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# AGRICULTURE WEAPONISED

**The Illegal Seizure and Extraction  
of Ukrainian Grain by Russia**



Produced by

## **Global Rights Compliance**

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Cover image: Yörük Isik

This report is authored and published as part of Global Rights Compliance's (GRC) Starvation Mobile Justice Team. The Starvation Mobile Justice Team is part of the UK, EU and US-sponsored [Atrocity Crimes Advisory Group](#) (ACA) which was launched in response to the need of the OPG to increase capacity to investigate and prosecute atrocity crimes perpetrated since the invasion by Russian Forces of Ukraine. Other partners include the EU Mission (EUAM), Pravo Justice and the International Law and Development Organisation (IDLO), while GRC's Starvation workstream is funded in part by the Kingdom of the Netherlands.

The Starvation Mobile Justice Team is one of multiple Mobile Justice Teams set up by international human rights law firm Global Rights Compliance – led by world-leading British human rights barrister, Wayne Jordash KC – to provide critical support to the Ukrainian Office of the Prosecutor General by assisting Ukrainian investigators and prosecutors on the ground as the conflict continues. The teams bring together leading domestic and international experts in the field of international criminal law, mass atrocity crimes investigations and case-building, as well as providing support to victims and witnesses.

The Starvation Mobile Justice Team is funded by the Kingdom of the Netherlands' Ministry of Foreign Affairs. The views expressed in this paper are those of the authors (Global Rights Compliance) and may not be or coincide with the official position of The Netherlands.

For more information visit

[www.starvationaccountability.org](http://www.starvationaccountability.org)

The findings in this report are the result of a three-months investigation by GRC, utilizing the findings of an investigation by the Centre for Information Resilience (CIR) and Intelligence Management Services Limited (IMSL), which supported GRC as open-source consultants to investigate the widespread structure and logistics of extraction using their expertise and OSINT methods and tools.

**Global Rights Compliance (GRC)** is an international legal foundation based in The Hague, Netherlands (with additional presence in the United Kingdom, Ukraine, and Washington DC) which was founded by international lawyers with a mission to enable people and communities to achieve justice through the innovative application of international law. We have established a reputation as a leading supplier of humanitarian and human rights legal services across the spectrum of technical legal and policy advice, litigation, capacity-building and advocacy. GRC offers: (i) decades of proven expertise in International Human Rights Law (IHRL), International Humanitarian Law (IHL) (the law of armed conflict), and International Criminal Law (ICL); (ii) an exhaustive understanding of documentation and how to use it for legal action; and (iii) proven experience in transforming data into relevant and probative evidence and international advocacy to generate measurable policy and justice outcomes. We possess unrivalled global expertise and granular knowledge on the crime of starvation and right to food violations, derived from a dedicated starvation portfolio established in 2017.

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And

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The images in this report are either publicly available or have been independently purchased by GRC, CIR, and IMSL through a licencing agreement. All are identified in this report.

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# I. EXECUTIVE SUMMARY

Since Russia launched its full-scale invasion of Ukraine on 24 February 2022, Ukrainian grain exports have been significantly disrupted, causing soaring prices for the commodity, and contributing to a global food crisis. Among the myriad ways in which Ukrainian grain has been affected includes the deliberate and systematic extraction by Russian forces.

The present report details the information collected by Global Rights Compliance (GRC), along with its open-source intelligence OSINT partners, Intelligence Management Support Services Ltd. (IMSL) and the Centre for Information Resilience (CIR), in relation to systematic grain extraction in the provinces of Luhansk and Zaporizhzhia, and the overland transport of the grain to port facilities in the occupied town of Berdiansk (Zaporizhzhia province) and Crimea province. The investigation, carried out between March and June 2023, found that Russian-affiliated actors, notably corporate, and the occupying authorities have seized the means of grain storage and export in Ukraine to such an extent that they fundamentally control the grain trade in the areas they operate.

The foregoing pattern of systematic grain extraction and seizure in Luhansk and Zaporizhzhia has taken place against the broader weaponisation by Russia of Ukrainian grain. On 22 July 2022 – in an effort to reintroduce exports from Ukraine to the rest of the world – the United Nations (UN), Türkiye, Ukraine, and Russia had entered into the Black Sea initiative (BSGI),<sup>1</sup> along with a parallel accord between the UN and Russia on grain and fertilizer exports from Russia. Over the next year, the BSGI was responsible for shipping over 32 million metric tons of Ukrainian grain and foodstuffs to the world, including to some of the most food insecure regions of the globe such as the Horn of Africa, the Sahel, Yemen, and Afghanistan.<sup>2</sup> On 17 July 2023, the BSGI expired after Russia unilaterally refused to extend its term.<sup>3</sup>

Given these facts, the present report details that the conduct of the Russian forces and Russia-affiliated non-military actors with regard to grain extraction appears *prima facie* to be criminal in nature and likely involved a highly coordinated level of pre-planning which is part of the broader, systematic strategy on the part of Russian forces to weaponise Ukraine's grain. Such conduct, coupled with Russia's withdrawal from the BSGI and ensuing attacks against grain infrastructure, demonstrates a concerted pattern to weaponise Ukrainian grain, both in the context of the present conflict, as well as against the intended recipients of grain exports situated in third-States beyond Ukraine's borders.

## Preliminary findings

- The intricate and systematic seizure of grain, agricultural machinery, and the occupation of grain producing areas is set against a backdrop of increasing hostilities, notably a campaign of bombardment escalating in severity and frequency since July 2023.
- In both seizing the grain and profiting from its export, one of Russia's goals appears to have been to fund its own war effort, even in part, through purposefully denying food to civilian populations – in this case affected civilians in third-States for whom the grain was destined. Such conduct may fall within the prohibition of using starvation as a method of warfare.

- The systematic grain extraction by Russian forces and affiliated actors involves the large-scale control of grain elevators, road and rail infrastructure, and the use of port facilities in occupied territories, resulting in a highly organised system of appropriation.
- Most of the Ukrainian grain facilities seized were privately owned by Ukrainian corporations, including Nibulon and Agrottron. Such conduct does not fit the definition of military necessity or the heightened threshold of imperative military necessity, further reinforcing that the conduct highly likely constitutes the war crime of pillage.

With respect to modalities for accountability, Global Rights Compliance notes that the European Union's restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty, and independence of Ukraine may be expanded to include individuals and entities involved in the illicit extraction and seizure of grain in Luhansk and Zaporizhzhia provinces, as detailed in this report, including high-ranking officials, businesspeople, banks and financial institutions, as well as the logistics and State and Municipal Unitary Enterprises identified below.

## II. METHODOLOGY

Between March and June 2023, GRC and OSINT experts IMSL and CIR<sup>4</sup> undertook an investigation into the grain extraction and its impact both within Ukraine and on the global stage. After Russia's withdrawal from the BSGI, it was observed that the systematic extraction of grain formed part of a broader, tripartite effort to weaponise this vital food source, through systematic extraction; transport to occupied areas inside Ukraine or cross-border into Russia; and attacks on grain infrastructure and the ports.<sup>5</sup>

The present report analyzed open sources comprising information including photographs, videos, public statements by officials, and other digital data. Consistent with international best practices and standards, the report employs a "reasonable grounds to believe" standard of proof. This standard is met when factual information has been collected that would satisfy an objective and ordinarily prudent observer that the incident has occurred as described with a reasonable degree of certainty.

### III. INTRODUCTION

Reports of widespread grain theft began to emerge in mainstream and social media in the first weeks of the Russian invasion into Ukraine in February 2022, ranging from the appropriation of farms to larger agricultural corporate entities which later resulted in the extraction of a substantial proportion of Ukraine's grain production.<sup>6</sup> This grain was reportedly being transported across occupied areas of Ukraine, including Crimea, and later into Russia. The extraction was coupled with reports of widespread destruction of Ukrainian farms and agricultural machinery, estimated at 2,135 and 926,1 million U.S. dollars respectively.<sup>7</sup> Over time, several Russian corporations and Russia-affiliated individuals linked to the seizure and transfer of Ukrainian grain came under U.S. sanction.<sup>8</sup>

Global Rights Compliance's (GRC) Starvation Mobile Justice Team (SMJT) was established in January 2023 to support the Ukrainian Office of the Prosecutor General (OPG) in investigating and ultimately prosecuting potential starvation crimes committed in Ukraine. The SMJT project compliments GRC's broader project entitled *Ukraine: Support for the OPG's War Crimes Prosecutions and Mobile Justice Teams*, whereby GRC provides the OPG with three Mobile Justice Teams (MJTs) that deliver technical support for investigations and prosecutions of war crimes.

The SMJT's three initial investigative focusses are: (i) the siege of Mariupol; (ii) the legality naval blockade of the Black Sea Ports in the context of starvation; and (iii) broader patterns of attacks on objects indispensable to the survival of the civilian population across Ukraine. The nature and scale of grain extraction by Russian forces and the potential impact on Ukrainian and global food security commanded further inquiry into the possible use of starvation as a weapon of warfare. Grain is an essential food source for both human and livestock consumption, and Ukraine is a major contributor to global grain supply. In 2021, the World Bank estimated that agriculture, forestry, and fishing accounts for approximately 10.6 per cent of the Ukrainian GDP.<sup>9</sup> For this reason, the SMJT worked with two leading open-source intelligence (OSINT) providers, IMSL (Intelligence Management Services Limited) and the Centre for Information Resilience (CIR), to investigate grain extraction between February 2022 and August 2023 by Russian and Russian-affiliated actors in areas of Ukraine captured and occupied, and to establish whether this conduct could amount to the war crime of starvation under international law. The full OSINT analytical report is annexed below (Annex I). This report stands as an initial scoping study rather than a final investigation. However, the information collected at this stage is of requisite depth and clarity to conclude that the conduct described below may amount to the deliberate use of starvation as a method of warfare.

GRC's MJTs and the Global Asset Recovery previously conducted open-source investigations into this issue in 2022. The ensuing report also focussed on these crimes in the context of theft rather than starvation. Similarly, an ongoing investigation conducted by Project Expedite Justice, and who GRC have coordinated with, have framed their investigation into grain theft and destruction and preliminarily assessed their findings as pillage rather than the war crime of starvation.



## IV. FACTUAL FINDINGS

At present, GRC finds that the systematic grain extraction by Russian forces and affiliated actors involves the large-scale control of grain elevators, road and rail infrastructure, and the use of port facilities in occupied territories, resulting in a highly organised system of appropriation.

The first extraction of grain from areas occupied by Russian forces and affiliated actors was reported mid-March 2022. Upon capturing territory, Russian forces seized grain facilities from Ukrainian corporations and private farmers, and consolidated control through the Russian-affiliated civilian administration of these facilities. Given that these territories were already under military occupation, there were no military operations between Russian and Ukrainian forces at or near grain facilities at the moments of seizure.

Following the seizure of grain elevators – and in order to transport the extracted grain – Russian forces and affiliated actors took control over the surrounding transport networks including railways. The SMJT found disturbing indicators of widespread logistical operations by rail, road, and sea for the extraction of grain at sites across occupied areas of Ukraine. This activity appears to concentrate in occupied Luhansk and Zaporizhzhia. Some of the grain was then transported to and from the Crimean Peninsula.



Image 1. Locations analysed in the report as demonstrating indicators of extractive activities: Starobilsk (Luhansk oblast), Svatove (Luhansk oblast), Berdiansk (Zaporizhzhia oblast), Melitopol (Zaporizhzhia oblast), Kamianka-Dniprovska (Zaporizhzhia oblast), Sevastopol (Crimea), and Rostov on Don (Russia).



Commercial entities linked to Russian occupying authorities have also played a key role in the unlawful extraction and export of grain. State Unitary Enterprises or Municipal Unitary Enterprises have been established at major regional grain logistics hubs taken over by Russian troops, including large elevators in the Luhansk and Zaporizhzhia regions. Under Russian law, Unitary Enterprises are corporations founded by the Russian government or territorial units of the Russian Federation, such as municipalities.<sup>10</sup> These entities have limited legal capacity and hold no ownership rights over the assets that they use in their operations.

Through the analysis of satellite imagery and user-generated content, GRC's OSINT investigators verified several pieces of data indicating grain extraction from two companies in Russia-controlled areas:

- The '**Starobilsky Elevator**', in Luhansk province; and
- The '**State Grain Operator**', in Zaporizhzhia province.

Both the Starobilsky Elevator and the State Grain Operator are registered as Unitary Enterprises.

Across Zaporizhzhia, grain extraction by Russia's State Grain Operator appears to be taking place in at least three areas through 'Branches' of the company: in Melitopol, through Branches No. 15 and 16; in Kamianka-Dniprovska, through Branch No. 6; and in Berdiansk, through Branches No. 5, No. 12, and No. 13. The State Grain Operator and its Director, Busel Nikita Petrovich (Бусел Микита Петрович), have been under U.S. sanctions since 24 February 2023.

After the takeover of transport infrastructure, Russian occupying authorities substantially invested in the networks necessary to the transport of grain, specifically roads, rail, and ports.

The SMJT investigation found multiple forms of overland logistics connections between State Grain Operator's enterprises and occupied Crimea. Investigators identified widespread rail logistical operations in occupied grain storage facilities across Ukraine. The rail networks were used to transfer grain to Ukrainian ports, from where grain was transferred further into Crimea or exported to Rostov-on-Don (Russia). Based on the information collected, the AGRO-FRIGAT (Общество С Ограниченной Ответственностью "Агро-Фрегат"), a Russian agro-transportation LLC based in Rostov-on-Don, is likely to be heavily involved in the movement of grain by rail across occupied areas and Black Sea ports.

Barges for short-haul transportation have been loaded with grain from Berdiansk Port, with barge size narrowing possible destinations to Rostov-on-Don or Kerch (Crimea). Berdiansk Port has been incorporated as a separate State Unitary Enterprise named 'Berdiansk Port Operator.'

GRC's OSINT investigators also found that Crane Marine Contractors (CMC) operates in Sevastopol (Crimea). CMC is a subsidiary of United Shipbuilding Corp., a Russian state-owned defence contractor under U.S. sanctions since April 2022 for providing weapons to the Russian army. Just before Russia's full-scale invasion of Ukraine, CMC purchased three grain carrier ships of the specific dimensions accommodated by Sevastopol's naval grain terminal. The ships are bulk carriers measuring 170-180 metres. CMC has since been operating in Sevastopol. The three grain carriers have been seen in Turkish ports of Iskenderun, Derince, and Dörtüyl.

Some of the individuals affiliated with the self-titled "military-civilian administrations" (occupying entities) that take part in the process of grain extraction in these areas could be identified. They include Ukrainian citizens linked to extraction activities by companies seized by Russia or collaborating actors.

