

REDRESS

Ending torture, seeking justice for survivors

 **Global Initiative
Against Impunity**
for International Crimes
and Serious Human Rights Violations

REPARATION TODAY, NOT TOMORROW

Guidelines for Repurposing Russia-linked
Assets to Finance Reparation for Victims
of the War in Ukraine

March 2026



DEFINED TERMS

<u>Basic Principles and Guidelines</u>	The United Nations 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
<u>Claims Commission</u>	The International Claims Commission for Ukraine
<u>Claims Commission Convention</u>	The Convention Establishing an International Claims Commission for Ukraine
<u>CRSV</u>	Conflict-related sexual violence
<u>EU</u>	European Union
<u>G7</u>	The Group of Seven, comprising Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States
<u>Guidelines</u>	The six guidelines developed by REDRESS establishing a repurposing for reparation framework for competent authorities managing Russia-linked assets
<u>ICC</u>	International Criminal Court
<u>IHL</u>	International humanitarian law
<u>IHRL</u>	International human rights law
<u>REPO Act</u>	United States' Rebuilding Economic Prosperity and Opportunity for Ukrainians Act
<u>REPO 2.0</u>	United States' proposed REPO Implementation Act of 2025
<u>Russia</u>	The Russian Federation
<u>TFV</u>	The Trust Fund for Victims at the International Criminal Court
<u>U.S.</u>	United States
<u>UK</u>	United Kingdom
<u>Ukraine Support Loan</u>	A proposed €90 billion loan to Ukraine, which will be backed by borrowing from 24 European Union Member States
<u>UN</u>	United Nations

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EXECUTIVE SUMMARY

In response to Russia’s full-scale invasion of Ukraine, competent authorities are increasingly taking steps to seize, confiscate, and repurpose Russia-linked assets for the benefit of Ukraine. Most progress made to date has focused on repurposing to finance broad packages of State-level assistance. Commitments to address victims’ urgent reparation needs have been conspicuously absent, despite their complementarity.

REDRESS has developed six Guidelines establishing a repurposing for reparation framework. The Guidelines support competent authorities to allocate a portion of repurposed funds to finance survivor-centred reparation for victims of Russia’s war in Ukraine. They examine many of the key considerations to financing reparation measures from Russia-linked assets in a manner that is robust and champions the interests of victims. In summary:

COMMIT TO FUNDING REPARATION

Guideline 1: Commit to Funding Reparation from Russia-linked assets

Funds collected from Russia-linked assets have mainly been allocated to financing broad packages of State-level assistance. Progress towards funding reparation for individual victims has, despite its complementarity, lagged significantly behind. This is a missed opportunity to contribute to victims’ healing journeys – redressing harms that would otherwise compound, giving survivors a sense of justice, and empowering them as rights-holders.

Competent authorities should commit to financing reparation from Russia-linked assets as part of their priorities in supporting Ukraine.

Guideline 2: Commit to Reforms to Enable Asset Repurposing

Competent authorities have, with modest exceptions, yet to develop or use robust laws that enable the repurposing of Russia-linked assets to finance reparation.

Competent authorities should develop innovative legal frameworks for asset repurposing that are well-grounded in international law and demonstrate a level of ambition commensurate with the scale and gravity of victims’ harms and the urgency of their needs.

SURVIVOR-CENTRED APPROACH	<p>Guideline 3: Finance Survivor-Centred Reparation</p> <p>Any reparation financing from Russia-linked assets should be situated within a comprehensive reparation strategy, guided at each stage by a survivor-centred approach.</p> <p>Competent authorities should ensure that, taken as a collective, the reparation processes that they fund are inclusive, accessible, prompt, adequate, participatory, and comprehensive.</p>
	<p>Guideline 4: Reparation Should Be Properly Sequenced</p> <p>While competent authorities should encourage initiatives to collect additional information on victims’ reparation needs, some victims simply cannot wait for a comprehensive mapping exercise to run its course for their needs to be met.</p> <p>Competent authorities should not wait for mappings to conclude and the final sum to be calculated. Now is the time to finance programmes that address the urgent reparation needs of those most vulnerable.</p>
CHANNEL FUNDS STRATEGICALLY	<p>Guideline 5: Channel Funds via the Most Effective Reparation Bodies</p> <p>Various bodies can play distinct, mutually reinforcing roles as part of a collective reparation response. This includes the Ukrainian State, the Claims Commission, the Trust Fund for Victims at the International Criminal Court, and civil society and survivor groups.</p> <p>Competent authorities should fund a range of bodies to address the needs of all victims and mitigate the risk that reparation is delayed for years to come.</p>
	<p>Guideline 6: Establish Robust Monitoring Processes</p> <p>Repurposing even a portion of Russia-linked assets will involve the transfer of millions of Euros, if not billions.</p> <p>Competent authorities should implement robust safeguards to minimise the risk of fraud and corruption, while also facilitating iterative improvements to the underlying reparation processes.</p>

INTRODUCTION

Background

It is widely accepted that large-scale violations of international human rights law ('IHRL') and international humanitarian law ('IHL') have been committed in Russia's war in Ukraine. This includes forced displacement, arbitrary detention, torture and ill-treatment, conflict-related sexual violence ('CRSV'), and enforced disappearances. Victims of these violations need reparation measures to address the harms they have suffered and enable them to rebuild their lives.¹

While the breadth of reparation needs is yet to be comprehensively assessed (and is still growing), it is already essential to provide victims of the war with some forms of relief. Urgent interim measures are especially needed, addressing victims' immediate physical, psychological, and economic needs. These measures must be sensitive to the traumatic impact of violations (including transgenerational trauma) and the specific challenges faced by certain groups of victims (such as torture survivors and children born of rape). The groundwork for implementing reparation has, to some extent, already been laid. Preliminary reparation studies and mapping exercises have been conducted. Mechanisms exist that can or will soon be able to provide some forms of reparation. A small number of victims have already received forms of urgent interim reparation. However, there is a massive funding gap. The funding allocated to survivor-centred reparation currently pales in comparison to the needs of victims of Russia's war in Ukraine.

In response to the Russian Federation's ('Russia') full-scale invasion of Ukraine, competent authorities have frozen assets of colossal value owned by Russia and its alleged affiliates.² While frozen, some assets – such as immobilised foreign currency reserves and the £2.35 billion proceeds of the sale of Chelsea Football Club – continue to generate vast sums in interest and other returns. States are increasingly taking steps to seize and confiscate assets connected to criminal conduct, as well as collecting enforcement penalties for Russia sanctions breaches and related compliance failings. There has been significant momentum towards repurposing a portion of these Russia-linked assets for the benefit of Ukraine. Most progress made to date has focused on repurposing to finance broad packages of State-level assistance that support Ukraine's military, economic recovery, and reconstruction, as well as the delivery of crucial humanitarian aid. Commitments to address victims' urgent reparation needs have been conspicuously absent, despite their complementarity. See [What are Russia-linked assets?](#) for additional detail.

1 The terms 'victim' and 'survivor' are used interchangeably in the Guidelines. Whereas 'victims' conveys a legal definition, the non-legal term of 'survivor' is often understood by many as more empowering and representative of a sense of autonomy.

2 See for e.g., European Parliament Briefing, "[Confiscation of immobilised Russian sovereign assets](#)", September 2024, p. 2; Institute for Legislative Ideas, "[The Confiscation Tracker](#)". The total value of Russia-linked assets frozen globally is not publicly available. The outlook is particularly unclear for private assets as authorities report individually, following different methodologies and according to different timelines (if reporting happens at all). Some private assets are also the subject of litigation before the Court of Justice of the European Union and, increasingly, the European Court of Human Rights.

~ U.S. \$300 billion in frozen Russian sovereign assets (belonging to the Russian State)

Up to U.S. \$114 billion could be available in frozen private assets (belonging to individuals and companies)

The delivery of reparation owed to victims is a crucial component of Ukraine’s national recovery and an investment in its human capital. However, by most appearances, decision makers managing Russia-linked assets have relegated the financing of survivor-centred reparation to a peripheral issue. This belies the gravity, scale, and time sensitivity of victims’ reparation needs, as well as the unique value of reparation to victims and society at large. On the current trajectory, those who manage Russia-linked assets risk missing a profound opportunity to bolster victims’ capacity to heal and self-advocate, and to uphold their inherent human dignity. By financing reparation from Russia-linked assets as part of their priorities in supporting Ukraine, competent authorities can contribute to victims’ redress by formally recognising the violations that they have suffered, giving survivors a sense of justice and empowering them as rights-holders (as opposed to passive beneficiaries of assistance). An approach that sidelines reparation within the wider recovery effort will ultimately compound the harms that victims experience and might impede future transitional justice processes.

Repurposing for Reparation

REDRESS has developed six guidelines establishing a repurposing for reparation framework (the ‘Guidelines’). The Guidelines support competent authorities to allocate a portion of repurposed funds to finance survivor-centred reparation for victims of Russia’s war in Ukraine. They examine many of the key considerations to financing reparation measures from Russia-linked assets in a manner that is robust and champions the interests of victims. The Guidelines are also intended to advance the policy debate by emphasising the distinct value of funding survivor-centred reparation alongside other recovery measures.

Competent authorities are approaching a critical juncture on this issue. The Ukrainian government has sought to operationalise numerous reparation and assistance schemes. Amongst other initiatives, national authorities collaborated with the Global Survivors Fund on a survivor-centred pilot project rolled out in 2024 to provide urgent interim reparation to survivors of CRSV. This included financial compensation and referrals for psychosocial support and various rehabilitation services. 1,080 survivors received support through this project.³ The pilot closely informed Ukraine’s establishment of a new comprehensive framework for addressing the needs of CRSV survivors, including a new State-led urgent interim reparation mechanism – Law #4067-IX (colloquially known as the Bardina Law).⁴ The Global Survivors Fund has found that “many more [survivors] remain unreached – most of them women”.⁵ The Ukrainian government has sought to implement Law #4067-IX but is encountering various challenges stalling the process. REDRESS understands that, amongst other issues, the major barriers impeding the implementation to date have been the need for sustainable financing and complementarity arrangements between the different measures for legal and social protection.⁶

3 See Global Survivors Fund, “Urgent Interim Reparation pilot project for survivors of conflict-related sexual violence – Ukraine impact report”, November 2025; Global Survivors Fund, “Our impact in Ukraine”, 22 January 2026.

4 Law #4067-IX on Legal and Social Protection of the Survivors of Sexual Violence Related to the Aggression of the Russian Federation against Ukraine and provision of Urgent Interim Reparations to Them entered into force on 18 June 2025.

5 Global Survivors Fund, Impact Report (n 3).

6 Based on various consultations, including with experts involved in overseeing the implementation of Law #4067-IX.

Meanwhile, between 16 and 19 December 2025, the European Union ('EU') and 35 States signed the Council of Europe Convention establishing an International Claims Commission for Ukraine (the 'Claims Commission').⁷ The Claims Commission is the first international mass claims commission to be established in decades. Once operationalised, the Claims Commission will be able to assess victims' claims and make compensation orders. However, compensation payments can only be disbursed once a trust fund is established and financed.⁸ There is no clear timeframe for this to take place, nor confirmed financing.⁹ The Claims Commission will inherit more than 100,000 claims made by victims through the Register of Damage.¹⁰ The largest category of claims received is for damage or destruction of residential immovable property (30,688).¹¹ By contrast, 123 claims have been registered for sexual violence, and 613 claims have been registered for torture or inhuman or degrading treatment or punishment.¹²

Governments are also increasingly framing their support to Ukraine through the lens of reparation – most recently, the unsuccessful 'EU Reparations Loan' that was initiated in late 2025 and was envisaged to be secured against frozen Russian sovereign assets. This package would have focused on measures to support Ukraine at a State level, rather than financing reparation measures owed to victims. Competent authorities justify using the term 'reparation' in this context because: (i) they acknowledge that Russia owes reparation to Ukraine as a matter of international law; and (ii) the proposed loan (using Russian sovereign assets as collateral) would have been repayable by Ukraine when Russia discharged its obligation and paid State-level reparations to Ukraine. The EU Reparations Loan has since been superseded by a new loan proposal, a portion of which could – according to the EU's negotiating position – be used to finance compensation, as a form of reparations, for individual victims (See section on third state economic priorities for more detail).

Methodology

The Guidelines build on earlier recommendations presented by REDRESS and our partners.¹³ They draw closely on a consultation that REDRESS held in October 2025 with a group of eight survivors from established Ukrainian survivor networks. REDRESS presented an early draft of the Guidelines to the survivors and moderated a semi-structured roundtable with the group, focusing on key messages that the survivors and their peers wished to relay to competent authorities managing Russia-linked assets. REDRESS has sought to capture the spirit of this consultation throughout the Guidelines. Competent authorities should nevertheless continue to engage a range of survivor groups at every stage of the process, in order to capture views and priorities representative of different groups of victims, and to foster a spirit of co-creation and solidarity.

