or Regional Integration Organisation that has become a Member of the Commission by becoming a Party to this Convention in accordance with Articles 27, 28, 30, or 31 of this Convention;
- (j) “Observer” shall mean any State, Regional Integration Organisation, or international organisation that has become an Observer of the Commission in accordance with Article 27(2) of this Convention;
- (k) “Panel” shall mean a Panel of Commissioners established in accordance with Article 12 of this Convention;
- (l) “Regional Integration Organisation” shall mean an organisation constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by this Convention;
- (m) “Register of Damage Caused by the Aggression of the Russian Federation against Ukraine” or “Register” shall mean the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine established through Resolution [CM/Res\(2023\)3](#) of the Committee of Ministers of the Council of Europe of 12 May 2023, as confirmed by Resolution [CM/Res\(2025\)3](#) of the Committee of Ministers of the Council of Europe of 9 July 2025;
- (n) “Rules and Regulations” shall mean the rules and regulations governing the work of the Commission adopted by the Council in accordance with subparagraph 2(c) of Article 10 of this Convention and approved by the Assembly in accordance with subparagraph 4(c) of Article 7 of this Convention;
- (o) “Secretariat” shall mean the Secretariat of the Commission established in accordance with Article 13 of this Convention.

PART II – ESTABLISHMENT, MANDATE, AND FUNCTIONS OF THE INTERNATIONAL CLAIMS COMMISSION FOR UKRAINE

Article 2 – Establishment of the International Claims Commission for Ukraine

The International Claims Commission for Ukraine is hereby established as an independent body within the institutional framework of the Council of Europe.

Article 3 – Mandate and Functions of the Commission

1. The Commission shall be an administrative body that decides Claims for compensation of damage, loss, or injury caused by internationally wrongful acts committed by the Russian Federation in or against Ukraine, including its aggression in violation of the Charter of the United Nations, as well as any violations by the Russian Federation of international humanitarian law and international human rights law:
 - (a) on or after 24 February 2022;
 - (b)
 - i. in the territory of Ukraine within its internationally recognised borders, which includes its land, airspace, internal waters, and territorial sea;
 - ii. in the exclusive economic zone of Ukraine and on its continental shelf, in accordance with international law and, as applicable, national legislation of Ukraine; or
 - iii. to any aircraft or vessel under the jurisdiction of Ukraine; and
 - (c) to all natural and legal persons concerned, as well as the State of Ukraine, including its regional and local authorities and state-owned or controlled entities.
2. For the purposes of this Convention, the mandate of the Commission under paragraph 1 above shall mean that the Commission shall review, assess, and decide Claims and determine any amount of compensation due in each case.
3. The Commission shall address all administrative, financial, procedural, factual, legal, and policy issues as required to decide Claims and determine any amount of compensation due in each case.
4. The Commission shall work on the basis that the Russian Federation, under international law, is responsible for all damage, loss, or injury caused by its internationally wrongful acts in or against Ukraine in accordance with paragraph 1 above.
5. The decisions of the Commission, including on amounts of compensation determined and awarded in accordance with this Convention, shall be final. Decisions on amounts of compensation shall be reflective of a fair and just assessment and determination of the value of a Claim.
6. Decisions of the Commission shall, so far as the operation of the Commission is concerned, be considered by all Members of the Commission as finally resolving all factual and legal questions with respect to a Claim.

PART III – LEGAL STATUS AND SEAT

Article 4 – Legal Personality

1. The Commission shall possess international legal personality.
2. Accordingly, the Commission shall enjoy such legal capacity as is necessary for the exercise of its functions, fulfilment of its mandate, and the protection of its interests, in particular the capacity to enter into agreements, to acquire and dispose of movable and immovable property, and to institute legal proceedings.

Article 5 – Seat

1. The Commission shall have its seat in the territory of one of the Parties to this Convention.
2. The status and operation of the Commission in the host State shall be regulated by a host State agreement concluded between the host State and the Commission.
3. The Commission shall have an office in Ukraine for the purpose of assisting the Assembly, the Council, and the Panels in their functions.
4. The Commission shall enter into arrangements and/or agreements with Ukraine that shall regulate the status and operation of the office of the Commission in Ukraine.
5. The Assembly may decide to establish offices of the Commission in any other State subject to the consent of such State.