In summary, Russian-affiliated actors, notably corporate, and the occupying authorities have seized the means of grain storage and export to such an extent that they fundamentally control the grain trade in the areas they operate. This report details the information found in relation to grain extraction in the provinces of Luhansk and Zaporizhzhia, and the overland transport of the grain to port facilities in the occupied town of Berdiansk and the province of Crimea. Based on this information, the conduct of the Russian forces and Russia-affiliated non-military actors with regard to grain extraction appears *prima facie* to be criminal in nature.

At the time of writing, the factual background to the seizure of grain, agricultural machinery, and the occupation of grain producing areas is set against a backdrop of increasing hostilities, notably a campaign of bombardment escalating in severity and frequency since July 2023. The timing of this escalation of hostilities followed within hours of the collapse of the Black Sea Grain Initiative (BSGI). In the wake of its withdrawal from the BSGI, Russia simultaneously withdrew its security guarantees for ships navigating in the north-western part of the Black Sea. Within hours of its withdrawal, Russia began targeting Ukraine's ports, including grain terminals and port infrastructure in Odesa and further down the Black Sea coast in Chornomorsk. Two of the three ports that were included in the BSGI were struck, and, overall, some 60,000 tonnes of grain were destroyed. On 19 July, Russia's Ministry of Defence first stated that any ships heading to Ukrainian ports would be viewed as potential carriers of military cargo. Such conduct, coupled with Russia's withdrawal from the BSGI and ensuing attacks against grain infrastructure, further demonstrates a concerted pattern to weaponise Ukrainian grain, both in the context of the present conflict, as well as against the intended recipients of grain exports situated in third-States beyond Ukraine's borders.

## V. THE FACTS

### 5.1 Grain Extraction in Luhansk province

In Luhansk, Russian forces and affiliated actors seized grain elevators in the towns of Starobilsk, Svatove, Belokurakine, and Novoaidar. By 3 March 2022, the presence of Russian forces had been recorded in Starobilsk, Svatove, and Novoaidar, and in Belokurakine by 4 March.<sup>11</sup> By 17 March 2022, Russian forces occupied all four towns and surrounding territory.<sup>12</sup>

#### Seizure of Grain Elevators in Starobilsk

Starobilsk town was captured by Russian forces within the opening two weeks of its February offensive.<sup>13</sup> Starobilsk accommodates the largest grain elevator in Luhansk province, with a storage capacity of 157,700 tons.<sup>14</sup>

According to Ukrainian commercial records, the Starobilsk elevator was established on 11 December 1998 and is owned by Nibulon (Нібулон), a large agricultural company operating across Ukraine.<sup>15</sup> The facility had been under the legal supervision of Yevhenii Mykolaiovych Krutko (Євгеній Миколайович Крутько) since 26 October 2016, until 19 August 2022.<sup>16</sup> Based on open-source information available, Nibulon is a private entity under Ukrainian law.<sup>17</sup>

Following the occupation of Starobilsk city, the grain facility was registered under the name '**Starobilsky Elevator**'<sup>18</sup> as a Municipal Unitary Enterprise under the Russian tax authority of the 'Interdistrict Inspectorate of the Federal Tax Service of Russia No. 4 for the self-titled 'Luhansk People's Republic.'<sup>19</sup>

Russian commercial records show the company was registered on 1 August 2022. They list the 'Administration of the Starobilsk District of the self-titled Luhansk People's Republic (LPR)'<sup>20</sup> (or АСДР ЛНР), headed by former Starobilsk mayor Oleksandr Honcharov (Александр Гончаров), as the founder of the enterprise.<sup>21</sup> Open-source information gathered indicates that Yevhenii Mykolaiovych Krutko remains responsible for running the facility.

#### Removal and Transfer of Grain from Starobilsk

On 18 May 2022, media outlets<sup>22</sup> associated with the pro-Russian occupying authorities in occupied areas of Luhansk published imagery related to the refurbishment of railways in the area surrounding the 'Starobilsky Elevator'. The construction was reportedly carried out by the purported 'Lugansk Railway' (LZhD) ['Луганская железная дорога' (ЛЖД)].<sup>23</sup> The railway construction was attended by Viktor Molotok (Виктор Молоток), director of the Russian agricultural company Kalmichanka (Калмичанка) listed under Russian corporate records,<sup>24</sup> as well as Yevhenii Krutko.



**Image 2. Railway conversion taking place at 'Starobilsky Elevator'**  
[Image taken from 49.285077, 38.923030 facing East]<sup>25</sup>

On 10 June 2022, the 'LuhanskInformCenter' Telegram channel shared a video of the head of 'Luhansk People's Republic,' Leonid Ivanovich Pasechnik (Леонід Іванович Пасічник), attending the departure of a train from the 'Starobilsky Elevator' facility.<sup>26</sup> The video shows customs officers tagging wagons as the train moves towards the exit of the facility. The post is captioned with the claim that the train is carrying 13 wagons of grain, at a weight of 650 tonnes, to Rostov-on-Don (Russia).

The train carriages pulled by the locomotive are marked with a distinct blue and white livery, although other identifying features have been painted over. This livery is associated with the United Grain Company (Об'єдинення зернової компанії), or 'OZK,' headquartered in Rostov-on-Don.<sup>27</sup> The company provides logistics services and facilitates the export of harvested crops from its own facilities in Novorossiysk, where it owns the Public Joint Stock Company (PJSC) Novorossiysk Grain Plant (ПАО «Новоросійський комбінат хлібопродуктів») storage and shipment facility.<sup>28</sup> OZK is partially owned by the Russian State.<sup>29</sup>

Beyond Luhansk province, OZK carriages have also been seen across occupied areas in Ukraine. A video shared to YouTube, uploaded on 6 May 2022 on a trainspotting channel, showed twenty OZK grain carriages being pulled towards Simferopol from the direction of Chonhar, in Kherson province.<sup>30</sup> On 8 May 2022, a row of twenty newly arrived grain carriages was pictured by satellite imagery next to the grain terminal at Sevastopol.<sup>31</sup>



**Image 3. Still of a video showing grain wagons with markings affiliated with the 'OZK United Grain Company' logistics fleet departing the 'Starobilsky Elevator' facility.**



Following the restoration of the rail infrastructure within the Starobilsk facility, open-source information demonstrated a notable increase in rail traffic within the ‘Starobilsky Elevator’ compound. In satellite imagery from 13 July 2022, several lines of carriages across the compound identified as grain trucks are pictured queuing internally and externally (see *Image 4 below*). Satellite imagery from December 2022 indicates extractive activities were persistent throughout the year.



**Image 4.** PlanetLabs image of ‘Starobilsky Elevator LLC’ on 13 July 2022. E-trucks seen queuing to deliver grain on the northern perimeter of the compound, highlighted in white. Rail carriages highlighted in yellow.

Further images of deliveries of grain to the facility were shared to the occupying administration’s media outlet,<sup>32</sup> as well as local Telegram channels.<sup>33</sup>

### Seizure of Other Facilities in Luhansk Province

Russian open-source commercial records indicate that three other nearby facilities were seized and incorporated under the ‘Starobilsky Elevator’ in 2022,<sup>34</sup> in the districts of Svatove, Bilokurakine, and Novoaidar.<sup>35</sup>

In Svatove, a train was filmed departing from a second Nibulon elevator facility,<sup>36</sup> under the supervision of occupation authority customs officials.<sup>37</sup> As of April 2023, it is unclear where grain collected from the Svatove elevator was taken.

The grain elevators in Bilokurakine and Novoaidar, owned and operated by PJSC ‘Agrotron’,<sup>38</sup> were also seized by the Starobilsky Elevator.<sup>39</sup> Based on a review of PlanetLabs satellite imagery, rail activity was detected at Bilokurakine in October 2022. Military vehicles, possibly Russian, were also observed at the Novoaidar elevator in April 2022. In general, it can be emphasised that the area experienced extensive Russian activity over the course of April-May 2022.<sup>40</sup>

## 5.2 Grain Extraction in Zaporizhzhia Province

In Zaporizhzhia province, multiple grain elevators are now listed as ‘branches’ of the Russian State Unitary Enterprise ‘**State Grain Operator**.’ These include Branches No. 15 and No. 16 in Melitopol, Branch No. 6 in Kamianka-Dniprovsk, and Branches No. 5, No. 12, and No. 13 in Berdiansk. Russian forces took over Melitopol by the end of February 2022,<sup>41</sup> Berdiansk by March 1<sup>st</sup>,<sup>42</sup> and Kamianka Dniprovsk by 16 March 2022.<sup>43</sup> The territory surrounding the three towns was firmly taken over by 17 March 2022.<sup>44</sup>

The State Grain Operator lists 16 addresses across occupied areas of Ukraine (*See Image 5 below*).<sup>45</sup> The enterprise and its director, Busel Nikita Petrovich (Бусел Микита Петрович), have been and remains under U.S. sanctions since 24 February 2023.<sup>46</sup> The enterprise claims that the State Grain Operator has the capacity to export approximately 12,000 tonnes of grain from the occupied territory every day.<sup>47</sup> In March 2023, the enterprise's official Telegram channel claimed it engaged in meetings between Dmitry Patrushev, the Russian Minister for Agriculture, and representatives of the occupation authorities for Zaporizhzhia in Moscow, suggesting further links to the Russian State.<sup>48</sup> Russian state-owned media shares the use of the elevator by occupying authorities publicly.<sup>49</sup>

Notably, the enterprise has been setting prices for grain purchase from farmers hoping to export grain via the State Grain Operator's export facilities (See *Image 6 below*).<sup>50</sup> The State Grain Operator's Telegram chatbot provided information about current prices set by the enterprise per collection location. Several of the sites listed on the enterprise's website and charter also list activities relating to crop production, as well as storage and exports.

- филиал ГУП «ГЗО» № 1, который расположен по адресу: Запорожская область, г. Акимовка, улица Курортная д.1;
- филиал ГУП «ГЗО» № 2, который расположен по адресу: Запорожская область, Пологовский район, г. Токмак, ул. Шави д. 84;
- филиал ГУП «ГЗО» № 3, который расположен по адресу: Запорожская область, г. Васильевка, ул. 8-го Марта дом 75;
- филиал ГУП «ГЗО» № 4, который расположен по адресу: Запорожская область, г. Пологи, ул. Ломоносова дом 36;
- филиал ГУП «ГЗО» № 5, который расположен по адресу: Запорожская область, г. Бердянск, ул. Горького дом 4 ;
- филиал ГУП «ГЗО» № 6, который расположен по адресу: Запорожская область, г. Каменка-Днепровская, ул. Промышленная дом 1;
- филиал ГУП «ГЗО» № 7, который расположен по адресу: Запорожская область, г. Токмак, ул. Шави, дом 88;
- филиал ГУП «ГЗО» № 8, который расположен по адресу: Запорожская область, Бердянский район, с. Верхний Токмак, ул. Приноказальная, дом 84;
- филиал ГУП «ГЗО» № 9, который расположен по адресу: Запорожская область, Пологовский район, с. Розовка, ул. Вокзальная, дом 72;
- филиал ГУП «ГЗО» № 10, который расположен по адресу: Запорожская область, Бердянский район, с. Трояны, ул. Школьная дом 1;
- филиал ГУП «ГЗО» № 11, который расположен по адресу: Запорожская область, пгт Пришиб, ул. Элеваторная дом 1;
- филиал ГУП «ГЗО» № 12, который расположен по адресу: Запорожская область, г. Бердянск, ул. Туристическая, дом 1;
- филиал ГУП «ГЗО» № 13, который расположен по адресу: Запорожская область, г. Бердянск, ул. Гагарина дом 11;
- филиал ГУП «ГЗО» № 14, который расположен по адресу: Запорожская область, с. Обильное;
- филиал ГУП «ГЗО» № 15, который расположен по адресу: Запорожская область, г. Мелитополь, ул. Гетьмана Сагайдачного, дом 212;
- филиал ГУП «ГЗО» № 16, который расположен по адресу: Запорожская область, г. Мелитополь, ул. Гетьмана Сагайдачного, дом 51.

**Image 5. List of locations of branches of State Grain Operator based on the company's charter.**

[illegible]

**Image 6. Prices of grain purchases set by the State Grain Operator**

## Seizure of Grain Facilities in Melitopol

Since Russia's partial occupation of Zaporizhzhia province during the 2022 offensive, the city of Melitopol has become a significant centre for trafficking grain from areas in the region.<sup>51</sup> Similarly to developments in Luhansk province, commercial entities with ties to occupation authorities have played a key role in all stages of the extraction and export processes.

Based on the company charter, the grain elevator in Melitopol has been listed as a 'branch' of the Russian State Unitary Enterprise '**State Grain Operator**' since 15 May 2022.<sup>52</sup> Russian state-owned media shares the use of the elevator by occupying authorities publicly.<sup>53</sup>

Activity at the Melitopol Grain Elevator was identified prior to the establishment of the State Grain Operator. A video shared widely on social media shows a convoy of over fifteen Category E trucks, with trailers used to transport grain, in proximity to the Melitopol Grain Elevator and heading South-West.<sup>54</sup> The trucks had no number plates, but the majority of the vehicles were marked with the 'Z' symbol used by the Russian Armed Forces (see *Image 7*). Based on the analysis of shadows in the video, the footage was likely captured in the early morning at some point in late March or April 2022.



**Image 7. Frame from video of 15+ trucks departing Melitopol in a south-west direction, showing a truck marked with the Russian 'Z' symbol.**

On 14 July 2022, Russian troops were photographed in armoured vehicles at the Melitopol elevator.<sup>55</sup> This is the earliest indication of troop presence at the elevator.