7 Council of Europe, "Unprecedented support for new convention launching an International Claims Commission", 16 December 2025.

8 Convention Establishing an International Claims Commission for Ukraine (the 'Claims Commission Convention'), Preamble.

9 Commitments have been made to support the Claims Commission's operationalisation. See for e.g., Delegation of the EU to the Council of Europe, "EU signs the Council of Europe Convention establishing an International Claims Commission for Ukraine", 18 December 2025.

10 Council of Europe Office in Ukraine, "Register of Damage receives 100,000 claims submitted by individuals affected by Russia's aggression against Ukraine", 19 January 2026.

11 Quarterly report by the Board of the Register of Damage for Ukraine", 11 December 2025 (data as of 10 December 2025).

12 *Ibid.*

13 See for e.g., REDRESS, "Innovative Avenues to Finance Reparation in the UK", January 2024; REDRESS and the Global Survivors Fund, "The Delivery of Reparation for Ukraine", November 2023; Ceasefire Centre for Civilian Rights, "Reparations for Ukraine: An international route map", June 2022.

Throughout the development of the Guidelines, REDRESS has also drawn extensively on the experience and perspectives of Ukrainian and international experts on asset confiscation, as well as Ukrainian and international civil society organisations and representatives supporting victims of Russia's war in Ukraine to pursue reparation. We would like to thank all those who provided contributions to and feedback on the Guidelines. We would particularly like to extend our gratitude to the Global Survivors Fund for their close collaboration and support in the development of the Guidelines, including co-chairing many of the preliminary consultations. REDRESS bears sole responsibility for any errors.

Key terminology and concepts

The Guidelines address the opportunity to repurpose Russia-linked assets to finance reparation for victims of Russia's war in Ukraine. Engaging meaningfully with this opportunity requires knowledge of several areas, including the present situation of victims of Russia's war in Ukraine, the law on reparation, the concepts of asset recovery and repurposing, and the actions that competent authorities have already taken regarding Russia-linked assets. We have appended to the Guidelines a short Q&A addressing frequently asked questions during the consultations, namely:

What is Russia's war in Ukraine?

Who are competent authorities?

What are Russia-linked assets?

What is reparation?

Who is owed reparation? Who is responsible for providing it?

What happens if those responsible fail to provide reparation?

Who is a victim of Russia's war in Ukraine?

Why did the EU Reparations Loan fail?

THE GUIDELINES

GUIDELINE 1: COMMIT TO FUNDING REPARATION FROM RUSSIA-LINKED ASSETS

States should guarantee reparation

There is an urgent need to deliver reparation for victims of Russia’s war in Ukraine, especially interim measures addressing their most immediate needs. These measures must be designed to repair harm that has occurred in multiple forms. While reparation is sometimes mistakenly treated as synonymous with monetary compensation, it should also include numerous other measures, including psychosocial assistance, shelter, security, food, and healthcare. It should ensure the restoration of the rights that have been violated to the extent this is possible. See [What is reparation?](#) for additional detail.

How reparation differs from assistance

While assistance (such as humanitarian aid) responds to the urgent needs of civilians during armed conflict, reparation is unique in that it acknowledges that a violation has been committed by a perpetrator against an individual, which has caused harm, and that this harm needs to be redressed. Recognition and redress are emblematic of and can contribute to a victim’s healing journey – including by redressing harms that would otherwise compound, helping to restore victims’ dignity, and empowering victims both as rights-holders and, if they desire, key agents of change.

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 (the ‘Basic Principles and Guidelines’) provide authoritative guidance on the issue of remedies and reparation for victims of gross violations of IHRL and serious violations of IHL. At a foundational level, the parties liable for the harms suffered are obliged to provide reparation to victims of those harms. This implicates both Russia and individual perpetrators. Ukraine also has an obligation to guarantee victims’ access to remedies and reparation. However, if the parties responsible are unable or unwilling to meet their obligations, the Basic Principles and Guidelines provide that third States should endeavour to establish national programmes for reparation and other assistance to victims.¹⁴ See [Who is owed reparation? Who is responsible for providing it?](#) for additional detail.

In the case of third States, there is a case, grounded in the Basic Principles and Guidelines as well as various international conventions and international practice, that they should strive to guarantee reparation for victims of international crimes, including survivors of CRSV.¹⁵ These guarantees should include financing reparation measures. However, most reparation programmes follow the conclusions

¹⁴ Basic Principles and Guidelines, IX. Reparation for harm suffered (para. 16).

¹⁵ See for e.g., Hogan Lovells, Global Survivors Fund, REDRESS, and Goldsmith Chambers, “Finance for Restorative Justice: Volume II”, 19 June 2021.

of conflicts, especially internal conflicts. This situation is therefore unique and has led to significant confusion as to what reparation for victims actually means, and how victims' right to reparation should be realised. Various reparation and assistance initiatives have been and are being developed, showing a willingness to act with speed. However, the scope of the available mechanisms varies considerably, raising concerns that States and other institutions may lack a holistic understanding of the short- and long-term needs of victims of Russia's war in Ukraine, and how these interact with the needs of Ukraine as a State.

Competing priorities

The situation in Ukraine is complex, requiring a multifaceted response to address the full breadth of the harms that victims have suffered. It has already required the development of novel funding and support avenues, stress testing the legal and political structures that currently exist to prevent atrocities and protect civilians. While the Russia-linked assets managed by competent authorities are worth large amounts, even repurposing the totality of these assets is unlikely to meet the overall cost required. As a result, competent authorities will need to balance competing funding priorities, take challenging decisions, and offer compromises. For instance:

- **Urgency of reparation needs:** The effects of serious violations of IHRL and IHL – including torture, CRSV, and enforced disappearance – usually give rise to urgent needs for survivors. These harms frequently become aggravated if not addressed promptly. The core message raised unanimously by the survivors whom we consulted was the need for competent authorities to prioritise funding reparation processes that can reach victims quickly and effectively.

As one survivor told us:

“ I had everything, and I've lost it all. I see hopelessness ahead of me. There are many people like me. They need help today. They don't need a promise that something will come tomorrow. ”

- **Ukrainian government priorities:** Extraordinary revenues generated by Russian sovereign assets have so far been allocated to finance broad packages of assistance with respect to Ukraine's military, reconstruction, and economic recovery, as well as humanitarian support. In our consultations, competent authorities confirmed that the allocation of funds within these packages is influenced by numerous factors, but especially the Ukrainian government's priorities and requests. Authorities generally acknowledged that the focus has so far been on supporting the Ukrainian State, with less emphasis placed on the complementary end of directly supporting individual victims. While the Ukrainian government is a crucial stakeholder and has taken some encouraging initial steps towards guaranteeing reparation owed to victims,¹⁶ other competent authorities should not automatically assume that the State's interests will always align with the interests of victims. In order to take a more survivor-centred approach, authorities should take proactive steps to better understand and address the views of victims when developing these packages. See **Guideline 3: Finance Survivor-Centred Reparation** for additional detail.

¹⁶ See for e.g., **Guideline 5 – Channel Funds via the Most Effective Reparation Bodies**; President of Ukraine, “[Convention Establishing an International Claims Commission for Ukraine Was Signed in The Hague](#)”, 16 December 2025.

Some survivors whom we consulted did not feel that the funds received by Ukraine in assistance are being spent transparently and questioned whether the Ukrainian government will necessarily act in their interests. In the words of one survivor:

“The government have their own ideas about what to do with the money. They are not addressed to individuals but to the State. This is very impersonal. We don’t understand where it goes.”

- **Third State economic priorities:** It is well reported that some States have applied pressure to ensure that funds raised from Russia-linked assets are allocated in a manner that also benefits their national industries. For instance, in October 2025, Reuters reported that when negotiating the ill-fated EU Reparations Loan, some EU Member States had suggested that “the funds be spent mainly on European-made weapons to boost their defence industries as threats from Russia grow”.¹⁷ The Ukrainian government resisted these conditions. As the EU Reparations Loan failed, a smaller €90 billion loan will instead be backed by additional borrowing from 24 EU Member States (the ‘Ukraine Support Loan’). Under a recent European Commission proposal, Ukraine would receive €30 billion in general budget support and €60 billion to fund military spending (with only a softened preference to purchase equipment from European suppliers).¹⁸ Regarding the €30 billion in general budget support, the EU’s negotiating position (at the time of publication) includes that:

*“[s]uch macro-financial assistance may be used by Ukraine to assist in the financing of compensation, as a form of reparations, to those individuals who have suffered damage from the illegal actions of Russia, including through the Claims Commission”.*¹⁹

See [following section](#) for more detail on this development for more detail on this development. Meanwhile, the European Commission’s president has indicated that the EU may later return to the idea of leveraging the €210 billion in frozen Russian sovereign assets for the benefit of Ukraine.²⁰ Around this time, the Council of the European Union also used its emergency legal powers to immobilise the Russian sovereign assets within the EU until Russia ends its war of aggression and pays reparations.²¹

- **Incentivising further enforcement action:** There may also be a clash of priorities when competent authorities take enforcement action against perpetrators and their enablers. In the United Kingdom (‘UK’), for instance, the courts can, in some circumstances, order the forfeiture of private assets connected to criminal conduct. In most cases, the default position in practice is that the proceeds are paid to the UK government’s general bank account and then shared amongst various government

17 Reuters, “[Exclusive: Ukraine resists EU conditions on loan backed by frozen Russian assets](#)”, 22 October 2025.

18 European Parliament, “[Parliament approves €90 billion Ukraine support loan package](#)”, 11 February 2026; though n.b. Politico, “[Berlin’s push to favor its own arms-makers snarls Ukraine’s €90B EU loan](#)”, 27 January 2026.

19 “[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 – Mandate for negotiations with the European Parliament](#)”, 4 February 2026; Global Survivors Fund, “[GSF welcomes reparation mention in EU’s loan package to Ukraine](#)”, 13 February 2026.

20 Ukrainska Pravda, “[Von der Leyen: EU keeps transfer of frozen Russian assets to Ukraine on agenda](#)”, 14 January 2026.

21 Council of the European Union, “[Council decides to prohibit transfers of immobilised Central Bank of Russia assets back to Russia](#)”, 12 December 2025. Before this, the freeze needed to be renewed every six months, with all 27 EU Member States voting unanimously in favour. Russia-friendly States (especially Hungary) had wielded the possibility of their veto to force concessions from other EU Member States. Hungary has questioned the legality of the Council’s use of its emergency legal powers and reserves its rights to review the legality before the Court of Justice of the European Union (“[Statement by Hungary on the Council Regulation on emergency measures addressing the serious economic difficulties caused by Russia’s actions in the context of the war of aggression against Ukraine](#)”, 11 December 2025). See also EuroNews, “[Hungary sues EU over frozen Russian assets being used to provide Ukraine aid](#)”, 27 August 2025.

and law enforcement agencies under the UK's Asset Recovery Incentivisation Scheme.²² There is some notional ability for the courts to direct that part or all of the proceeds be paid to victims as compensation. However, this option is only available in “clear and simple” cases, and so the proceeds of Russia-linked assets rarely reach victims in this way. REDRESS is supporting a legal amendment that would address this issue in the UK for sanctions breach cases. See **Guideline 2: Commit to Reforms to Enable Asset Repurposing** for additional detail.

While exact funding allocations are beyond the scope of the Guidelines, the current approach is clearly not tenable. The survivors whom we consulted urged competent authorities managing Russia-linked assets to place a greater emphasis on funding reparation owed to victims. They described reparation measures as the “highest form of justice” and being “crucial” to restore human dignity.

One survivor reflected:

“ Our citizens need [reparation measures] now because they need to be compensated for what they have lost. They need to know that they will be defended, and their children will be defended. ”

The survivors whom we consulted all acknowledged the value of assistance. For instance, one survivor remarked that “we can give every survivor three or five thousand Euros but [...] if they don't have a school or a shop in the village, we have to work on that too. We have to count how much resource we need to build the social structure.” Despite this, the survivors all emphasised the urgency of also financing reparation owed to victims from Russia-linked assets.

Recognising that the allocations may be seen as “political decisions”, the survivors advocated for an approach that more fairly balances victims' reparation needs alongside other recovery priorities. At a minimum, competent authorities should commit to financing reparation as part of their overall priorities in supporting Ukraine. Allocating a portion of funds collected from Russia-linked assets for reparation owed to victims would be a profound symbol of competent authorities' commitment to justice by making the perpetrators and those supporting them repair the harms they have caused to victims. It would also transform the lives of the survivors whom the competent authorities hope to protect and are otherwise left to pay the price.