Article 6 – Privileges and Immunities

1. The Commission, including its office in Ukraine and any offices in other States, shall enjoy in the territory of each State that is a Member such privileges and immunities as are necessary for the exercise of its functions and the fulfilment of its mandate.
2. States that are Members shall, in their territory, apply the rules set out in the General Agreement on Privileges and Immunities of the Council of Europe with respect to the Commission, its offices, the Executive Director, other members of the Secretariat, and experts engaged by the Commission, in particular:
 - (a) Articles 3 to 7 of the General Agreement on Privileges and Immunities of the Council of Europe, with respect to the Commission, including its offices, property, and assets;
 - (b) Article 18 of the General Agreement on Privileges and Immunities of the Council of Europe, with respect to the Executive Director and other members of the Secretariat;

- (c) Article 18(a) and (e) of the General Agreement on Privileges and Immunities of the Council of Europe with respect to the experts engaged by the Commission.
3. States that are Members shall, in their territory, apply the same privileges and immunities as provided for under Article 16 of the General Agreement on Privileges and Immunities of the Council of Europe with respect to the Commissioners when engaged on the business of the Commission.
 4. Representatives of Members in the organs of the Commission, the Commissioners, the Executive Director, other members of the Secretariat, and experts engaged by the Commission shall, in the territory of each State that is a Member, be accorded immunity from legal process of every kind in respect of words spoken or written and acts performed by them in their official capacity, and shall, after the expiry of their terms of office, continue to be accorded such immunity.
 5. Any State that is a Member may, by means of a notification addressed to the Secretary General of the Council of Europe, declare that no immunity from legal process conferred on a person by means of paragraphs 2, 3, and 4 above shall apply in the case of an offence against the regulations on motor-vehicle traffic committed by such a person, or in a case of damage caused by a motor-vehicle belonging to or driven by such a person.
 6. The privileges and immunities of:
 - (a) the Commissioners may be waived by the Assembly;
 - (b) the Executive Director, other members of the Secretariat, and experts engaged by the Commission may be waived by the Secretary General of the Council of Europe.
 7. The immunity under subparagraph 2(a) above may be waived by the Assembly. Such waiver of immunity shall not extend to any measure of execution in, or confiscation of, property of the Commission, including its digital platform and all data about Claims and evidence, for which a separate waiver by the Assembly shall be necessary.
 8. In the event of denunciation by any Member or termination of this Convention, Members shall continue to grant the immunities referred to in this article.

PART IV – ORGANISATIONAL STRUCTURE

Article 7 – Assembly

1. The Assembly shall be composed of all Members of the Commission.
2. The Assembly shall meet at the seat of the Commission unless the Assembly decides otherwise. The first meeting of the Assembly shall be convened by the depositary of this Convention within one year after its entry into force.

3. The Assembly shall elect a Chair and two Vice Chairs for a period of three years. The Chair of the Assembly, or, in the absence of the Chair, one of the Vice Chairs, shall conduct the proceedings of the Assembly and perform other duties in accordance with the rules of procedure adopted by the Assembly.
4. The Assembly shall:
 - (a) have overall responsibility for the fulfilment of the mandate of the Commission and oversee the work of the bodies of the Commission;
 - (b) recommend to Members, the bodies of the Commission, as well as subsidiary organs as referred to in subparagraph (i) below, measures to advance the aims of the Commission;
 - (c) approve rules and regulations governing the work of the Commission adopted by the Council in accordance with subparagraph 2(c) of Article 10 of this Convention;
 - (d) determine members of the Council in accordance with Article 10 of this Convention;
 - (e) approve the roster of candidates to serve as Commissioners and update such a roster at least annually;
 - (f) at its first meeting, and subsequently as needed, elect the Executive Director of the Commission for appointment by the Secretary General of the Council of Europe;
 - (g) authorise the Executive Director to execute the transfer of the Register to the Commission pursuant to Articles 24 and 25 of this Convention at a time the Assembly deems appropriate, taking into consideration the consequences for the annual assessed contributions of Members;
 - (h) upon the recommendation of the Council, authorise the Council to establish Panels and appoint the required Commissioners at a time the Assembly deems appropriate, taking into consideration the consequences for the annual assessed contributions of Members;
 - (i) upon the recommendation of the Council and/or the Executive Director, establish any subsidiary organs necessary for the exercise of the functions of the Commission;
 - (j) adopt the annual scale of contributions;
 - (k) adopt the annual budget of the Commission;
 - (l) adopt the annual financial report of the Commission;
 - (m) adopt the annual activity report of the Commission; and
 - (n) perform any other function vested in it by this Convention and any other function necessary for the fulfilment of the mandate of the Commission that is not vested by this Convention in the Council, the Panels of Commissioners, the Executive Director, or the Secretariat. The Assembly may delegate some or all of these other functions to the Council.

5. The Assembly shall meet as often as is necessary, but at least once a year. The Assembly shall convene when it so decides, when requested by the Council, or when requested by any Member if such a request is supported by one-third of the Members. The Chair shall have the right to convene extraordinary meetings of the Assembly in the event of an urgent need. Subject to paragraph 6 below, the presence of a majority of all Members is required for any decision-making of the Assembly.
6. The Assembly may exercise its decision-making through written procedure and by electronic means as determined in the rules of procedure of the Assembly.
7. The Assembly may establish advisory committees to assist with its work in specific areas of relevance to the Assembly or the Commission as a whole.
8. The Assembly shall adopt its own rules of procedure and any other rules or arrangements required for the implementation of its functions.
9. The Secretariat shall serve as the secretariat of the Assembly.

