

“The Pillage of Ukrainian Agricultural Assets: The Russian-organized system of agricultural pillage in occupied Zaporizhzhia Oblast, Ukraine”

A series of briefs with a regional perspective
(Kherson-Luhansk-Zaporizhzhia-Mykolaiv-Crimea-Kharkiv) based on open source
and field investigations conducted by Project Expedite Justice (PEJ)



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1. INTRODUCTION

Since the start of Russia's full-scale invasion of Ukraine in February 2022, reports emerged about the pillaging and occupation of farms, agricultural products, and agribusinesses.¹ After failing to take Kyiv in April 2022, Russia occupied most of the territory of four oblasts:² Kherson, Zaporizhzhia, Donetsk, and Luhansk,³ in addition to Crimea, which had been occupied since 2014. During the early days of the occupation, Russian armed forces and paramilitary groups⁴ inspected and, sometimes, took over agricultural facilities, including those that stored grain and other products, vehicles, and valuable equipment.⁵ Soon after, the Russian occupying authorities began re-registering Ukrainian businesses in the Russian legal sphere and redistributing so-called “ownerless” businesses and their properties to Russian companies. This brief illustrates this pattern of appropriation and discusses its legal implications in the Zaporizhzhia Oblast.

Since early 2022, Project Expedite Justice (PEJ) has supported small-scale Ukrainian agrarian farmers and larger entities in their quest to document international crimes and harms and help them access accountability mechanisms. These acts include attacks against the civilian population, destruction of civilian property and infrastructure, pillaging, plunder of resources, improper mining, destruction of the environment, sanctions violations, and related issues. PEJ's Ukraine work centers on capacitation, investigations, and legal filings. Direct investigative activities and information collection support judicial cases and sanction submissions.

The present report focusing on the Zaporizhzhia Oblast is the second in a series of six reports⁶ detailing the Russian occupying authorities' pillage policy and timeline in Ukraine's partly or wholly occupied oblasts. The following report will focus on Luhansk Oblast, part of which Russia *de facto* took over through separatist proxies in 2014 and then almost entirely annexed along with Donetsk during the 2022 full-scale invasion. The remaining reports concern Mykolaiv; the Autonomous Republic of Crimea and the City of Sevastopol, illegally annexed in 2014; and Kharkiv Oblast, which is partly and temporarily occupied but not declared as annexed.⁷ Russia officially announced the (illegal) annexations of these four oblasts on September 30, 2022, following the signature of treaties with the four pro-Russian leaders of the oblasts and President Putin's signature of federal constitutional laws on accession on October 4, 2022. All reports conclude with a preliminary legal analysis that may serve as the basis for launching criminal investigations into the conduct of responsible officials and business people.

The Zaporizhzhia Oblast is critical to Russia's war economy in Ukraine as it is among Ukraine's top-ranking grain-producing oblasts.⁸ Additionally, it is near the Crimean Black Sea ports and has its own port of Berdyansk on the Azov Sea, connecting to the Black Sea, which Russia now considers part of its territory.

Currently, most of Zaporizhzhia Oblast remains under Russia's exclusive control.⁹ Russian occupying authorities control the larger southern part of the oblast, which neighbors Kherson Oblast in the southwest. Zaporizhzhia City, its capital located in the north, remains unoccupied. Although there is no reliable oblast-specific data, estimations show that more than half of the pre-war population in 2022 occupied areas fled after the invasion.¹⁰ During 2022, grain production in the Zaporizhzhia Oblast plummeted by 34%.¹¹

Status of Ukrainian Areas under occupation by the Russian Federation since Autumn 2022 (as of December 31, 2023):¹²



2. THE RUSSIAN POLICY OF OWNERLESS PROPERTY APPROPRIATION AND REDISTRIBUTION IN ZAPORIZHZHIA

In Zaporizhzhia, after and during the full-scale invasion, the Russian occupying authorities followed a three-step process to seize Ukrainian assets. First, Russian occupying authorities established regional authorities (Feb. 2022 - August 2022). Second, the authorities developed procedures and issued regulations enabling the seizure of property (August 2022-October 2023). Finally, the occupying authorities executed such procedures to seize Ukrainian property, giving it to Russian-aligned actors (November 2023 onwards). This process differs from other oblasts, where the seizure of Ukrainian property follows a different pattern. Unique to Zaporizhzhia is that property is seized via a seemingly “legal” procedure to legitimize the seizure, placing the property under Russian control by transferring it to the Russian property registry and subjecting it to Russian law.

Russians seized Ukrainian property in Zaporizhzhia using three avenues: (1) declaring the property ownerless; (2) directly ordering the transfer of property to a Russian owner “in order to preserve and save it;”¹³ and (3) through nationalization.

Thereafter, Russians captured Zaporizhzhia’s grain production through a State-owned company monopoly and forced Ukrainian farmers to sell their crops at below-market prices, essentially bankrupting them.

Timeline of property appropriation, nationalization, and transfer of Ukrainian property in Zaporizhzhia	
March, 2022	Russian occupying forces captured large parts of Ukraine's Zaporizhzhia Oblast and established the so-called Military-Civilian Administration of Zaporizhzhia, the occupiers' <i>de facto</i> government.
May 15, 2022	The occupational administration of Zaporizhzhia established the so-called State Grain Operator (GZO) and took over two dozen facilities.
June, 2022	The occupational administration of Zaporizhzhia issued nationalization decrees regarding public property transfer.
August, 2022	Zaporizhzhia's occupational authorities began declaring "ownerless" private properties as public property to facilitate nationalization.
August, 2022	The Russian-established Interdepartmental Commission started transferring occupied Ukrainian companies to Russian private and parastatal companies.
September–October, 2022	Russia officially declared the illegal annexations of Donetsk, Kherson, Luhansk, and Zaporizhzhia Oblasts.
September, 2023	The occupational administration of Zaporizhzhia issued a resolution on the procedures for declaring properties "ownerless."
November, 2023	The occupational administration of Zaporizhzhia nationalized 400 Ukrainian public social infrastructure facilities.
December, 2023	The occupational administration of Zaporizhzhia took over the management of more than 400 Ukrainian private enterprises (in addition to the "public social infrastructure facilities" nationalized the month before).

a. Russian authorities create governmental institutions and appoint pro-Russian authorities in Zaporizhzhia to facilitate Ukrainian property seizure

In February 2022, during the early days of the full-scale invasion of the Russian Federation, the Russian army took control of the Zaporizhzhia Oblast. The Russians formalized their control by establishing the so-called Regional Military-Civilian Administration. Then, Russia held a sham referendum in Zaporizhzhia similar to those held in other occupied territories to legitimize the occupation and proceed with annexation. On September 30, 2022, following the sham referendum in Zaporizhzhia, Russian Federation President Vladimir Putin announced the annexation of the region.¹⁴ Condemning the referenda, the United Nations (UN) General Assembly found the attempted annexation illegal and called for its immediate reversal.¹⁵

In 2022, following the occupation, the Russians appointed Yevhen Balytskyi ("BALYTSKYI") as Governor of the Military-Civilian Administration of the Zaporizhzhia Region due to his close alignment with the Russian occupational authorities.¹⁶ BALYTSKYI is a Russian-Ukrainian politician and businessman who played a pivotal role in supporting the formation of a pro-Russian government in his birth city of Melitopol, Zaporizhzhia.¹⁷ Before Russia's full-scale invasion of Ukraine, BALYTSKYI served as a member of the Ukrainian

Parliament (2012–2019), representing the pro-Russian Party of Regions¹⁸ and later the pro-Russian Opposition Bloc. In September 2022, BALYTSKYI officially attended the ceremony in Moscow where Vladimir Putin announced the annexation of Zaporizhzhia.¹⁹

On June 2, 2022, BALYTSKYI, as *de facto* Governor of the Russian-controlled Zaporizhzhia Regional Military-Civilian Administration, issued a decree authorizing the nationalization and ownership transfer of Ukrainian-owned land plots, natural resources, and objects of economic strategic sectors to the Zaporizhzhia Region Administration.²⁰ BALYTSKYI clarified that nationalization did not apply to private property and stated that strategic objects included roads, railways, power stations, and land plots belonging to the National Academy of Sciences.²¹

On June 29, 2022, BALYTSKYI contacted the Russian Minister of Agriculture, Dmitry Patrushev, requesting him to supply 60-70 grain harvesters and related equipment to expedite grain harvest in occupied Zaporizhzhia.²² Subsequently, on July 25, 2022, BALYTSKYI asked for Russian and Belarusian support for equipment manufacturing and repair while urging measures to “reorient” Zaporizhzhia's agricultural output for integration into Russian and Belarusian markets.²³

BALYTSKYI's Deputy, Andrei Trofimov, echoing BALYTSKYI's statements, announced that authorities would examine and register all other (privately owned) abandoned property in addition to the nationalization of abandoned State property. The Interdepartmental Commission, a Russian-created entity, decides on future temporary management of such property either by the State or by private entities.²⁴

b. Pro-Russian occupying authorities in Zaporizhzhia develop procedures and issue legislation to expropriate and seize Ukrainian property

From August 2022 onward, the occupying authorities in Zaporizhzhia began declaring thousands of private properties as “ownerless” –e.g., private businesses, apartments, houses, and vehicles– in newspapers, on notices posted at the premises, and later on the regional government's official website. Titleholders contesting the ownerless declaration must prove rights in three days to the regional Ministry of Property and Land Relations in Melitopol to avoid having their property registered as ownerless.

At that time, the Zaporizhzhia occupying authorities based their decisions on a dedicated procedure set up by the so-called Head of the Military-Civilian Administration of Zaporizhzhia, Anton KOLTISOV. KOLTISOV is a Russian politician who served as Chairman of Russia's Vologda Oblast government before the full-scale invasion and held high offices in the country's steel and mining industry.²⁵ At the same time, KOLTISOV presided over the Interdepartmental Commission.