22 UK Home Office, “Asset recovery statistical bulletin: financial years ending 2019 to 2024”, 12 September 2024.

CASE STUDY: DEDICATING AS LITTLE AS 2% TO REPARATION

REDRESS and the survivors we consulted both supported a Call to Action for competent authorities to dedicate a share of loans backed by Russia-linked assets to reparations for victims and survivors of human rights violations.²³ The Call to Action was coordinated by the Global Survivors Fund and co-signed by fifty civil society organisations and individuals. It was developed during the negotiations for the EU Reparations Loan, which would have been backed by frozen Russian sovereign assets. The Call to Action emphasised that dedicating as little as 2% of the loan to national reparations programmes would transform lives and help to rebuild Ukraine's social cohesion, support its human capital, and lay the foundations for reconstruction, recovery, and justice.

The Call to Action inspired the EU to include in its negotiating position for the Ukraine Support Loan (which has superseded the proposed EU Reparations Loan) a provision that would enable the budgetary support to be used by Ukraine to assist in the financing of compensation, as a form of reparations, to individual victims, including through the Claims Commission.

This is a promising initial position, setting an emblematic precedent on the urgent importance of funding reparation for victims of Russia's war in Ukraine. It also has the potential to influence the structure of future financing initiatives backed by Russia-linked assets, such as immobilised Russian sovereign assets.

However, it remains to be seen whether the parties will ultimately agree to allocate an amount to finance compensation for individual victims, and if so, how much. It is also unclear whether such funds would be channelled only via the Claims Commission (which is the only reparation body mentioned by name in the EU's negotiating position), or whether amounts will also be allocated to national reparation programmes that can likely meet victims' urgent needs more quickly, such as those to be established through the implementation of Law #4067-IX (the Bardina Law).

Many of the survivors whom we consulted also highlighted the link between Russia-linked assets and the violations that they and others have suffered personally. The group felt that there is a particularly strong case that a portion of the funds gathered from Russia-linked assets should be specifically used to fund reparation owed to victims. In particular, the survivors emphasised the responsibility of Russia and its enablers for the underlying violations and saw that financing reparation measures through the repurposing of Russia-linked assets would be a way of "making Russia pay".²⁴ In one survivor's view, by exploring opportunities to repurpose Russia-linked assets for reparation, "justice for Ukraine has started already".

Transparency was another key demand that was consistently raised by the survivors whom we consulted (see **Guideline 6: Establish Robust Monitoring Processes** for additional detail). We encourage competent authorities to provide greater transparency on the rationale behind the funds they allocate from repurposed Russia-linked assets, especially where there is minimal or no portion reserved for reparation owed to victims.

²³ Global Survivors Fund, "Ukraine: EU must dedicate a share of asset-backed loan to reparations for victims and survivors of human rights violations", 13 October 2025.

²⁴ See also Testimony of Yuliya M. Ziskina before the U.S. Helsinki Commission, "Making Russia Pay: Sovereign Asset Confiscation for Ukrainian Victory", 6 December 2023.

GUIDELINE 2: COMMIT TO REFORMS TO ENABLE ASSET REPURPOSING

Legal and policy considerations

There are significant legal and policy considerations that competent authorities must consider before repurposing Russia-linked assets to finance reparation. The current landscape for Ukraine reflects an array of appetites for the outright confiscation and repurposing of Russia-linked assets, as well as the emergence of novel, creative solutions – such as the use of Russia-linked assets as collateral for loans which would be repaid if Russia pays State-level reparation. While detailed analysis of the underlying considerations is beyond the scope of the Guidelines and will vary depending on the type of Russia-linked asset,²⁵ we note the following:

- **Ambition:** Competent authorities should devote sufficient resources to scoping and validating methods of repurposing Russia-linked assets to finance reparation. This should include more closely engaging (and funding) civil society groups that are already analysing potentially viable pathways for repurposing. Authorities should demonstrate a level of ambition and creativity commensurate with the scale and gravity of victims’ harms and the urgency of their needs. Competent authorities should always ensure compliance with applicable laws. However, this must not translate into an overcautious risk appetite that deprioritises victims’ right to reparation. The approach taken to repurposing extraordinary profits generated by frozen Russian sovereign assets is an example of such ambition, though the assistance packages that these revenues financed did not include any funds expressly allocated to reparation owed to victims
- **Risk-based approach:** It may be appropriate for competent authorities to take a risk-based approach, strategically targeting asset types for which the legal implications of repurposing are clearer and may have already been determined. Various potentially low-risk avenues have been significantly underexplored and should be explored further. For instance, repurposing:
 - i) revenues generated by frozen private assets (such as the interest and tax generated from the £2.35 billion sale of Chelsea Football Club);
 - ii) private assets that are proven to be proceeds of crime (e.g., connected to sanctions breaches); and
 - iii) enforcement proceeds generated from compliance breaches.

25 See for e.g., Dr. Victoria Vdovychenko and Tetiana Khutor, “Reinforcing the Legal Framework for Seizing Frozen Russian Assets”, May 2025; European Parliament, “Legal options for confiscation of Russian state assets to support the reconstruction of Ukraine”, February 2024; Dr. Patrick Butchard, “Sanctions, international law and seizing Russian assets”, 7 November 2024; Open Society Justice Initiative, “Legal Possibilities of Using Russian Central Bank Assets to Enforce European Court of Human Rights Judgments”, May 2025; World Refugee & Migration Council, Dr. Anton Moiseienko, International Lawyers Project, and Spotlight on Corruption, “Frozen Russian Assets and the Reconstruction of Ukraine – Legal Options”, July 2022.

CASE STUDY: UNITED STATES

The 2023 Consolidated Appropriations Act allows the United States' ('U.S.') Attorney General to transfer to the Secretary of State the proceeds of any private assets seized from sanctioned Russian oligarchs, or assets used in a sanctions violation, to fund the rebuilding of Ukraine.²⁶ In May 2023, under the Biden Administration, U.S. Attorney General Merrick Garland authorised the transfer of U.S. \$5.4 million taken from a bank account of sanctioned Russian oligarch Konstantin Malofeyev. Malofeyev was charged by the Justice Department with violating U.S. sanctions imposed on him following Russia's 2014 invasion of Crimea. The funds confiscated constituted proceeds traceable to Malofeyev's sanctions violations and were therefore confiscated following his indictment as proceeds of crime.²⁷

- **Ceasefire prospects:** Competent authorities are facing increasing pushback to the repurposing of Russia-linked assets on various reciprocity, economic, and foreign policy grounds.²⁸ Chief among them is the possibility of a ceasefire agreement. In our discussions with competent authorities, some actors implied that major Russia-linked assets (particularly sovereign assets) could be retained and used as leverage during negotiations. For instance, these assets could be used as an incentive for Russia to engage in negotiations or comply with confidence-building measures.

A comprehensive cessation of hostilities is a prerequisite to providing victims with full redress. It is also a key priority for the survivors whom we consulted. However, competent authorities should not lose sight of victims' right to reparation, and particularly the need for urgent interim reparations for survivors of CRSV and other violations. Authorities should engage meaningfully and regularly with victim groups to ensure that their voices are considered and that their rights are not treated as bargaining chips. The sidelining of reparation sets a dangerous precedent that perpetrators can negotiate around their international law obligations. It also presents a real risk of undermining the legitimacy of any peace agreement, blighting any transitional justice process, and potentially fuelling further cycles of violence.

While the survivors we consulted recognised that the interaction between repurposing Russia-linked assets and possible ceasefire negotiations could be complex, they did not view this as a convincing argument to delay financing reparation. As one survivor told us, "I do not want our aspirations for justice to make us hostages." Other survivors remarked that "we need these assets", and that "people who are using this argument just want to keep a good relationship with Russia". Speaking on behalf of their respective survivor organisations, survivors cited numerous instances where, without urgent interim reparation, their members' harms would compound irreparably; sometimes fatally.

²⁶ U.S. 2023 Consolidated Appropriations Act.

²⁷ Financial Times, "US transfers seized assets from sanctions-hit oligarch to send to Ukraine", 10 May 2023 (paywall); Reuters, "Russian oligarch ordered to forfeit \$5.4 mln to U.S., Ukraine may get funds", 2 February 2023.

²⁸ See for e.g., Transnational Litigation Blog, "Western Seizure of Russian Central Bank Assets Risks Sparking Global Pushback", 5 September 2024.

- **Integrity of sanctions regimes:** Competent authorities should also take action to preserve the integrity of their Russia sanctions regimes, which often provide (or contribute to) the legal basis for repurposing Russia-linked assets. For instance, Mikhail Fridman, a billionaire oligarch who is sanctioned by the UK and the EU, has brought various legal cases challenging both his sanctions designations and authorities' refusal to grant him certain licences (which would authorise payments and expenses that would otherwise be in breach of sanctions).²⁹ Most recently, Fridman has brought legal cases against States under the Investor-State Dispute Settlement system.³⁰ While only limited details of the cases have been made public, it is widely accepted that Fridman is challenging States for freezing his assets under the relevant sanctions regimes.³¹

Competent authorities should vigorously defend these claims and report publicly on their status, not least to preserve public confidence in the underlying Russia sanctions programmes. Sanctions units should also consider whether to designate the Central Bank of Russia, which could strengthen their position in responding to some legal challenges regarding the freezing of Russia-linked assets.

Legal reforms

Competent authorities should also ensure that their legal frameworks enable the repurposing of Russia-linked assets to finance reparation. While there is strong support in many States for repurposing Russia-linked assets in this manner, most jurisdictions have yet to develop or utilise robust laws that enable the process to take place.

Since the full-scale invasion, Estonia, the U.S., and Canada have codified new pathways with a view to enabling the repurposing of Russia-linked assets that could extend to financing reparation owed to victims. However, these are largely untested to date.

29 See for e.g., *R (on the application of Mikhail Fridman) v HM Treasury* [2023] EWHC 2657 (Admin); *Mikhail Fridman v Council of the European Union* (T-304/22), Judgment of the General Court (First Chamber) of 10 April 2024.

30 See for e.g., Trade Justice Movement, "UK being sued by sanctioned Russian oligarch under secret court system", 18 November 2025; Institut Veblen, "Frozen assets, hot claims: How sanctioned oligarchs & other investors sue over sanctions", 9 December 2025. Cases of this kind are often brought under Bilateral Investment Treaties (BITs). Most European countries still maintain BITs with Russia and Ukraine. Many of these treaties contain sunset clauses enabling the continued use of the Investor-State Dispute Settlement system for a number of years after the treaty is cancelled. The Institut Veblen piece highlights that "[h]ad all BITs with Russia been terminated after Russia's initial invasion of Ukraine in 2014, some would have already expired." (p. 9).

31 *Ibid.*

CASE STUDY: ESTONIA

In May 2024, Estonia passed a new law³² permitting the Estonian Ministry of Foreign Affairs to confiscate assets belonging to sanctioned individuals and entities and to use the revenue as:

“prepayment of the compensation for the damage caused to a foreign state by a violation of the prohibition of the use of force under Article 2(4) United Nations Charter or of the rules of warfare during the unlawful use of armed forces [an ‘unlawful act’].”³³

This power is subject to various conditions, including that:

- there must be a connection between the owner of the relevant asset(s) and the commission or assistance of an unlawful act (in the case of a company, Russian State ownership and the provision of financial or material support to the commission of the unlawful act);³⁴
- the affected foreign State (Ukraine) must submit a claim for compensation for the damage, and the claim must not have been satisfied within a reasonable period;³⁵
- the owner of the relevant asset(s) must be notified and may contest the decision before the administrative court;³⁶ and
- directing the funds requires a request by Ukraine, an international organisation, or an internationally acknowledged compensation mechanism to receive the funds (such as the expected Claims Commission).³⁷

The owner of an asset repurposed under this law automatically acquires their own right of claim, assigned by Ukraine. This right of claim is equal to the value of the assets repurposed and would, in principle, be brought against Russia as the actor responsible for the damage.³⁸

32 Estonia’s International Sanctions Act and Amendments to Other Associated Acts.

33 *Ibid*, Section 29¹, (1).

34 *Ibid*, Section 29¹, (3).

35 *Ibid*, Section 29¹, (2); Section 29², (1)(2).

36 *Ibid*, Section 29², (2) – (5).

37 *Ibid*, Section 29¹, (2); Section 29², (1)(3).

38 *Ibid*, Section 29², (1)(3); 29⁴.