Article 8 – Financial Committee

1. The Assembly shall establish the Financial Committee as a subsidiary organ of the Assembly. The Financial Committee shall:
 - (a) determine the annual assessed contributions of Members in accordance with Article 23(3) of this Convention;
 - (b) provide advice to the Secretariat in the preparation of the budget of the Commission;
 - (c) review the draft budget of the Commission for the following year, as prepared by the Secretariat, and report to the Assembly;
 - (d) review and authorise the acceptance of contributions from entities other than Members and Observers in accordance with Article 23(4) of this Convention;
 - (e) provide recommendations to the Assembly relating to other relevant financial matters; and
 - (f) perform any other tasks related to financial matters assigned to it by the Assembly.
2. The Financial Committee shall be comprised of representatives of:
 - (a) all Members that are the Major Contributors to the budget of the Commission;
 - (b) other Members and Observers that contribute to the budget of the Commission an amount at least equal to the obligatory contributions of the Major Contributors during the financial year for which they made such a contribution;
 - (c) other Members elected by the Assembly.

3. The Assembly shall determine the number of Members and of Observers under subparagraphs 2(b) and 2(c) above. The Assembly shall review such numbers annually. The number of Observers shall not be higher than the number of Members.
4. In the event that the Commission receives sufficient funds wholly from sources other than assessed contributions to meet its budgetary needs, the Financial Committee shall only be comprised of representatives of Members elected by the Assembly.
5. The Financial Committee shall endeavour to adopt its decisions by consensus. Unless otherwise provided in this Convention, where efforts to achieve consensus have been exhausted, the Financial Committee shall adopt decisions by a two-thirds majority of the votes cast, with each member of the Financial Committee having one vote. The presence of a majority of members of the Financial Committee is required for any decision-making of the Financial Committee.
6. Decisions on procedural matters shall be adopted by a majority of the votes cast. If there is a doubt or uncertainty as to whether the matter is procedural, the decision shall be adopted in accordance with paragraph 5 above.
7. The Financial Committee shall meet as necessary and report to the Assembly. The Financial Committee may invite Members, Observers, and other States and entities that have supported the Commission financially over the relevant reporting period to be present during the meetings of the Financial Committee.
8. The Secretariat shall provide the necessary administrative support to the Financial Committee.

Article 9 – Voting in the Assembly

1. Unless a different threshold is specifically required by this Convention, the Assembly shall adopt its decisions by a two-thirds majority of the votes cast.
2. Decisions under subparagraphs 4(g) and 4(h) of Article 7 of this Convention shall be adopted by a two-thirds majority of the votes cast, including the affirmative votes of all Major Contributors.
3. Decisions on procedural matters shall be adopted by a majority of the votes cast. If there is a doubt or uncertainty as to whether the matter is procedural, the decision shall be adopted in accordance with paragraph 1 above.
4. Each Member shall have one vote in the Assembly.

Article 10 – Council

1. The composition of the Council shall be determined as follows:
 - (a) The Council shall be composed of a minimum of nine and a maximum of fifteen Members. Unless the Assembly decides otherwise, members of the Council shall serve for a period of three years on a rotational basis. The Assembly shall determine the composition of the Council from a list of

Members that have expressed an interest in serving on the Council, in the order in which they became a Member.

- (b) The Assembly shall determine the initial nine Members that comprise the Council at its first meeting or as soon as possible thereafter.
- (c) The Assembly shall determine three additional members of the Council at the meeting following the deposit of the thirtieth instrument of ratification, acceptance, or approval of this Convention or accession to this Convention, and three additional members following the deposit of the fortieth such instrument.
- (d) When Ukraine and/or the Russian Federation are members of the Council in accordance with the rules of subparagraph (a) above, they shall abstain from voting under subparagraphs 2(b), 2(c)(ii) to (v), and 2(d) below. When Ukraine and/or the Russian Federation are Members, but not members of the Council, they shall be invited to participate in the meetings of the Council with the right to present their position, but without the right to vote.
- (e) The Assembly shall adopt the rules governing the rotation of membership in the Council in accordance with the provisions of this article, including ensuring continuity when the membership rotates.

2. The Council shall, without prejudice to Article 7 of this Convention:

- (a) have responsibility for the exercise of the mandate of the Commission;
- (b) appoint the Commissioners from the roster of candidates approved by the Assembly in accordance with subparagraph 4(e) of Article 7 of this Convention and establish Panels in accordance with Article 12 of this Convention;
- (c) adopt the rules and regulations governing the work of the Commission, to be subsequently approved by the Assembly, including as regards the determination of:
 - i. rules and procedures for appointment of Commissioners to and their removal from Panels;
 - ii. rules and procedures for the submission, review, assessment, and decision of Claims, and for the determination of the amount of compensation due in each case;
 - iii. standards and requirements for evidence;
 - iv. rules for evaluation of damage, loss, or injury;
 - v. standards and approaches to compensation;
 - vi. procedures for resolving disputed issues;
 - vii. the order of priority for the review, assessment, and decision of Claims;
 - viii. the rules and procedures required for continuation of the work of the Register within the framework of the Commission; and
 - ix. other matters within the competence of the Council;