In August 2022, the Interdepartmental Commission began deciding on property transfers based on so-called protocols on management transfers. A reliable Ukrainian website leaked minutes of the Commission meetings from August to October 2022, demonstrating how it transferred the management of hundreds of businesses, previously registered as ownerless, to Russian private and parastatal companies.²⁶

Nine months later, on June 28, 2023, BALYTSKYI issued a decree authorizing Zaporizhzhia's Ministry of Land and Property Relations to file applications before the federal land-registry authorities to register properties as ownerless real estate. The decree also authorized the Ministry to apply for recognition of State ownership over Zaporizhzhia Oblast property before the Russian federal courts three months from the date of their registration as ownerless real estate.²⁷

Three months later, on September 13, 2023, BALYTSKYI issued another decree updating the procedure for determining property as ownerless, stating that determinations of ownerless property made since August 2022 remained valid. The decree only authorized Russian citizens or individuals with notarized powers of attorney issued on Russian territory to challenge State appropriation procedures. This decree left Ukrainians without meaningful recourse to recover their property.

The June and September 2023 decrees were adopted under the October 4, 2022, federal constitutional legislation concerning the accession of Zaporizhzhia Oblast to the Russian Federation.²⁸ This law authorized the regional authorities of Zaporizhzhia to manage ownerless property and set out procedures for property transfer. Additionally, the decrees validate the actions of the occupying authorities in Zaporizhzhia under Russian law, facilitating the re-registration of property and businesses in Russia.²⁹ This pattern demonstrates how the Russian occupying authorities established a formal process to "legally" transfer Ukrainian property to Russia and impose Russian property law in Zaporizhzhia. As a result, property owners face additional challenges in reclaiming their property, further proving Russia's intent to pillage Ukrainian assets. Russia's transfer of property in this manner violates the laws governing occupation.³⁰

c. Pro-Russian occupying authorities seize Ukrainian property in Zaporizhzhia

After setting the legal foundation for the expropriation of Ukrainian property through regulations and proceedings, pro-Russian occupying authorities in Zaporizhzhia seized Ukrainian property. Although procedures were in place, in some cases, the Russian authorities largely ignored them to expedite the expropriation. In other cases, the occupying authorities manipulated the proceedings to justify the seizure of property. Across all cases, the pro-Russian authorities either nationalized (State-appropriated) the properties or transferred the ownership of Ukrainian property to Russian-aligned and controlled companies.

Russia's nationalization of Ukrainian property in Zaporizhzhia

On November 23, 2023, BALYTSKYI announced the inclusion of 400 social infrastructure facilities, presumably public properties, in the property register of Zaporizhzhia Region, and they were thus nationalized.³¹ One month later, in December 2023, KOLTSOV stated that they had identified 400 manufacturing, agriculture, trade, and resort businesses that were not operating or whose owners had fled.³² The Occupying Authorities transferred these businesses and properties to the external management of a temporary administration. All companies and their assets were also included in the property register of the Zaporizhzhia Region and therefore also nationalized.³³

The Russians ignored their own proceedings and arbitrarily seized Ukrainian property in Zaporizhzhia

While the official announcements of ownerless property provided the public with notice of these new decrees, the transfer protocols remained publicly unavailable, and owners were not notified or consulted. In many instances, the Russians transferred the property to Russian private and parastatal companies before designating them as ownerless. For example, on September 28, 2022, agribusinesses were transferred to and at the demand of the state unitary enterprise State Grain Operator (GZO).³⁴ Nonetheless, the administration declared these properties as ownerless on December 15, 2022 –three months after the transfer.³⁵ The pivotal role of the GZO is further explained in Chapter 4 below.

In August 2023, several months ahead of the nationalization announcements that would

follow at the end of the year, occupying authorities in Zaporizhzhia urged business owners to re-register their businesses per a national law adopted on November 16, 2022, and federal constitutional law.³⁶ The national law *“On the timing of registration of legal entities from new constituent entities of the Russian Federation”* called for business owners in Zaporizhzhia and Kherson to re-register their companies in the Russian registry by June 30, 2024.³⁷ Nonetheless, the occupying authorities arbitrarily nationalized property before the deadline had passed. This process required each owner to present two items: (1) proof of ownership (deed) and (2) Russian identification, thereby violating the law of occupation that protects the occupied population from being forced to pledge allegiance to the occupiers.³⁸

Russian officials have publicly admitted that they nationalized the property before the deadline. They cited two extralegal justifications for ignoring the deadline: (1) suboptimal use, meaning the properties were not being used, and (2) disloyalty, meaning a refusal to re-register the property in Russian registries.

At a Moscow conference in June 2023, Dmytro VORONA (“VORONA”), the Russian-appointed Zaporizhzhia Senator to the Russian Senate, justified the “nationalization” of property of those “who failed to re-register in Zaporizhzhia Region before the set deadline” claiming that they “did not use their enterprises, and did not create jobs.”³⁹ VORONA made these comments a year before the 2024 deadline set by national law, which suggests there was already a plan to ignore the deadline and nationalize the property. VORONA introduced the extralegal and arbitrary criteria of suboptimal use to justify the seizure. This criterion was easy to prove in a war context and fractured economy beyond business owners’ control.⁴⁰

The Russians also transferred the property of Ukrainians still living in Zaporizhzhia, who refused to re-register it in the Russian registry. For example, the owners of 40 Years Agro, one of the largest agricultural enterprises in the region declined to re-register. On August 19, 2022, their farm was transferred to the management of Andrey Stepanovich Chernega, a Russian collaborator from Crimea.⁴¹ The property was not labeled as “ownerless” but as being “without administrative control” in the transfer protocol.⁴² BALYTSKYI emphasized that loyalty is demonstrated through re-registration. On January 2023, BALYTSKYI stated: “We now transfer or take away property if we understand that a person supported the Ukrainian regime.”⁴³

These facts demonstrate Russia’s pattern of: (1) occupying Ukrainian territory, (2) establishing a Russian administration in occupied territories, and (3) seizing/confiscating assets through various avenues established by the occupying power. Russia then adopts the most convenient justification to organize the seizure. To date, given this restrictive scheme, most affected Ukrainian companies were forcibly registered in the Unified State Register of Legal Entities of Russia, with the new Russian-appointed leadership re-registering the companies as their own.

3. THE STATE GRAIN OPERATOR’S MONOPOLY IN ZAPORIZHZHIA

On May 15, 2022, Zaporizhzhia’s occupational administration established the so-called State Grain Operator (GZO) to centralize control over grain-related operations. GZO acts as the sole wholesale grain operator in the oblast, thereby acquiring a monopoly in grain processing and trade. This approach differs from the one taken in the Kherson Oblast, where several companies obtained management rights over agribusinesses with the Kherson Grain Company, a state unitary enterprise, sharing its position with two Russian

private companies that captured the storage and trading routes.⁴⁴

On May 15, 2022, GZO started operating from 16 branches in Zaporizhzhia Oblast.⁴⁵ These branches focus on providing the logistics that support grain sale, including elevators, port and railroad storage, and other infrastructure. BALYTSKYI approved GZO's charter(s).

According to GZO's updated charter,⁴⁶ GZO added four branches in March of 2024; these appear to be undeveloped real property.⁴⁷ Two branches in Melitopol town (branches 15 and 16) serve as key storage and railway wagon loading and unloading sites, facilitating grain extraction.⁴⁸ Both Melitopol branches are located in the vicinity of Melitopol Elevator, now a GZO entity.⁴⁹

Significantly, the branch addresses can be traced back to previously registered Ukrainian companies that GZO now owns. In four of the 16 cases – branches 5, 6, 15, and 16 – the registered branch addresses deviate from company premises for unknown reasons. The branch addresses include the following:

- *BRANCH No. 1 – Akimovka village, Kurortnaya street 1, was the Akimovsky elevator of OptimusAgro Trade, declared ownerless property on October 13, 2022.⁵⁰ The original Ukrainian company publicly denounced the occupation of its facilities.⁵¹*
- *BRANCH No. 2 – TOKMAK CITY, Shchavi street 84, IS “TOKMAK ELEVATOR,” WHICH WAS A PUBLIC JOINT STOCK COMPANY (PJSC) UP FOR PRIVATIZATION BEFORE ITS OCCUPATION.⁵²*
- *BRANCH No. 3 – VASILYEVKA CITY, Vosmogo Marta street 75, was THE LOCATION OF THE Ukrainian GRAIN company “VASILYEVKA-AGRO” LLC.⁵³*
- *BRANCH No. 4 – POLOHY CITY, LOMONOSOVA STREET 36, was THE POLOGOVSKY OIL EXTRACTION PLANT.⁵⁴ ON JUNE 1, 2022, it CONTESTED THE IMPOSITION OF EXTERNAL MANAGEMENT.⁵⁵ ON OCTOBER 23, 2022, THE PLANT WAS NEVERTHELESS DECLARED AS OWNERLESS PROPERTY.⁵⁶*
- *BRANCH No. 5 – BERDIANSK CITY, GORKOGO street 4, IS THE OFFICE OF THE INSPECTORATE OF UKRAINE,⁵⁷ LOCATED NEXT TO ASKET SHIPPING ON NR. 2⁵⁸ that was declared ownerless on October 13, 2022.⁵⁹ GZO TOOK OVER Asket Shipping premises.⁶⁰*
- *BRANCH No. 6 – KAMENKA-DNEPROVSKAYA city, Promyshlennaya street 1, a fruit and vegetable canning company that was declared an ownerless property on October 3, 2022.⁶¹ It is located close to Nibulon's elevator on 1a, which GZO took over.*
- *BRANCH No. 7 – TOKMAK CITY, SHCHAVI STREET 88, was where TOKMAK ZERNOPRODUKT LLC OPERATED.⁶² This company is PART OF TESSLAGROUP, one of the largest suppliers of grain transport logistics to international actors. It operates 19 elevators along with a trading and logistics company, ranking among the top ten companies for simultaneous grain storage capacity in Ukraine.⁶³*
- *BRANCH No. 8 – VERKHNIY TOKMAK VILLAGE, PRIVOKZALNAYA street 8A, was THE VERKHNETOKMAK DIVISION OF THE ALREADY MENTIONED OPTIMUSAGRO TRADE.⁶⁴*
- *BRANCH No. 10 – Troyany village Shkolnaya 1, IS A TROYANOVSKY ELEVATOR that belonged to PJSC ROZOVSKY ELEVATOR.⁶⁵*
- *BRANCH No. 11 – Pryshyb village, ELEVATORNAYA street 1, IS A GRAIN ELEVATOR THAT WAS PURCHASED BY AGROMARKET-A LLC IN 2020.⁶⁶*
- *BRANCH No. 15 – MELITOPOL CITY, GETMAN SAGAYDACHNOGO street 212, IS THE HOSANNA CONSTRUCTION STORE.⁶⁷ It is located right opposite the storage location along the railway used for grain transfers.*

- *BRANCH No. 16 – MELITOPOL CITY, GETMAN SAGAYDACHNOGO STREET 51, IS the Ahrotek agricultural machinery and equipment company. It is located 500 meters from the Melitopol elevator, which actually served as Branch 16.*⁶⁸

The same companies that were declared ownerless and remain located at the same address are now under BALYTSKYI's control. On June 11, 2022, BALYTSKYI acknowledged Russia's civil administration role: "We have created our own grain company; it is State-owned. We have taken control of several facilities – Akimovsky, Molochansky,⁶⁹ Tokmaky open-type, Pologovsky elevators."⁷⁰

BALYTSKYI ordered GZO's takeover of the Ukrainian branches, ignoring the procedure the occupying authorities had established.⁷¹ On May 15, 2022, GZO took possession of the branches. Thereafter, the Occupying Authorities issued transfer orders, and the companies ceased to exist in the Russian company register, given that GZO absorbed them.