CASE STUDY: UNITED STATES

On 24 April 2024, then U.S. President Biden signed into law the Rebuilding Economic Prosperity and Opportunity for Ukrainians Act (the 'REPO Act').³⁹ The REPO Act allows the President to confiscate Russian sovereign assets to be deposited into the "Ukraine Support Fund".⁴⁰ The Ukraine Support Fund is to be administered by the Secretary of State and may be used for:

- making contributions to an international body, fund, or mechanism that is charged with determining and administering compensation or providing assistance to Ukraine (such as the expected Claims Commission);
- supporting reconstruction, rebuilding, and recovery efforts in Ukraine; and
- providing economic and humanitarian assistance to the people of Ukraine, and other purposes for the welfare of the Ukrainian people.⁴¹

The REPO Act makes a general reference to Russia's obligation under international law to provide reparation.⁴² It also expressly envisages that once an agreement is reached with the U.S. to establish a common international compensation mechanism (such as a trust fund accompanying the Claims Commission), the Secretary of State shall transfer funds from the Ukraine Support Fund to a "Common Ukraine Fund" that uses proceeds from Russian sovereign assets confiscated in the U.S. and other jurisdictions as compensation for Ukraine.⁴³

The authority to confiscate and repurpose Russian sovereign assets under the REPO Act will terminate five years after its enactment (24 April 2029) or, if earlier, 120 days after either hostilities have ceased, full compensation has been made to Ukraine for harms resulting from the invasion, or Russia is participating in a bona fide international mechanism that, by agreement, will discharge Russia's obligations to compensate Ukraine for all amounts determined to be owed to Ukraine.⁴⁴

On 19 September 2025, U.S. Senators introduced the REPO Implementation Act of 2025 ('REPO 2.0').⁴⁵ If passed, REPO 2.0 would mandate the transfer of all of the estimated U.S. \$5 billion in frozen Russian sovereign assets under U.S. jurisdiction to an interest-bearing account. The President would be encouraged to repurpose at least U.S. \$250 million from that account "to benefit Ukraine" every 90 days.

REPO 2.0 also includes measures on cooperation with other competent authorities, including encouraging the Secretary of State to implement a diplomatic campaign to persuade U.S. allies to begin repurposing at least 5% of Russian sovereign assets to benefit Ukraine according to the same schedule, and requiring reports on Russian sovereign assets held outside of the U.S. It does not address the issue of reparation owed to victims.

39 The U.S.' Rebuilding Economic Prosperity and Opportunity for Ukrainians Act (the REPO Act).

40 *Ibid*, Sec. 104(b) and (c).

41 *Ibid*, Sec. 104(d).

42 *Ibid*, Sec. 101(a)(6).

43 *Ibid*, Sec. 105.

44 *Ibid*, Sec. 104(g).

45 The U.S.' REPO for Ukrainians Implementation Act of 2025.

CASE STUDY: CANADA

Canada's C-19 Budget Implementation Act, which received royal assent on 23 June 2022, modified the 1992 Special Economic Measures Act and the 2017 Justice for Victims of Corrupt Foreign Officials Act.⁴⁶ The amendments allow the Minister of Foreign Affairs to apply for a court order for assets frozen under sanctions to be forfeited where there have been grave breaches of international security, gross and systematic human rights violations, or significant corruption overseas, or a United Nations ('UN') request for sanctions.

A judge may make an order for assets which are owned, held or controlled by a foreign State, a person in that foreign State, or a national of the foreign State, to be forfeited. The net proceeds can be used for reconstructing Ukraine, restoring international peace and security, and compensating survivors (as a form of reparation).

Canada has ordered the seizure of alleged Russia-linked assets based on these legal powers – namely (i) U.S. \$26 million from Granite Capital Holdings Ltd. (a company owned by Roman Abramovich);⁴⁷ and (ii) an Antonov 124 cargo airplane believed to be owned by sanctioned Russian airline companies.⁴⁸ However, several years on, the Canadian authorities have not yet applied for judicial approval for the assets to be forfeited and sent to Ukraine.⁴⁹

Bill S-214, introduced by Senator Donna Dasko, proposes to further amend the 1992 Special Economic Measures Act to establish distinct mechanisms for the repurposing of sovereign assets, rather than private assets.⁵⁰ Under the current framework, repurposing sovereign assets would require recourse to a judicial mechanism, bringing sovereign immunity concerns under Canada's State Immunity Act. By carving out a separate track for sovereign assets, Bill S-214 reflects that sovereign property requires a tailored approach distinct from the forfeiture mechanisms more straightforwardly applicable to private assets.

The mechanics of these laws are tailored to the relevant jurisdictions and should therefore not be read as models to copy wholesale. They could also, for instance, be vulnerable to legal challenges on the basis of sovereign immunity, unlawful countermeasures, and non-expropriation/protection of State property (sovereign assets) or due process and the right to property (private assets). However, their development shows that there is growing momentum towards repurposing Russia-linked assets, including potentially as reparation for victims. Competent authorities should build on this momentum to develop and enhance innovative legal frameworks for this purpose that are well-grounded in international law.

46 Canada's C-19 Budget Implementation Act.

47 Global Affairs Canada, "[Canada starts first process to seize and pursue the forfeiture of assets of sanctioned Russian oligarch](#)", 19 December 2022.

48 Global Affairs Canada, "[Government of Canada orders seizure of Russian-registered cargo aircraft at Toronto Pearson Airport](#)", 10 June 2023; Canada Gazette, Part II, Volume 159, Number 5, "[Order Respecting the Seizure of Property Situated in Canada \(Aircraft RA-82078\): SOR/2025-29](#)", 14 February 2025.

49 CBC, "[Ottawa has done nothing to actually seize millions from Russian oligarch](#)", 22 January 2025; CityNews, "[Canada moved to seize Russian plane at Toronto Pearson airport in June, so why is it still there?](#)", 12 January 2024.

50 Canada's Bill S-214 (to amend the Special Economic Measures Act (disposal of foreign state assets)).

CASE STUDY: UK

Authorities in the UK have an opportunity to reform the law and facilitate reparation measures from the repurposing of Russia-linked private assets. As noted above, UK courts can only order victim compensation from assets connected to criminal conduct in “clear and simple cases”, where victims are easily identifiable and losses are straightforward to measure.⁵¹

This narrow approach is not suited to complex economic crime, such as sanctions offences. Unless the law is changed, judges will typically have no ability to award compensation to victims of sanctions violations. Not a penny will go to the very people most harmed by the violation. This is not because they are undeserving or because they have not suffered a significant harm, but because there is no law in place to address their situation. REDRESS is supporting proposed amendments to the Crime and Policing Bill 2025 to close this gap.⁵² The amendments would empower judges to issue ‘public interest compensation orders’, ordering that a portion of the proceeds from assets connected to criminal conduct must be paid to approved reparation and assistance mechanisms (such as the Claims Commission, the International Criminal Court (‘ICC’) Trust Fund for Victims (‘TFV’), or the UN Voluntary Fund for Victims of Torture).⁵³

51 See for e.g., REDRESS, “Making Criminal Assets Work for Victims – From Confiscation to Compensation”, January 2026.

52 *Ibid.* This amendment is based on [EU Directive 2024/1260 of 24 April 2024](#) (the EU Directive on Asset Recovery and Confiscation), which encourages EU Member States to “take the necessary measures to allow the possibility of using confiscated property, where appropriate, for public interest or social purposes”. The Directive envisages that States may use Russia-linked assets to “contribute to mechanisms to support third countries affected by situations in response to which Union restrictive measures have been adopted, in particular in cases of war of aggression.” This appears to be a pointed reference to the Claims Commission. It is for individual Member States to amend their laws in a way that achieves the goals set out in the Directive. The Directive also envisages that the European Commission may provide guidance on the arrangements for contributions to the Claims Commission or other such mechanisms, though this is yet to materialise.

53 See also Italy’s [Law of 7 March 1996 \(Law No. 109/1996\)](#), which built upon earlier anti-mafia legislation and allows assets confiscated from organised crime to be used for social or institutional purposes. This model has been adopted in numerous jurisdictions, including Argentina, Colombia, Germany, and Nigeria. While the relevant legislation is generally designed to redress harm suffered by victims at the national level, national authorities can play a meaningful role by deciding to allocate or redirect recovered assets to the TFV or other bodies, thereby demonstrating solidarity with victims of international crimes beyond their borders.

GUIDELINE 3: FINANCE SURVIVOR-CENTRED REPARATION

Financing survivor-centred reparation

Competent authorities should situate their reparation financing from Russia-linked assets within a comprehensive reparation strategy. The guiding principle for this strategy should be the need to ensure survivor-centredness at every stage of the process. A survivor-centred approach to reparation places the rights, needs, and dignity of survivors, including their wellbeing and safety, at the forefront of the process. It is intended to reduce the risk of survivors facing further harm and re-traumatisation as well as to champion the co-creation of reparation measures with survivors (and thereby reinforce their agency and self-determination).

We have addressed below some of the key aspects that may be immediately relevant to competent authorities and should inform their financing commitments. Reparation must be: (i) inclusive and accessible; (ii) prompt; (iii) adequate and participatory; and (iv) comprehensive.⁵⁴

Reparation must be inclusive and accessible

The reparation strategy underpinning the competent authorities' financing must ultimately uphold the rights of all victims of Russia's war in Ukraine to receive reparation and must ensure that all victims can practically realise their right to reparation. As set out throughout the Guidelines, a core element of this strategy must be the need to prioritise addressing the urgent reparation needs of those most vulnerable. Competent authorities should consult survivors meaningfully to understand their needs and preferences and must coordinate amongst themselves as part of a common strategy to ensure that, taken as a totality, their funding does not outright exclude any victims who are entitled to reparation. Some victims may also have highly specialised needs that are best addressed as part of tailored reparation processes or may lack the trust to engage with internationalised bodies implementing reparation.

Victims may also not meet the eligibility criteria set by certain reparations processes. For instance, the Claims Commission only has a mandate to assess claims made by victims of harms caused by Russia on or after 24 February 2022 (the beginning of the full-scale invasion).⁵⁵ Ukrainian survivor groups (including those we consulted) have called for the expansion of this temporal scope to 20 February 2014, the day that Russia began its illegal invasion of Crimea.⁵⁶ In a joint advocacy campaign, various survivor groups emphasised that "[t]here is no principled reason to compartmentalise harms that arise from the same continuous wrongful acts and to deny reparation to survivors based on this division."⁵⁷

54 For additional analysis on survivor-centred reparation, see for e.g., [Basic Principles and Guidelines](#); [Belfast Guidelines on Reparations in Post-Conflict Societies](#).

55 [Claims Commission Convention](#), Article 3(1)(a). The Register of Damage was subject to the same restriction and has only recorded claims regarding harms that were suffered since the full-scale invasion.

56 "[Statement by Ukrainian Survivor Groups Regarding the International Compensation Mechanisms for Victims of Russian Aggression and its Temporal Scope](#)", 16 December 2025.

57 *Ibid.*

While the Claims Commission Convention already envisages that it may be amended in the future to allow its temporal scope to be extended to 20 February 2014, it is unclear when this will happen – if at all. Accordingly, if all competent authorities fund solely the Claims Commission from Russia-linked assets, this could create a funding gap for reparation programmes addressing the needs of those victimised prior to the full-scale invasion, or victims of violations that occurred outside of Ukraine. Neither of these groups can validly record claims for these harms with the Register of Damage/Claims Commission. If left unaddressed, this distinction may become a source of tension between different groups of victims.

At least until the Claims Commission’s temporal scope is expanded, one solution would be to prioritise funding national programmes – though these must also be significantly expanded to address the needs of all victims. Another partial solution could be to fund the ICC TFV, which – alongside its reparation mandate in individual cases – has the capacity to establish other programmes for the benefit of victims and could provide some targeted assistance to survivors pending full reparation. The ICC Office of the Prosecutor’s investigation into the situation in Ukraine is similarly focused on crimes committed since the full-scale invasion. In principle, the TFV could also support those victimised pre-2022. See **Guideline 5: Channel Funds via the Most Effective Reparation Bodies** for additional detail on the operation (and limitations) of both existing national programmes and the TFV.

Competent authorities should also ensure that eligible victims can actually access reparation programmes funded through Russia-linked assets and can do so in a fair, accessible, and non-discriminatory way. The survivors whom we consulted raised barriers to obtaining information about, and ultimately accessing, reparation processes. At present, there are multiple reparation and assistance schemes with varying eligibility criteria and documentation requirements. Some survivors – particularly the elderly or those in remote or occupied territories – are generally less likely to be aware of the reparation schemes that exist, which body they should approach, and how to do so. The survivors we consulted also raised issues regarding the complexity of certain application forms and low digital literacy amongst older or displaced populations. One survivor shared that many members of her organisation are older-age women survivors, who often lack the technical skills to submit their claims online, requiring assistance from others.

CASE STUDY: REGISTER OF DAMAGE AND CLAIMS COMMISSION

The claims process used by the Register of Damage (and that will be inherited by the Claims Commission, its successor body) is designed around the Diia web portal – a Ukrainian government digital platform that provides a centralised process to complete forms and upload documents. The Diia portal is innovative, and significant resources have been dedicated to digitalising and harmonising reparation and assistance applications via the portal. However, our consultations found that significant process changes are needed to ensure that it is accessible to all eligible victims.

As the process is currently designed, additional awareness-raising is urgently needed to support survivors on how to make a claim, the eligibility criteria, the evidence required to substantiate different claims, and the expected timeline for the process to conclude. Survivors raised various technical issues that hamper the user journey, including limited time to complete application forms before they time out, as well as limited ability to save drafts in the portal or upload multiple documents in support of a single claim.