- (d) have the authority to adopt or remit the recommendations of Panels for decisions with respect to amounts of compensation due for Claims considered by Panels, as well as with respect to the legal and factual basis of the recommendations, subject to Articles 17 and 18 of this Convention; and
 - (e) perform any other function delegated to it by the Assembly.
3. The Council shall meet regularly in order to consider the recommendations of Panels for decisions with respect to considered Claims and to make any other decisions necessary to perform its functions. The Secretariat may participate in the meetings of the Council in an advisory capacity.
 4. The Council shall endeavour to adopt its decisions by consensus. Unless otherwise provided in this Convention, where efforts to achieve consensus have been exhausted, the Council shall adopt decisions by a two-thirds majority of the votes cast, with each member of the Council having one vote. Subject to paragraph 5 below, the presence of a majority of members of the Council is required for any decision-making of the Council.
 5. The Council may exercise its decision-making through written procedure and by electronic means as determined in its rules of procedure.
 6. Decisions on procedural matters shall be adopted by a majority of the votes cast. If there is a doubt or uncertainty as to whether the matter is procedural, the decision shall be adopted in accordance with paragraph 4 above.
 7. The Council shall adopt its own rules of procedure and any other arrangements required for the implementation of its functions. The Council shall elect a Chair and one or two Vice Chairs from among its members for terms of office of one year with the possibility of re-election.
 8. The Council shall provide reports to the Assembly twice a year. Such reports shall include the number of Claims considered by the Council and the total amount of compensation awarded in each category, as well as a summary of any other significant factual or legal matters relevant to the work of the Commission.

Article 11 – Commissioners

1. The appointment of Commissioners shall take place on an inclusive basis, bearing in mind the need for independence, impartiality, integrity, high moral character, experience, professional multidisciplinary expertise, broad geographical representation, and gender balance. The Commissioners shall be experts in fields such as international law, dispute resolution, finance, accountancy, insurance, or damage assessment. The Council may establish additional requirements for the appointment of Commissioners to address specific needs of the Panels.
2. Candidates for Commissioners may be nominated by Members. Candidates can also apply directly to serve as Commissioners. The Secretariat shall organise the process of nomination and application, screen the candidates, and create the roster of eligible candidates to serve as Commissioners.

3. The Secretariat shall submit the roster of candidates to the Assembly for approval. The Secretariat shall submit an updated roster to the Assembly for its approval annually, or as requested by the Assembly or the Council.
4. Candidates cannot be disqualified solely on the basis of their nationality.
5. The terms of engagement of Commissioners, including their remuneration, shall be determined by the Council.
6. Commissioners shall sit in their individual capacity and be available to carry out their duties in an effective manner.

Article 12 – Panels

1. Panels shall be established by the Council to review and assess Claims and to determine any amount of compensation due in each case. They shall make recommendations for decisions to the Council for adoption.
2. The Council, upon recommendation of the Secretariat, and bearing in mind considerations of efficiency, flexibility, and workload, shall determine the number of Panels to be established as well as the mandate of each Panel.
3. Each Panel shall be composed of three Commissioners appointed to that Panel by the Council.
4. The Commissioners of each Panel shall, by consensus, designate from among themselves the Chair of that Panel. Should they be unable to reach consensus, the Council shall designate the Chair.

Article 13 – Secretariat

1. The Commission shall have a Secretariat headed by an Executive Director.
2. The Secretariat shall, under the authority of the Executive Director, provide substantive, technical, and administrative support for the maintenance and functioning of the Commission.
3. The Secretariat shall possess or procure the necessary expertise for the performance of its functions, including sufficient expertise in relevant domestic law and proficiency in relevant languages.
4. The Council of Europe Staff Regulations and Staff Rules shall apply to the Secretariat. Nationals of all member States of the Council of Europe and nationals of all Members shall be eligible for appointment as staff members of the Commission. The Assembly may further derogate from applicable Council of Europe rules and regulations, including regarding the nationality of staff, if doing so advances the exercise of the functions of the Commission. Such approved derogations shall be communicated to the Committee of Ministers and the Secretary General of the Council of Europe.

