

Memo on recording losses caused by the armed aggression of the Russian Federation

for business entities regardless of their organizational and ownership form

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Steps to be taken to preserve property and/or further protect property rights:

1

keep legal documents certifying legal connection of a particular property item with the business entity, as well as the relevant technical documentation for the property in a safe place. If possible, it is advisable to store documents in electronic form as well;

2

to assess property and property rights to determine their value on the date of assessment in accordance with the procedure established by law;

4

take steps to protect and preserve movable property (e.g., its dismantling and/or relocation);

3

to make or update a property list indicating the actual value and supporting documents;

5

take other possible actions to preserve (rescue) property, as well as actions aimed at reducing damage, such as construction of fortifications and property protection.

What to do in case of damage/destruction/loss of actual access to property:

1

Apply to bodies responsible for the elimination of consequences of events that resulted in the destruction/damage of property

2

Independently record facts of destruction/damage/loss of actual access to property

3

Perform a preliminary assessment and determination of losses and damage amount

4

Collect witness statements and all possible media reports about the event

5

Collect and store all possible supporting documents

1

Apply to bodies responsible for the elimination of consequences of events that resulted in the destruction/damage of property; investigation of causes of their occurrence; determination of the amount of damage caused (hereinafter – competent authorities).

Apply to the National Police of Ukraine to launch criminal proceedings on the fact of demolition/damage/loss of actual access to property (by phone or with a written statement about the crime).

Apply to the State Emergency Service to eliminate consequences of hostilities that damaged property, and draw up a relevant fire/accident report.

2

Independently record facts of destruction/damage/loss of actual access to property.

Make detailed photo and video recording of the scene with information about the person (first, second name, patronymic, passport data, position) performing the recording, location, event recording time.

Issue enterprise orders regarding failure to use the property due to loss of access or control over it (e.g., failure to conduct a sowing campaign due to temporary occupation of certain areas), its demolition or damage, termination of the enterprise, etc.

Inspect and/or make inventory of property by a special enterprise commission, drawing up an inspection/defects report.

3

Perform a preliminary assessment and determination of losses and damage amount and, engage specialists or draw up the relevant written documents on one's own.

Possible ways:

- conducting an expert assessment and drawing conclusions;
- engaging specialists in technical inventory to obtain conclusions on real estate;
- independent documenting of losses and preparation of their estimates.

4

Collect witness statements and all possible media reports about the event.

Possible ways:

- make a list of witnesses to the event with their contact information;
- record their testimony on video or in paper form;
- to conduct a written interrogation of witnesses with the involvement of a lawyer;
- collect available news stories where damaged real estate was or could be shown. If you post a video on the Internet, it is expedient to download the video and take a computer/ laptop /smartphone print screen through which you had access to this resource. The latter is important, because videos can be later removed from the web page, so proof of such videos existence on relevant web pages is required.

5

Collect and store all possible supporting documents.

- Property titles (certificates of ownership, documents on the right to use land, extracts from the State Register of Real Rights, sale and purchase agreements, vehicles registration certificates, etc.).
- Technical documents containing technical specifications of the property.
- Financial documents. Financial statements for the last 3-5 years, property inventory reports, audit reports, enterprise (group of companies) internal reports on past, current and planned production volumes, past, current and planned investments, modernization measures, etc., information on intragroup and external loans.
- Other documents important for loss assessment. Permits and licenses for use of natural resources and documents on disrupted supply chains or production cycles and measures taken to continue operation, etc.