The claim forms themselves are relatively short, reflecting the large number of claims that the Register of Damage is intended to record. In some instances, particularly torture and CRSV, they may lack sufficient detail to capture the complex and multifaceted impact of these violations (including post-traumatic stress disorder and other psychological harms, social stigmatisation, and transgenerational trauma) or do so in a dignified and survivor-centred manner that mitigates the risk of re-traumatisation. Applicants are not asked to provide significant supporting documentation. This approach is pragmatic, minimising the risk that victims are denied reparation due to a lack of documentation (which in many cases will not be available). However, it may also hinder the Claims Commission's ability to eventually quantify the compensation owed in individual cases.

With REDRESS' facilitation, the survivors we consulted raised their concerns and questions directly with staff at the Register of Damage. We understand that the Register of Damage is aware of various access challenges and is exploring avenues to address them. Resolving the abovementioned issues would undoubtedly improve accessibility for survivors. However, the Register of Damage and Claims Commission should also reflect critically on whether the application process itself should be overhauled to ensure survivor-centredness, rather than relying solely on the digital application system.

The pilot project implemented by the Global Survivors Fund (in collaboration with the Ukrainian authorities) may be particularly instructive in this regard. In that project, survivors who wished to apply for reparation were first referred to a case manager coordinator. Trained case managers would then conduct interviews (in person or online), support the completion of applications, and collect required documentation. Interviews were conducted in a flexible manner, adapted to the condition of survivors, and aimed at establishing trust without pressure to reveal unnecessary details difficult for the person to describe. The survivor did not need to fill out a form before the interview, as it would be completed during the interview.⁵⁸

58 Global Survivors Fund, Impact Report (n 3).

Finally, the Register of Damage and Claims Commission should also take additional measures to manage the expectations of victims who apply. Compensation payments cannot be made to rights-holders through the Claims Commission until a trust fund is established and financed, which is not yet in place. Competent authorities should also take note of this and prioritise funding reparation schemes that can reach victims quickly to address their urgent interim reparation needs.

There are numerous other ways in which competent authorities can facilitate access to more accessible reparation processes. For instance, alongside financing urgent interim reparations and reparative measures, competent authorities should encourage the relevant bodies to also deliver:

- **Updated costing on reparation measures:** On 23 February 2026, an updated joint Rapid Damage and Needs Assessment was released by the Ukrainian government, the World Bank Group, the European Commission, and the UN.⁵⁹ The latest assessment estimates that as of 31 December 2025, the total cost of reconstruction and recovery in Ukraine is almost U.S. \$58 billion over the next decade. The report includes a ‘Human Impact Assessment’ and flags various unmet needs, including U.S. \$53.07 billion for housing programmes such as compensation for war veterans’ housing in territories temporarily not under government control and compensation for lost and damaged housing. However, it makes no reference to reparation. This is consistent with a wider trend of international development documents for Ukraine failing to properly address: (i) the human cost of recovery and reconstruction; (ii) the need for the Ukrainian government to fulfil its obligation to provide effective remedies to survivors; and (iii) reparation being an investment in human capital as opposed to a pure non-investment cost. Competent authorities should encourage more accurate assessments of the human cost of recovery and reconstruction, including the cost to deliver reparation measures. As part of any longer-term vision, authorities should also consider how better to emphasise reparation for individual victims within narratives on Ukraine’s recovery and reconstruction.
- **Programmes to deliver information and bolster access to reparation services:** As set out previously, the pilot project implemented by the Global Survivors Fund (in collaboration with the Ukrainian authorities) demonstrates how survivor-centredness and trauma-sensitivity can be baked into the registration and assessment process. Ultimately, competent authorities should encourage reparation bodies to ensure that their processes serve the best interests of victims by design, rather than relying on external support to mask their deficiencies. In the interim, competent authorities should encourage enhanced legal support for victims (particularly through further capacity strengthening of the legal aid system in Ukraine), as well as the creation of mobile teams or service centres tasked with disseminating information on reparation and accompanying individuals with the process of properly submitting their claim. In any event, those accompanying survivors through the application process must champion gender and trauma sensitivity, responding to the specific support needs of, for instance, survivors of torture or CRSV. Survivors should be accompanied by an actor they are comfortable with (for instance, a woman CRSV survivor may wish to be accompanied through the application process by another woman). Alongside supporting any process overhauls that may be necessary, competent authorities should, where possible, fund civil society organisations to deliver information and support, prioritising those already supporting survivors in this manner.

59 World Bank Group, “Updated Ukraine Recovery and Reconstruction Needs Assessment Released”, 23 February 2026.

- **Comprehensive consultations with survivors and their representatives:** This should be with a view to ensuring the user journey for reparation applications is as user-friendly as possible, includes appropriate guidance, and reflects accepted best practices for reparation application processes. Some survivors may prefer to be accompanied through the process. Under the current process used by the Register of Damage, this could include enabling one-to-one assistance through the app. For other survivors, completing the application on their own terms without external assistance is an empowering act and may contribute to their healing journey.
- **Enhanced procedures to facilitate the reinstatement of documentation:** Enabling the reinstatement of passports, driving licences, diplomas, and other documentation could improve access to both national and international processes for redress and reparation by victims, and support their needs for medical and legal support, housing, and employment.
- **Further harmonisation of data collection processes:** This should include exploring opportunities to merge or integrate victims registers and database management across international and national levels. The survivors whom we consulted emphasised that submitting evidence often involves repeated recounting of traumatic experiences, sometimes with limited or no feedback on how their submissions will be used. This can contribute to re-traumatisation and frustration, undermining survivor trust in justice and reparation processes.

CASE STUDY: VICTIM STATUS

In our consultations, survivors emphasised the role of processes to certify victim status and eligibility criteria. For some survivors, qualifying as an eligible victim for a particular reparation process is an acknowledgement of the harm suffered – itself a healing act – and may help survivors to overcome social stigma (an issue which remains problematic at the national level due to inconsistent practices amongst government commissions and procedures requiring the involvement of law enforcement agencies).⁶⁰ They also explained that some survivors may not choose to identify with the label of ‘victim’, and that this should not be a barrier to accessing reparation.

At a basic level, victim registries should be:

“flexible, open-ended, free of charge or bureaucratic hurdles (especially for persons in situations of vulnerability) and have a wide outreach, to adequately estimate the potential universe of victims and therefore the expected costs of reparations.”⁶¹

Reparation must be prompt

As the landscape for the delivery of reparation for victims of the war is still evolving, there is no timeline for delivery, nor significant funding committed to implementing forms of reparation on a large scale. In this context, promptness requires the establishment of a system for deciding between (and potentially prioritising) certain categories of claim, especially while a comprehensive mapping is yet to be completed. See **Guideline 4: Reparation Should Be Properly Sequenced** for analysis of this issue.

60 See for e.g., Ceasefire Centre for Civilian Rights and Eastern-Ukrainian Centre for Civil Initiatives, “From social protection to reparations for Ukraine: Lessons learned from the case of civilian detainees under Russia’s armed aggression”, March 2025.

61 UN General Assembly, “Promotion of truth, justice, reparation and guarantees of non-recurrence – Note by the Secretary-General” (A/78/181), para. 9.

Reparation must be adequate and participatory

Reparation should be understood as adequate by the victims to whom reparation is owed, both at the individual and collective levels. Comprehensive reparation is unlikely to be feasible until a comprehensive ceasefire. In the interim, competent authorities should encourage any reparation bodies that they finance through Russia-linked assets to have systems in place that facilitate the meaningful participation of victims in their decision-making. This will ensure that the modalities of any reparation measures implemented are closely informed by victims' needs, as articulated through their own voices. This approach also promotes the agency of individual victims, which is itself of reparative value. The survivors we consulted called for a more inclusive and coordinated approach to working with survivor communities. They supported the establishment of a council of survivor organisations to provide guidance and share knowledge with reparation bodies. This is relevant for all reparation processes, but especially for national schemes (given that, funding permitting, they are likely to reach victims the fastest).

CASE STUDY: REGISTER OF DAMAGE AND CLAIMS COMMISSION

The Register of Damage has, in our discussions, emphasised its focus on enhancing opportunities for victim participation at the registration stage (i.e., that victims can make a claim and therefore share their story). It has, for instance, developed an outreach programme allowing for information to be shared about the workings and decisions of the Register of Damage with civil society organisations and victims' representatives. This programme and strategic focus will be incorporated into the Claims Commission.

While enhancing opportunities for victim participation is a vital aspect of incorporating a survivor-centred approach, the steps taken by the Register of Damage to date are nascent. The Register of Damage and Claims Commission must go further by dedicating resources to enhancing victims' experience of the participation process. In many contexts where we work (including Ukraine), survivors have emphasised that the experience of accessing reparation can be just as important as the reparation measures themselves.

At present, the Register of Damage receives the views of civil society organisations through its Civil Society Coordination Platform and wider meetings. However, with additional capacity, the Register of Damage and Claims Commission should explore ways of implementing concrete feedback loops and transparent pathways for information from victims and their civil society representatives to inform decision-making within the Claims Commission.

When considering financing reparation through repurposing Russia-linked assets, competent authorities should encourage, if not require, a holistic commitment to victim participation – one that goes beyond the application phase and empowers victims as vital stakeholders and partners.

Reparation must be comprehensive

Competent authorities should ensure that the funds they allocate from Russia-linked assets towards reparation are situated within a comprehensive reparation strategy for victims.

Numerous stakeholders will be involved in ensuring the delivery of reparation – the specifics of which are beyond the scope of the Guidelines (see [What is reparation?](#) and [What happens if those responsible fail to provide reparation?](#) for additional analysis). That said, competent authorities are in a strong position to enhance cooperation and coordination, which will support a comprehensive approach to reparation. Competent authorities should engage with fellow authorities, reparation institutions, victim groups, and other stakeholders at every stage of the process, for instance, regarding:

- **Legal and policy issues:** Competent authorities should foster regular dialogues regarding the legal and policy grounds for repurposing Russia-linked assets to finance reparation. They should exchange analysis, expertise, and pathways that they are considering and obstacles that they are encountering. Over time, this should produce a more harmonised approach that clarifies the law and funding landscape in this area, which will benefit both victims and reparation bodies. As some of the territory on the repurposing of Russia-linked assets is uncharted, competent authorities may take some confidence in coordinated action. For instance, authorities should already be (re) examining the legal risks that Belgium had identified to financing the EU Reparations Loan from frozen Russian sovereign assets and should proactively develop innovative structures or guarantees that would build confidence if a similar proposal were to be tabled in the future; and
- **Scope and destination of funding:** Competent authorities should clarify the scope and confirm the destination of their respective financing efforts, including any funding from Russia-linked assets. This should ensure, for instance, that all victims of Russia’s war in Ukraine have access to reparation, that funds can be disbursed promptly (especially in urgent cases), and that there is no unnecessary duplication.⁶² In our consultations, the issues of Russia-linked assets confiscation and reparation appeared to be siloed within different competent authorities. While some authorities working on confiscation or other measures were able to signpost the body tasked with funding allocations and disbursements for Ukraine, none were privy to the details of the underlying decision-making processes. Likewise, those making decisions on allocating funds to Ukraine were not aware of the practicalities of repurposing Russia-linked assets or how the proceeds could be channelled to individual victims.

62 See REDRESS and the Global Survivors Fund (n 13), pp. 5-15, for a more comprehensive breakdown of national and international reparation initiatives in the context of Ukraine, where coordination is also required. For instance, there may be synergies between the activities of competent authorities and actors testing the enforceability of European Court of Human Rights judgments against Russian sovereign assets (see Open Society Justice Initiative (n 25)).

GUIDELINE 4: REPARATION SHOULD BE PROPERLY SEQUENCED

Mapping in tandem with implementation

While it is not possible at present to determine the full scale of reparation owed to victims of Russia's war in Ukraine, some preliminary mapping exercises have been conducted that provide a strong foundation.⁶³ Survivor-facing civil society organisations and victim groups in Ukraine also hold a wealth of knowledge which, when analysed alongside the information on claims recorded by the Ukrainian authorities and Register of Damage, would produce a more comprehensive picture of the needs of specific victim groups. This could be stratified by, for instance, categories of harm or demographic data. Competent authorities should, through Russia-linked assets, finance projects to collect additional data and support the development of a comprehensive reparation strategy. This will require the meaningful participation of (and ideally co-design with) Ukrainian survivor and civil society groups.

However, the mapping process should run in tandem with the financing and implementation of reparation measures, especially urgent interim reparations. Mapping should not be seen as a prerequisite to implementation. Ahead of a comprehensive mapping, competent authorities should already be addressing the urgent needs of those most vulnerable. These are victims who cannot wait for a comprehensive mapping exercise to run its course. Often, victims' needs are heightened immediately after a violation occurs. Victims may need, for instance, a one-off compensation payment, or non-pecuniary support such as housing, medical, psychosocial, or legal support (e.g., for family reunification). In this context, the quantification of reparation needs for victims of Russia's war in Ukraine should be seen as a living exercise in need of regular updating.