Article 14 – Executive Director

1. The Executive Director shall represent the Commission and is entitled to act on its behalf.
2. The Executive Director shall be entitled to conclude contracts, agreements, and arrangements on behalf of the Commission. Any international agreements shall be concluded by the Executive Director on behalf of the Commission following prior approval by the Assembly. Any arrangements with national or international bodies providing for any exchange of information on Claims or evidence shall be concluded by the Executive Director on behalf of the Commission following prior approval by the Council.
3. The Secretary General of the Council of Europe shall delegate to the Executive Director such powers as are necessary for the exercise of the duties of the Executive Director with respect to the Secretariat.
4. The Executive Director shall:
 - (a) have day-to-day responsibility for overseeing and administering the work of the Secretariat;
 - (b) ensure substantive, technical, administrative, and organisational support for the work of the Assembly, the Council, and the Panels, including regular liaison and preparation of their meetings;
 - (c) be responsible for forwarding Claims to the Panels for consideration and forwarding recommendations of the Panels to the Council;
 - (d) liaise with relevant national and international bodies on various issues related to the work of the Commission, including on issues concerning Claims and evidence; and
 - (e) perform any other function vested in the Executive Director by this Convention or delegated by the Assembly and/or the Council.
5. The Executive Director shall be elected by the Assembly. Upon election by the Assembly, the Executive Director shall be appointed by the Secretary General of the Council of Europe and shall be expected to serve a renewable term of four years.
6. Members are invited to nominate candidates for the position, bearing in mind the nature of Claims before the Commission.
7. Candidates should be individuals of integrity, high moral character, appropriate experience, and professional qualifications for the role.

Article 15 – Independence

1. The Commissioners, as well as the Executive Director and the other members of the Secretariat, shall be independent in the performance of their duties.
2. In the performance of their duties, the Commissioners, as well as the Executive Director and the other members of the Secretariat, shall not seek or accept

instructions from any government or from any other authority or entity external to the Commission. They shall refrain from any action which might reflect negatively on their position as international officials responsible only to the Commission.

3. Each Member, as well as the Council of Europe and its bodies, undertakes to respect the exclusively independent character of the responsibilities of the Commissioners, as well as of the Executive Director and the other members of the Secretariat, and not to seek to influence them in the discharge of their duties.
4. The Commissioners, as well as the Executive Director and the other members of the Secretariat, shall have no personal or financial interest in any matter before the Commission. Any conflict of interest shall be disclosed and dealt with in accordance with the rules of the Commission.
5. Rules on conflicts of interest and disclosure for the Commissioners, as well as, as appropriate, for the Executive Director and the other members of the Secretariat, shall be adopted by the Council.

PART V – CLAIMS AND PROCEDURE

Article 16 – Examination of Claims by Panels

1. The Panels shall examine Claims, establish whether the Claims are substantiated, determine any amount of compensation due with respect to each Claim, and make recommendations for decisions to the Council for adoption in accordance with the applicable Rules and Regulations.
2. Panels may request the Secretariat to engage experts to assist them where specialised knowledge, expertise, or experience is required.
3. The examination of Claims shall take place on the basis of the Rules and Regulations. Panels shall determine their own working methods.
4. The Secretariat shall provide administrative, technical, legal, and other assistance to the Panels in the performance of their functions but shall not be involved in the ultimate decision-making of the Panels.

Article 17 – Decision-making of the Panels

1. The Panels shall endeavour to adopt their recommendations by consensus. Where efforts to achieve consensus have been exhausted, recommendations for decisions shall be adopted by a majority of the Commissioners on the Panel. The Secretariat shall record whether decisions of the Panels were taken by consensus or by a majority and the outcome of any voting.
2. The recommendations for decisions of the Panels shall be reasoned.

Article 18 – Decision-making on Recommendations of Panels

1. The Council shall consider the recommendations of the Panels with respect to Claims as soon as possible after such recommendations are forwarded to the Council. In its assessment of the recommendations, the Council shall follow the grouping of Claims, if any, used by the Panels.
2. Upon full consideration by the Council, a recommendation shall be deemed approved by the Council unless the Council decides, on grounds stipulated by the Rules and Regulations, to remit the recommendation to the Panel, providing the reasons for its decision together with any further guidance, which shall form an integral part of the decision of the Council.
3. The Panel shall consider the guidance of the Council and make a new recommendation as appropriate.
4. In the exceptional situations provided for in the Rules and Regulations, the Council may refer a recommendation of a Panel to an ad hoc review panel established by the Council for that purpose.
5. The ad hoc review panel shall be comprised of three Chairs of Panels. Articles 16 and 17 of this Convention shall apply to ad hoc review panels and their work.
6. Upon full consideration by the Council, the recommendation of the ad hoc review panel shall be deemed approved by the Council unless the Council refers the matter to the Assembly, which shall finally decide the matter in the Council's stead.
7. A recommendation approved in accordance with this article shall become the final decision of the Commission with respect to any Claim in question, and shall not be subject to further appeal or review.
8. A record of decision-making of the Assembly, the Council, and any ad hoc review panel shall be maintained by the Secretariat.

Article 19 – Judgments or Awards by Courts or Tribunals and other Adjudicative Bodies

1. In their decision making, the Panels and the Council shall take into account, as appropriate, relevant judgments or awards by courts or tribunals and other adjudicative bodies established under international law.
2. The Panels and the Council may also take into account relevant judgments or awards by any national courts and tribunals.
3. The Commission, through its bodies, shall take appropriate measures to ensure that no claimant receives double compensation for the same damage, loss, or injury. Members shall endeavour to support the Commission in this regard, in particular through the exchange of information with the Commission, as appropriate.