On 15 July 2022, Andrey Siguta (Андрей Сигута),<sup>56</sup> the Russian-appointed acting head of the self-titled "military-civilian administration" of Melitopol district, held a press conference stating that grain from the Melitopol grain elevator would be transported to the ports of Sevastopol and Berdiansk.<sup>57</sup> One day prior, Russian troops were photographed in armoured vehicles in the Melitopol Elevator facility.<sup>58</sup>



**Image 8. Trucks identified by the Melitopol grain elevator with plate number L734HE82, registered to occupied Crimea.**

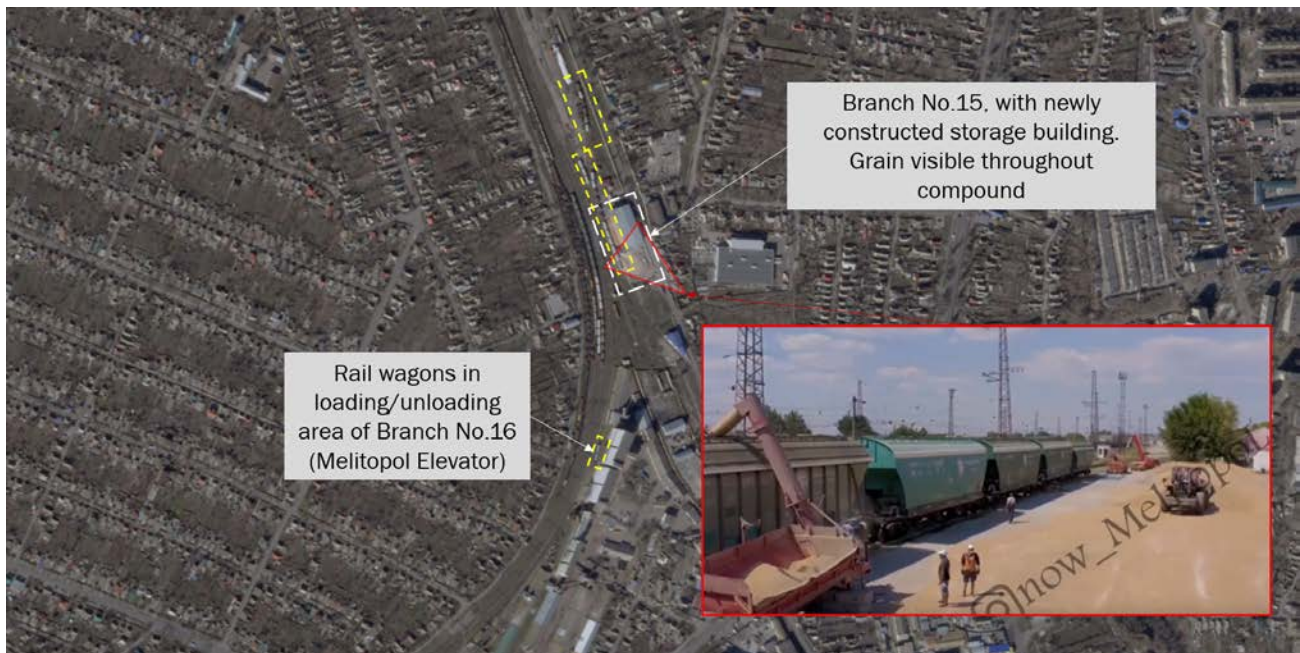
On 24 July 2022, video footage showing trucks leaving with grain was shared on social media.<sup>59</sup> The GRC SMJT geolocated this video to **Branch No. 16** of the State Grain Operator, by the Melitopol grain elevator. One of the trucks was identified as having Russian number plates registered to occupied Crimea (see *Image 8 below*), likely suggesting a road transportation route between Melitopol and Crimea.

At the nearby **Branch No. 15**, extensive activity was recorded regarding the collection and export of grain. In a video produced by the State Grain Operator, the enterprise's director Nikita Busel can be seen standing in front of several rail wagons as they were loaded with grain.<sup>60</sup> The video claims



that the wagons were bound for Berdiansk for shipment. The video is no longer available on the enterprise's website or Telegram channel.

Imagery from February 2023 further shows the expansion of the operation in Melitopol, particularly with regard to rail networks. Both branches Nos. 15 and 16 appear to accommodate rail activity, suggesting a high tonnage of grain passing through the facility.



**Image 9. Planet SkySat imagery from 2 March 2023 showing Branch No. 15 with exposed newly constructed storage building in yellow. On the right, social media footage showing rail wagons loading/unloading grain geolocated to the area of Branch No. 16.**

Statements circulated by several media sources suggest that transfers of grain by rail from Melitopol to Crimea began in early June. On 7 June 2022, Yevgeny Balitsky, head of the occupying 'Military-Civilian Administration' of the Zaporizhzhia region, claimed that eleven wagons had departed from the Melitopol Elevator for Crimea.<sup>61</sup> Video footage shared by RIA Novosti published on the same day shows a locomotive leaving Melitopol railway station in a southern direction, towing several grain hopper wagons.<sup>62</sup> The locomotives are decorated in the liveries and logo of state-owned Russian Railways.<sup>63</sup>

A video shared to Telegram in July 2022 shows grain wagons arriving in Melitopol, moving towards the enterprise's two rail loading branches.<sup>64</sup> The train, comprised of over fifteen grain wagons, is arriving from the direction of Melitopol's rail link to the Crimean Peninsula.

Based on the above information, it is very likely that the grain transported from the Melitopol elevator and the other branches of the State Grain Operator was taken to Crimea via both rail and road.

### **Seizure of Grain Facilities in Kamianka-Dniprovska**

Social media, as well as investigations by international media, have demonstrated extensive extractive activities at the grain elevator of Kamianka-Dniprovska. Based on the company charter, the facility, also owned by Nibulon,<sup>65</sup> has been listed as a branch of the enterprise under the State Grain Operator's charter as Branch N°6 since 15 May 2022.<sup>66</sup>

Images from 19 May 2022 shared on Facebook show several trucks heading eastwards on the road leading away from the elevator compound, along with a claim that Russian forces were stealing grain from the facility.<sup>67</sup> The sighted trucks had no number plates or other identifying features. An investigative report from the Wall Street Journal (WSJ) reporting on the facility included CCTV footage, reportedly from May 2022, showing trucks with masked number plates arriving at the grain facility with the 'Z' symbol associated with the Russian Armed Forces painted on their fronts.<sup>68</sup> The WSJ interviewed a Russian soldier who claimed that on 21 May 2022, he was ordered by his colonel to drive a truck filled with grain from the elevator. Activity at the facility appeared to continue in June 2022, with satellite imagery showing several trucks seen queuing at the edge of, and within, the grain elevator facility.

## Seizure of Grain Facilities in Berdiansk

Several branches listed in the company charter and on the Enterprise's website are listed in and around the town of Berdiansk, in Zaporizhzhia province.

Branch No.12, now incorporated under the State Grain Operator, was initially seized by Russian forces in mid-March 2022, with satellite imagery showing a small military column on the edge of the compound (see image right). CCTV footage acquired by international media outlets shows several vehicles, reportedly from the same day, entering the grain storage compound via the main gate.

Later imagery shows multiple grain loading trucks across the facility, some queuing in the holding area. The first vehicles in the site were detected on 2 August 2022, with extensive activity pictured on 15 August 2022 and later into the year.

The Berdiansk main train station and Berdiansk Port were also incorporated under the State Grain Elevator, as Branch Nos. 13 and 5, respectively. Branch No. 13 of the State Grain Operator is listed as being on 11 Gagarina Street, which is located next to the railway station and where the photograph was taken.

User generated-content shared on 24 October 2022 shows multiple carriages at Berdiansk railway station. One of the carriages is clearly labelled 'зерно' ('grain').<sup>69</sup> Further rail activity was detected between main train station (Branch No. 13) and Berdiansk Port (Branch No. 5), with grain wagons being hauled between the main train station and the Port. Satellite imagery obtained in 2023 shows increased rail activity in proximity to the grain elevator of the port.<sup>70</sup>



**Image 10. Annotated PlanetLabs SkySat imagery from 26 March 2022 showing a column of military vehicles (yellow) on the road. CCTV footage acquired by the Wall Street Journal geolocated to the front gate of the compound [Geolocated to 46.796015, 36.730520].**



**Image 11. Train carriages labelled 'grain' leaving Berdiansk Train Station [46.750873, 36.804023].**





**Image 12.** Grain being loaded onto cargo ships at Berdiansk Port, on June 26, 2022.



**Image 13 (right).** Imagery of Berdiansk port on 24 February 2023 showing a train at the loading/unloading point of the grain elevator.

Berdiansk Port has been an important, albeit limited, location in the transfer of grain. Branch No. 5 of the State Grain Operator is understood to be a separate entity to the Berdiansk Port Operator, the latter being listed as a separate State Unitary Enterprise in Russian commercial records.<sup>71</sup> Other ports in newly occupied areas have also been placed under the control of State Unitary Enterprises, including the Kherson River Port<sup>72</sup> and the Skadovsky Sea Port.<sup>73</sup> Branch No. 5 is listed as located next to the port, at number 4 Gork Street.

In March 2023, Russian officials stated that they had plans to increase grain export from the Port through the Sea of Azov.<sup>74</sup> Images of grain being loaded onto a cargo ship at Berdiansk Port were shared on Telegram on 26 June 2022 (see *Image 12 below*).<sup>75</sup>

Satellite imagery from late March 2023 shows a barge at Berdiansk Port, which was suspected to have been previously used to carry heavy equipment to and from the port. Imagery from 24 February 2023 (see *Image 13 below*) shows heavy equipment in proximity to the barge as it is moored alongside the pier.

However, in imagery dated 21 March 2023 (see *Image 14 below*), a similar barge was loaded with grain at the facility. Based on analysis of the colour of the material in the hold of the barge, it is likely barley or wheat.

Barges tend to be used for short-haul transportation along coastlines or river systems. Maritime experts assessed that it is unlikely that the barge is used to carry grain outside of the Azov Sea, narrowing its potential destinations to Rostov-on-Don in Russia or Kerch in occupied Crimea.



Image 14. Imagery of Berdyansk Port on 21 March 2023 showing a barge moored alongside the pier loaded with grain.

### 5.3 Grain Transport Operations in Crimea

Based on the information collated in reference to the Melitopol elevator, multiple forms of overland logistics connections exist(ed) between the State Grain Operator's enterprises and occupied Crimea. Grain appears to have been transported by road and rail into the Peninsula. This section outlines the available information of grain transit activities over the course of several routes throughout Crimea to maritime export hubs in the Black Sea.

#### Over-land Transit

Private farmers from Melitopol reported grain theft as early as 1 March 2022. One farmer reported that Russian forces had destroyed his premises and equipment and now occupied 80 per cent of the tens of thousands of acres he farmed. The GPS trackers on his stolen trucks used to transport his grain showed the trucks driving south to Kerch (Crimea), and into Russia.<sup>76</sup>

Based on available information on Melitopol, multiple convoys of grain vehicles were seen carrying grain in the direction of the Crimean Peninsula. The convoy identified as taking part in grain extraction activities from Melitopol Grain Elevator (see *Image 7*) was travelling along the route listed as the most direct between Melitopol and Crimea, according to YandexMaps.<sup>77</sup> Satellite imagery identified large quantities of transport vehicles, including multi-trailer bulk carriers used to transport grain, along this route in the direction of Crimea.

After passing onto the Crimean Peninsula, vehicles reach Dzhankoy. Several different routes can be identified. In a video shared by a Russian trucking vlogger,<sup>78</sup> a number of bulk carrier vehicles can be seen turning from road E105, from the direction of Zaporizhzhia, onto the E97 towards Kerch. One of the vehicles in the video is identifiable as a vehicle belonging to Russian agro-logistics firm 'ITECO'.<sup>79</sup> It is possible these

vehicles could have departed from the nearby elevator in Dzhankoy itself, which has seen some road transit activity since the beginning of grain export operations into Crimea and sits on the train rail line running from Melitopol to Sevastopol.

In May 2022, logistics companies posted advertisements on Telegram for driving work from the newly occupied Ukrainian territories to Crimea.<sup>80</sup> A driving route similar to that described above commanded 1,800 roubles per tonne (approximately \$30 U.S. dollars).<sup>81</sup>

For the rail transport of grain, Agro-Frigat (“АГРО- ФРЕГАТ”), an agro-transportation LLC based in Rostov-on-Don,<sup>82</sup> is likely heavily involved in moving grain across occupied areas and Black Sea ports. Wagons belonging to the company have been in widespread use across Crimea. The enterprise’s wagons have also been seen at the ‘Urozhane’ (Krasnogvardeyskoe) railway station, eighty kilometres along the rail line from the border of the Kherson province, and in the vicinity of Feodosia,<sup>83</sup> including at the elevator in Melitopol.<sup>84</sup>

As early as March 2022, Russian company ‘Petrokhleb-Kuban OOO’<sup>85</sup> concluded at least three leasing agreements (“1056/K\_1-DL”,<sup>86</sup> “1056/K\_2-DL”,<sup>87</sup> “1056/K\_3- DL”<sup>88</sup>), which provided additional wagons (hoppers) for grain, with a total number of 620 units. These wagons were filmed at the exit from the port of Aval, Sevastopol, where vessels have been observed loading grain from large elevators.<sup>89</sup>

## Maritime transit

Russian corporation Crane Marine Contractors (CMC) operates in Sevastopol. It is a subsidiary of the Russian state-owned defence contractor United Shipbuilding Corp.<sup>90</sup> United Shipbuilding and its senior executives were sanctioned by the United States in April 2022 for providing weapons to the Russian war effort.<sup>91</sup> CMC now owns and operates four ships. The company bought three grain carriers just before Russia invaded Ukraine, a departure from its core business of providing heavy lift platforms to the oil and gas industry.<sup>92</sup> All three ships are ‘handy bulkers’ (medium bulk carriers),<sup>93</sup> which is the maximum length and depth that Sevastopol’s Avlita grain terminal allows. The owned ships are the ‘Matros Pozynich’, ‘Matros Koshka’, and ‘Mikhail Nenashev’.<sup>94</sup> Given their precise dimensions, the purchase of these grain carriers appear to demonstrate a highly coordinated level of pre-planning to the extent that CMC was thoroughly aware of the exact types of bulk carriers needed to transport Ukrainian grain, including the maximum sizes that could be used (see Section 6.1, below). The enterprise purchased the ‘Matros Shevchenko’ in 2023, suggesting an expanding operation.<sup>95</sup>

CMC’s bulk carriers appear to be the largest ships likely taking part in the grain smuggling operation, at 170-180 meters, and are in the best condition. They can carry up to 30,000 metric tons of wheat and have the capacity to reach any European port.

‘Petrokhleb-Kuban’ also operates several vessels to small Black Sea Turkish ports, with many small ships working as feeder ships to larger vessels in the Kerch anchorage.<sup>96</sup>

AnRussTrans, a Russian company whose ships work Turkish ports in the western Black Sea or Sea of Marmara, owns its ship ‘Fedor’ through a subsidiary.

CMC’s Mikhail Nenashev, Matros Pozynich and Matros Koshka ships,<sup>97</sup> and AnRussTrans’s Fedor have all been observed docked at Sevastopol Port, Crimea. In their transit, the Mikhail Nenashev and Fedor claimed to have originated from Kavkaz Port in Krasnodar, Russia, but both ships are too large to dock at this port.