During our consultations, survivors acknowledged the importance of prioritising certain needs based on urgency. Recognising that the process of organising priorities could itself cost essential time and resources, and that any prioritisation process will ultimately be imperfect, one survivor group expressed the view that interim reparation processes should prioritise victims based on categories of violation, prioritising those who can reasonably be assumed to be amongst those worst affected and in most need of urgent reparation, such as those who have suffered severe bodily injuries, torture, or CRSV. In general, most of those consulted were otherwise reluctant to prescribe their own criteria for prioritising between different harms. One survivor stated that "it is not fair to have a situation where some victims receive support, and some do not. We must [implement reparation] in a controlled way so that we distribute the support properly. When we have a good system in place, we can do this in a more systematic way."

63 See for e.g., Global Survivors Fund, Blue Bird, Eastern-Ukrainian Center for Civic Initiatives, and Truth Hounds, "Ukraine Study on the Status of and Opportunities for Reparations for Survivors of Conflict-Related Sexual Violence", June 2022; Council of Europe, "Expert Report on Remedies and Redress Mechanisms for War-Affected Individuals in Ukraine", November 2023; REDRESS and the Global Survivors Fund (n 13); Ceasefire Centre for Civilian Rights and Eastern-Ukrainian Centre for Civil Initiatives (n 60).

The misnomer of ‘full adjudication’

Some competent authorities that we consulted claimed that they could not finance reparation (from Russia-linked assets or otherwise) until an adjudicatory process had taken place to establish the exact funding required to satisfy all claims of victims of Russia’s war in Ukraine.

This is not required by law and would establish an exceptionally onerous barrier to implementing reparation (which, by its very nature, is time sensitive).⁶⁴ It will likely be many years before the full scale of reparation needs is established, if this is even possible to determine. Reparation actors – such as Ukrainian authorities and the Register of Damage – already have information on patterns of violations, approximate scale, and victims’ most prominent reparation needs. While additional information is required, it would not be in the interests of victims for this to stall the reparation process.

Relatedly, there is also a significant risk that competent authorities fixate on the Register of Damage and Claims Commission as the sole means of implementing reparation for all victims. There are various limitations and practical constraints of this approach, including the timeline for the Claims Commission’s operationalisation and ability to disburse payments, the strong preference of some survivors to only engage with national processes, and the situation of victims of Russia’s war in Ukraine who are currently ineligible to receive compensation from the Claims Commission (such as those victimised before the full-scale invasion, or victimised outside of Ukraine). Competent authorities should ensure that their financing from Russia-linked assets can be used promptly, and to support a breadth of victims. Alongside committing to financing a future trust fund accompanying the Claims Commission, competent authorities should – as an immediate priority – allocate a percentage of proceeds collected from Russia-linked assets to other reparation bodies that are already equipped and willing to implement reparation measures (see **Guideline 5: Channel Funds via the Most Effective Reparation Bodies for additional analysis**).

Competent authorities should also not view urgent interim reparations as less important than full reparation. It is critical to address the most urgent harm suffered by victims, allowing them to rebuild their livelihoods, and preventing the harm from worsening and becoming irreparable. Interim measures can mitigate or even halt active harms. This change in trajectory can affect the entirety of a victim’s lifetime. Interim measures are also essential to prevent further cycles of exclusion or violence. In supporting survivors to reclaim their dignity and agency, interim measures can contribute to greater social cohesion, economic growth, and long-term peacebuilding. They will also encourage survivor trust and engagement in formal justice and accountability processes.

⁶⁴ See for e.g., *Basic Principles and Guidelines*, V. Victims of gross violations of international human rights law and serious violations of international humanitarian law (para. 9); VIII. Access to justice (para. 12).

GUIDELINE 5: CHANNEL FUNDS VIA THE MOST EFFECTIVE REPARATION BODIES

Reparation bodies

When repurposing Russia-linked assets for reparation, we expect that competent authorities will channel funds towards victims through established reparation bodies – intermediary structures, funds, and other mechanisms that pool resources, engage directly with survivors, and coordinate the actual implementation of reparation measures.

This approach is indeed the most effective way of delivering reparation to Russia’s war in Ukraine, particularly while atrocities are ongoing. Established reparation bodies have superior capacity to reach victims, build trust with victim communities, and implement measures that are adequate to reach victims and address their needs. They also possess a greater level of reparation expertise, local contextual knowledge, and implementation structures and tools relative to most competent authorities. They are therefore best placed to scope and deliver reparation to victims.

Various reparation bodies can play important, complementary roles as part of a comprehensive reparation strategy for victims of Russia’s war in Ukraine. As one survivor explained, “if we have several [reparation bodies], they will be able to deal with it faster and can help each other.” We have set out below a summary of the key actors and our recommendations to competent authorities on how best to engage them. At a basic level, competent authorities should be guided by the following considerations:

- Reparation processes should be tailored to the nature of the underlying violations. In the case of serious violations of IHRL and IHL such as torture, CRSV, and enforced disappearance, the most effective reparation bodies – and therefore the bodies that competent authorities should prioritise funding through Russia-linked assets – will be those that can reach victims promptly and provide them with adequate measures addressing their most urgent needs.
- Given the scale and gravity of victims’ harms, the most effective reparation bodies will be able to reach a large number of victims, unconstrained by restrictive mandates or other process considerations.

UKRAINIAN STATE, INCLUDING LAW #4067-IX FOR CRSV SURVIVORS

Some active reparation and assistance schemes | Administered **in Ukraine**

Law #4067-IX (the Bardina Law) enacted for CRSV survivors, but **implementation stalled** due to funding and other challenges.

Unlike other actors addressed in the Guidelines, the Ukrainian State is both a competent authority managing Russia-linked assets as well as a reparation body itself. The Ukrainian government has committed to a range of administrative programmes supporting those affected by the war, addressing housing, employment, and rehabilitation needs, as well as compensation for deprivation of liberty and property damage. However, both the survivors and experts whom we consulted remarked on the sporadic nature of these measures and the lack of a unified approach to recognition, compensation, and other reparation and assistance measures. Numerous survivors also raised growing concerns that their receipt of interim reparation could disqualify them from receiving additional support.

For the reasons set out throughout the Guidelines, national programmes have perhaps the greatest potential to be accessed by a large number of victims, and to address their most urgent needs in a timely fashion. A comprehensive strategy is clearly needed to expand the eligibility criteria and enhance the coherence, survivor-centredness, and operational capacity of these initiatives. Funding from Russia-linked assets could significantly strengthen these national programmes. Such funding must be coupled with reforms and improvements to mitigate the risk that an imbalanced national reparation landscape causes tension between survivor groups.

Regarding reparation specifically, the framework of Law #4067-IX (the Bardina Law) presents a major opportunity to deliver urgent interim reparations for survivors of CRSV. It is closely informed by a successful pilot project implemented by the Global Survivors Fund (in collaboration with the Ukrainian authorities) that delivered urgent interim reparations to over 1,000 survivors of CRSV. The pilot project was strongly endorsed by the survivors we consulted, some of whom had already received interim reparations through the scheme. Amongst its many successes, the project shows that meaningful remedies can be delivered to survivors even during an active war. As noted above, Law #4067-IX has now been enacted and could reach thousands of additional survivors who did not receive interim reparation under the pilot project. However, implementation has stalled due to various issues, but particularly ongoing uncertainties over sustainable funding.

Article 8(3) of Law #4067-IX prescribes approved sources of funding, including funds from international donors and international financial assistance.⁶⁵ While the list is not exhaustive and includes “other funding sources not prohibited by Ukrainian law”, there is no express reference to the State budget as a funding source. Competent authorities should consider allocating a portion of proceeds repurposed from Russia-linked assets to finance programmes implemented under Law #4067-IX, to provide urgent relief for survivors of CRSV. The Ukrainian State should lead by example in this respect. According to the Institute of Legislative Ideas’ Confiscation Tracker, Ukraine holds an estimated \$3 billion in Russian sovereign assets and a further \$76 million in private assets. When it takes steps to repurpose any of these assets, the Ukrainian government should allocate a portion of the proceeds to fund reparation owed to victims, as well as ensuring any repurposing is well-grounded in international law.

Alongside Law #4067-IX, there are other Ukrainian laws that facilitate the provision of support to survivors. For instance, Law #2010-IX allows a detained person (while detained and after release) and their family members to receive support. This support is provided only after completing a procedure establishing the fact of a person’s deprivation of liberty (and, where applicable, recognition as a family member of such person).⁶⁶ Implementation of Law #2010-IX has been limited and uneven, lagging behind the protections provided for prisoners of war. In our consultations with those observing its implementation, experts raised that the programme does not account for the realities of the full-scale invasion in terms of scale, context, and conditions of civilian detention. Survivors have raised concerns regarding unsubstantiated refusals to establish the fact of their deprivation of liberty, thereby depriving them of support under the programme.⁶⁷ Some survivors have speculated that this may be related to the lack of available financial resources.⁶⁸

65 Law #4067-IX on Legal and Social Protection of the Survivors of Sexual Violence Related to the Aggression of the Russian Federation against Ukraine and provision of Urgent Interim Reparations to Them, Article 8(3).

66 Ceasefire Centre for Civilian Rights and Eastern Ukrainian Centre for Civic Initiatives (n 60), p. 31.

67 *Ibid*, p. 33.

68 There are also challenges to accessing protection, particularly for claimants who live outside of Ukraine after their release. Foreign nationals and stateless persons are not eligible for support under Law #2010-IX.

Noting the uneven national reparation landscape described above, many of the survivors we consulted encouraged the Ukrainian authorities to expand the model of Law #4067-IX to address the urgent needs of other victims, including survivors of torture and ill-treatment, arbitrary detention, enforced disappearance, and the forced transfer of children. Alongside individual interim reparation measures, some survivors warned against a “Westernised” overemphasis on individuality and called for measures that provide “something collective for everyone”. Other competent authorities should therefore encourage their Ukrainian counterparts to address the urgent reparation needs of all victims of the war and should allocate funds from Russia-linked assets for this purpose.

INTERNATIONAL CLAIMS COMMISSION FOR UKRAINE

Opened to claims on **2 August 2024** | **15** claim categories open | Hosted in **the Netherlands**
 Claims since **full-scale invasion only** | Compensation payments can be made **once funding secured**

The Register of Damage was established within the framework of the Council of Europe and serves as a record of claims submitted by individuals, entities, and the State of Ukraine for compensation for the damage, loss, and injury inflicted by Russia’s aggression against Ukraine. The Register of Damage also retains the supporting evidence for these claims. To be recorded in the Register, claims must relate to damage, loss or injury caused on or after 24 February 2022, amongst other requirements. This means that individuals of serious IHRL and IHL violations are currently ineligible to register their claims through this process.

The Register of Damage has already received over 100,000 claims (at the time of publication in March 2026).⁶⁹ It expects to receive as many as ten million total claims.⁷⁰ As of 10 December 2025, the Register of Damage’s claims data includes, amongst others:⁷¹

Claims category	Date opened	Claims	
		Received	Recorded
A2.1 – Death of an immediate family member	16 January 2025	4,546	1,337
A2.2 – Missing immediate family member	12 March 2025	6,242	3,208
A2.3 – Serious personal injury	19 March 2025	1,037	114
A2.4 – Sexual violence	19 March 2025	123	–
A2.5 – Torture or inhuman or degrading treatment or punishment	19 March 2025	613	–
A2.6 – Deprivation of liberty	19 March 2025	597	–
A2.7 – Forced labour or service	19 March 2025	238	–

69 Council of Europe Office in Ukraine (n 10).

70 Register of Damage for Ukraine, “FAQ – General”.

71 Quarterly report by the Board of the Register of Damage (n 11).

Claims category	Date opened	Claims	
		Received	Recorded
A2.8 – Forcible transfer or deportation of children	17 September 2025	11	–
A2.9 – Forcible transfer deportation of adults	17 September 2025	53	–

Between 16 and 19 December 2025, the EU and 35 States signed the Claims Commission Convention establishing the Claims Commission. Once operationalised, the Claims Commission will subsume the Register of Damage. The Claims Commission has a mandate to examine the claims received on their merits and make findings regarding their eligibility and value. Much of the international attention paid to reparation for victims of Russia’s war in Ukraine has focused on the Register of Damage and Claims Commission. Because of the claims already registered and processed by the Register of Damage, the Claims Commission will inherit some expertise on the reparation needs of those victimised since Russia’s full-scale invasion. The Register of Damage and Claims Commission can, therefore, be valuable partners for competent authorities managing Russia-linked assets that are connected to the war. Based on our consultations, we note the following:

- **Financing needs:** The Claims Commission needs clearly demarcated and stable financing. We expect that it will also require a trust fund body to disburse payments to individual victims. While there is an expectation that the Claims Commission will be at least partially financed from Russia-linked assets, this has not been confirmed. The Register of Damage previously announced that over half a billion Euros will be required to satisfy the first 10,000 claims by individual applicants.⁷² Funding will also be needed to address the Claims Commission’s operational costs.⁷³ Competent authorities should proactively explore the possibility of financing the Claims Commission from Russia-linked assets, especially sovereign Russian assets. However, this should not come at the expense of funding other processes that can address victims’ urgent needs more quickly and therefore effectively.
- **Co-funding other bodies:** Competent authorities should be reminded that funding the Claims Commission alone is insufficient to address the full gamut of reparation needs, or the needs of all victims:
 - i) In the first instance, the Commission might not fully operationalise and be able to disburse funds through a trust fund until at least 2027, possibly longer. Some victims simply cannot wait this long to receive interim measures.
 - ii) Competent authorities should advocate for the expansion of the Claims Commission’s eligibility criteria, which currently excludes: (i) those harmed before the full-scale invasion (the Claims Commission Convention already envisages a possible future extension); and (ii) victims falling outside the 15 claims categories that are currently open.