Article 20 – Standards and Safeguards

1. The Commission, including its Council, Panels, and Secretariat, shall operate according to the highest standards of independence, impartiality, fairness, and objectivity.

2. The Commission shall operate in a transparent manner, regularly inform the public about its activities, and duly protect personal data. The rules on transparency, including the rules for the publication of the decisions of the Commission, shall be adopted by the Council.
3. The Council shall adopt rules on the protection of personal data and confidentiality.
4. All proceedings of the Commission shall be conducted ensuring appropriate procedural safeguards.

Article 21 – Funding of Compensation Awarded and Enforcement

1. Members recognise that the Russian Federation must bear the legal consequences of all of its internationally wrongful acts, including making reparation for the injury, including any damage, caused by such acts. It is therefore expected that the Russian Federation shall fund the compensation determined and awarded by the Commission under this Convention.
2. Members, with the exception of the Russian Federation, shall not be required to fund the compensation determined and awarded by the Commission.
3. Decisions of the Commission cannot be enforced through courts or other judicial or quasi-judicial institutions within the national jurisdictions of the Members unless expressly permitted by a relevant Member under the national law of that Member.

Article 22 – Mechanics for Payment of Compensation Awarded

The Assembly may consider the mechanics for the payment of compensation awarded after funding has become available, including payment from any compensation fund that may be established or designated for this purpose at a point the Assembly agrees appropriate.

PART VI – FINANCING OF THE COMMISSION

Article 23 – Financing and Budget

1. Upon the Russian Federation becoming a Member, it shall bear the costs of the Commission from the entry into force of this Convention.
2. Until the Russian Federation bears the costs of the Commission, the Commission shall be financed through the annual assessed contributions of Members and voluntary contributions. Such contributions shall be made without prejudice to the possibility of recovery from the Russian Federation.
3. The annual assessed contributions of Members shall be determined by the Financial Committee, based on the criteria for the determination of the annual scale of contributions for the general budget of the Council of Europe and can be adjusted by the Assembly in accordance with the principles on which that scale is based.

4. The Commission may receive and utilise voluntary contributions connected to its work, including contributions in kind. These contributions shall be consistent with the mandate and functions of the Commission. Contributions from entities other than Members and Observers are subject to the prior authorisation of the Financial Committee.
5. The Commission shall have its own budget within the framework of the Council of Europe. The Assembly shall adopt every year the budget of the Commission for the following year, prepared by the Secretariat and reviewed by the Financial Committee.
6. Subject to the provisions of this Convention, the Financial Regulations of the Council of Europe shall apply.
7. The Assembly may suspend the rights of a Member where it considers that the Member has failed to fulfil its financial obligations under this Convention.

PART VII – REGISTER OF DAMAGE CAUSED BY THE AGGRESSION OF THE RUSSIAN FEDERATION AGAINST UKRAINE

Article 24 – Transfer of the Work of the Register

1. As soon as possible after the establishment of the Commission and the appointment of its Executive Director, the Executive Director shall engage with the Register and/or the Council of Europe to make preparations for the transfer of the work of the Register, as appropriate, to the Commission in a way that will ensure the uninterrupted operation of the Register until its termination, and that will place information on Claims and evidence held by the Register at the disposal of the Commission. Such transfer shall include the digital platform of the Register, including all information about Claims and evidence contained therein, other documentation, its archives, its movable and immovable property, including, but not limited to, bank accounts, information technology equipment, software and any licences thereto, contracts, and arrangements of the Register, as well as any associated data, in such a way that the Commission becomes the legal successor of the Register.
2. The Assembly, the Council, and the Members shall assist the Executive Director as necessary and appropriate in preparation for the transfer of the work of the Register to the Commission.
3. Following the decision of the Assembly under subparagraph 4(g) of Article 7 of this Convention, the Executive Director shall execute the transfer of the work of the Register to the Commission, and shall certify to the Assembly when such transfer is completed and the Commission can commence its work on the Claims.

Article 25 – Continuation of the Work of the Register within the Framework of the Commission

1. The functions of the Register, including the organisation of the submission of Claims, shall continue as part of the Commission.
2. The Council, upon the proposal of the Executive Director, shall adopt relevant rules and procedures to that effect.

PART VIII – FINAL CLAUSES

Article 26 – Dispute Settlement

In the event of a dispute between Members as to the interpretation or application of this Convention, these Members shall seek a settlement of the dispute through negotiation or any other peaceful means of their choice, including through the Assembly, which shall facilitate the friendly settlement of such disputes.