GZO's takeover of some of the 16 Ukrainian branches happened in collaboration with the Russian military. In one example, Russian troops were photographed at the Melitopol elevator on July 14, 2022.⁷² In another example, in May 2022, the Russian military occupied the Tokmak Zernoprodukt and used it to repair vehicles.⁷³ On June 1, 2022, the Board of the Pologovsky Oil Extraction Plant announced that the management of the enterprise was in control of the armed formations of the Russian Federation since May 15, 2022.⁷⁴ GZO management has further confirmed its collaboration with Russian armed forces in several statements.⁷⁵

On September 23, 2022, after taking possession of the branches in May 2022, an interdepartmental protocol granted GZO management over another 23 agribusinesses following GZO Director Nikita BUSEL's ("BUSEL") request. During a media interview on August 22, 2022, BUSEL admitted the company took "abandoned objects ... under protection."⁷⁶ BUSEL gave this interview standing against the backdrop of trains in Melitopol. On September 19, 2022, GZO announced that almost all elevators (at least six) in the Zaporizhzhia Oblast had joined the enterprise.⁷⁷

In addition to admitting to unlawfully taking over companies, GZO management has also admitted to taking possession of "found" commodities. For example, on August 22, 2022, GZO seized sunflower seeds from the Ukrainian company "Niva" (a division of branch 12) and asked to prepare a shipment schedule.⁷⁸ Niva's owners did not consent to the warehouse search or the products' export.

GZO also likely appropriated 3,000 tons of grain that had been declared ownerless at an address in Berdiansk Port⁷⁹ just opposite the grain storage of Branch 4. The storage address is the office of the Ukrainian State company Berdiansk Sea Commercial Port, which was under Russian occupation and control.⁸⁰

4. THE RUSSIANS CAPTURE ZAPORIZHZHIA'S GRAIN TRADE

GZO captured the majority of grain production in the oblast after gaining control over most elevators. The company itself announced it had traded over 300,000 tons of grain, oilseeds, and legumes during 2022.⁸¹ This included more than 240,000 tons of wheat, which is consistent with the Ukrainian farmers' projection for that year⁸²

In 2023, Russia's exports continued, despite the imposition of US sanctions in January,⁸³

followed shortly after by Ukraine⁸⁴ and UK sanctions.⁸⁵ Available trade records establish that GZO (via shell companies to hide its illegal trade) exported 212,000 tons of grain in 2023.⁸⁶ By November 2023, GZO stated it had made 14 export shipments (in 2023), totaling 600 tons of various crops, despite sanctions.⁸⁷

PEJ recorded 15 instances of grain transshipment from the Berdiansk Port. In June 2022, the Berdiansk Port resumed operations under occupying authorities control.⁸⁸ Before that date, a ship had already exported 7,000 tons of grain from the port.⁸⁹ Then, on July 15, 2022, another Russian-appointed administrator announced that they would transport grain for export to the ports of Sevastopol and Berdiansk.⁹⁰ Following his statement, the occupying authorities facilitated the exports through the ports of Berdiansk and Sevastopol.⁹¹ In September 2023, Russia took direct control of the port and renovated its infrastructure to improve its connection to Russia. Following this, large-scale investment in the port began, including registering 39 property objects.⁹²

In the summer of 2022, the Russians began sending rail shipments of grain from Zaporizhzhia Oblast to Crimea. On June 7, 2020, the first grain train departed from Melitopol. The occupying authorities reported sending grain from the Melitopol elevator to the Sevastopol Port.⁹³

5. FARMERS FORCED TO SELL GRAIN AT ROCK-BOTTOM PRICES

Since the Russian occupation began, farmers in Zaporizhzhia Oblast have been virtually forced to sell their grain to GZO, as they cannot independently market their products. Farmers cannot independently sell or export grain from the oblast or Ukraine because GZO controls almost all grain elevators. Farmers cannot use trucks either, as they would require special passes issued by the occupying authorities.⁹⁴ Thus, Ukrainian farmers are forced to transport their products by sea via GZO. The fact that GZO absorbed all estimated grain production in Zaporizhzhia demonstrates its monopoly position.

GZO leverages its position to force farmers to sell their crops for a significantly reduced price compared to the fair market value. Witnesses confirmed that farmers are being forced to accept GZO-imposed grain prices, which are considerably lower than initially agreed upon, and often receive only a fraction of that amount.⁹⁵ While GZO advertised that it would pay between \$100 and \$120 USD per ton of wheat—compared to the \$180 USD per ton market price in Ukraine and Russia⁹⁶—the actual prices they agreed to pay dropped to \$60 USD per ton.⁹⁷

Reports indicate that occupying authorities are threatening farmers in Zaporizhzhia with confiscating their grain if they do not accept the offered prices.⁹⁸ In one case, in the village of Ulyanivka, occupying authorities ordered farmers to bring their grain to a designated location for purchase at a marginal price, only to later confiscate it without compensation.⁹⁹

GZO's Deputy Director General, Alexey Dzhurkin ("DZHURKIN"), publicly affirmed that GZO buys grain far below market prices. He claimed that the enterprise purchased more than 500,000 tons of grain, paying a total of 2.2 billion rubles.¹⁰⁰ This means the price per ton was approximately 4,400 rubles or \$65 USD.

The difference in purchase value is even more evident compared to prices in other parts of Ukraine. For example, in the South Federal District, CPT Silo basis¹⁰¹ wheat price was 13,000 rubles per ton (\$200 USD per ton) from June to December 2022. Additionally, in the southern region, controlled by Ukraine, the price of wheat was 6,500 UAH¹⁰² per ton

(\$177 USD per ton). Consequently, the wheat price paid in Zaporizhzhia, at \$65 USD per ton, was at least 60% lower than the prevailing market price.

6. THE PATTERN OF PROPERTY SEIZURE IN ZAPORIZHZHIA

The Russian seizure of Ukrainian property has varied from oblast to oblast due to the inconsistent application of Russia's law across regions. While occupying authorities have regulated the appropriation of State property, it has failed to systematize the seizure of abandoned or ownerless real estate. As a result, different oblasts have adopted varied approaches. For example, in Zaporizhzhia, the occupying administration publicly announced the designation of "ownerless" property, after which the Interdepartmental Commission, chaired by the Head of Government, decided on the transfer. In contrast, in Kherson, the Governor made transfer decisions without publishing designations for ownerless property.¹⁰³

On October 19, 2022, the Russians declared martial law in the four occupied oblasts. While martial law does not permit the transfer of abandoned enterprises, it does allow for the "limitation of rights and freedoms of citizens... irrespective of legal forms and patterns of ownership." Nonetheless, Russian legal experts anticipated that the occupying authorities would issue a procedure for property transfer, as Russian martial law requires this process to be conducted "according to federal law."¹⁰⁴ However, the occupying authorities have not issued such a law, which suggests that the transfer of Ukrainian property has no legal basis, even under Russian martial law.

The Russians have used martial law to apply the Russian legal principle of "external management" to manage abandoned or ownerless property. However, this principle only applies to bankruptcy situations under Russian law, according to a Russian legal expert.¹⁰⁵ The application of domestic Russian law to upset the occupied territories' legal order violates the law of occupation.¹⁰⁶

In October 2022, shortly after the declaration of martial law, Russian Deputy Prime Minister for Construction and Regional Development Marat Khusnullin ("KHUSNULLIN") mentioned the creation of a "certain system" to transfer certain companies to external management by local occupying authorities and the Russian government. This seems to refer to the Interdepartmental Commission's decisions in Zaporizhzhia and the Kherson Governor's orders appropriating "ownerless property." KHUSNULLIN oversees the economic development of the occupied territories.

KHUSNULLIN also led a national commission, composed of several ministries, that participated in the transfer of allegedly non-functioning and abandoned enterprises in the four newly occupied regions.¹⁰⁷ Although not formally established, this national commission resembles, in title and mandate, the regional Interdepartmental Commissions set up in both Zaporizhzhia and Kherson to manage ownerless property transfers. This demonstrates a consistent pattern of appropriation in various occupied oblasts.

One analyst found that regional commissions decided on the transfer of small businesses, while the national commission, based in Moscow, decided over major enterprises, including mining and energy facilities.¹⁰⁸ The national commission may have overseen the transfer of some major agricultural facilities to GZO that were not locally recorded as ownerless, which requires further investigation.

7. LEGAL ANALYSIS

7.1. The responsibility of the Occupying Power for breaching property rights

Zaporizhzhia is occupied under International Law

When analyzing the responsibilities of an Occupying Power under international law, the first step is to establish whether an occupation situation exists. This determination triggers the application of specific provisions of International Humanitarian Law (IHL), known as the law of occupation. A territory is occupied when it is “actually placed under the authority of the hostile army.”¹⁰⁹ The law of occupation imposes certain obligations on the Occupying Power, particularly on the treatment of the civilian population.¹¹⁰ The situations in Zaporizhzhia, Donetsk, Luhansk, and Kherson Oblasts factually amount to occupation. Therefore, Russia is bound by the responsibilities of an Occupying power under International Humanitarian Law.

