

CCBE Statement in response to the creation of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine

30/06/2023

The Council of Bars and Law Societies of Europe (CCBE) represents the bars and law societies of 46 countries, and through them more than 1 million European lawyers.

With this Statement the CCBE wishes to respond to the important decision¹ of the Committee of Ministers of the Council of Europe of 16 May 2023 to establish a Register of damage caused by the aggression of the Russian Federation against Ukraine.

First, the CCBE is mindful of the range and variety of claims which will arise from the different forms of loss and damage caused by that aggression.

Secondly, the CCBE is alert to the opportunity for the legal professions of Europe to contribute immediately to the design and operation of the Register as a first step to creating an international compensation mechanism, which may include a claims commission and a compensation fund, of which the Register and the data it records would be an integral part.

Thirdly, the CCBE is aware of the depth of knowledge and experience amongst practicing lawyers and their Bars and Law Societies in the preparation, analysis, pursuit and vindication of claims for all sorts of loss and damage, including mass claims experience ranging from personal injury and death to property and environmental damage.

The CCBE, therefore, recommends to the Conference of the Register that, in proposing the rules and regulations governing the work of the Register in accordance with Article 6.5.b of the Statute, it invites the Board to take account of the views of lawyers with practical experience of different categories of mass claims.

Moreover, the CCBE recommends to the Conference of the Register that candidates for the Board of the Register appointed by the Conference under Article 6.2 of the Statute should include lawyers with private practice experience of bringing or handling mass claims before national or international courts and tribunals.

To this end, the CCBE declares its readiness to assist the Council of Europe and the organs of the Register in identifying lawyers with such experience.

¹ Resolution CM/Res(2023)3 establishing the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine (Adopted by the Committee of Ministers on 12 May 2023 at the 1466th meeting of the Ministers' Deputies).