Article 27 – Membership and Observer Status

1. Subject to Article 28 of this Convention, any State, the European Union, and any other Regional Integration Organisation may become a Member of the Commission by becoming a Party to this Convention in accordance with the procedures set out in this Convention.
2. The Assembly may invite any State, Regional Integration Organisation, or international organisation to become an Observer of the Commission in accordance with the terms established by the Assembly. Any State, Regional Integration Organisation, or international organisation may request to be invited to become an Observer.
3. Without prejudice to Article 7 of this Convention, Observers may participate in the meetings of the Assembly without the right to vote and make oral or written statements in the meetings of the Assembly.
4. Observers having made voluntary contributions to the budget of the Commission of an amount at least equal to the amount determined by the Assembly in accordance with subparagraph 4(j) of Article 7 of this Convention, shall have the right to participate in the adoption of the annual budget of the Commission, the annual financial report of the Commission, and the annual activity report of the Commission in accordance with subparagraphs 4(k) to (m) of Article 7 of this Convention with the right to vote in the Assembly during the financial year for which they made such a contribution.
5. Any Member acting in a manner inconsistent with the mandate of the Commission or impeding its functions may be suspended from its rights and requested by the Assembly to withdraw in accordance with Article 35 of this Convention. If such Member does not comply with this request, the Assembly may decide that such Member has ceased to be a Member as from such date as the Assembly may determine.

6. Any Observer acting in a manner inconsistent with the mandate of the Commission or impeding its functions may have its observer status suspended or revoked by the Assembly, in accordance with procedures established by the Assembly.

Article 28 – Membership of the Russian Federation and Participation in the Work of the Bodies of the Commission

1. The Russian Federation may become a Member of the Commission at any time by expression of its consent to be bound by this Convention in accordance with Article 31 of this Convention, and on the condition of making a declaration to be attached to an instrument of accession to this Convention that:
 - (a) it accepts its responsibility under international law for damage, loss, and injury caused by its internationally wrongful acts in or against Ukraine, including its aggression in violation of the Charter of the United Nations, as well as its violations of international humanitarian law and international human rights law:
 - i. in the territory of Ukraine within its internationally recognised borders, which includes its land, airspace, internal waters, and territorial sea;
 - ii. in the exclusive economic zone of Ukraine and on its continental shelf, in accordance with international law and, as applicable, national legislation of Ukraine;
 - iii. to any aircraft or vessel under the jurisdiction of Ukraine;
 - iv. to all natural and legal persons concerned, as well as the State of Ukraine, including its regional and local authorities and state-owned or controlled entities;
 - (b) it agrees to honour the decisions of the Commission on compensation and to provide the necessary means for the payment of compensation awarded or some other amount agreed to by Ukraine; and
 - (c) it agrees to reimburse Members and, where applicable, Observers for their contributions to the costs of the Commission.
2. The Assembly shall satisfy itself that the declaration by the Russian Federation attached to its instrument of accession meets the conditions in paragraph 1 above.
3. The Council shall, as soon as the Russian Federation expresses an interest in becoming a Member of the Commission, adopt further rules governing the participation of the Russian Federation in the work of the Commission. These rules shall be approved by the Assembly by consensus.
4. The Russian Federation may request to be invited to become an Observer of the Commission at any time in accordance with Article 27 of this Convention.

Article 29 – Depositary

The Secretary General of the Council of Europe shall be the depositary of this Convention.

Article 30 – Signature, Ratification, Acceptance, Approval, and Entry into Force

1. This Convention shall be open for signature by all member States of the Council of Europe, any other States and the European Union that participated in the Diplomatic Conference for the adoption of this Convention, and any other States that voted in favour of United Nations General Assembly Resolution ES-11/5 of 14 November 2022, entitled “Furtherance of remedy and reparation for aggression against Ukraine”.
2. This Convention is subject to ratification, acceptance, or approval. Instruments of ratification, acceptance, or approval shall be deposited with the Secretary General of the Council of Europe.
3. This Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date on which both of the following conditions are met:
 - (a) twenty-five signatories have expressed their consent to be bound by this Convention in accordance with the provisions of paragraph 2 above; and
 - (b) the aggregate individual contributions of these signatories to the budget of the Register for 2025¹ constitute at least 50% of the total of the budget of the Register for 2025.
4. Subject to Article 28 of this Convention regarding the Russian Federation, in respect of any signatory referred to in paragraph 1 above that subsequently expresses its consent to be bound by it, this Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of its instrument of ratification, acceptance, or approval.

Article 31 – Accession

1. After the entry into force of this Convention, the Parties to this Convention, through the Assembly, may invite to accede to this Convention any State or Regional Integration Organisation that did not participate in the Diplomatic Conference for the

¹ In accordance with the adjusted budget 2025 (document RD4U-COP(2024)16, p. 6, Table 7), as adopted by the Conference of Participants of the Register on 11 October 2024 (document RD4U-COP(2024)18, p. 3), 50% of the total budget of the Register for 2025 equals €3 692 150. For signatories that have not made a contribution to the budget of the Register for 2025, the amount that would have been their assessed contribution to the budget of the Register had they been a Participant of the Register shall be used for the purposes of calculation of aggregate individual contributions under this subparagraph (b).

adoption of this Convention and did not vote in favour of United Nations General Assembly resolution ES-11/5 of 14 November 2022, entitled “Furtherance of remedy and reparation for aggression against Ukraine”.