Applying the law of occupation to the facts and circumstances of Zaporizhzhia, Russia’s status as the Occupying Power in Zaporizhzhia Oblast does not end based on its successful use of force to gain control over the region or its attempts to secure treaties and referenda aimed at legitimizing its control, as these measures are illegal. Initially, the Russian Federation organized “referenda” to legitimize the annexation.¹¹¹ Subsequently, President Putin and the Military-Civilian Administration of Zaporizhzhia Oblast (along with those of Donetsk, Luhansk, and Kherson Regions) signed what they referred to as peace treaties.¹¹² However, Article 2 of the United Nations (UN) Charter prohibits the use of force,¹¹³ and the UN General Assembly condemned the “referenda,” declaring the so-called peace treaty invalid. The UN thus deemed the attempted annexation illegal and called for its immediate reversal. As a result, the territory of Zaporizhzhia Oblast is “actually placed under the authority of the hostile army,”¹¹⁴ triggering the application of the law of occupation.

Russian seizure of Ukrainian property violates the law of occupation

On October 4, 2025, the processes of re-registering Ukrainian businesses and designating properties as ownerless began in Zaporizhzhia in accordance with Russian constitutional, federal, and regional law, similar to the approach taken in Kherson.¹¹⁵

The national law “*On the timing of registration of legal entities from new constituent entities of the Russian Federation*,” adopted on November 16, 2022, required business owners in Zaporizhzhia and Kherson to re-register their companies by June 30, 2024, requiring them to provide proof of ownership (deed) and Russian identification. In August 2023, occupying authorities urged business owners who lived in the region to re-register their businesses in accordance with the November 2022 law, followed by forced property transfers before the deadline.

IHL stipulates that the Occupying Power must allow the territory to be administered as it was before the occupation insofar as possible. This means they must respect the laws existing before the occupation unless absolutely prevented from doing so.¹¹⁶ While IHL recognizes that, in certain situations, the Occupying Power may adopt new legislation in the occupied territory, it must be temporary and expire once the occupation ends.¹¹⁷ However, the Russian annexation of multiple regions and the efforts to definitely alter property management, administration, and ownership rules suggest that Russian legislation aims to be permanent, which violates the law of occupation.

An Occupying power is only relieved of its duty to maintain the existing legal order of an occupied territory in limited circumstances under IHL, namely when the existing laws: (1) threaten the security of the occupied territory, (2) obstruct law and order, or (3) hinder the application of IHL.¹¹⁸ None of these conditions exist in the Zaporizhzhia Oblast. Thus, the Russian Federation violates IHL by failing to uphold its obligation to maintain the existing legislation of the occupied territory as the occupying power in Zaporizhzhia.

First, there is no indication that the Russian occupying forces faced threats to security or obstacles to public order that would warrant legislative changes in property administration. Therefore, the Occupying Power had no authorization under IHL to suspend or repeal Ukrainian property law.

Second, Ukraine's existing property law regime was not in breach or restricted the application of any IHL provision in any way. Thus, the Russians had no legal basis to change the property law regime to fulfill their IHL obligations as the Occupying Power. Finally, even if exceptions to the obligation to respect the law of occupied territories existed in Ukraine (which they do not), the legislation the occupying power enacts must comply with IHL. This was not the case in Zaporizhzhia, as Russian legislation violates IHL. On the one hand, the legislation facilitates the commission of the war crime of pillage. On the other hand, it forces Ukrainian citizens to pledge allegiance to Russia by forcing them to acquire Russian citizenship because proof of Russian identification is required in the process of protecting their property. IHL prohibits the occupying power from compelling the population of occupied territories to swear allegiance to them.¹¹⁹

7.2. The appropriation of public property under IHL

IHL authorizes occupying authorities to seize public property on the occupied territories and use it in accordance with their needs. When it comes to immovable property, IHL recognizes that the occupying State gains the position of an administrator and beneficiary of public buildings, real estate, forests, and agricultural estates formerly belonging to the State under occupation.¹²⁰ The list of immovable property is not exhaustive, and an Occupying Power can also seize, for instance, airfields or naval dockyards in occupied territories.¹²¹

The nationalization decree that the Russian authorities issued in Zaporizhzhia exceeded the administration and usufruct powers granted to occupying authorities under IHL. The decree allowed the transfer of ownership of allegedly abandoned or occupied State property, granting property rights. For instance, in June 2022, the Zaporizhzhia Regional Military-Civil Administration issued a decree declaring its ownership of the Ukrainian regional land plots, natural resources, objects of strategic sectors, and other property in breach of IHL. Strategic objects included roads, railways, power stations, and land plots of the National Academy of Sciences.

7.3. The appropriation of private property as a violation of IHL and international criminal law

The Russians developed an Appropriation Protocol following an Expropriation Pattern in Zaporizhzhia

In August 2022, the occupying authorities in Zaporizhzhia launched an information campaign regarding ownerless private property aimed at appropriating it. This included publishing lists of properties under review in newspapers, posting notices at the properties, and posting on the regional government's official website. Once a property

appeared on the website, titleholders contesting the ownerless declaration had to prove their ownership to the regional Ministry of Property and Land Relations in Melitopol within three days. If they failed to do so, the Ministry registered the property as ownerless.

Subsequently, the Interdepartmental Commission transferred ownerless properties to the “external management” of third-party Russian companies in Zaporizhzhia. The Head of the Regional Government, KOLTSOV, then signed the protocols formalizing the appropriation process. A lengthy list of agricultural businesses was transferred to the State Unitary Enterprise, GZO, without notice. In other cases, properties were declared ownerless and transferred to third parties, even when the owners remained present but refused to re-register under the new law.

The protocols issued by the Russians did not provide Ukrainian owners with genuine opportunities to assert their rights, and the Russian authorities did not adhere to them. The protocols were not made public, and property owners were neither notified nor consulted. Despite the information campaign, in many cases, properties were transferred to Russian companies before they were even declared ownerless.

The Russian Appropriation Protocol violates IHL and International Criminal Law

The Russian appropriation of Ukrainian property in Zaporizhzhia violates IHL and International Criminal Law.

In the first instance, IHL regulates the protection and appropriate use of private and public property during hostilities and under occupation. To ensure this, it forbids:

- i. the seizure of the enemy’s property during hostilities, unless justified by military necessity;¹²²
- ii. the confiscation of private property under occupation;¹²³ and
- iii. pillage during hostilities and under occupation.¹²⁴

This restricts the circumstances in which the appropriation of enemy property is permitted under IHL.

Furthermore, international criminal law case law widely recognizes the illegal appropriation of property as a war crime.¹²⁵ We apply the Rome Statute (RS) of the International Criminal Court (ICC) as an analytical framework, considering that the ICC has jurisdiction over the Situation in Ukraine,¹²⁶ and has been investigating it since March 2, 2022.¹²⁷ In addition, Ukraine became a State Party to the Rome Statute on January 1, 2025.¹²⁸

Article 8 RS criminalizes the pillage and seizure of the enemy’s property as war crimes, regardless of the property’s private or public nature. This applies to and is associated with both non-international and international armed conflicts, including military occupation.

<p>The <i>Elements of Crimes</i> provide that the following establish the war crime of pillage:</p> <ol style="list-style-type: none"> 1. The perpetrator appropriated certain property. 2. The perpetrator intended to deprive the owner of the property and to appropriate it for private or personal use. 3. The appropriation was without the owner's consent. 4. The conduct took place in the context of and was associated with an international armed conflict. 5. The perpetrator was aware of the factual circumstances that established the existence of an armed conflict.¹²⁹ 	<p>The <i>Elements of Crimes</i> provide that the following establish the war crime of destroying or seizing the enemy's property:</p> <ol style="list-style-type: none"> 1. The perpetrator destroyed or seized certain property. 2. Such property was the property of an adversary.¹³⁰ 3. Such property was protected from destruction or seizure under the international law of armed conflict. 4. The perpetrator was aware of the factual circumstances that established the status of the property. 5. The destruction or seizure was not required by military necessity. 6. The conduct took place in the context of and was associated with an international armed conflict. 7. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.¹³¹
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The last two elements for both crimes are identical and are satisfied here. In June 2022, Russian occupying forces began appropriating property in Zaporizhzhia Oblast following the full-scale invasion of Ukraine. This appropriation occurred within the context of an international armed conflict between Ukraine and Russia. It is undisputed that potential perpetrators were aware of the factual circumstances establishing the existence of an armed conflict, given its widespread public recognition. Similarly, the perpetrators' actions were linked to the armed conflict, as they implemented the expropriation policy in occupied Zaporizhzhia shortly after assuming key governmental positions. This allowed them to control the market, agricultural production, and Ukrainian businesses. The implementation and actions furthering the policy followed the capture and occupation of various locations throughout Zaporizhzhia. Thus, the military invasion of the territory enabled the appropriation of Ukrainian property, with the armed conflict facilitating the commission of the crime. Now, we will proceed with the analysis of the specific elements for the crimes of pillage and seizure of enemy property.

War Crime of Pillage

In addition to the two elements presented above, the **crime of pillage** requires the appropriation of property, the perpetrator's intention to deprive the owner of it, and its appropriation for private or personal use without the owner's consent.

The Russians carried their pattern of property appropriation in the Zaporizhzhia Oblast with the intention of depriving the Ukrainian property owners of their rightful property for private or personal use, whether for the perpetrators or third parties. This is supported by the drafting history of the war crime of pillage under Article 8 RS, which shows that the terms "private" and "personal" were meant to also encompass cases of property

given to third persons. Case law similarly confirms that pillage “includes situations where the perpetrator did not intend to use the pillaged items himself or herself.”¹³² Therefore, the Russian occupying authorities’ transfers of appropriated property to third-party companies fulfill this element.¹³³

Appropriating property for military necessity and appropriating it for “private or personal use” are incompatible with each other as they serve different interests, therefore, the war crime of pillaging cannot be justified by military necessity. In Zaporizhzhia, the appropriation of property was clearly for private or personal use, meaning it was not a lawful appropriation justified by military necessity.