CMC's 'Matros Pozynich', 'Matros Koshka', and 'Mikhail Nenashev' have been seen in the Turkish ports of Iskenderun, Derince, and Dörtyol.<sup>98</sup> The Nenashev made several journeys from Ukraine to ports in Türkiye and Syria.<sup>99</sup>

The Fedor has also been observed unloading in Türkiye.<sup>100</sup> The Matros Koshka was tracked heading towards Northern Lebanon or Syria before its tracking beacon was disabled.<sup>101</sup> The Matros Pozynich was observed moving between Sevastopol and Istanbul,<sup>102</sup> turning off its tracking beacon as it neared Sevastopol.

Syrian ships have also been seen in Crimean ports. The 'Laodiciea,' a Syrian owned ship, was observed loading grain on 11 July 2022 in Feodosia, Crimea.<sup>103</sup> It then transited through the Bosphorus<sup>104</sup> and arrived in Tripoli, Lebanon on 27 July 2022. The company that owns the Laodicea is under U.S. sanctions due to its ties to the Syrian government.<sup>105</sup>

The aforementioned Russian ships were also observed leaving both the occupied Ukrainian ports of Sevastopol and Feodosia, and the Russian ports of Rostov-on-Don and Novorossiysk and loading their grain onto larger cargo ships, mixing grain from multiple sources. These larger cargo ships then travelled to countries in the Middle East and Africa, including Libya, Egypt, Saudi Arabia and Iraq.<sup>106</sup> The estimated market value of the shipments traced thus far was over \$500 million USD.<sup>107</sup>

## VI. APPLICABLE LAW

### 6.1 Preliminary legal analysis

The factual findings reached by the SMJT throughout this report represent a series of steps undertaken by the Russian State and Russian corporations, that continue to be involved in grain extraction and seizure, with strong indicia of preparatory measures taken even prior to the full-scale invasion on 24 February 2022.

Based on these facts, operations of grain extraction throughout occupied areas of Ukraine have extended from the seizure of private grain elevator facilities to road, rail, and maritime networks necessary for the logistics of grain export. This seizure was executed by both Russian military forces and local occupying authorities, who registered the seized Ukrainian grain and port facilities as public enterprises of the Russian State. The network of grain production, transport, and export from occupied areas is de facto controlled by the occupying authorities.

CMC's purchase of grain carrier ships of the specific dimensions required to manoeuvre within Sevastopol's Avlita grain terminal – when analysed in light of the subsequent takeover of southern Ukrainian maritime space – was preparatory to Russia's consolidation of a large-scale network to extract grain (see below). Russia had inceptioned military operations in the Sea of Azov and the Black Sea during the very first days of its invasion,<sup>108</sup> with the effect of purging all maritime commercial traffic and acquiring de facto control over the Sea of Azov and a large section of the Black Sea.

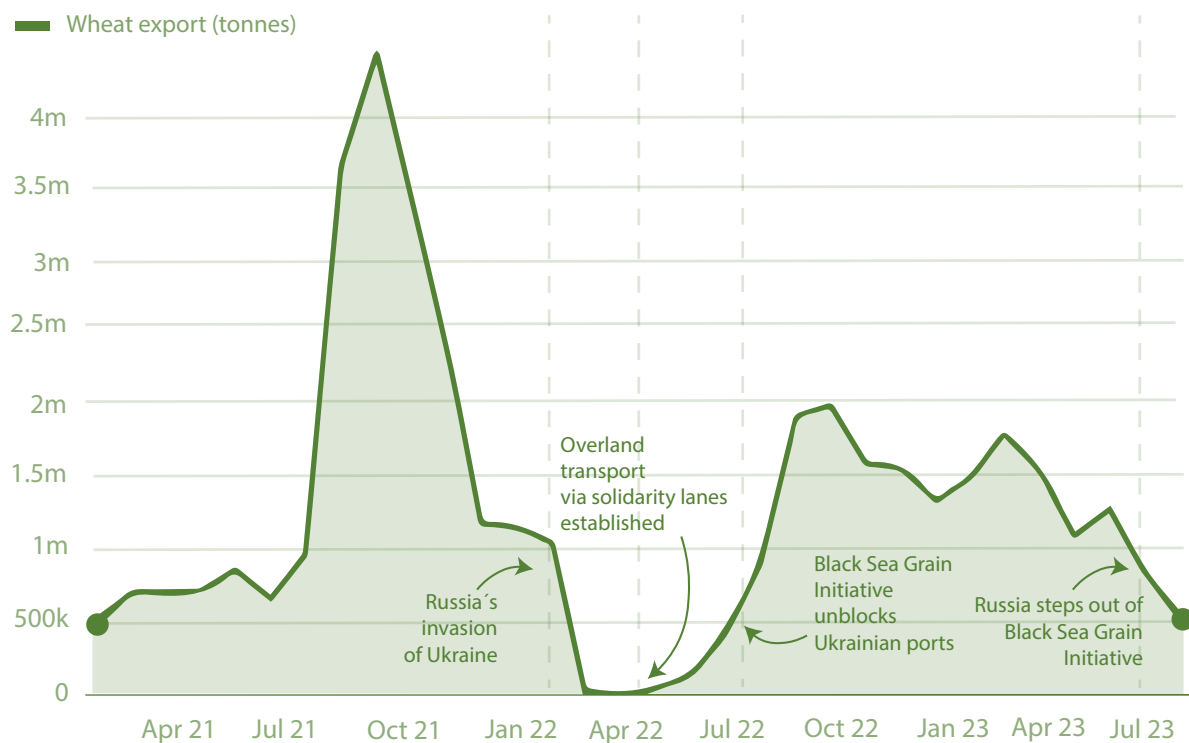
With the port of Berdiansk seized by Russia in mid-March 2022 (and thereafter nationalised as a Russian State corporation), grain seized from occupied territories mostly transited through the ports of Berdiansk, Sevastopol, and Kerch – the latter two under Russian control since 2014. Although the legal qualification of a possible naval blockade has not yet been fulfilled,<sup>109</sup> the anticipatory purchase of grain carrier ships, with the rapid and targeted takeover of Ukrainian ports and use of those ports in the Russian architecture of grain extraction, presents clear indicia of planning on the part of Russian forces.

The information in this report suggests an intent by Russian actors to appropriate Ukrainian property and profit from its export, re-establishing the necessary export infrastructure and logistics (by repairing damaged rail and purchasing ships, even in advance of the ground invasion) in order to use it as a source of income. GRC has reviewed several credible reports indicating that Russia may have used this profit, at least in part, to fund its war activities in Ukraine.<sup>110</sup>

At the time of writing, and as outlined above in the facts, the continued military presence, relentless attacks and threats of attack have also precluded exports from other Ukrainian ports that were not occupied and brought international trade of agricultural goods from Ukraine to a halt. The impact of the attack of this critical infrastructure and Ukraine's ability to engage in agricultural activities will be impacted for years to come. Consequently, food prices on international markets have risen significantly,<sup>111</sup> with the FAO's global food price index reaching a record high as early as March 2022.<sup>112</sup> By June 2022, Ukraine was merely exporting 15 to 20 per cent of agricultural commodities previously exported to countries in the Middle East, Asia, and Africa prior to the full-scale invasion.<sup>113</sup> By seizing Ukrainian grain facilities and transportation networks, Russia in effect significantly impacted Ukraine's presence on the global market of agri-commodities and grain trade/export, impacting a substantial source of revenue for Ukraine,<sup>114</sup> and directly and foreseeably



harming the recipients of the intended exports in third-States, particularly throughout the first half of 2022 through to the signing of the BSGI on 22 July 2022 (as depicted on the line graph, below).



Source: Ministry of Agrarian Policy and Food for Ukraine

The following legal analysis covers the international legal frameworks under international humanitarian law (IHL), international criminal law (ICL), and international human rights law (IHRL). Ukrainian law could also be engaged under Article 438 of the Ukrainian Criminal Code.<sup>115</sup>

### Starvation as a method of warfare

The takeover of private Ukrainian agricultural facilities constitutes prohibited conduct under international humanitarian law that may amount to war crimes, including the war crime of starvation as a method of warfare.

Starvation as a method of warfare is expressly prohibited by both international humanitarian law and international criminal law.

Under IHL, Article 54(2) of Additional Protocol I to the Geneva Conventions of 1949, to which the Russian Federation is a State party, provides that:

*"It is prohibited to attack, destroy, remove, or render useless objects indispensable to the survival of the civilian population {...} for the specific purpose of denying them of their sustenance value to the civilian population {...} whether in order to starve out civilians, to cause them to move away, or for any other motive."*

The prohibition of starvation as a method of warfare is also found in customary international humanitarian law,<sup>116</sup> which includes examples of objects indispensable to survival (OIS) such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, and irrigation works.<sup>117</sup>

Under the Rome Statute, the intentional use of starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival (OIS) constitutes a war crime in the course of international armed conflict.<sup>118</sup>

The removal of OIS from civilians must therefore have been carried out with both the intent to remove such objects from *civilians*, and with the specific intent of denying them of their sustenance value, including to starve civilians as a method of warfare.

### **The definition of “civilians” in the context of starvation as a method of warfare**

Millions of individuals are dependent on Ukraine to meet their nutritional needs. It is unsettled, however, whether the many neutral (third) States that rely on Ukraine for their food supply vis-à-vis exports would be entitled to access the grain seized by Russia as a matter of right, though they are entitled to continue noncontraband trade with Ukraine.<sup>119</sup> Under Article 50 of Additional Protocol I, however, the definition of individual “civilians” may include non-combatants outside the territory of the conflict zone, i.e., civilians in third-States.<sup>120</sup> As noted above, neutral third-States as the intended recipients of Ukrainian grain exports were directly and foreseeably harmed, particularly throughout the first half of 2022 through to the signing of the BSGI in July.

Based on the foregoing, it appears that the grain seized by Russian occupying actors was by-and-large destined for export by Ukraine, rather than for domestic consumption. There is no evidence that the Ukrainian government had requisitioned this grain to redirect its use for domestic consumption following the invasion. Rather, Ukrainian authorities had expressed the intent to pursue exporting activities to the extent possible, as grain export was a key source of revenue to the country. There were no additional reports of food insecurity of Ukrainian civilians resulting from Russia’s takeover of the grain facilities. These elements suggest that the grain did not constitute an object indispensable to the survival for Ukrainian civilians, both from whom the grain was taken or the wider Ukrainian population. However, further information is required to fully assess the impact of the grain taking on individual farmers and the civilian population for an assertive conclusion. The prolonged summer season and persistent high temperatures have created adverse conditions for the forthcoming winter grain sowing. It is notable that on-going destruction of grain silos, bombardment of Ukrainian ports and other civilian infrastructure, as well as widespread landmine contamination, compounded by the detrimental effect on exports due in part to the collapse of the BSGI, make it virtually impossible for farmers to recover and prepare adequately for the upcoming winter.<sup>121</sup>

As noted above, by seizing Ukrainian grain facilities and transportation networks, as well as by withdrawing from the BSGI and attacking grain infrastructure, Russia in effect temporarily removed Ukraine from the global market of agri-commodities and grain trade/export, impacting both a substantial source of domestic revenue<sup>122</sup> and the access of millions of civilians in some of the most food insecure regions of the globe – such as the Horn of Africa, the Sahel, Yemen, and Afghanistan – from receiving vital Ukrainian grain and foodstuffs.

#### **Preliminary finding**

In both seizing the grain and profiting from its export, one of Russia’s goals appears to have been to fund its own war effort, even in part, through purposefully denying food to civilian populations – in this case affected civilians in third-States for whom the grain was destined. Such conduct may fall within the prohibition of using starvation as a method of warfare.<sup>123</sup>

## Exceptions to the protection of OIS

If and when OIS are used by an adverse party, in this case if the grain was being used by Ukrainian forces, two exceptions to the prohibition of removing the OIS are enumerated under article 54(3) of Additional Protocol I. The OIS would have to have been used (a) as sustenance **solely** for the members of the [Ukrainian] armed forces; or (b) if not as sustenance, then in direct support of military action, provided, however, that in no event shall actions against these objects be taken which may be expected to leave the civilian population with such inadequate food or water as to cause its starvation or force its movement.<sup>124</sup> The GRC SMJT has found no evidence to date, however, that the grain seized by Russia was used **solely** for the sustenance of Ukrainian troops, nor in direct support of military action by Ukrainian forces, but rather that it was overwhelmingly intended for export.

## Pillage, and seizing enemy property

Beyond starvation as a method of warfare, two alternative crimes are also applicable to the conduct of Russian forces and occupying authorities: the crime of pillage, and the crime of seizing enemy or adversary property.

There is a robust legal framework which roundly prohibits the conduct carried out by Russian forces, with a specific protection for resources and food-related objects such as grain. Under IHL, the forcible taking of property by an invading or conquering army from the enemy's subjects constitutes the crime of pillage.<sup>125</sup> The International Committee for the Red Cross compilation of customary IHL limits this to the taking of private property.<sup>126</sup> This prohibition finds echo in the Russian Federation's Regulations on the Application of IHL (2001), which includes pillage as a prohibited method of warfare.<sup>127</sup> Similarly, the Russian Federation's Military Manual (1990) provides that allowing a town or an area to be pillaged is a prohibited method of warfare.<sup>128</sup>

ICL also sanctions the taking of property without distinction as to its private or public nature, but requires that such taking be for *private or personal use* in order to constitute pillage.<sup>129</sup> Further, food resources and food-related objects such as grain are protected against pillage<sup>130</sup> and seizure in the absence of any imperative necessity of war.<sup>131</sup> Under both IHL and ICL, the seizure of adversary or enemy property is unlawful when not required by military necessity.<sup>132</sup> Similarly, under customary international humanitarian law regulating the use of public and private property in occupied territory,<sup>133</sup> private property may not be confiscated unless the seizure is required by *imperative* military necessity.

### Preliminary finding

The evidence suggests that most of the Ukrainian grain facilities seized were privately owned by Ukrainian corporations, including Nibulon and Agrotion. As noted, GRC reviewed several credible reports indicating that Russia may have used the profit gained from the seizure of the grain to fund its war activities in Ukraine. Such conduct does not fit the definition of military necessity or the heightened threshold of imperative military necessity, further reinforcing that the conduct highly likely constitutes the war crime of pillage.

Different regulations apply to the use of public property in occupied territory.<sup>134</sup> Under customary international law, the repair and use of the rail network and the use of port facilities by occupying authorities could be considered lawful. However, the use of these networks to transport illegally obtained private property would not. Therefore, the use of rail and ports to export the grain similarly constitutes a violation of customary international law.

## Pre-planning

Although no individual has been convicted before international criminal tribunals solely on the charge of “planning,” the actions carried out by CMC bear particular scrutiny in this regard. As investigated and detailed, CMC’s purchase of grain carrier ships of the specific dimensions required to manoeuvre within Sevastopol’s Avlita grain terminal, for example, was preparatory to Russia’s consolidation of a large-scale network to extract grain. Moreover, the anticipatory purchase of grain carrier ships, with the rapid and targeted takeover of Ukrainian ports and use of those ports in the Russian architecture of grain extraction, presents clear indicia of planning on the part of Russian forces.