2. Notwithstanding paragraph 1 above, and in accordance with Article 28 of this Convention, the Russian Federation may accede to this Convention at any time.
3. In respect of any acceding State or Regional Integration Organisation, this Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 32 – Territorial Application

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval, or accession, specify the territory or territories of that State to which this Convention shall apply.
2. Any State may, at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this Convention to any other territory of that State specified in the declaration and for whose international relations it is responsible or on whose behalf it is authorised to give undertakings. In respect of such territory, this Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt of such declaration by the Secretary General of the Council of Europe.
3. Any declaration made under paragraphs 1 and 2 above may, in respect of any territory specified in any such declaration, be withdrawn by a notification addressed to the Secretary General of the Council of Europe. The withdrawal shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General of the Council of Europe.

Article 33 – Amendments

1. Amendments to this Convention may be proposed by any Member.
2. Proposals for the amendment of this Convention may include a proposal to expand the temporal scope of this Convention to include Claims for compensation for damage, loss, or injury caused by the internationally wrongful acts committed by the Russian Federation in or against Ukraine on or after 20 February 2014.
3. Any proposal for amendment shall be communicated by the Secretary General of the Council of Europe to the Members. The Secretary General of the Council of Europe shall inform the Assembly thereof.
4. The Assembly shall consider and may adopt the proposed amendment.
5. The text of any amendment adopted by the Assembly shall be forwarded by the Secretary General of the Council of Europe to the Members for ratification, acceptance, or approval.

6. Any amendment adopted in accordance with this article shall enter into force on the thirtieth day following the date on which all Members have informed the Secretary General of the Council of Europe that they have ratified, accepted, or approved it.

Article 34 – Reservations

No reservation may be made in respect of the provisions of this Convention.

Article 35 – Denunciation

1. At any time after the date on which this Convention has entered into force in accordance with Article 30 of this Convention, any Member may denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.
2. Such denunciation shall become effective on the first day of the month following the expiration of a period of twelve months after the date of receipt of the notification by the Secretary General of the Council of Europe. In case of a denunciation by the Russian Federation, the expiration period shall be ten years or until the termination of this Convention in accordance with Article 36 of this Convention.
3. No denunciation under this article shall have any retroactive effect on the commitments and obligations under this Convention during the time of the membership of the denouncing Member.

Article 36 – Duration and Termination

1. Without prejudice to paragraph 4 below, this Convention shall remain in force for a minimum period of ten years from its entry into force.
2. It shall remain in force thereafter for successive periods of up to five years if the Assembly, by a majority of at least three-quarters of all Members, by a decision taken within a year before the end of the then-current period, decides that it should remain in force.
3. At any time after the tenth anniversary of this Convention coming into force, the Assembly may, by a majority of at least three-quarters of all Members, terminate this Convention and dissolve the Commission.
4. This Convention shall be terminated by the Assembly if:
 - (a) as a result of denunciations made in accordance with Article 35 of this Convention, the number of Parties to this Convention falls below the threshold specified in subparagraph 3(a) of Article 30 of this Convention; or
 - (b) there are insufficient funds to finance the anticipated expenses of the following twelve months of the operations of the Commission and the Commission is unable to secure alternative means of financing the Commission.

5. Termination under subparagraph 4(a) above shall be effective twelve months from the date of receipt by the Secretary General of the Council of Europe of the notification of denunciation which triggers this event, unless within three months of the date when the number of Parties to this Convention falls below the threshold specified in subparagraph 3(a) of Article 30 of this Convention, the Assembly by consensus decides that this Convention should remain in force and that the Commission should continue for a specified period.
6. Termination under subparagraph 4(b) above shall be effective as soon as possible after the date of the decision of the Assembly to terminate it.
7. In the event of the termination of this Convention and the dissolution of the Commission, the Assembly shall ensure the subsequent preservation of all information about the Claims and evidence received by the Commission, its decisions, and other documentation, including its archives.
8. Prior to the termination of this Convention and the dissolution of the Commission pursuant to this article, the Assembly shall adopt any necessary transitional arrangements.

Article 37 – Notifications

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, other States and the European Union that participated in the Diplomatic Conference for the adoption of this Convention, any signatory, any Party, and any other State or Regional Integration Organisation that has been invited to accede to this Convention, of:

- (a) any signature;
- (b) the deposit of any instrument of ratification, acceptance, approval, or accession;
- (c) the date of entry into force of this Convention in accordance with Article 30 of this Convention;
- (d) any amendment adopted in accordance with Article 33 of this Convention and the date on which such amendment enters into force;
- (e) any declaration made in accordance with Article 6(5) of this Convention;
- (f) any denunciation made in accordance with Article 35 of this Convention;
- (g) any other act, declaration, notification, or communication relating to this Convention.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at The Hague, this 16th day of December 2025, in English, French and Spanish, all texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe, any other States and the European Union that participated in the Diplomatic Conference for the adoption of this Convention, and to any State or Regional Integration Organisation invited to accede to this Convention.