The final element of the war crime of pillage is that the appropriation occurred without the owner’s consent. Historically, violent expropriation was necessary to prove the owner’s inherent lack of consent.¹³⁴ However, recent case law broadened the definition, allowing the inference of lack of consent when the owner is absent or under coercion.¹³⁵ In multiple instances, the Russian occupying authorities took advantage of the owners’ absence due to the war to appropriate property in Zaporizhzhia. The occupying authorities labeled the property as ownerless and then the Interdepartmental Commission placed it under the “external management” of third-party Russian companies. In other instances, the Interdepartmental Commission transferred property to Russian-aligned entities following the owners’ refusal to re-register the companies in the Russian registry. Both situations qualify as pillage since the transfer of property lacked the owners’ genuine consent. Several Ukrainian agribusinesses have filed or intend to file formal complaints before Ukrainian law enforcement authorities concerning the loss of properties. Pologovsky Oil Extraction Plant in Zaporizhzhia and Optimus Agro are among them.¹³⁶ Article 438 of the Ukrainian Criminal Code enables the prosecution of pillage as a war crime.

War Crime of Seizing Enemy Property

The **crime of seizing enemy property** requires that the property seized belonged to an adversary and was protected from seizure under IHL.

The Russian occupying authorities specifically seized Ukrainian private property in Zaporizhzhia. The seized property was civilian-owned private property –including businesses, agricultural land, and personal belongings– which are protected under IHL.

The crime of seizing enemy property requires that the perpetrator is aware of the factual circumstances that established the status of the property and that its seizure is not required by military necessity. There is no dispute that the Russian occupying authorities in Zaporizhzhia knew that they were seizing civilian-owned private property. The occupying authorities kept detailed property records that included ownership information, and their re-registration policy specifically included private property.¹³⁷

Additionally, the seizure cannot be justified by military necessity as it sought to expand the occupying authorities’ control and economic advantage in the region. There is no indication that these seizures were carried out to serve a military necessity.

The Russian occupying authorities’ appropriation and seizure of private property in Zaporizhzhia violate IHL rules protecting property and constitute the war crimes of pillage and seizure of enemy property under international criminal law. Most cases of property transfers in Zaporizhzhia meet the elements of the war crime of pillage. In cases where property was taken from owners but not transferred to third parties, the elements of the war crime of seizing enemy property are satisfied. Further investigation is necessary to establish and prove individual criminal responsibility for these war crimes, but the pattern is clear.

7.4. The appropriation of grain as a war crime under International Criminal Law

The Russian appropriation of grain in Zaporizhzhia constitutes a war crime under international criminal law, as it does not meet the criteria for the legal exception of requisition. An Occupying Power can legitimately acquire private and public property during wartime through requisition. This means that, under its commander's authority, the Occupying Power may demand temporary or permanent use of the property "for the needs of the army of occupation" in exchange for compensation.¹³⁸ This was not observed in Zaporizhzhia.

First, the Russian occupying authorities never demanded the appropriation of grain for the army's needs. Instead, they exploited grain in the occupied territories and transported it out of Ukraine for commercial purposes.

Second, the commander must demand the requisitions in the occupied territory.¹³⁹ There is no public record of an Occupying Power commander making such a demand in Zaporizhzhia.

Third, the Occupying Power must ensure that fair value is paid for any requisitioned goods.¹⁴⁰ The victims of appropriations in Zaporizhzhia were not compensated fairly. Farmers are being forced to accept grain prices that are up to twice as low as the price advertised by GZO or are only given a small fraction of the amount promised.

Moreover, post-World War II tribunals had already recognized that appropriating private property in exchange for monetary compensation does not constitute a lawful requisition if carried out against the will of the owner.¹⁴¹

In Zaporizhzhia, the occupying authorities threaten the farmers with confiscation of their grain if they refused to accept the offered low price, which is virtually selling under coercion. For example, in the village of Ulyanivka, occupying authorities reportedly ordered farmers to bring their grain to a specified location to purchase it at a marginal price, then the authorities confiscated the grain.¹⁴²

Furthermore, GZO's monopoly over the market makes it impossible for local farmers to independently sell their goods, forcing them to sell to GZO for unfairly low prices. These coercive circumstances limit their free will and ability to genuinely consent to transactions. Thus, the occupying authorities' appropriation of grain cannot amount to requisition and, instead, fits under the war crime of pillage.

8. CONCLUSION

Russian occupying authorities in Zaporizhzhia violated their international legal obligations towards public and private property as an Occupying Power, and responsibilities are due. Upon the accession of the oblast to the Russian Federation on October 4, 2022, the federal government handed down the authority to manage ownerless property and re-register private property as Russian to the local administration. However, local authorities are not mere executors of central policy and bear a separate and equal responsibility. Before accession, Military Civilian authorities had already begun unlawfully appropriating public and private property. Furthermore, local officials exceeded their mandate by appropriating property based on arbitrary criteria, ignoring the protocols established by the occupying authorities, and going beyond the mere execution of central policy.

The occupying authorities have maintained official records of some appropriations and transfers, which can serve as evidence in court or for international sanctions. However, much remains unclear. For instance, some of GZO's takeovers were not fully documented. There is also a legal gap regarding the administrative powers, criteria for transferring companies to Russian companies' external management, and the rights associated with such transfers. Furthermore, the interaction and coordination between local authorities and the central commission in property transfers require further investigation, as does the relationship between federal and regional authorities and the Russian companies that benefit.

Most of the leading local and national officials and businesspeople mentioned in this report continue to play a leading role in unlawful property appropriation, which may constitute pillage, despite being internationally sanctioned in 2022 for their involvement in the occupation. Further documentation of property appropriation, business transfers, and related decisions—whether officially recorded or otherwise demonstrated—could lead to additional sanctions but, more importantly, serve as a foundation for building legal cases both nationally and internationally.

Remarkably, Ukrainian prosecutions advance as the conflict continues. Most of them focus on the first level of perpetrators, but justice authorities are gearing up to target those at higher levels of responsibility. The mass property takeover has profoundly impacted agricultural communities, which deserve equal authorities' attention as other more visibly destructive war crimes. The meticulous record of Russian administrative procedures offers significant opportunities for initiating cases.

Simultaneously, the ICC has been investigating the situation in Ukraine since March 2, 2022. The chapeau element of Article 8 RS establishes a jurisdictional threshold for the ICC's exercise of jurisdiction over war crimes, particularly when committed as part of a plan or policy. Although it is not a jurisdictional prerequisite for investigation, the policy element proved through the creation of protocols for the pillage in Zaporizhzhia Oblast supports ICC's interest in this case.

ENDNOTES

1. See for instance “Agricultural War Damages Review Ukraine - Rapid Damage Assessment,” *Center for Food and Land Use Research at Kyiv School of Economics*, Jun. 8, 2022, https://kse.ua/wp-content/uploads/2022/06/Damages_report_issue1-1.pdf, last accessed May 9, 2024; and confirmed by PEJ Witness Personal Accounts (P010 Jan. 25, 2023; P012 Sep. 30, 2022; P013 No date; P115 Jan. 16, 2024; P128 Jan. 19, 2024; P129 Jan. 16, 2024; and P131 Mar. 3, 2024).
2. An oblast in Ukraine, sometimes translated as region or province, is the main type of first-level administrative division of the country.
3. Part of the Kharkiv Oblast was temporarily occupied in February 2022, but almost all of it was liberated in November of the same year.
4. Notably, Chechen “kadyrovtsy” groups – see, for instance, “Traitor Dmytro Tabachnyk steals Ukrainian grain, agricultural machinery and develops business in Crimea,” *Television Toronto*, Dec. 19, 2023, <https://torontotv.substack.com/p/4ba>, last accessed, May 9, 2024; and similarly from PEJ Witness Personal Accounts (P-073 Sep. 30, 2023; P-077 Sep. 25, 2023; and P-079, Sep. 25, 2023).
5. Such as the Novooleksiivskiy Elevator (see infra, part 4), as per PEJ Witness Personal Accounts (P003 Sep. 8, 2022; P012, Sep. 30 2022; and P131 Mar. 3, 2024).
6. For the previously released brief titled “The Pillage of Ukrainian Agricultural Assets: The Role of Russian Appointed Authorities in the Occupied Districts of Kherson Oblast, Ukraine,” please visit: <https://www.projectexpeditejustice.org/kherson>.
7. Russian occupied parts of Kharkiv Oblast from February to September 2022, after which Ukraine liberated and deoccupied them; which is why Russia did not announce its annexation.
8. “Average wheat production 2016-2020,” *State Statistics Service of Ukraine*, (no date), https://ipad.fas.usda.gov/rssiws/al/crop_production_maps/Ukraine/Ukraine_wheat.jpg, last accessed May 9, 2024.
9. Alexandra Vishnevskaya, “Putin called new territories and the Sea of Azov “significant results” of the special operation,” Dec. 7, 2022, <https://www.gazeta.ru/army/news/2022/12/07/19215523.shtml>, last accessed Jan. 6, 2025.
10. David Lewis, “The quiet transformation of occupied Ukraine,” *Foreign Affairs*, Jan. 18, 2024, <https://www.foreignaffairs.com/ukraine/quiet-transformation-occupied-ukraine>, last accessed May 9, 2024.
11. F1382. Tingting He, Maoxin Zhang, Wu Xiao, Ge Zai, Yan Wang, Andong Guo, Cifang Wu, “Quantitative analysis of abandonment and grain production loss under armed conflict in Ukraine,” *Journal Of Cleaner Production*, May, 2023, <https://www.sciencedirect.com/science/article/pii/S0959652623015251>, last accessed Jan. 6, 2025. See infra, part 3.
12. “Human Rights Situation During The Russian Occupation Of Territory Of Ukraine And Its Aftermath, 24 February 2022 - 31 December 2023,” United Nations Office of The High Commissioner for Human Rights, Mar. 20, 2024.
13. When Russia claims it seizes Ukrainian assets “in order to preserve and save” it, this rhetoric is typically designed to justify its unwarranted actions under the guise of alleged historical, cultural, political, and military protection from Ukraine, thereby delegitimizing Ukraine’s sovereignty and identity. In reality, “preserve and save” means the direct appropriation and/or seizure of Ukrainian property by Russia.
14. “Putin announces annexation of Ukrainian regions in defiance of international law,” CNN, Sep. 30, 2022, <https://edition.cnn.com/2022/09/30/europe/putin-russia-ukraine-annexation-intl/index.html>, last accessed Oct. 14, 2022.
15. United Nations General Assembly, “Resolution A/RES/ES-11/4,” Oct. 12, 2022, <https://documents.un.org/doc/undoc/gen/n22/630/66/pdf/n2263066.pdf>, last accessed Sep. 13, 2024.
16. “Окупанти призначили одіозного екснардепа Балицького “губернатором” Запоріжжя,” 24 Канал, May 9, 2022, https://24tv.ua/okupanti-priznachili-glavoyu-vtsa-Zaporizhzhia-odioznogo-eksnardepa_n1974196, last accessed Oct. 10, 2024.
17. “Що відомо про депутата Євгена Балицького, який співпрацює з окупантами,” Zaporizhzhian Investigation Centre, Mar. 25, 2022, <https://incentre.zp.ua/shho-vidomo-pro-deputata-yevgena-balyczkogo-yakyj-spivpracyuye-z-okupantamy/>, last accessed Oct. 14, 2022.
18. The Party of Regions (Партія регіонів) was a pro-Russian political party in Ukraine, active from 1997 until its collapse in 2014. It was strongly supported in the eastern and southern regions, particularly in Donetsk and Luhansk, where it championed the rights of Russian-speaking Ukrainians and closer ties with Russia. The party's most prominent leader, Viktor Yanukovich, served as Ukraine's president from 2010 until he was ousted during the Euromaidan protests in 2014. Known for corruption and ties to oligarchs, the party lost credibility after Yanukovich fled to Russia, marking the end of its dominance in Ukrainian politics.

