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COMPENSATION FOR DAMAGES CAUSED BY THE WAR

As a result of Russia's hostilities against Ukraine, enormous damage has been caused to the Ukrainian people. The victims are both citizens and businesses, including state-owned enterprises and the environment as well. At the moment, the war is not over yet, so it is difficult to calculate the final losses, but it should be understood that we are talking about trillions of dollars in direct losses, not including indirect ones and compensation for moral suffering.

It is worth noting that the mechanisms for compensation are still under development. In response to Russia's military aggression, the National Council for the Recovery of Ukraine from the War was established on April 21, 2022. This is an advisory body under the President of Ukraine aimed at the effective operation and recovery of Ukraine in the war and postwar periods. In addition, the Ministry of Justice of Ukraine is developing mechanisms for compensation for the damage caused.

Since the start of Russian aggression, Ukraine has been closely cooperating with the OSCE, the UN and the UNEP. Together with them, we are developing methods that are consistent with international principles and approaches. The aggressor country, namely the Russian Federation, should definitely reimburse the costs, and it is only a matter of time.

Our partners have already been dealing with the issue. During the 11 months of the war, the assets of the Central Bank of the Russian Federation were frozen in the amount of \$350 billion. Some estimates suggest that the frozen assets of Russian officials and businesses that sponsored the war in Ukraine amount to \$1 trillion, although the figure is still under assessment..

Despite the banking operations on freezing the assets, these funds still cannot be used to help Ukraine. The reason for this is the lack of clear legal grounds for simply seizing Russian bank assets and redirecting them to Ukraine. Amendments to the laws of different countries are already being developed to solve the problem. We should understand that amending legislation is not a quick process, because the very development of amendments requires dealing with large amounts of information and the process of adoption and approval can take years.

It is obvious that the frozen funds will never return to their previous owner. And the question of when these cash receipts will be in Ukraine is open.

At this stage of the war, we should not count on compensation and reparations from Russia. But we should already consider possible options for their recovery. Such aggressive actions against other states cannot be justified and remain unpunished. The aggressor country must pay in full so that other countries understand the price of aggression and its consequences. The money paid will not heal the wounds of the Ukrainian people and will by no means be a reason for forgiveness, but it will allow us to rebuild the country for our descendants faster and provide them with a better life.

Financial support from Western partners is also worth mentioning. Countries in Europe, America and other parts of the world provide Ukraine not only with weapons but also make contributions to our country's budget. Thanks to this support,

government agencies continue their functioning, and salaries are paid to the military, doctors, teachers, and other equally important employees.

As a result, from February 24 to December 14, Ukraine's budget received \$28.1 billion from international partners, according to the report of the Center for Economic Strategies. Approximately UAH 12 billion of these funds are grants.

International projects aimed at restoring social, critical, and industrial infrastructure have already been launched in Ukraine. The following countries will patronize the restoration of Ukrainian regions and cities affected by the war:



Italy - Rivne; Germany - Chernihiv; Canada - Sumy; USA and Turkey - Kharkiv; Czech Republic, Finland and Sweden - Luhansk; Belgium - Mykolaiv; Sweden and the Netherlands - Kherson; Switzerland - Odesa; Norway - Kirovohrad region; Latvia - Zaporizhzhia; Poland and Italy - Donetsk.

Patronage was approved at the International Conference in Lugano

The recovery plan for Ukraine will be divided into three main stages:

1. immediate restoration of critical infrastructure;
2. restoration of schools and hospitals after the end of hostilities, construction of temporary housing;
3. long-term transformation in various sectors.

Confiscated Russian assets should become the main source of Ukraine's reconstruction.

The list of countries presented above is not final and may be updated. In addition, there are many voluntary initiatives from businesses and countries that are not on the list. Such initiatives are usually more targeted and related to a specific industry, settlement, etc. For example, the restoration of a road bridge across the Desna River in Chernihiv is funded by the Italian government, but the bridge structures are manufactured and provided by the French company Matière.

On January 12, 2023, the "Reconstruction of Ukraine" direction of the UNITED24 fundraising platform was presented in Irpin. Within its framework, 18 houses in Kyiv region will be the first to be restored: in Irpin, Borodyanka, Hostomel, as well as in the villages of Buzove and Myla. It will give an opportunity for 4,237 Ukrainians to return to their homes. The total amount needed to restore the houses is UAH 719 million. Thanks to UNITED24 donors from 110 countries, more than UAH 504 million has already been raised.

When it comes to specific reimbursements to individuals and legal entities, you should have no illusions about the timing. To be honest, in the near future you need to rely on your own strength, but in order to receive compensation in the future, you should take the following steps:

1. Fully document and describe the damage caused

- Ensuring the safety of documents
 - Fixing the circumstances by the authorized bodies
 - Independent fixation of the state of the property
 - Drawing up an inspection report
 - Obtaining testimony from witnesses and other evidence
 - Preservation of the evidence obtained
2. Initiate and support criminal proceedings in Ukraine
 3. Appeal to the prosecutor of the International Criminal Court
 4. Submit applications to the created online resources

REFERENCES

1. <https://golaw.ua/ua/insights/publication/kompensacziya-zbitkiv-zavdanih-vijnoyu-shho-novogo/>
2. <https://chas.news/news/u-minyusti-rozpovili-yaka-suma-zamorozhenih-aktiviv-rf>
3. <https://suspilne.media/280175-skilki-grosej-ukraina-otrimala-vid-ssa-ta-miznarodnih-souznikiv/>
4. <https://www.kmu.gov.ua/news/united24-zapustyla-napriam-vidbudova-ukrainy-pershyi-proekt-18-bahatokvartyrnykh-budynkiv-u-kyivskii-oblasti>
5. <https://decentralization.gov.ua/en/news/15192>
6. https://www.legalalliance.com.ua/storage/source/1/zK6tI49jR_G6b-FZs_bw35AXtkRSp0c9.pdf