⁷² Register of Damage, “Over 10,000 Claims for Damage or Destruction to Residential Housing Submitted to the Register of Damage for Ukraine”, 1 October 2024.

⁷³ The EU will provide €1 million to support the establishment of the Claims Commission.

- iii) It is expected that the Claims Commission will be empowered to make only one-off compensation payments. Competent authorities should also consider funding bodies that could facilitate other reparation measures, such as monthly pensions, physical and psychological rehabilitation services, housing, education, and employment benefits, or memorialisation and other forms of satisfaction and guarantees of non-repetition.

There should still be a means for victims to practically realise their right to reparation through national programmes. Many survivors consulted by REDRESS expressed a strong preference to engage with reparation processes administered in Ukraine, provided that there is significantly strengthened civilian oversight as well as strong measures to address the risk of corruption (on which, see **Guideline 6: Establish Robust Monitoring Processes**). Some survivors also stated that their peers may find internationalised processes to be inaccessible, daunting, or less trustworthy.

Relationship between Claims Commission and Special Tribunal

On 25 June 2025, Ukraine and the Council of Europe signed an agreement on the establishment of a Special Tribunal for the Crime of Aggression against Ukraine, including the Statute of the Special Tribunal.⁷⁴ Alongside imprisonment, the Trial Chamber of the (expected) Special Tribunal will be empowered to order fines as well as the confiscation of assets derived directly or indirectly from the crime of aggression.⁷⁵ The Statute of the Special Tribunal requires it to order that funds collected through these fines and confiscation measures be transferred to an international mechanism, giving priority to any compensation mechanism attached to the Claims Commission.⁷⁶

ICC TRUST FUND FOR VICTIMS

Two-fold mandate (**reparation** and **assistance**) | Hosted in **the Netherlands** Has already expressed an **intention to support victims** on an urgent basis

The ICC Trust Fund for Victims has a dual mandate: (i) to implement Court-ordered reparations in individual criminal cases (its reparation mandate); and (ii) to provide physical and psychological rehabilitation or material support to victims of crimes that fall within the jurisdiction of the ICC (colloquially known as its assistance mandate):

- **Reparation:** Ukraine has accepted the ICC’s jurisdiction over crimes falling within the Court’s jurisdiction that have been committed on its territory since 21 November 2013. On 1 January 2025, Ukraine became a State Party to the ICC.⁷⁷ The Office of the Prosecutor has launched an investigation covering alleged acts of war crimes, crimes against humanity, or genocide committed in Ukraine. The Prosecutor also obtained arrest warrants against six individuals: Vladimir Putin, Maria Lvova-Belova, Sergei Kobylash, Viktor Sokolov, Sergei Shoigu and Valery Vasilyevich Gerasimov. However,

74 Council of Europe, “Ukraine and the Council of Europe sign Agreement on establishing a Special Tribunal for the Crime of Aggression against Ukraine”, 25 June 2025.

75 Statute of the Special Tribunal for the Crime of Aggression against Ukraine, Article 36.

76 *Ibid*, Article 37.

77 International Criminal Court, “ICC welcomes Ukraine as a new State Party”, 2 January 2025.

none of the suspects are presently in ICC custody and therefore trials cannot yet take place. The ICC cannot make a reparations order against a suspect (and the TFV's reparation mandate will therefore not be engaged) unless the person has first been convicted by the court. This avenue is available if arrests and proceedings advance in the future.

- **Assistance:** The TFV may also use its other measures (i.e., resources it has obtained through voluntary contributions or fundraising) to undertake specific activities and projects if its Board of Directors considers it necessary to provide physical or psychosocial rehabilitation, or material support for the benefit of victims and their families. This enables the TFV to undertake projects independent of cases, while also allowing it to complement reparations beyond the immediate scope of awards, which may be limited by the criminal process. Competent authorities should be aware that the TFV has already expressed an intention to provide programmes for the benefit of victims, which could be put in place urgently. It has some limited funds but requires significant additional funding to reach those most in need. The TFV could provide an essential lifeline to victims, especially for those victimised prior to the full-scale invasion, and during the period before the Claims Commission is in a position to make compensation payments. The TFV would also be well placed to play a role in coordinating the provision of assistance, alongside Ukrainian and international civil society and survivor groups, such as ZMINA.

Given that financing remains fundamental to the TFV's operations and is an ongoing constraint limiting its ability to establish new programmes for the benefit of victims, competent authorities should consider funding it through repurposing Russia-linked assets. However, this is highly unlikely to be an adequate substitute for funding national reparation programmes. Given that the information organs of the ICC will receive will inevitably be influenced by the Office of the Prosecutor's stated prosecutorial focus and noting that the TFV's outreach capacity must also respond to the needs of the ICC's other country situations, funding the TFV from Russia-linked assets should be seen as a strategic addition to national programmes that can be tailored to address the needs of certain victims (based on key gaps identified at the time of financing).

UKRAINIAN CIVIL SOCIETY AND SURVIVOR GROUPS

Exceptional **expertise** and **existing relationships** with survivors | **Already active** in Ukraine Capable of **filling implementation gaps**

Ukrainian civil society and survivor groups have provided extensive support to numerous victims throughout Russia's war in Ukraine. They are remarkably resilient actors with knowledge of both international standards on reparation as well as relationships of trust with their survivor constituencies. Alongside being crucial partners to coordinate with on the implementation of any reparation programming, competent authorities should consider directly funding these organisations to deliver urgent interim reparations and to allow them to accompany and assist survivors in accessing reparations before the abovementioned bodies.

The pilot project developed by the Global Survivors Fund is particularly instructive, providing a model by which civil society actors can spearhead the initial delivery of urgent relief to victims, with the programme then effectively being handed over to the Ukrainian government once the model has proven successful. Given its success, competent authorities may wish to repurpose Russia-linked assets

to fund the development of similar programmes addressing the reparation needs of specific survivor communities, especially those who may not currently be able to access support, or where there are especially complex support needs.

JUDICIAL PROCESSES

Claims brought by **individuals/entities** as well as **prosecutions** Judgments may be **enforced** against Russia-linked assets

Finally, competent authorities should also note that various legal claims have been brought or could be brought in the future that, if successful, may be enforced against Russia-linked assets. Ukrainian courts have already delivered numerous judgments against Russia,⁷⁸ though there is currently no clear way to enforce these decisions in Ukraine and enforcement in third States against Russian sovereign assets will undoubtedly raise issues regarding Russia's sovereign immunity. There are also judgments from the European Court of Human Rights,⁷⁹ which remains competent to deal with applications against Russia concerning alleged violations of the European Convention on Human Rights that occurred up until 16 September 2022.⁸⁰ However, enforcement against Russian sovereign assets may raise similar issues.⁸¹ In principle, it is also possible to recover private assets linked to individual perpetrators following a successful: (i) criminal conviction, e.g., under the principle of universal jurisdiction or any future proceedings before the ICC,⁸² or (ii) private law claim (which in some jurisdictions can be joined to criminal proceedings). However, the likelihood of successful recovery is highly dependent on the facts of the case, including the strength of the underlying claim, the laws of the relevant jurisdiction, and the location of assets connected to the perpetrator.

Detailed consideration of judicial processes is beyond the scope of the Guidelines. However, competent authorities should take note of the possibility that legal decisions may be enforced against Russia-linked assets. Practitioners consulted by REDRESS raised concerns that, given the vast number of judgments and pending claims, if suitable Russia-linked assets are identified against which enforcement action can be taken, there may be a flurry of claims brought against the same assets. Competent authorities should address this proactively to ensure there is a system in place for managing competing claims to the same asset(s), and to address the possibility that legal claims may drain the pool of Russia-linked assets that can be repurposed to finance reparation. Centralised administrative processes are likely to be far more effective than individual legal claims in addressing the urgent reparation needs of all victims of Russia's war in Ukraine.

78 According to Opendatabot, as of April 2025, Ukrainian courts had issued at least 1,482 decisions in cases concerning compensation for damages caused by Russia's aggression. These decisions represented 985 cases brought by individuals against Russia, and 497 cases brought by businesses. Ukrainian courts fully or partially upheld the claims in 93% of these cases. Since mid-2022, the courts have awarded at least 913 billion Ukrainian hryvnia (approximately €22.8 billion) in damages to be paid by Russia. See for e.g., Mezha.Media, "Oleksiy Ivankin, founder of the Opendatabot service, on the attack on registries, AI and the company's work during the war", 13 January 2025; Opendatabot, "A Ukrainian tried to sue Russia for 999 quadrillion UAH in war damages: Why war damage lawsuits against Russia aren't so simple?", 23 April 2025; Supreme Court of Ukraine, "Access to justice in the context of war in Ukraine", 6 October 2025.

79 See for e.g., European Court of Human Rights, *Ukraine and the Netherlands v Russia* (Grand Chamber, Judgment, 9 July 2025). See also Open Society Justice Initiative (n 25).

80 Council of Europe Committee of Ministers, "CM/Res (2022)3: Resolution on legal and financial consequences of the cessation of membership of the Russian Federation in the Council of Europe", 23 March 2022.

81 See for e.g., Open Society Justice Initiative (n 25).

82 On asset recovery before the ICC, see REDRESS, "Financial Accountability at the International Criminal Court: Compliance with ICC Asset Recovery Requests", September 2024 (updated in June 2025).

GUIDELINE 6: ESTABLISH ROBUST MONITORING PROCESSES

Need for safeguards

Given the large potential sums at play, competent authorities must establish strong safeguards to ensure that they can effectively monitor how the repurposed funds are spent. This is important to minimise the risk of corruption and fraud, while also facilitating iterative improvements to maximise the effectiveness of the wider reparation strategy for victims of Russia’s war in Ukraine.

Corruption and fraud

When repurposing Russia-linked assets to finance reparation, competent authorities must clearly stipulate their level of oversight of disbursements to promote a culture of transparency and emphasise a zero-tolerance approach to corruption. In our consultations, the majority of survivors actively raised concerns about the risk of corruption in Ukraine. One survivor put it plainly, “it is a reality that our government cannot be trusted.” Some survivors also referenced instances where assistance bodies in Ukraine had become increasingly bureaucratic and “are not doing their work properly”. REDRESS facilitated a discussion on this issue, asking survivors what characteristics and procedures a reparation body would need to have in place in order to be perceived a trustworthy and reliable. The survivors raised concerns regarding transparency and the need for organisations to “represent different layers of society.” The survivors offered a range of suggestions, but particularly coalesced around the idea of a ‘triangle model’ – involving Ukrainian civil society organisations, international organisations, and the Ukrainian government. It is especially important to ensure a strong solution for national processes because while they are likely to be the most effective solution to promptly address victims’ urgent reparation needs, they also carry the greatest corruption risk (in the view of the survivors and experts whom we consulted).

Competent authorities will need to establish clear conditions for the due diligence, financing, oversight, and reporting of reparation bodies financed by Russia-linked assets, as well as whistleblowing mechanisms. These conditions should be tailored to the relevant reparation body in question and should not be arbitrary or unnecessarily burdensome. Different conditions may be required when providing large direct budgetary support to the Ukrainian government, compared with potentially smaller sums provided to international bodies that will likely be familiar with donor reporting requirements and may already be regulated in the jurisdiction in which they are based. The survivors we consulted supported the establishment of a survivor supervisory board or equivalent body as a crucial part of any oversight system.