In order to incur criminal liability, those involved in the planning of the on-going systematic grain extraction, pillage, or seizure need not have had to directly or physically committed the crime(s) planned to be found guilty of the planning, so long as it is established that the direct perpetrators were acting according to the underlying plan.<sup>135</sup> With respect to the European Union’s exercise of restrictive measures, further examination may be made regarding CMC and related businesspersons, as well as Russian forces who were involved in designing and/or implementing the overall plan.

## Violations of IHRL

According to the principle of extraterritorial jurisdiction, States bear the responsibility for international human rights law (IHRL) violations committed by their representatives in any territory over which the State has effective control, even if that territory is outside its national borders. The Russian Federation may therefore bear responsibility for human rights violations by its representatives in the occupied territories of Ukraine.

Some of the conduct of hostilities perpetrated by Russian forces, including the attacks on OIS, likely also violated the IHRL obligations to respect the right to food and water,<sup>136</sup> as well as the right to life,<sup>137</sup> and potentially the right to health (physical and mental),<sup>138</sup> economic, social and cultural development (Article 22),<sup>139</sup> and property,<sup>140</sup> all of which continue to apply during armed conflict<sup>141</sup> with some exceptions for adverse combatants or persons directly participating in hostilities.<sup>142</sup> The Russian Federation is bound to not only respect such rights, but to protect and fulfil them, including as a signatory of the International Covenant on Economic, Social and Cultural Rights (ICESCR). Whilst this falls outside the scope of this report, it is noteworthy to view this conduct and the associated attacks on critical infrastructure, ports, agricultural and shipping objects through this lens and to consider further inquiry into this legal analysis.

The seizure, pillage and destruction of grain, critical infrastructure, ports, agricultural and food-producing objects and shipping objects, is likely to engage the human right to livelihoods.<sup>143</sup> The UN Committee on Economic, Social and Cultural Rights (CESCR), has recognized that a core component of the right to food is that it is not only adequate and available, but accessible, and that the obligation to fulfil the right requires States to strengthen peoples’ access to means of livelihood.<sup>144</sup> The Special Rapporteur on the right to food also recognized that the right “is not primarily about food aid; it is the right to be able to feed oneself through an adequate livelihood.”<sup>145</sup> Accordingly, the devastating impacts that the destructions of farms, farming infrastructure, crops and ports is having on farmers’ capacity to earn income could also constitute a violation of their rights to food and water, and may amount to a human rights abuse.

## ENDNOTES

<sup>1</sup> *Black Sea grain exports deal 'a beacon of hope' amid Ukraine war* – Guterres, UN News (22 July 2022), available at: <https://news.un.org/en/story/2022/07/1123062>

<sup>2</sup> *Russia's Suspension Of Participation In The Black Sea Grain Initiative*, Press Statement, Antony J. Blinken, Secretary Of State, (July 17, 2023), available at: <https://www.state.gov/russias-suspension-of-participation-in-the-black-sea-grain-initiative>

<sup>3</sup> *UN Chief Regrets Russia's Decision To Withdraw From Grain Deal*, UN News (17 July 2023), available at: <https://news.un.org/en/story/2023/07/1138752>

<sup>4</sup> For previous reporting by CIR, see, e.g., *Mapping grain seizure and extraction under Russian occupation authorities*, 9 May 2023, available at: <https://www.info-res.org/post/mapping-grain-seizure-and-extraction-under-russian-occupation-authorities>.

<sup>5</sup> As recently as 4 September 2023, Ukraine reportedly downed 17 drones over the Izmail port on the Danube River, which serves as one of Ukraine's largest grain exporting ports. See <https://www.aljazeera.com/news/2023/9/4/russia-attacks-ukraine-grain-port-ahead-of-putin-erdogan-talks>.

<sup>6</sup> At its peak, grain production in Zaporizhzhia and Luhansk provinces amounted to 10 per cent of national grain production. On its website, the Russian State Unitary Enterprise 'State Grain Operator,' under which multiple private Ukrainian grain elevators were incorporated, purports to have the capacity to export 12000 tonnes of grain per day (see <https://gzomelitopol.ru>). This would amount to 4 million tonnes of grain exported per year, or the equivalent three or four provinces' annual grain production.

<sup>7</sup> See notably, Russian troops seize agricultural assets in Ukraine, could risk global food security, Alexandre Bobylov for S&P Global, March 18<sup>th</sup>, 2022, available at: <https://www.spglobal.com/commodityinsights/en/market-insights/latest-news/agriculture/031822-russian-troops-seize-agricultural-assets-in-ukraine-could-risk-global-food-security#>; *Agricultural War Damages Review Ukraine - Rapid Damage Assessment*, Center for Food and Land Use Research at Kyiv School of Economics, June 8<sup>th</sup>, 2022, available at: [https://kse.ua/wp-content/uploads/2022/06/Damages\\_report\\_issue1-1.pdf](https://kse.ua/wp-content/uploads/2022/06/Damages_report_issue1-1.pdf); U.S. Embassy in Luxembourg, *Putin's Destruction of Ukrainian Farms*, June 23<sup>rd</sup>, 2022, available at: <https://lu.usembassy.gov/putins-destruction-of-ukrainian-farms>; *Spotlight on Damage to Ukraine's Farms amid the Russia-Ukraine War*, Center for Strategic and International Studies, June 9<sup>th</sup>, 2022, available at: <https://www.csis.org/analysis/spotlight-damage-ukraines-farms-amid-russia-ukraine-war>.

<sup>8</sup> This includes United Shipbuilding Corp., under U.S. sanctions since April 2022 for providing weapons to the Russian army and operating in the Port of Sevastopol to transport grain (see below). See notably, *Targeting Russia's Senior Officials, Defense Industrial Base, and Human Rights Abusers*, U.S. Department of State, September 15<sup>th</sup>, 2022, available at: <https://www.state.gov/targeting-russias-senior-officials-defense-industrial-base-and-human-rights-abusers>.

<sup>9</sup> *Agriculture, forestry, and fishing, value added (% of GDP) – Ukraine*, World Bank national accounts data, and OECD National Accounts data files, available at: <https://data.worldbank.org/indicator/NV.AGR.TOTL.ZS?locations=UA>.

<sup>10</sup> *Corporate and Unitary Legal Entities in Russia*, Florian Heindler (Wolters Kluwer, 2018).

<sup>11</sup> *Ukrainian territory captured and occupied by Russian forces by 4 March 2022*, LiveUA Map – Ukraine, available at: <https://liveuamap.com/en/time/04.03.2022>.

<sup>12</sup> *Ukrainian territory captured and occupied by Russian forces by 17 March 2022*, LiveUA Map – Ukraine, available at: <https://liveuamap.com/en/time/17.03.2022>.

<sup>13</sup> Videos show Russian Armed Forces entering the town on 2 March 2022, see @mattia\_n (2 March 2022), available at: [https://twitter.com/mattia\\_n/status/1498948877268967426?s=20](https://twitter.com/mattia_n/status/1498948877268967426?s=20); videos associated with the town under occupation were widely published on 7 March 2022, see Серій Гайдай (7 March 2022), available at: <https://www.facebook.com/watch/?v=1104491670317108>.

<sup>14</sup> *Silos in Luhansk Region, Elevators List as of 7 June 2023*, Tripoli Land, available at: <https://tripoli.land/elevators/starobils-kiy-elevator-tov>

<sup>15</sup> *Directory of Ukrainian Enterprises* (Last accessed 12 April 2023), available at: <https://www.ua-region.com.ua/en/00952798>.

<sup>16</sup> *Opendatabot.ua* (Last accessed 30 January 2023), available at: <https://opendatabot.ua/c/00952798>

<sup>17</sup> *Company Profile - Silskohospodarske Pidpriemstvo Nibulon*, YouControl, available at: [https://youcontrol.com.ua/en/catalog/company\\_details/14291113](https://youcontrol.com.ua/en/catalog/company_details/14291113).

<sup>18</sup> The full name is "Municipal Unitary Enterprise 'Starobelsky Elevator' Of The City Of Starobelsk" (Муниципальное Унитарное Предприятие "Старобельский Элеватор" Города Старобельска).

<sup>19</sup> *Rusprofile* (Last accessed on 10 April 2023), available at: <https://www.rusprofile.ru/id/1229400033444>.

<sup>20</sup> 'Luhansk People's Republic', or 'LPR', is the name given to the unrecognised Russia-occupied areas of the Luhansk province.

- <sup>21</sup> MUP “Starobelsky Elevator” Of The City Of Starobelsk (МУП “Старобельський Елеватор” Города Старобельска), RBK Companies (Last accessed 10 April 2023), available at: <https://companies.rbc.ru/id/1229400033444-munitsipalnoe-unitarno-pedpriyatye-starobelskiy-elevator-goroda-starobelska>.
- <sup>22</sup> LZhD (Last accessed 13 January 2023), available at: <https://lug-info.com/news/specialisty-l-zh-d-stroyat-zh-d-vet-ku-dlya-transportirovki-zerna-iz-starobel-skogo-elevatora> (see below).
- <sup>23</sup> LZhD is a company established by the occupying authorities in the Luhansk region. LZhD (Last accessed 9 April 2023), available at: <https://lug-info.com/tag/%D0%BB%D0%B6%D0%B4>.
- <sup>24</sup> Rusprofile (Last accessed 13 January 2023), available at: <https://www.rusprofile.ru/id/1229400052200>.
- <sup>25</sup> LZhD (Last accessed 13 January 2023), available at: <https://lug-info.com/news/specialisty-l-zh-d-stroyat-zh-d-vet-ku-dlya-transportirovki-zerna-iz-starobel-skogo-elevatora>.
- <sup>26</sup> @LIC\_LPR (10 June 2022), available at: [https://t.me/LIC\\_LPR/27803](https://t.me/LIC_LPR/27803). Open-source investigators verified that the video was filmed at the ‘Starobilsky Elevator’ facility.
- <sup>27</sup> OZK Group (Last accessed 9 April 2023), available at: <https://www.ozk-group.ru>.
- <sup>28</sup> OZK Group (Last accessed 30 January 2023), available at: [https://www.ozkgroup.ru/about/ozk\\_group/novorossiysk-grain-plant](https://www.ozkgroup.ru/about/ozk_group/novorossiysk-grain-plant).
- <sup>29</sup> OZK Group (Last accessed 2 April 2023), available at: <https://www.ozk-group.ru/about>.
- <sup>30</sup> Videos taken of the freight train. ‘Crazy station (6 May 2022), available at: <https://www.youtube.com/watch?v=9G5sUb-Lj2jE>; Транспорт Симферополя! (7 May 2022), available at: <https://www.youtube.com/watch?v=tgH5sMmChmo>.
- <sup>31</sup> This is based on a review of satellite imagery provided by Planet SkySat (0.5m). This train is unlikely to be drawing grain from areas of Ukraine occupied since 24 February 2022.
- <sup>32</sup> LZhD (7 July 2022), available at: <https://lug-info.com/news/starobel-skij-elevator-ezhesutochno-prinimaet-2-5-3-tys-t-zerna>.
- <sup>33</sup> @tygvfhh (1 August 2022), available at: <https://t.me/tygvfhh/71898>.
- <sup>34</sup> Rusprofile (Last accessed 15 February 2023), available at: <https://www.rusprofile.ru/branches/1229400033444>.
- <sup>35</sup> Rusprofile.ru (Last accessed 17 February 2023), available at: <https://www.rusprofile.ru/branches/1229400033444>.
- <sup>36</sup> Nibulon (Last accessed 15 February 2023), available at: <https://www.nibulon.com/data/filii/virobnichi-filii-tov-sp-nibulon/filiya-svativs-ka.html>.
- <sup>37</sup> LZhD (20 August 2022), available at: <https://lug-info.com/news/tamozhenniki-lnr-oformili-na-eksport-pervye-560-tonn-zerna-iz-sva-tovskogo-elevatora>.
- <sup>38</sup> Agrottron (Last accessed 14 February 2022), available at: <https://tripoli.land/companies/agrotron>.
- <sup>39</sup> Based on the Starobilsky elevator’s commercial records. See also: Старобільські новини (16 September 2022), available at: <https://www.facebook.com/starobilskinovyny/posts/pfbid0NeUM1bHwbKGv2hqofLZT5WRnKdxUiUJfd3XBDzs6vcb8nwufr4A88PZnwARkSrg1l>.
- <sup>40</sup> @MarQs\_ (6 May 2022), available at: [https://twitter.com/MarQs\\_/status/1522664252720529409](https://twitter.com/MarQs_/status/1522664252720529409). [geolocated to 48.964485, 39.016382]; @200\_zoka (19 May 2022), available at: [https://twitter.com/200\\_zoka/status/1527268991718285312?s=20](https://twitter.com/200_zoka/status/1527268991718285312?s=20) [00:18:00:21; geolocated to: 48.942048, 39.03259].
- <sup>41</sup> *Ukrainian territory captured and occupied by Russian forces by 27 February 2022*, LiveUA Map – Ukraine, available at: <https://liveuamap.com/en/time/27.02.2022>.
- <sup>42</sup> *Ukrainian territory captured and occupied by Russian forces by 1 March 2022*, LiveUA Map – Ukraine, available at: <https://liveuamap.com/en/time/01.03.2022>.
- <sup>43</sup> *Ukrainian territory captured and occupied by Russian forces by 16 March 2022*, LiveUA Map – Ukraine, available at: <https://liveuamap.com/en/time/16.03.2022>.
- <sup>44</sup> *Ukrainian territory captured and occupied by Russian forces by 17 March 2022*, LiveUA Map – Ukraine, available at: <https://liveuamap.com/en/time/17.03.2022>.
- <sup>45</sup> Disk.yandex.ru (Last accessed 6 March 2023), available at: <https://disk.yandex.ru/i/EWeFMb9WSDQzhg>.
- <sup>46</sup> US Department of State (Last accessed 5 March 2023), available at: <https://www.state.gov/the-united-states-takes-sweeping-actions-on-the-one-year-anniversary-of-russias-war-against-ukraine>.
- <sup>47</sup> State Unitary Enterprise “State Grain Operator,” available at: <https://gzomelitopol.ru>.
- <sup>48</sup> The meetings were also attended by Євген Віталійович Балицький. State Grain Operator Telegram Channel (Last accessed 27/03/2023), available at: <https://t.me/gupgzo/448>.