- Its policies deepened regional divides and influenced Ukraine's trajectory toward European integration post-2014.
19. "Defiant Putin proclaims Ukrainian annexation as military setback looms," Reuters, Sept. 30, 2022, <https://www.reuters.com/world/putin-host-kremlin-ceremony-annexing-parts-ukraine-2022-09-29/>, last accessed Oct. 10, 2024.
 20. F1418. Military-Civilian Administration, Zaporizhzhia Oblast, Decree of the Head of the Military-Civilian Administration of the Zaporizhzhia Oblast №37 "О национализации имущества государства Украина в пользу Запорожской области," ["On the nationalization of property of the State of Ukraine in favor of the Zaporozhye region"], Jun. 2, 2022, <https://gubernator.zo.gov.ru/docs/show/92?ysclid=lyspn9lriz338062907>, last accessed Jul. 24, 2024.
 21. F1418. Southern Bridgehead (@yug_plazdarm), "Главой Запорожской областной ВГА подписан Указ О национализации имущества государства Украина в пользу Запорожской области," ["The Head of the Zaporizhzhia Regional State Administration signed the Decree On the nationalization of property of the state of Ukraine in favor of the Zaporizhzhia Region"], Telegram, Jun. 3, 2022, 11:15, https://t.me/yug_plazdarm/8012, last accessed July 24, 2024.
 22. F1781. Military-Civilian Administration, Zaporizhzhia Oblast, letter to the Ministry of Transportation of the Russian Federation №41-п, Jun. 29, 2022.
 23. F1780. Military-Civilian Administration, Zaporizhzhia Oblast, letter to the Ministry of Agriculture of the Russian Federation №73-п, Jul. 25, 2022.
 24. F1420. "Запорожье определило этапность национализации оставленного украинского имущества" ["Zaporizhzhia has determined the stages of nationalization of abandoned Ukrainian property"], *Tass*, Jun. 3, 2022, <https://tass.ru/ekonomika/14813459>, last accessed Jul. 9, 2024.
 25. Procedure established by the Decree of the Chairman of the Council of Ministers of the Military-Civilian Administration of the Zaporizhzhia Region dated Aug. 3, 2022 No. 189-у, "On approval of the Procedure for identifying, recording and accepting into ownership of ownerless property of the Zaporizhzhia Region."
 26. F1236. Military-Civilian Administration, Zaporizhzhia Oblast, Protocols of the Interdepartmental Commission for the Coordination of the Institute of Temporary Administrations of the Military-Civilian Administration of Zaporizhzhia Oblast, Aug.-Oct. 2022, <https://kiborg.news/files/blyskavka/minpromenergozo/komisija.pdf>, last accessed Jul. 5, 2024.
 27. F1533. Decree of the Government of Zaporizhzhia Oblast No. 180-y "On the specifics of acquiring the right of state and (or) municipal ownership in relation to ownerless property located on the territory of the Zaporizhzhia Region," Jun. 28, 2023, <https://gubernator.zo.gov.ru/docs/show/184>, last accessed December 13, 2024.
 28. F1432. Federal Constitutional Law No. 7-FKZ "On the Admission of the Zaporizhzhia Oblast to the Russian Federation and the Formation of a New Subject within the Russian Federation - the Zaporizhzhia Oblast," Oct. 4, 2022. The Federal Constitutional Laws for Kherson Oblast, Luhansk People's Republic and Donetsk People's Republic contain the sale sections, which all apply until Jan. 1, 2028.
 29. It also refers to the ensuing federal Resolution of Dec. 28, 2022, on the same issue concerning the four occupied oblasts. F1433. Resolution of the Government of the Russian Federation No. 2474 "On approval of the Rules for the management of bodies of the Donetsk People's Republic, Lugansk People's Republic, Zaporizhzhia Oblast and Kherson Oblast that have signs of ownerless and are not classified as federal property, property of a constituent entity of the Russian Federation or municipal property, located in the territories of the specified constituent entities of the Russian Federation," Dec. 28, 2022, <http://actual.pravo.gov.ru/content/content.html#pnum=0001202212290156>, last accessed July 17, 2024; F1429. Order of the Ministry of Economic Development of Russia No. 931, "On establishing the Procedure for registering ownerless real estate," Dec. 10, 2015. Law of 13.07.2015 No. 218-FZ, "On State Registration of Real Estate."
 30. See Geneva Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations Concerning the Laws and Customs of War on Land. The Hague, Oct 18, 1907, Hague Regulations, Art. 43. See also Art. 64 GC IV, which provides that the penal laws of the occupied territory shall remain in force. However, the scope of the obligation remains identical as provided for under Art. 43 of the 1907 Hague Regulations and extends to any legislation in force on the occupied territory.
 31. F1422. Maxim Shavchenko, "Націоналізація або як росіяни «віджимають» майно на ТОТ Запорізької області," [Nationalization or how the Russians are "squeezing out" property on the TOT of the Zaporizhzhia Region], *Vidbudova*, Apr. 14, 2024, <https://vidbudova.zp.ua/nacjonalizacziya-abo-yak-rosiyany-vidzhymayut-majno-na-tot-zaporizkoyi-oblasti>, last accessed Jul. 5, 2024.

32. This contrasts with the situation in Kherson, where an interdepartmental commission was in charge of making the ownerless determination, with the ultimate decision transfer property being vested with the Governor by executive order.
33. F1423. “Сотни предприятий в Запорожской области перешли под внешнее госуправление,” [“Hundreds of enterprises in Zaporizhzhia Region have come under external state management”], *RIA Novosti*, Dec. 12, 2022, <https://ria.ru/20221227/koltsov-1841548120.html>, last accessed Jul. 5, 2024.
34. According to Russian law, State Unitary Enterprises do not hold ownership but exploit federal or municipal government-held assets, transferring profit to the State coffers. See Russian Federation, Federal Law No.161-FZ on state and municipal unitary enterprises, Dec. 3, 2002; F1236.
35. F1437. Government of the Zaporizhzhia Oblast, “Identified ownerless property,” Dec. 15, 2022, https://zo.gov.ru/news/show/vyavlennoe_besxozhajnoe_imushhestvo, last accessed Jul. 5, 2024.
36. Ministry of Agro-Industrial Complex and Food Policy of Zaporizhzhia Region, “УФНС России по Запорожской области напоминает о необходимости оформления ИП или юрлица для дальнейшего ведения финансово-хозяйственной деятельности на территории Запорожской области” [“FTS of Russia in Zaporizhzhia Region reminds about the need to register a sole proprietorship or a legal entity for further financial and economic activities in the territory of Zaporizhzhia Region”], Telegram, Aug. 15, 2023, <https://t.me/apkzo/370>, last accessed Jul. 5, 2024; see also Federal Constitutional Law of the Russian Federation of October 4, 2022 No. 7-FKZ (as amended on 25-12-2023), <http://kremlin.ru/acts/bank/48355/page/1>, last accessed Dec. 13, 2024.
37. F1421. “Совфед одобрил закон о сроках регистрации юрлиц из новых субъектов РФ,” [“The Federation Council approved the law on the terms of registration of legal entities from new subjects of the Russian Federation”], *Tass*, Nov. 16, 2022, <https://tass.ru/ekonomika/16340147>, last accessed Jul. 5, 2024.
38. “The Pillage of Ukrainian agricultural assets: the role of Russian appointed authorities in the occupied districts of Kherson Oblast, Ukraine,” Project Expedite Justice, Jun., 2024, https://www.projectexpeditejustice.org/files/ugd/b912bf_33dde62fa7624cbf99c2ada32f86a3bb.pdf?index=true, last accessed Jul. 25, 2024.
39. F1427. “Выступление Константина Затулина на форсайт-форуме «Какая Украина нам нужна?» [Speech by Konstantin Zatulin at the foresight forum “What kind of Ukraine do we need?”], YouTube, Jun. 2, 2023, <https://www.youtube.com/watch?v=q2lCSMrWZ8k>, last accessed Jul. 5, 2024. Cases in point here are the enterprises “NPP Agrinol” and PJSC “Azmol,” as well as the machine-building company PJSC “Berdyansk Harvesters,” which were taken under external management due to the enterprises not operating at full capacity, see F1428. “Три предприятия Запорожской области взяты под внешнее управление,” [Three enterprises of Zaporizhzhia Region taken under external management], *Tass*, Oct. 26, 2022, <https://tass.ru/ekonomika/16164309>, last accessed Jul. 5, 2024.
40. In Kherson, we saw something similar when in April 2023, Governor Saldo communicated that property nationalization would affect business owners who had not begun to re-register their assets.
41. F1236. Protocol No. 1 of the Interdepartmental Commission for the Coordination of the Institute of Temporary Administrations of the Military-Civilian Administration of Zaporizhzhia Region, Aug. 19, 2022, <https://kiborg.news/files/blyskavka/minpromenergozo/komisija.pdf>, last accessed Jul. 5, 2024.
42. According to accounts from persons met by PEJ, as well as F1426. “Росіяни на Запоріжчині віджимають майно у аграріїв та ще й брешуть про те, як нібито рятують господарства від знищення,” [The Russians in Zaporizhzhia squeeze property from farmers and also lie about how they allegedly save farms from destruction], Center of Journalistic Investigations, May 24, 2023, <https://investigator.org.ua/ua/topnews/254919/>, last accessed Jul. 5, 2024.
43. F1425. Berdyansk Today (@BerdNow_bot) “Гауляйтер балицький розповів, як будуть відбирати майно українців на ТОТ,” [Gauleiter Balytskyi told how the property of Ukrainians will be taken at the TOT.], Telegram, Jan. 23, 2023, 10:47, <https://t.me/brdVP/16733>, last accessed Jul. 5, 2024.
44. “The Pillage of Ukrainian agricultural assets: the role of Russian appointed authorities in the occupied districts of Kherson Oblast, Ukraine,” Project Expedite Justice, Jun. 2024, https://www.projectexpeditejustice.org/files/ugd/b912bf_33dde62fa7624cbf99c2ada32f86a3bb.pdf?index=true
45. F1223. “Устав Государственного унитарного предприятия “Государственный зерновой оператор” [“Charter of the State Unitary Enterprise “State Grain Operator”] approved by the order of the so-called Head of the Military-Civilian Administration of