Specific preconditions and reporting requirements may be incorporated within the framework of a specific financing measure. For instance, in the U.S., the REPO for Ukrainians Act prohibits funds repurposed from Russia-linked assets from being transferred to the Common Ukraine Fund unless the President certifies to the appropriate congressional committees that “the institution housing the Common Ukraine Fund has a plan to ensure transparency and accountability for all funds transferred to and from the Common Ukraine Fund.”⁸³

83 REPO Act (n 39), Sec. 105(d)(1).

Effectiveness

Likewise, competent authorities should monitor the activities of the reparation bodies that they finance against a set of performance indicators, facilitating iterative development of the programmes to better address the needs of victims. These indicators should ideally be co-designed with victims and their civil society representatives and be made publicly available. This process should be appropriate for the reparation body and the amount of funds in question. Competent authorities should also coordinate their respective monitoring activities, enabling the exchange of knowledge between authorities and reparation bodies, and informing the wider comprehensive reparation strategy.

CONCLUSION

The Guidelines provide a timely roadmap and actionable framework for competent authorities to repurpose Russia-linked assets to finance reparation for victims of Russia's war in Ukraine. Competent authorities should commit to this process alongside their (complementary) commitments to financing reconstruction and humanitarian assistance. To enable repurposing for reparation to take place, authorities must also develop robust legal and policy routes for this purpose, demonstrating a level of ambition and creativity commensurate with the scale and gravity of harm and the urgency of victims' needs.

Competent authorities should situate their financing within a comprehensive reparation strategy and programme, guided at all stages by the need to ensure a survivor-centred approach. Amongst other issues, competent authorities should ensure that:

- Victims entitled to reparation are not excluded from reparation processes;
- Reparation processes are accessible to all victims;
- The reparation bodies that they finance through repurposed Russia-linked assets have systems in place that facilitate the meaningful participation of victims in their decision-making; and
- Competent authorities coordinate between themselves and with other key actors to produce a consolidated approach and minimise duplication.

Competent authorities should not wait for a comprehensive reparation mapping and assessment to begin financing urgent interim reparations. These processes should run in tandem, especially for victims who cannot wait for a mapping and assessment to conclude, and those whose harms are otherwise likely to worsen and may become irreparable. Various reparation bodies are well placed to play a role in the reparation strategy. Competent authorities should not focus their financing on one mechanism as the sole means of implementing reparation, or the optimal solution for all victims of the war. They must also establish strong monitoring safeguards to minimise the risk of corruption and fraud.

The debate on Russia-linked assets connected to Russia's war in Ukraine regularly makes headline news. However, there is a disconnect between these developments and the urgent reparation needs of individual victims. As one survivor told us, "reparations are the survivor's voice". Since bodies already exist that can or will soon be able to deliver reparation measures, it is striking that competent authorities are not already taking steps to channel funds from Russia-linked assets towards these mechanisms and the wider reparation process.

Given the astronomical sums at play, competent authorities have an unprecedented opportunity to champion the interests of victims of Russia's war in Ukraine. Repurposing even a small proportion of Russia-linked assets as reparation could dramatically transform their present and future.

ANNEX: KEY CONCEPTS

What is Russia's war in Ukraine?

The Guidelines respond to “Russia’s war in Ukraine”, by which we mean the ongoing international armed conflict and unlawful occupation by Russia in Ukraine since February 2014. This definition includes Russia’s occupation of Crimea in 2014, the conflict in Eastern Ukraine since 2014, and Russia’s full-scale invasion of Ukraine, which began on 24 February 2022.

Who are competent authorities?

The Guidelines are addressed principally to “competent authorities”, being the actors who may be in a position to gather funds from Russia-linked assets. The key competent authorities are States, acting either individually or as groups of States – for instance, the EU and the Group of Seven (“G7”). Competent authorities include Ukraine (where relevant) as well as third States. The Guidelines may also be a useful reference for the mechanisms that can deliver reparations and reparative measures, as well as non-State donor institutions and individuals who may consider funding such mechanisms, multilateral development banks, and civil society and other actors advocating for targeted sanctions designations and asset repurposing to support victims.

What are Russia-linked assets?

The Guidelines address the opportunity for competent authorities to repurpose the Russia-linked assets that they manage. Various categories of assets connected to Russia’s war in Ukraine have been frozen or otherwise may be repurposed. The grounds on which they have been immobilised and the legal avenues for repurposing vary considerably depending on the category in question. The key categories of Russia-linked assets that we have considered are:

- **Sovereign assets:** Assets belonging to Russia as a State. The largest share of frozen sovereign assets consists of foreign reserves held by the Central Bank of Russia in the form of debt securities (primarily bonds). These are held in various central securities depositories – particularly Euroclear in Belgium – and have since matured into cash holdings.
- **Private assets:** Assets belonging to individuals and companies, particularly those sanctioned under the various Russia sanctions regimes. This includes cash, luxury property, and vehicles. Private assets proven to be derived from or otherwise connected to criminal conduct may be confiscated, though this depends on the laws of the relevant jurisdiction.
- **Revenues:** Interest and other returns generated by sovereign and private assets.
- **Enforcement proceeds:** Fines and penalties collected by enforcement agencies for violations of Russia sanctions and other compliance breaches.

What is reparation?

Reparation comprises the substantive measures designed and implemented to repair the harm done as a result of a human rights or international humanitarian law violation. The right of victims to receive reparation is well established in international law and is enshrined in various international treaties and instruments.⁸⁴ The Basic Principles and Guidelines are used as an interpretative tool for States to ensure victims' right to reparation, which should include:

- **restitution**, which aims to restore victims to their situation before the violation occurred, where it is possible to do so;
- **compensation**, by which victims are awarded monetary compensation for the financial and non-financial harms suffered as a result of the violations;
- **rehabilitation**, which aims to redress the physical, psychological, social, and other harm suffered by the victim, including through medical and psychological care, as well as legal and social services;
- **satisfaction**, which aims to acknowledge the commission of a violation and dignify the survivor's memory, including full and public disclosure of the truth, public apologies (which should include an acknowledgement of the facts and acceptance of responsibility), judicial and administrative sanctions against those liable, and commemorations and tributes to the victims; and
- **guarantees of non-repetition**, which aim to prevent the continuation and recurrence of the violation, and which may sometimes give rise to the need for structural changes to prevent future violations (such as through legislative, institutional, constitutional, and security sector reforms).

Who is owed reparation? Who is responsible for providing it?

Under international law, victims have a right to an effective remedy and reparation for violations of human rights and international humanitarian law, such as torture and CRSV. The legal source of the obligation to provide reparation infers responsibility at different levels (in our context, these apply concurrently).⁸⁵ For instance:

- **International human rights law:** The right to an effective remedy for violations of human rights is well established in international human rights law, including under treaties to which both Russia and Ukraine are parties.⁸⁶ IHRL relates to obligations on the part of the State towards all individuals under the jurisdiction of the State (and the respective rights of those individuals against that State), and continues to apply during armed conflict.⁸⁷ Individuals and groups of victims have a right to a remedy for violations of their human rights by an occupying State, a State which had effective authority or control over territory or persons, or from a State agent with authority or control.

84 See for e.g., REDRESS and Others, "Draft MLA Treaty – Asset Recovery – Civil society submission", 18 February 2022, para. 12.

85 Set out more comprehensively in our briefing paper with the Global Survivors Fund (n 13).

86 *Ibid*, pp. 2-3.

87 *Ibid*. On Ukraine's responsibility to ensure remedies under IHRL, see for e.g., the UN Committee against Torture, "Concluding observations on the seventh periodic report of Ukraine (CAT/C/UKR/CO/7)", Advance Unedited Version, 2 May 2025, para. 4 ("The State party should [...] take all possible steps to [...] ensure accountability for the violations of the Convention [against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment] committed on its entire territory and guarantee victims' access to truth, justice and reparations.").

- **International humanitarian law:** Parties to an armed conflict are obliged to pay compensation where there have been violations of international humanitarian law. It recognises that parties to international armed conflicts are liable for compensation for violations, but under customary law, it extends such obligations to non-international armed conflicts, where non-State actors may be involved, which suggests compensation could be payable to actors other than States.
- **International criminal law:** Under the Rome Statute of the ICC, victims of international crimes under the jurisdiction of the ICC are entitled to reparation. Reparation is owed by individual convicted perpetrators to victims of the crimes in question in the relevant case(s), rather than States or armed groups.
- **Wider international law:** There is also a clear basis in international law for reparation to be paid to the State of Ukraine by Russia for its aggression against it, violating the territorial integrity of Ukraine through the use of force under the UN Charter, and for the damage caused, under the law of State responsibility.⁸⁸

What happens if those responsible fail to provide reparation?

The delivery of reparation should not fall only on the States and individuals responsible for the violations. The Basic Principles and Guidelines explain that States “should endeavour to establish national programmes for reparation and other assistance to victims in the event that the parties liable for the harm suffered are unable or unwilling to meet their obligations.”⁸⁹ While Russia is unwilling to discharge its obligation to provide full reparation, and in the absence of convictions by the ICC, there are key elements of reparation – particularly interim measures, including compensation and rehabilitation – that Ukraine, third States, and other actors can facilitate.

The specific asset repurposing, financing, and implementing modalities in question may have varying impacts on the primary obligation of those responsible for providing reparation. While detailed consideration of the issue is beyond the scope of the Guidelines, competent authorities should, for instance, note that if the repurposing of Russian sovereign assets is justified under the Draft Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA)⁹⁰ – i.e., that these measures are to induce Russia to comply with its obligation to provide reparation to Ukraine – competent authorities must ensure that the repurposing constitutes a lawful countermeasure. This may require, for instance, an element of reversibility or crediting the relevant payments to Russia (set-off), partially discharging its obligation to provide reparation.

Who is a victim of Russia's war in Ukraine?

Reparation is owed both to Ukraine and to “victims of Russia’s war in Ukraine”. Serious violations have serious impacts on the person subjected to it (a direct victim), their relatives or dependents, and those “who have suffered harm in intervening to assist victims in distress or prevent victimisation” (indirect victims).⁹¹ Both direct and indirect victims are entitled to reparation.

⁸⁸ *Ibid.*

⁸⁹ Basic Principles and Guidelines, IX. Reparation for harm suffered.

⁹⁰ ARSIWA, Part One, Ch. V (Circumstances Precluding Wrongfulness), Article 22; Part Three, Ch. II (Countermeasures). See also [ARSIWA with commentaries](#).

⁹¹ UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

We suggest that victimhood should be determined broadly, capturing anyone who is a victim of a gross violation of IHRL or a serious violation of IHL. As a starting point, the Basic Principles and Guidelines define victims as those who individually or collectively suffered physical or mental injury, emotional suffering, economic loss, or substantial impairment of their fundamental rights as a result of a violation.⁹² The UN Committee against Torture’s General Comment 3 also notes that the status of “victim” should be recognised regardless of whether the perpetrator was identified, prosecuted, or sanctioned.⁹³

Why did the EU Reparations Loan fail?

The most ambitious assistance provided to Ukraine leveraging Russia-linked assets has been the G7 Extraordinary Revenue Acceleration Loans to Ukraine scheme.⁹⁴ At a basic level, this scheme involves States channelling extraordinary profits generated from Russian foreign exchange reserves to Ukraine. The competent authorities involved have justified this scheme on the basis that these profits do not legally belong to Russia under the relevant deposit contracts. While these profits only accrue gradually over time, States decided to front-load the payments to Ukraine due to the urgency of the situation. To do this, the scheme is structured as a loan comprising lump sum funding by States that is repaid to them using future flows of the profits generated from the foreign currency reserves.

In December 2025, the European Commission proposed to go one step further. It presented a plan to finance an EU Reparations Loan using cash balances from EU financial institutions holding (matured) Russian foreign exchange reserves. This would have only been repayable by Ukraine once Russia paid reparation to Ukraine – effectively using the sovereign assets themselves as collateral. This proposal ultimately did not proceed in 2025, mainly due to concerns by Belgium that there were insufficient protections to share the litigation risk between itself (and Euroclear) and the other EU Member States⁹⁵ (Belgium hosts Euroclear, a central securities depository where the majority of frozen Russian sovereign assets are held). Instead, 24 EU Member States will contribute to financing the Ukraine Support Loan by raising joint EU debt on the capital markets. Hungary, the Czech Republic, and Slovakia declined to participate.⁹⁶

92 Basic Principles and Guidelines, V. Victims of gross violations of international human rights law and serious violations of international humanitarian law.

93 UN Committee against Torture, “General comment No. 3 (2012) on the implementation of article 14 by States parties (CAT/C/GC/3)”, 13 December 2012.

94 See for e.g., European Commission, “Ukraine receives a further €1 billion G7 loan initiative”, 13 June 2025.

95 See for e.g., Reuters, “Why is Belgium opposed to using Russian assets to support Ukraine?”, 4 December 2025.

96 For further analysis, see for e.g., European Council on Foreign Relations, “Seven things to know about the EU’s €90bn loan to Ukraine”, 19 December 2025.

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Nina Liashonok/Ukrinform via ZUMA Press Wire.
People dance as they celebrate the end of winter at the
Kuialnyk Estuary, Odesa, Ukraine, February 28, 2026.

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