- <sup>49</sup> TASS (5 April 2023), available at: <https://tass.ru/ekonomika/17454493>.
- <sup>50</sup> Received via the State Grain Operator Telegram chatbot (@gup\_gzobot) for prices between 7 and 13 March 2023; available at: [https://t.me/gup\\_gzobot](https://t.me/gup_gzobot).
- <sup>51</sup> *Russia smuggling Ukrainian grain to help pay for Putin's war*, Biesecker et al. (3 October 2022), available at: <https://apnews.com/article/russia-ukraine-putin-business-lebanon-syria-87c3b6fea3f4c-326003123b21aa78099>.
- <sup>52</sup> State Unitary Enterprise "State Grain Operator" Company Charter (Melitopol 2022) (Устав Государственного Унитарного Предприятия «Государственный Зерновой Оператор»), available at: <https://disk.yandex.ru/i/EWeFMb9WSDQzhg>.
- <sup>53</sup> *The Grain Operator Of Zaporizhzhia Paid More Than 1.2 Billion Rubles To The Farmers Of The Region In The First Quarter* (Зерновой Оператор Запорожжя В I Квартале Выплатил Аграриям Региона Более 1,2 Млрд Рублей), TASS (5 April 2023), available at: <https://tass.ru/ekonomika/17454493>.
- <sup>54</sup> @nevedimka123 (15 May 2022), available at: <https://twitter.com/nevedimka123/status/1520787867743698947> [geolocated to: 46.846065, 35.357876].
- <sup>55</sup> Getty Images (Last accessed 13 February 2022), available at: <https://www.gettyimages.ca/detail/news-photo/russian-serviceman-guards-a-grain-elevator-in-melitopol-news-photo/1241909960>, [geolocated to: 46.854667, 35.361705].
- <sup>56</sup> Siguta is currently under international sanction, see *Sanctions List Search*, Office of Foreign Assets Control - U.S. Department of the Treasury (Last accessed 10 April 2023), available at: <https://sanctionssearch.ofac.treas.gov/Details.aspx?id=39199>; *Sanctions Imposed on Individuals*, War & Sanctions (Last accessed 10 April 2023), available at: <https://sanctions.nazk.gov.ua/sanction-person/24196>.
- <sup>57</sup> *Foreign Journalists Were Shown A Grain Elevator In Melitopol* (Иностранным журналистам показали полный зерна элеватор в Мелитополе), Izvestia (15 July 2022), available at: <https://iz.ru/1365103/2022-07-15/inostrannym-zhurnalistam-pokazali-polnyi-zerna-elevator-v-melito-pole>.
- <sup>58</sup> Getty Images (Last accessed 13 February 2022), available at: <https://www.gettyimages.ca/detail/news-photo/russian-service-man-guards-a-grain-elevator-in-melitopol-news-photo/1241909960>, [geolocated to: 46.854667, 35.361705].
- <sup>59</sup> Telegram Channel @Riamelitopol (24 July 2022), available at: <https://t.me/riamelitopol/62638>.
- <sup>60</sup> "Деятельность ГУП ГЗО," @melitopolnewsru (Last accessed 9 March 2023), available at: [https://vk.com/video/@melitopolnews-ru?z=video-213103258\\_456240666%2FpL-213103258\\_-2](https://vk.com/video/@melitopolnews-ru?z=video-213103258_456240666%2FpL-213103258_-2) [Geolocated to 46.86005, 35.36149].
- <sup>61</sup> *The First Train With Grain Was Sent From Zaporozhye To Crimea* (Из Запорожжя в Крым отправили первый поезд с зерном), Interfax (7 June 2022), available at: <https://www.interfax.ru/world/845178>.
- <sup>62</sup> *The First Batch Of Grain Was Sent From Zaporozhye Region To Crimea* (Из Запорожской области в Крым отправлена первая партия зерна), Ria Novosti (7 June 2022), available at: <https://ria.ru/20220607/zerno-1793854089.html> [Geolocated to approximately 46.86779, 35.35658, looking north].
- <sup>63</sup> Russian Railways (Last accessed 11 April 2023), available at:
- <sup>64</sup> Telegram Channel @riamelitopol (9 July 2022), available at: <https://t.me/riamelitopol/60999> [Geolocated to approximately 46.854804, 35.357848, facing north-west].
- <sup>65</sup> *The First Million of "Kamianka-Dniprovs'ka" branch*, Nibulon (26 January 2017), available at: <https://nibulon.com/news/news-company/the-first-million-of-kamianka-dniprovs-ka-branch.html>
- <sup>66</sup> State Unitary Enterprise "State Grain Operator" Company Charter (Melitopol 2022) (Устав Государственного Унитарного Предприятия «Государственный Зерновой Оператор»), available at: <https://disk.yandex.ru/i/EWeFMb9WSDQzhg> (Last accessed 6 March 2023).
- <sup>67</sup> Private Facebook post from 19 May 2022 collected and archived by CIR (Last accessed 3 April 2023). For security reasons, the link to the source is not provided in public reporting.
- <sup>68</sup> *Video Investigation: Russia Is Using a Secret Network to Steal Ukraine Grain*, Wall Street Journal, July 7, 2022, available at: <https://www.wsj.com/video/series/in-depth-features/video-investigation-russia-is-using-a-secret-network-to-steal-ukraine-grain/9FFE6B21-2DDA-450F-9E46-1C86D4806B2F>
- <sup>69</sup> Telegram Channel Berdiansk Online @brdnews (24 October 2022), available at: <https://t.me/brdnews/9839>.
- <sup>70</sup> Telegram Channel Berdiansk Online @brdnews (23 December 2022), available at: <https://t.me/brdnews/10818>, [geolocated to approximately 46.749515, 36.788227]; Telegram Channel Berdiansk Online @brdnews (11 December 2022), available at: <https://t.me/brdnews/10692>, [geolocated to approximately 46.749881, 36.787674].
- <sup>71</sup> *State Unitary Enterprise Of Zaporizhzhia Region "Berdyansk Sea Commercial Port"* (Государственное Унитарное Предприятие Запорожской Области "Бердянский Морской Торговый Порт"), Rusprofile (Last accessed 31 Mar 2023), available at: <https://www.rusprofile.ru/id/1229000019984>.



- <sup>72</sup> *State Unitary Enterprise "Kherson River Port"* (Государственное Унитарное Предприятие "Херсонский Речной Порт"), Rusprofile (Last accessed 31 Mar 2023), available at: <https://www.rusprofile.ru/id/1229500007417>.
- <sup>73</sup> *State Unitary Enterprise "Skadovsky Commercial Sea Port"* (Государственное Унитарное Предприятие "Скадовский Морской Торговый Порт"), Rusprofile (Last accessed 31 Mar 2023), available at: <https://www.rusprofile.ru/id/1229500007330>.
- <sup>74</sup> *Russian-installed officials plan grain exports through Berdyansk port* – TASS, Reuters (14 March 2023), available at: <https://www.reuters.com/article/ukraine-crisis-zaporizhzhia-grains-idAFS8N3570ME>.
- <sup>75</sup> Telegram Channel @berdiansk\_in\_occupation (26 June 2022), available at: [https://t.me/berdiansk\\_in\\_occupation/137874](https://t.me/berdiansk_in_occupation/137874).
- <sup>76</sup> *Tracking where Russia is taking Ukraine's stolen grain*, BBC, 27 June 2022, available at: <https://www.bbc.com/news/61790625>.
- <sup>77</sup> Based on information from Yandex Maps:  
<https://yandex.com/maps/?ll=35.520852%2C46.641856&mode=routes&rtext=46.855902%2C35.361809~45.972762%2C34.574189~45.713335%2C34.392849&rtt=auto&ruri=~&via=1&z=9.8>
- <sup>78</sup> *Simferopol – Truck movements across Crimea* (Симферополь движуха по Крыму на фуфе), Anton Blasov (Антон Власов) (23 September 2022), available at: <https://www.youtube.com/watch?v=VrTR4E94MqQ&t=35s> [See 01:20 in video]
- <sup>79</sup> ITECO (Last accessed 27 March 2023), available at: <https://iteco.com/>
- <sup>80</sup> *Video Investigation: Russia Is Using a Secret Network to Steal Ukraine Grain*, Wall Street Journal, July 7, 2022, available at: <https://www.wsj.com/video/series/in-depth-features/video-investigation-russia-is-using-a-secret-network-to-steal-ukraine-grain/9FFE6B21-2DDA-450F-9E46-1C86D4806B2F>
- <sup>81</sup> *Id.* See also Telegram post on Channel @Рынок Зерна (26 June 2022 at 13:54), available at: <https://t.me/zernomart/319751>
- <sup>82</sup> Limited Liability Company "Agro-Fregat" (Общество С Ограниченной Ответственностью "Агро-Фрегат"), Rusprofile (Last accessed 27 March 2023), available at: <https://www.rusprofile.ru/id/11913850>
- <sup>83</sup> *Great rarity. Chme3 with hopper cars Feodosia* (Большая редкость. Чме3 с вагонами хоперами г. Феодосия), POez-da Rossii (Поезда России) (8 August 2022), available at: <https://www.youtube.com/watch?v=YzdfiF55tUI> [Geolocated to: 45.038919, 35.382627]
- <sup>84</sup> See State Grain Operator in Melitopol: Branch No. 16, Melitopol Grain Elevator, and nearby Branch No. 15. @melitopolnewsru (Last accessed 9 March 2023), available at: [https://vk.com/video/@melitopolnews-ru?z=video-213103258\\_456240666%2FpL-213103258\\_-2](https://vk.com/video/@melitopolnews-ru?z=video-213103258_456240666%2FpL-213103258_-2) [Geolocated to 46.86005, 35.36149].
- <sup>85</sup> Petrokhleb-Kuban (Last accessed 11 April 2023). Available at: <https://petrokhlebkuban.ru/english/>; ООО or "общества с ограниченной ответственностью" refer to private companies with limited liability.
- <sup>86</sup> Fedresurs.ru (Last accessed 19 March 2023), available at: <https://fedresurs.ru/sfactmessage/02631D97B3904D65AB0AF-F1B8F833C4A>
- <sup>87</sup> Fedresurs.ru (Last accessed 19 March 2023), available at: <https://fedresurs.ru/sfactmessage/CA64D2CF87A546E2B-B706EE5EE318E6>
- <sup>88</sup> Fedresurs.ru (Last accessed 19 March 2023), available at: <https://fedresurs.ru/sfactmessage/7114AA92E574485786854D9040A7F715>
- <sup>89</sup> Zen.Yandex.ru (Last accessed 20 March 2023, available at: <https://zen.yandex.ru/video/watch/62acc617cb-d9197865ab128e?t=11>; [Geolocated to: 44.635249, 33.561549].
- <sup>90</sup> United Shipbuilding Corps (Last accessed 15 March 2023), available at: [https://www.aosk.ru/companies/ooo\\_kmk/](https://www.aosk.ru/companies/ooo_kmk/)
- <sup>91</sup> US State Department (Last accessed 16 March 2023), available at: <https://www.state.gov/additional-state-department-designations-targeting-russian-state-owned-defense-shipbuilding-enterprise/>
- <sup>92</sup> *Handysize bulk carrier joins Russia's grain plundering operation*, Bridget Diakun (10 February 2023), available at: <https://lloydlist.maritimeintelligence.informa.com/LL1143939/Handysize-bulk-carrier-joins-Russias-grain-plundering-operation>; CMC bought three bulk carriers, the most heavily used ships in plundering operations, on December 9 2021, December 27 2021 and February 2022.
- <sup>93</sup> Bulk Carrier Guide (Last accessed 9 April 2023), available at: <https://bulkcarrierguide.com/size-range.html#:~:text='Handysize'%20are%20the%20medium%20bulk,and%20quantity%20of%20bulk%20cargoes>
- <sup>94</sup> Based on commercial maritime information seen by CIR. See Annex *Mapping grain seizure and extraction under Russian occupation authorities*, Centre for Information Resilience, page 30 (Annex 1: Maritime Documentation).
- <sup>95</sup> *Handysize bulk carrier joins Russia's grain plundering operation*, Bridget Diakun (10 February 2023), available at: <https://lloydlist.maritimeintelligence.informa.com/LL1143939/Handysize-bulk-carrier-joins-Russias-grain-plundering-operation>

<sup>96</sup> *Russia must be held accountable for stealing and selling Ukrainian grains*, James Wilson (21 July 2022), available at: <https://www.eupoliticalreport.eu/russia-must-be-held-accountable-for-stealing-and-selling-ukrainian-grains/>

<sup>97</sup> *Video Investigation: Russia Is Using a Secret Network to Steal Ukraine Grain*, Wall Street Journal, July 7, 2022, available at: <https://www.wsj.com/video/series/in-depth-features/video-investigation-russia-is-using-a-secret-network-to-steal-ukraine-grain/9FFE6B21-2DDA-450F-9E46-1C86D4806B2F>.

<sup>98</sup> Based on open-source investigators' tracking of vessels through AIS tracking websites. See, e.g., MarineTraffic (n.d.), available at: [https://www.marine-traffic.com/en/ais/details/ships/shipid:407125/mmsi:273292290/imo:9515539/vessel:MIKHAIL\\_NENASHEV](https://www.marine-traffic.com/en/ais/details/ships/shipid:407125/mmsi:273292290/imo:9515539/vessel:MIKHAIL_NENASHEV); see also Twitter posts from @Yoruklsik <https://twitter.com/Yoruklsik/status/1539585669101649920?s=20> (22 June 2022); <https://twitter.com/Yoruklsik/status/1591538709081776129?s=20> (12 November 2022); <https://twitter.com/Yoruklsik/status/1530267044112961537?s=20> (27 May 2022); <https://twitter.com/Yoruklsik/status/1697409220348465529?s=20> (1 September 2023).

<sup>99</sup> Twitter post @Yoruklsik (22 June 2022), available at: <https://twitter.com/Yoruklsik/status/1539585669101649920?s=20>; and (26 June 2022) <https://twitter.com/Yoruklsik/status/1540851651673726976?s=20>

<sup>100</sup> Twitter post @Yoruklsik (17 June 2022), available at: <https://x.com/Yoruklsik/status/1537794779852984320?s=20>

<sup>101</sup> *Maritime Investigations Report*, Centre for Information Resilience (March 2023) (*Internal only*).

<sup>102</sup> Twitter post @Yoruklsik (30 June 2022), available at: <https://x.com/Yoruklsik/status/1542334147393454080?s=20>

<sup>103</sup> *A Syrian Cargo Ship Was Spotted Loading Grain In the Port of Feodosia*, Krym Realii, (В порту Феодосии замечен сирийский сухогруз при погрузке зерном (+фото)) (15 July 2022), available at: <https://ru.krymr.com/a/news-feodosiya-suhogruz-zer-no/31945450.html>

<sup>104</sup> Twitter post @Yoruklsik (23 July 2022), available at: <https://x.com/Yoruklsik/status/1550666305673494528?s=20>

<sup>105</sup> *Sanctions List Search*, Office of Foreign Asset Control, available at: <https://sanctionssearch.ofac.treas.gov/Details.aspx?id=18215>

<sup>106</sup> *Maritime Investigations Report*, Centre for Information Resilience (March 2023) (*Internal only*).