- [melitopol-ul-getmana-sagaydachnogo-212](#), last accessed Jul. 5, 2024. By the new charter, Branch 15 became the property of “Freedom Farm Terra” LLC, which was already transferred by protocol on Aug.19, 2022. F1451. State Grain Operator branches, <https://www.rusprofile.ru/branches/1229000019346>, last accessed Jul. 5, 2024.
68. “Agriculture Weaponised: The Illegal Seizure and Extraction of Ukrainian Grain by Russia,” Global Rights and Compliance, Nov. 2023, <https://globalrightscompliance.com/wp-content/uploads/2023/11/20231115-Grain-Report-External.pdf>, last accessed Jul. 5, 2024.
69. It is unclear what property this refers to since no company branch or other company transferred by protocol is located here.
70. F1452. “На подконтрольной РФ части Запорожской области создан госфонд зерна,” [State grain fund created in Russian-controlled part of Zaporizhzhia Region], *Interfax*, Jun. 11, 2022, <https://www.interfax.ru/world/845921>, last accessed Jul. 5, 2024.
71. F1539. Ukraine Prosecutor General Office, “Notice of suspicion No 22023000000000453,” Aug. 30, 2023, <https://www.gp.gov.ua/storage/files/10/повістки/31.08./Повідомлення%20про%20зміну%20раніше%20повідомленої%20підозри%20Балицькому%20Є.В..pdf>, last accessed Sep. 2, 2024. A notice of suspicion is an official notification to someone that they are under suspicion of having committed a crime. Their issuance is the first step toward formal prosecution, either in absentia or when the perpetrators can be arrested
72. F1453. Olga Maltseva “A Russian serviceman guards a grain elevator in Melitopol,” *AFP*, Jul. 14, 2022, <https://www.gettyimages.ca/detail/news-photo/russian-serviceman-guards-a-grain-elevator-in-melitopol-news-photo/1241909960>, [geolocated to: 46.854667, 35.361705], last accessed Jul. 5, 2024.
73. Witness Statement (P009 Jan. 25, 2023). According to the witness its stocks were taken out in September 2022.
74. F1454. “Statement of the supervisory board and the management board of Polohy oil extraction plan on the armed aggression of the Russian Federation against Ukraine and support for the territorial integrity of Ukraine within its international recognised borders,” Jun. 1, 2022, <https://mezpology.zp.ua/en/>, last accessed Jul. 5, 2024.
75. *For example*, On October 4, 2020, the GZO Directors confirmed the enterprise’s close association with Russian armed forces when they announced a 10 million rubles donation to the Sudoplatov Volunteer Battalion Charity Fund. The Sudoplatovs battalion is notoriously involved in hostilities in Ukraine’s territory, including the Zaporizhzhia Region, see Nastya Shevchenko, “Вивезення зерна та батальйон імені Судоплатова: Мелітополь під окупацією” [Grain export and the Sudoplatov battalion: Melitopol under occupation], *Kiborg News*, Jan. 12, 2023, <https://kiborg.news/2023/01/12/vyvezennya-zerna-ta-bataljon-imeni-sudoplatova-melitopol-pid-okupacziyeyu/>, last accessed Jul. 5, 2024. Also, On October 4, 2020, the GZO Directors confirmed the enterprise’s close association with Russian armed forces when they announced a 10 million rubles donation to the Sudoplatov Volunteer Battalion Charity Fund. The Sudoplatovs battalion is notoriously involved in hostilities in Ukraine’s territory, including the Zaporizhzhia Region, see Margarita Ogneva: “Що таке “батальйон імені Судоплатова,” який створили окупанти в Мелітополі” [What is the “Sudoplatov Battalion” created by the occupiers in Melitopol?], Zaporizhzhia Investigation Center, Jan. 9, 2023, <https://incentre.zp.ua/shho-take-bataljon-im-sudoplatova-yakij-stvoryly-okupanty-v-melitopoli/>, last accessed Jul. 5, 2024.
76. F1456. “Оккупанты в спешном порядке завозят железнодорожные вагоны в Мелитополь” [Occupiers hurriedly bring railroad cars to Melitopol], *RIA Novosti*, Aug. 22, 2023, https://ria-m.tv/news/328058/okkupantyi_v_spushnom_poryadke_zavozyat_jeleznodorojnyie_vagonyi_v_melitopol.html, last accessed Jul. 5, 2024.
77. F1457. State Grain Operator (@melitopolraiadm), “В ГУП ГЗО вступили практически все элеваторы нашего района,” [“Almost all elevators in our region have joined the State Unitary Enterprise GZO”], *Telegram*, Sep 19, 2022, 10:19, <https://t.me/gupgzo/43>, last accessed Jul. 5, 2024.
78. F1085, Ceberus land ownership data, accessible via <https://cerberus.vetr.ru/cerberus/request/customsUnion>, last accessed Jan. 13, 2025; GZO is ГЗО, the abbreviation in Russian of State Grain Operator; “Государственный зерновой оператор;” F0838.
79. F1424.
80. F1464. Berdiansk Sea Commercial Port company data, <https://graintrade.com.ua/ru/terminal/dpberdyanskij-morskij-torgovelnij-port-id14914>, last accessed Jul. 5, 2024.
81. F1466. State grain operator, (@gupgzo) “Мы с гордостью подводим итоги 2022 года” [“We are proud to summarize the results of 2022”], *Telegram*, Dec. 29, 2023, <https://t.me/gupgzo/257>, last accessed Jul. 5, 2024.
82. F1382. Tingting He, Maoxin Zhang, Wu Xiao, Ge Zai, Yan Wang, Andong Guo, Cifang Wu,

- "Quantitative analysis of abandonment and grain production loss under armed conflict in Ukraine," *Journal Of Cleaner Production*, May, 2023.
83. U.S. State Department, Fact Sheet, "The United States Takes Sweeping Actions on the One Year Anniversary of Russia's War Against Ukraine," Feb. 24, 2023, <https://www.state.gov/the-united-states-takes-sweeping-actions-on-the-one-year-anniversary-of-russias-war-against-ukraine/>, last accessed Aug. 8, 2024.
84. National Security and Defense Council of Ukraine, Decree 191/2023, Appendix 2, Item 97, April 1, 2023, https://www.president.gov.ua/storage/j-files-storage/01/18/01/e34243c9c5e1d2ea25240558037b3cf7_1680342656.pdf, last accessed Jan. 13, 2025.
85. U.K. Foreign, Commonwealth and Development Office, Press Release, "UK sanctions target Russia's theft of Ukrainian grain, advanced military technology, and remaining revenue sources," May 19, 2023, <https://www.gov.uk/government/news/uk-sanctions-target-russias-theft-of-ukrainian-grain-advanced-military-technology-and-remaining-revenue-sources>, last accessed Jan. 3, 2025.
86. F1467. Nataliya Onysko and Oleksandra Hubytska, "Stolen grain: How and where Russians export Ukrainian," NGL Media, Mar. 29, 2024, <https://ngl.media/en/2024/03/29/stolen-grain/>, last accessed Jul. 5, 2024.
87. F1468. State Grain Operator, (@gupgzo) "ГЗО создаст собственный грузовой флот," ["GZO to create its own cargo fleet"], Nov. 1, 2023, 09:32, <https://t.me/gupgzo/1138>, last accessed Jul. 5, 2024.
88. See F1470. Denis Pushilin, "Сегодня провёл совещание с губернаторами регионов, которые взяли шефство над территориями Донбасса" ["Today held a meeting with the governors of the regions that have taken patronage over the territories of Donbas"], *Telegram*, Jun. 30, 2022, <https://t.me/pushilindenis/2392>, last accessed Jan. 13, 2025.
89. F1569.
90. F1465. "Иностранным журналистам показали полный зерна элеватор в Мелитополе," ["Foreign journalists were shown a grain elevator in Melitopol"], *Izvestia*, Jul. 15, 2022, <https://iz.ru/1365103/2022-07-15/inostrannym-zhurnalistam-pokazali-polnyi-zerna-elevator-v-melitopole>, last accessed Jul. 5, 2024.
91. F1469. Yevhen Balytskyi (@BalitskyEV), "Деятельность ГУП ГЗО" ["Activities of GUP GZO"], *Telegram*, Aug. 27, 2022, <https://t.me/BalitskyEV/221>, last accessed Jul. 5, 2024.
92. F1471. "Согласован список объектов морского порта Бердянск, планируемых к отнесению к федеральной собственности," ["The list of Berdyansk seaport facilities planned to be classified as federal property has been agreed upon"], *Morvesti*, Sep. 19, 2023, <https://morvesti.ru/news/1679/105005/>, last accessed Jul. 5, 2024.
93. F1465.
94. In August 2022, the so-called Ministry of Agro-Industrial Complex and Food Policy of Russian-occupied Zaporizhzhia Oblast introduced special passes for transporting agricultural products by truck. According to the decree, drivers can get passes if they have a number of documents on "state re-registration." These include a record on re-registration under Russian law, an agreement between the owner of the cargo and the carrier of this cargo indicating the tonnage of the products transported and the terms of transportation, an agreement between the owner of the load and an intermediary for organizing the transportation of cargo, documents confirming the origin of the shipment (contract of sale, storage agreement, sales agreement, etc.), certificate of State registration of the vehicle (car and trailer), justification letter (how many days and why it is necessary to transport products in quantity specified in the application), power of attorney for the right to submit documents, and phytosanitary certificate (when exporting products outside the Zaporizhzhia Region). See Official website of the so-called "Ministry of Agro-Industrial Complex and Food Policy," created by the occupational administration in Zaporizhzhia Oblast, <https://minapk.zo.gov.ru/novosti>.
95. Witness account (P024 May 24, 2023); Witness account (P011 Jan 1, 2023 and May 4, 2023), Witness account (P023, May 18, 2023).
96. ООО «ИКАР» (Институт Конъюнктуры Аграрного Рынка), Sep. 23, 2024, "Оперативный обзор. Рынок зерновых." page 8, last accessed Dec. 18, 2024.
97. State Grain Operator officially announces prices on their multi media channels at 7,000-8,000 rubles per ton. Every two weeks prices are announced on its Telegram account, see F1472. State Grain Operator, (@gupgzo), "Официальные цены на приёмку зерновых, масличных и бобовых культур в период с 04.06.2024 по 11.06.2024" ["Official prices for acceptance of grain, oilseeds and legumes in the period from 04.06.2024 to 11.06.2024"], *Telegram*, Jun. 4, 2024, <https://t.me/gupgzo/1617>, last accessed Jul. 5, 2024.
98. F1473. Alexander Khrebet, "National Resistance Center: Russia preparing to export stolen grain from occupied Ukraine to China," *The Kyiv Independent*, July 9, 2023, <https://kyivindependent.com/military-allege-russia-prepares-to-export-stolen-grain-from->