<sup>107</sup> This number is obtained by calculating the cargo capacity of the ships involved multiplied by the price of grain, or approximately 30 ships and a million ton of grain as of one year ago. This figure is likely much largely.

<sup>108</sup> The second day of the invasion, two commercial vessels were hit by Russian fire off the coast of Odesa. On the third day, the Russian Navy issued a radio message to notify all merchant vessels of a "counterterrorist operation," demanding that all vessels located in the area of Odesa and the Danube proceed immediately to the Bosphorus. See *Ukraine Symposium – Maritime Exclusion Zones In Armed Conflicts*, Raul (Pete) Pedrozo, 12 April 2022, available at: <https://lieber.westpoint.edu/maritime-exclusion-zones-armed-conflicts/#:~:text=On%20February%2026%2C%20it%20was,proceed%20immediately%20to%20the%20Bosporus>

<sup>109</sup> At present, Ukraine is a belligerent under what may be seen as blockade-like conditions, though the elements required to establish a blockade as a matter of law have not been fulfilled (namely: declaration; notification; effectiveness; equal application; and non-interference with neutral ports).

<sup>110</sup> See, e.g., <https://interfax.com/newsroom/top-stories/79999>; <https://www.reuters.com/markets/commodities/blinken-says-reports-russia-is-pilfering-ukrainian-grain-profit-are-credible-2022-06-06>; <https://www.youtube.com/watch?v=V3SovKRLJss>; <https://www.pbs.org/wgbh/frontline/article/russia-smuggling-ukraine-grain-putin-war>.

<sup>111</sup> *Impact of Ukrainian port blockade on food supply to developing countries*, U.K. Parliament House of Lords Library, 14 July 2022, available at: <https://lordslibrary.parliament.uk/impact-of-ukrainian-port-blockade-on-food-supply-to-developing-countries/>

<sup>112</sup> U.N. Food and Agricultural Organisation, *World Food Situation*, FAO Food Price Index, available at: <https://www.fao.org/worldfoodsituation/foodpricesindex/en/>

<sup>113</sup> *The war in Ukraine triggered a global food shortage*, Heinz Strubenhoff, 14 June 2022, available at: <https://www.brookings.edu/articles/the-war-in-ukraine-triggered-a-global-food-shortage/>

<sup>114</sup> Agricultural products are Ukraine's most important exports. In 2021 they totalled \$27.8 billion, accounting for 41 percent of the country's \$68 billion in overall exports, see *Ukraine Agricultural Production and Trade – April 2022*, Foreign Agricultural Service, U.S. Department of Agriculture, available at: <https://www.fas.usda.gov/sites/default/files/2022-04/Ukraine-Fact-sheet-April2022.pdf>

<sup>115</sup> Sanctioning the use of methods of the warfare prohibited by international instruments, or any other violations of the rules of the warfare recognized by international instruments consented to by binding by the Verkhovna Rada (Parliament) of Ukraine.

<sup>116</sup> International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law*, 2005, Volume I; Rule 54, available at: <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule54>.

<sup>117</sup> *Id.*, at Rule 54.

<sup>118</sup> Article 8(2)(b)(xxv) Rome Statute of the International Criminal Court.

<sup>119</sup> Although neutral states have a right to continue noncontraband trade, the right does not guarantee access to belligerent markets under the Paris Declaration of 1856 (accepted as customary law). See Arts. 2-3. Neutral States can continue to trade with Ukraine, though this right extends only to neutral commerce and does not cover access to a belligerent port in a conflict zone. There is therefore no neutral right for States to enter Ukrainian ports in safety and onload cargo.

<sup>120</sup> See, e.g., Tom Dannenbaum, *What You Need to Know: International Humanitarian Law and Russia's Termination of the Black Sea Grain Initiative*, JUST SECURITY, available at: <https://www.justsecurity.org/87414/what-you-need-to-know-ihl-and-russias-termination-of-the-black-sea-grain-initiative>.

<sup>121</sup> *IRC Client in Ukraine: "This crisis has the potential to lead to famine worldwide"*, 13 September 2023, available at: <https://reliefweb.int/report/ukraine/irc-client-ukraine-crisis-has-potential-lead-famine-worldwide>.

<sup>122</sup> *Id.*

<sup>123</sup> See Additional Protocol I to the Geneva Conventions (1977), Articles 50 and 54.

<sup>124</sup> *Id.*, at Article 54(3).

<sup>125</sup> Geneva Convention IV (1949), Article 33, second paragraph.

<sup>126</sup> International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law*, 2005, Volume I ; Commentary to Rule 52: "Pillage (or plunder) is defined in Black's Law Dictionary as "the forcible taking of **private** property by an invading or conquering army from the enemy's subjects" (emphasis added), available at: <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule52>.

<sup>127</sup> "The prohibited methods of warfare include ... ordering to pillage a town or place," Russian Federation, *Regulations on the Application of International Humanitarian Law by the Armed Forces of the Russian Federation*, Ministry of Defence of the Russian Federation, Moscow, 8 August 2001, §7.

<sup>128</sup> Russian Federation, *Instructions on the Application of the Rules of International Humanitarian Law by the Armed Forces of the USSR*, Appendix to Order of the USSR Defence Minister No. 75, 1990, § 5(f).

<sup>129</sup> Article 8(2)(b)(xvi) Rome Statute of the International Criminal Court; International Criminal Court, *Elements of crimes*, Article 8(2)(b)(xvi), available at: <https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf>. While the statute of the ICTY does not mention pillage, it criminalises "plunder of public or private property," which the Delalić et al. trial chamber defined as "all forms of unlawful appropriation of property in armed conflict for which individual criminal responsibility attaches under international criminal law, including those acts traditionally described as "pillage". Plunder covers "both widespread and systematised acts of dispossession and acquisition of property in violation of the rights of the owners and isolated acts of theft or plunder by individuals for their private gain." *Delalić et al., Judgment, IT-96-21-T*, 16 November 1998, para. 591. See also Kordić & Čerkez, *Appeal Judgment, IT-95-14/2-A*, 17 December 2004, para. 79.

<sup>130</sup> Hague Regulations, Art. 28; GC IV, Art. 33.

<sup>131</sup> Hague Regulations, Art. 23.

<sup>132</sup> Additional Protocol I to the Geneva Conventions, Article 147; International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law*, 2005, Volume I; Rule 50, available at: <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule50>; International Criminal Court, *Elements of crimes*, Article 8(2)(b)(xiii), available at: <https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf>.

<sup>133</sup> International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law*, 2005, Volume I; Rule 51, available at: <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule51>.

<sup>134</sup> For more information on occupation, see generally, *International Law and Russia's Involvement in Crimea and Donbas*, Global Rights Compliance, 13 February 2022, available at: <https://globalrightscpliance.com/wp-content/uploads/2022/05/International-Law-and-Russia-Involvement-in-Crimea-and-Donbas-1.pdf>.

<sup>135</sup> Ljube Boškoski et al., Case No. IT-04-82-A, Appeal Judgement, 19 May 2010, ¶ 125.

<sup>136</sup> See Part 3.3.1.

<sup>137</sup> ICCPR, Art 6; UDHR, Art 3; UNGA, 'Interim report of the Special Rapporteur on the right to food' A/72/188 (23 October 2017), para. 52 <https://reliefweb.int/report/world/interim-report-special-rapporteur-right-food-a72188>; General Comment No. 12, para. 14; General Comment No. 3, para. 10. See also FAO, 'Voluntary Guidelines to Support the Progressive Realisation of the Right to Adequate Food in the Context of National Food Security' (November 2004), Guideline 16 <http://www.fao.org/3/y7937e/y7937e00.htm>; Simone Hutter, *Starvation as a Weapon: Domestic Policies of Deliberate Starvation as a Means to an End under International Law* (Brill | Nijhoff, 2015); Simone Hutter, 'Starvation in Armed Conflicts: An Analysis Based on the Right to Food' (2019) 17 JICJ, p. 723.

<sup>138</sup> ICESCR, Art 12; OHCHR, 'The Right to Health: Fact Sheet No. 31' <https://www.ohchr.org/documents/publications/fact-sheet31.pdf>.

<sup>139</sup> FAO, 'Right to adequate food in constitutions' (2019), p. 2 <http://www.fao.org/3/CA3518EN/ca3518en.pdf>. See the statements, guidelines and decisions of the ACHPR: ACHPR, 'Social and Economic Rights Action Center (SERAC) & the Center for Economic and Social Rights v. Nigeria' Communication No. 155/96 (27 May 2002) (Ogoni case) paras. 64-65 <https://www.es-cr-net.org/sites/default/files/serac.pdf> [regarding the Nigerian government's failure to respect and protect the Ogoni people's right and access to food from the activities of the military, the state oil company and private actors]; ACHPR, 'Pretoria Declaration on Economic, Social and Cultural Rights in Africa' (2004) para 7(b) <https://www.achpr.org/legalinstruments/detail?id=35> [which recognises "access to the minimum essential food which is nutritionally adequate and safe to ensure freedom from hunger to everyone and to prevent malnutrition" as part of the right to health]; African Union Common Repository, 'Principles and guidelines on the implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights' (Nairobi Guidelines) paras. 83-86 <https://archives.au.int/handle/123456789/2063>; ACHPR, 'Communications 279/03 – Sudan Human Rights Organisation & The Sudan 296/05 – Centre on Housing Rights and Evictions/The Sudan' (May 2009) paras. 206-212 [https://www.es-cr-net.org/sites/default/files/Final\\_Decision\\_on\\_the\\_Mertis\\_-\\_COHRE\\_v\\_Sudan\\_0.pdf](https://www.es-cr-net.org/sites/default/files/Final_Decision_on_the_Mertis_-_COHRE_v_Sudan_0.pdf) [where the destruction of homes, livestock and farms and poisoning of water sources by the Janjaweed in Darfur amounted to a violation of the right to health, as access to safe water and food supplies is essential for health and States' are obliged to respect and fulfil this right and prevent non-state actors from infringing on it]. See also, Simone Hutter, *Starvation as a Weapon: Domestic Policies of Deliberate Starvation as a Means to an End under International Law* (Brill | Nijhoff, 2015), pp. 102-104. The Ogoni case was further affirmed by the Court of Justice of the Economic Community of West African States (ECOWAS) in a 2012 case concerning environmental pollution and examining the adverse effects of oils spills on water quality, aquatic life, soil fertility, and subsequently, the health and livelihood of people living in the vicinity of spills [Court of Justice of the ECOWAS, Socio-Economic Rights and Accountability Project (SERAP) v. Nigeria].

<sup>140</sup> African Court, Art 14; UDHR, Art 17; ICESCR, Art 11; CESCR, 'CESCR Draft General Comment No. 26 (2021) on land and economic, social and cultural rights' E/C.12/69/R.2 (3 May 2021) para. 1 <https://www.ohchr.org/EN/HRBodies/CESCR/Pages/CESCR-draft-GC-land.aspx> ("Access to land is an important precondition for the realization of several Covenant rights, particularly the rights to adequate food, water and housing as part of the right to an adequate standard of living, as well as the right to health and the protection against non-discrimination contained in several of the Covenant rights").

<sup>141</sup> See Part 3.3.1.

<sup>142</sup> See Part 3.3.1.

<sup>143</sup> See also UN HRC, 'Report of the Special Rapporteur on the right to food, Jean Ziegler, on his mission to Lebanon' A/HRC/2/8 (29 September 2006) p. 2 <https://www.refworld.org/docid/45c30b650.html>. See paragraph 31(h), recommending the "Government of Lebanon...should design programmes to support all those whose livelihoods have been devastated by the war, especially farmers, agricultural labourers and fisherfolk. The right to food and water must be a central part of the reconstruction effort." See also UNGA, 'UN Declaration on the Rights of Peasants and Other People Working in Rural Areas' A/RES/73/165 (21 January 2019), Art. 21(2) and (3) <https://undocs.org/en/A/RES/73/165> ("Persons working in rural areas are entitled to access water and water management systems for productive uses, farming, fishing, livestock keeping and other water-related livelihoods")

<sup>144</sup> General Comment No. 12, paras. 8, 15. It has also been recognized that the right to work under Article 6 of the ICESCR is fundamental to the right to food, and that Article 11 protecting the right to food "incorporates a broad range of concerns relating to the lives and livelihoods of residents of States parties"; see CESCR, 'Fact Sheet No. 16 (Rev.1), The Committee on Economic, Social and Cultural Rights' (1993) pp. 7, 10 <https://www.ohchr.org/Documents/Publications/FactSheet16rev.1en.pdf>.

<sup>145</sup> UN HRC, 'Report of the Special Rapporteur on the right to food, Jean Ziegler, on his mission to Lebanon' A/HRC/2/8 (29 September 2006) p. 2 <https://www.refworld.org/docid/45c30b650.html>.

# ANNEX I

## *Mapping grain seizure and extraction under Russian occupation authorities*

Centre for Information Resilience

May 2023





## Eyes on Russia

# Mapping grain seizure and extraction under Russian occupation authorities



MAY 2023

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Front & back cover photo by Виктория Котлярчук / Adobe Stock: Ruble banknote and Ukrainian wheat on a white background, grain theft by Russia in Ukraine 2022



# EXECUTIVE SUMMARY

Analysis by CIR investigators reveals the Russian government and its Ukrainian collaborators are taking grain from Ukraine's occupied areas without the permission of the Ukrainian government. Commercial entities linked to pro-Russian occupying authorities have played a key role in the process of illegitimate extraction and export of grain.

- Through the analysis of satellite imagery and user generated content, CIR has verified several pieces of data indicating grain extraction from two companies in Russia-controlled areas: 'Starobilsky Elevator LLC' (Luhansk oblast) and 'State Grain Operator' (Zaporizhzhia oblast). CIR investigators verified and crosschecked satellite imagery with user-generated content to expose grain extraction by Russia's State Grain Operator in at least three areas across Zaporizhzhia oblast: Branch No. 15 and Branch No. 16 in Melitopol, Branch No. 6 in Kamianka-Dniprovska, and Branches No. 5, No. 12, and No. 13 in Berdiansk.
- State Unitary Enterprises or Municipal Unitary Enterprises have been established at major regional grain logistics hubs that have been seized and pillaged by Russian troops, including large elevators in the Luhansk and Zaporizhzhia regions.
- This report names individuals belonging to the so-called military-civilian administrations (occupying entities) that take part in the process of grain extraction in these areas.
- Rail transport has played a key role in grain extractive activity from Luhansk to Russian export hubs in Rostov-on-Don. This likely results in the contamination of legitimate Russian foodstuffs from within Russian territory, with food produce sourced from locations in Luhansk. This report

documents widespread rail logistical operations in occupied grain storage facilities across Ukraine.