- [occupied-ukraine-to-china/](#), last accessed, Jul. 12 2024.
99. F1474. UA Land Forces (@landforcesofukraine), "Operational information as of 06:00 on 03/08/2023 regarding the Russian invasion," Telegram, Mar. 8, 2023, 05:58, <https://t.me/landforcesofukraine/7290>, last accessed, Jul. 12 2024.
 100. F1475. "Журналисты из семи стран познакомились с ходом посевной кампании в зоне СВО в Запорожье." ["Journalists from seven countries got acquainted with the progress of the sowing campaign in the SVO zone in Zaporozhye"], Tass, May 19, 2023, <https://tass.ru/obschestvo/17798117>, last accessed Jul. 5, 2024.
 101. CPT - Carriage Paid To Silo basis
 102. UAH - Ukrainian Hryvnia
 103. "The Pillage of Ukrainian agricultural assets: the role of Russian appointed authorities in the occupied districts of Kherson Oblast, Ukraine," Project Expedite Justice, Jun., 2024, https://www.projectexpeditejustice.org/files/ugd/b912bf_33dde62fa7624cbf99c2ada32f86a3bb.pdf?index=true
 104. F1434.
 105. F1434. Anastasia Voyko, "Российский бизнес получит в управление брошенные в новых регионах компании" ["Russian businesses will receive management of abandoned companies in new regions"], *Vedomosti*, Oct. 25, 2022, <https://www.vedomosti.ru/economics/articles/2022/10/26/947345-biznes-poluchit-broshennye-v-novih-regionah-kompanii>, last accessed Jul. 5, 2024.
 106. F1434.
 107. Ibid.
 108. F1435. David Lewis "Economic Crime and Illicit Finance in Russia's Occupation Regime in Ukraine," SOC ACE Research Paper No 20. University of Birmingham, Sep. 2023, <https://static1.squarespace.com/static/63e4aef3ae07ad445eed03b5/t/6523ca29dd074500205bf6aa/1696844371382/SOCACE-RP20-RussiaUkraineOccupation-29Sep23.pdf>; last accessed Jul. 5, 2024.
 109. See Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 18 October 1907, Hague Regulations, Art. 42.
 110. See 1949 Geneva Conventions, Common Art. 2.
 111. United Nations, Human rights Council, *Report of the Independent International Commission of Inquiry on Ukraine*, A/HRC/52/62, Mar. 15, 2023, https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf, last accessed May 9, 2024.
 112. United Nations, General Assembly, *Resolution A/RES/ES-11/4*, Oct. 12; 2022, <https://documents.un.org/doc/undoc/gen/n22/630/66/pdf/n2263066.pdf?token=4MCJwX3zBknC7nzpy5&fe=true>, last accessed May 9, 2024.
 113. United Nations, Charter, Article 2, paras. 3 and 4.
 114. See Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, Oct. 18 1907, Hague Regulations, Art. 42; 1949 Geneva Conventions, Common Art. 2
 115. See Federal Constitutional Law of the Russian Federation of Oct. 4, 2022 No. 7-FKZ (as amended on 25-12-2023), <https://cis-legislation.com/document.fwx?rgn=144116>; see also Federal Council of the Federal Assembly of the Russian Federation, Zaporozhye Region, <http://council.gov.ru/en/structure/regions/X3/>.
 116. Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations Concerning the Laws and Customs of War on Land. The Hague, Oct 18, 1907, Hague Regulations, Art. 43. See also Art. 64 GC IV, which provides that the penal laws of the occupied territory shall remain in force. However, the scope of the obligation remains identical as provided for under Art. 43 of the 1907 Hague Regulations and extends to any legislation in force on the occupied territory. See further in Y. Dinstein, *The International Law of Belligerent Occupation*, 110; ICRC 1958 Commentary, 335.
 117. Y. Dinstein, *Legislation Under Article 43 of the Hague Regulations: Belligerent Occupation and Peacebuilding*, 2004, p. 10.
 118. See Art. 64 GC IV.
 119. Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, Oct. 18, 1907, Hague Regulations, Art. 45; Y. Dinstein, *Legislation Under Article 43 of the Hague Regulations: Belligerent Occupation and Peacebuilding*, 2004, p. 11.
 120. Article 55 of the 1907 Hague Convention.
 121. Dinstein, *The International Law of Belligerent Occupation*, 213.
 122. Articles 23(g) of the 1907 Hague Convention.
 123. Article 46 of the 1907 Hague Convention.
 124. Articles 28 and 47 of the 1907 Hague Convention; Article 33 of the Fourth Geneva Convention.
 125. See e.g. ICTR Statute, Art. 4(f), ICTY Statute, Art. 3(e), SCSL Statute, Art. 3(f).
 126. See First declaration of Ukraine lodged under Article 12(3) of the Rome Statute, Apr. 9, 2014, <https://www.icc-cpi.int/sites/default/files/itemsDocuments/997/declarationRecognitionJurisdiction09-04-2014.pdf>, last

- accessed May 9, 2024; Second declaration of Ukraine lodged under Article 12(3) of the Rome Statute, Sep. 8, 2015, https://www.icc-cpi.int/sites/default/files/iccdocs/other/Ukraine_Art_12-3_declaration_08092015.pdf, last accessed May 9, 2024. See also ICC, Situation in Ukraine, <https://www.icc-cpi.int/situations/ukraine>, last accessed May 9, 2024.
127. Statement of ICC Prosecutor, Karim A.A. Khan QC, on the Situation in Ukraine: Receipt of Referrals from 39 States Parties and the Opening of an Investigation, Mar. 2, 2022, <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-qc-situation-ukraine-receipt-referrals-39-states>, last accessed May 9, 2024; For more information on pillage as a war crime, see PEJ Pillage Handbook, published on xx, at xx.
128. <https://asp.icc-cpi.int/states-parties/eastern-european-states/ukraine>, last accessed Feb. 19, 2025.
129. Article 8(2)(b)(xvi) of the Rome Statute.
130. This term refers to any property belonging to individuals or entities who are aligned with or whose allegiance is to a party to the conflict who is adverse or hostile to the perpetrator, whether military or civilian: ICC, *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* (ICC-01/04-01/07), Decision on the confirmation of charges, Pre-Trial Chamber II, September 30, 2008, § 329.
131. Article 8(2)(b)(xiii) of the Rome Statute.
132. ICC, Bemba Judgment pursuant to Article 74 of the Statute, para 120, (Mar. 21, 2016).
133. Knut Dörmann, *Elements of War Crimes under the Rome Statute of the International Criminal Court: Sources and Commentary* 273 (2003).
134. ICTY, *Delalić et al.* Judgment, para 591 (Nov. 16, 1998).
135. ICC, Bemba Judgment pursuant to Article 74 of the Statute, para 116, (Mar. 21, 2016).
136. F1454 and F1439.
137. Procedure established by the Decree of the Chairman of the Council of Ministers of the Military-Civilian Administration of the Zaporizhzhia Region dated Aug. 3, 2022 No. 189-u “On approval of the Procedure for identifying, recording and accepting into ownership of ownerless property of the Zaporizhzhia Region.”
138. Art. 52 of the 1907 Hague Convention. See *a/so Dinstein, The International Law of Belligerent Occupation*, 2nd ed., 228.
139. Art. 52 of the 1907 Hague Convention.
140. Art. 55(2) GC IV.
141. US Military Tribunal Nuremberg, *United States of America vs. Carl Krauch et al. (I.G. Farben Trial)*, Judgment of 30 July 1948, p. 44.
142. F1474. UA Land Forces (@landforcesofukraine), “Operational information as of 06:00 on 03/08/2023 regarding the Russian invasion,” Telegram, Mar. 8, 2023, 05:58, <https://t.me/landforcesofukraine/7290>, last accessed, Jul. 12 2024.



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