- CIR investigators have identified Ukrainian citizens linked to extraction activities by companies seized by Russia or their collaborators.
- The elevator in Melitopol was seized by Russian State Unitary Enterprise State Grain Operator. Data analysed by CIR investigators indicates a very high likelihood of export activity from the Melitopol elevator, as well as other branches of the State Grain Operator, to Crimea via both rail and road.
- Analysis indicates that barges with grain have been loaded at Berdiansk Port. CIR worked with maritime experts and assessed that it is very unlikely that the barges are used to carry grain outside of the Azov sea, narrowing their likely destinations to Rostov-on-Don in Russia, or Kerch in occupied Crimea.
- CIR finds sufficient evidence to suggest there are multiple forms of overland logistics connections between State Grain Operator's enterprises and occupied Crimea. For example, video footage analysed by CIR investigators shows several trucks likely filled with grain turning from the E105 highway, from the direction of Zaporizhzhia, onto the E97, towards Kerch.
- Crane Marine Contractors, a subsidiary of Russian state-owned defence contractor United Shipbuilding Corp, has been expanding operations in Sevastopol through the purchase of ships. United Shipbuilding Corp, which has

been under US sanctions since April 2022 for providing weapons to the Russian army, operates in Sevastopol. CMC's handy bulkers are the largest ships likely taking part in grain smuggling operation, at 170-180 metres. They have the capacity to reach any European port and have been present in Turkish ports of Iskenderun, Derince, and Dörtyol.

- The AGRO-FRIGAT (ОБЩЕСТВО С ОГРАНИЧЕННОЙ ОТВЕТСТВЕННОСТЬЮ "АГРО-ФРЕГАТ"), an agro-transportation LLC based in Rostov-on-Don, is likely to be heavily involved in the movement of grain by rail across occupied areas and Black Sea ports.

# INTRODUCTION

Since the beginning of Russia's full-scale invasion of Ukraine on 24 February 2022, the Centre for Information Resilience (CIR) has been continually monitoring the disruption of food production and exports by Russian military activity across the territory of Ukraine.

This report consolidates open-source data collected and verified by CIR relating to this subject since 24 February 2022. Gathered over the course of February and March 2023, it was produced in accordance with the Eyes on Russia (EoR) methodology,<sup>1</sup> which complies with the guidance provided by the Berkeley Protocol on Digital Open Source Investigations<sup>2</sup> and the reference paper 'Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations,' from European Union Agency for Criminal Justice Cooperation' (Eurojust).<sup>3</sup>

This investigation examines the alleged theft and appropriation of strategic crops in Ukrainian territory

temporarily occupied by Russian and Russia-controlled forces after the full-scale invasion. The report identifies extractive activities at high-interest locations that have fallen under the complete or partial control of the Russia-controlled occupying authorities in Ukraine since the full-scale invasion.

Open-source data verified by CIR can be categorised as applying to one of the following four themes:

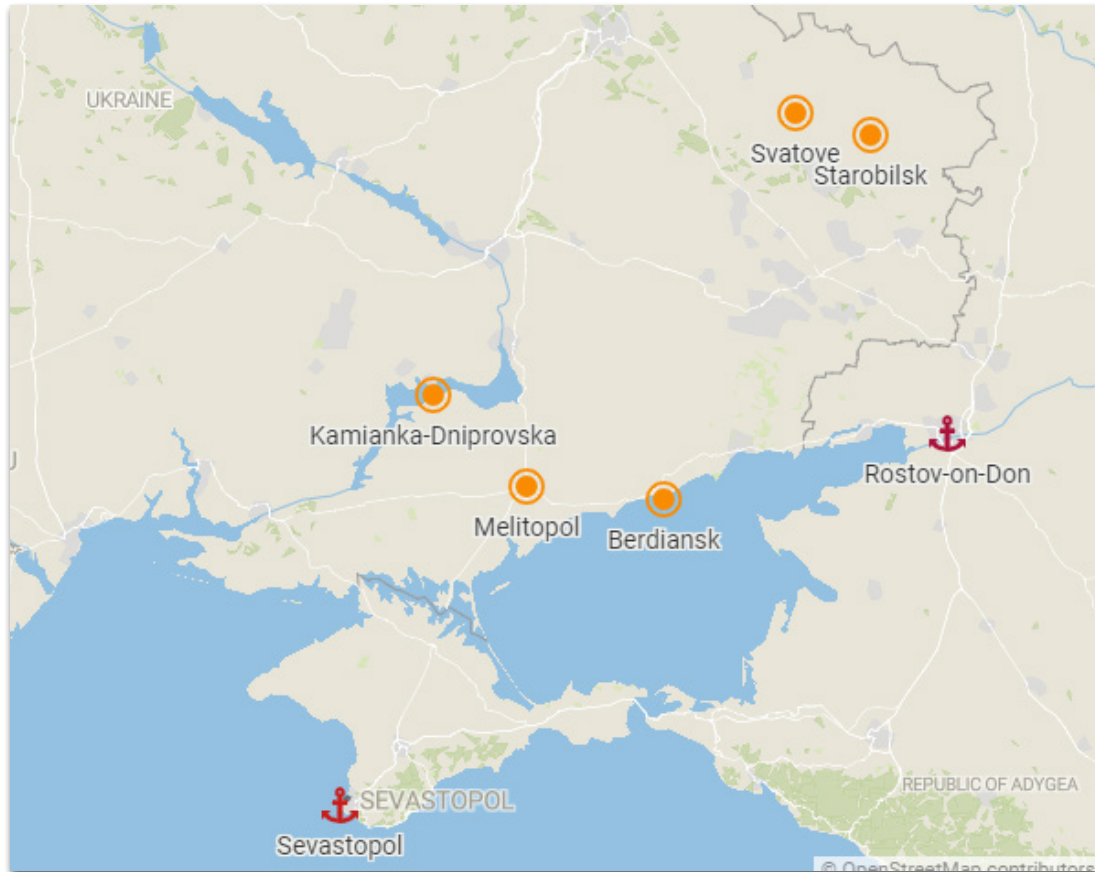
- Seizure of harvested grain;
- Appropriation of agricultural land;
- Transport of illicit grain (overland);
- Transport of illicit grain (maritime).

The report provides an analysis of extractive activity, or work undertaken to withdraw grain or other foodstuffs stored and grown within occupied areas of Ukraine by organisations linked to the Russian Federation or occupation proxies.

<sup>1</sup> Strick (3 March 2023). Available at: <https://www.info-res.org/post/eyes-on-russia-documenting-conflict-and-disinformation-in-the-kremlin-s-war-on-ukraine>

<sup>2</sup> OHCHR (March 2022). Available at: [https://www.ohchr.org/sites/default/files/2022-04/OHCHR\\_BerkeleyProtocol.pdf](https://www.ohchr.org/sites/default/files/2022-04/OHCHR_BerkeleyProtocol.pdf)

<sup>3</sup> Eurojust (21 September 2022). Available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>



*Figure 1: Locations analysed in the report as demonstrating indicators of extractive activities: Starobilsk (Luhansk oblast), Svatove (Luhansk oblast), Berdiansk (Zaporizhzhia oblast), Melitopol (Zaporizhzhia oblast), Kamianka-Dniprovska (Zaporizhzhia oblast).*

# IDENTIFIED SITES OF EXTRACTIVE ACTIVITY

This first section of the report highlights verified data of known extractive activity, or work undertaken to withdraw grain or other foodstuffs stored and grown within occupied areas of Ukraine by organisations linked to Russia or occupying authorities.

CIR investigators have conducted an in-depth investigation of sites in two oblasts in the east and southeast of Ukraine that have seen significant extractive activity during the occupation of Russian forces: Luhansk and Zaporizhzhia.

## Municipal Unitary Enterprise ‘Starobilsky Elevator’ (Муниципальное унитарное предприятие ‘Старобельский элеватор’), Luhansk oblast

The city of Starobilsk was seized by Russian forces within the opening two weeks of Russia’s 24 February offensive.<sup>4</sup> The town accommodates the largest elevator in Luhansk, with a storage capacity of 157,700 tons.

According to Ukrainian commercial records, Starobilsk’s elevator was established on 11 December 1998 and is owned by Nibulon (Нібулон), a large agricultural company operating across Ukraine.<sup>5</sup> The facility had been under the legal supervision of Krutko Yevhenii Mykolaiovych (Крутько Євгеній Миколайович) since 26 October 2016 until his position was relinquished, on 19 August 2022.<sup>6</sup> The

open-source information gathered indicates Krutko remains responsible for running the facility, which, after the occupation of Starobilsk, was registered as a Municipal Unitary Enterprise<sup>7</sup> under the Russian tax authority of the ‘Interdistrict Inspectorate of the Federal Tax Service of Russia No. 4 for the Luhansk People’s Republic’.<sup>8</sup> Russian commercial records show the company was registered on 1 August 2022. They list the ‘Administration of the Starobilsk District of the [so-called] Luhansk People’s Republic (LPR)’<sup>9</sup> (or АСДР ЛНР), headed by former Starobilsk mayor Oleksandr Honcharov (Александр Гончаров), as the founder of the enterprise.<sup>10</sup>

4 Videos show Russian Armed Forces entering the town on 2 March 2022. See @mattia\_n (2 March 2022). Available at: [https://twitter.com/mattia\\_n/status/1498948877268967426?s=20](https://twitter.com/mattia_n/status/1498948877268967426?s=20); Videos associated with the town under occupation were widely published on 7 March 2022. See Сергій Гайдай (7 March 2022). Available at: <https://www.facebook.com/watch/?v=1104491670317108>

5 Directory of Ukrainian enterprises (Last accessed 12 April 2023). Available at: <https://www.ua-region.com.ua/en/00952798>

6 Opendatabot.ua (Last accessed 30 January 2023). Available at: <https://opendatabot.ua/c/00952798>

7 In Russian corporate law, Unitary Enterprises are corporations founded by the Russian government or territorial units of the Russian Federation (e.g., municipalities). These entities have limited legal capacity and hold no ownership rights over the assets that they use in their operations; Heindler (19 April 2022). Available at: [https://books.google.co.uk/books?id=Lz9sDwAAQBAJ&pg=PT110&redir\\_esc=y#v=onepage&q&f=false](https://books.google.co.uk/books?id=Lz9sDwAAQBAJ&pg=PT110&redir_esc=y#v=onepage&q&f=false)

8 Rusprofile (Last accessed on 10 April 2023). Available at: <https://www.rusprofile.ru/id/1229400033444>

9 ‘Luhansk People’s Republic’, or ‘LPR’, is the name given to the unrecognised Russia-occupied areas of the Luhansk oblast.

10 RBC Companies (last accessed 10 April 2023). Available at: <https://companies.rbc.ru/id/1229400033444-munitsipalnoe-unitarnoe-predpriatie-starobelskij-elevator-goroda-starobelska/>



Open-source commercial information indicates that several other nearby elevators have been seized by the Russia-controlled 'Starobilsky Elevator LLC', including the branches in Belokurakinsky, Novoaidar, and Svativskiy districts.<sup>11</sup> The following

pages describe several pieces of data identified by CIR indicating grain extraction from the Russia-controlled 'Starobilsky Elevator LLC' and its branches.

### **Construction of railway**

Media outlets associated with the pro-Russian occupying authorities in occupied areas of Luhansk published imagery related to the refurbishment of railways in the territory of 'Starobilsky Elevator LLC'

on 18 May 2022. The construction was reportedly carried out by the so-called 'Lugansk Railway' (LZhD) [“Луганская железная дорога” (ЛЖД)].<sup>12</sup>



**Figure 2: Railway conversion taking place at 'Starobilsky Elevator LLC'. [Image taken from 49.285077, 38.923030 facing East]<sup>13</sup>**

<sup>11</sup> [Rusprofile.ru](https://www.rusprofile.ru/branches/1229400033444) (Last accessed 17 February 2023). Available at: <https://www.rusprofile.ru/branches/1229400033444>

<sup>12</sup> LZhD is a company established by the occupying authorities in the Luhansk region. LZhD (Last accessed 9 April 2023). Available at: <https://lug-info.com/tag/%D0%BB%D0%B6%D0%B4>

<sup>13</sup> LZhD (Last accessed 13 January 2023). Available at: <https://lug-info.com/news/specialisty-l-zh-d-stroyat-zh-d-vetku-dlya-transportirovki-zerna-iz-starobel-skogo-elevatora>



*Figure 3: Railway repairs outside 'Starobilsky Elevator LLC'. [Image taken from 49.282288, 38.927680, facing North].<sup>14</sup>*

The railway construction was attended by Viktor Molotok (Виктор Молоток), director of the Russian agricultural company, Kalmichanka (Калмичанка),

listed under Russian corporate records,<sup>15</sup> as well as Yevhenii Krutko.

### **Increase in rail traffic**

On 10 June 2022, the 'LuhanskInformCenter' Telegram channel shared a video of the head of 'LPR', Leonid Ivanovich Pasechnik (Леонід Іванович Пасічник), attending the departure of a train from the 'Starobilsky Elevator LLC' facility.<sup>16</sup> The video

shows customs officers tagging wagons, claimed to be filled with grain, as the train moves towards the exit of the facility. The post is captioned with the claim that the train is carrying 13 wagons of grain, at a weight of 650 tonnes, to Rostov-on-Don (Russia).

<sup>14</sup> Старобільські новини (20 May 2022). Available at: <https://www.facebook.com/starobilskinovyny/photos/a.311319062644888/1421079925002124/>

<sup>15</sup> Rusprofile (Last accessed 13 January 2023). Available at: <https://www.rusprofile.ru/id/1229400052200>

<sup>16</sup> @LIC\_LPR (10 June 2022). Available at: [https://t.me/LIC\\_LPR/27803](https://t.me/LIC_LPR/27803). CIR has verified that the video was filmed at the 'Starobilsky Elevator LLC' facility.



**Figure 4: Still of a video showing grain wagons departing the 'Starobilsky Elevator LLC' facility.<sup>17</sup> These grain wagons have the markings affiliated with the 'OZK United Grain Company' logistics fleet, which is headquartered in Rostov-on-Don.<sup>18</sup>**

In the video of the Rostov-on-Don train, the carriages pulled by the locomotive are marked with a distinct blue and white livery, although other identifying features have been painted over. This livery is associated with the United Grain Company (Объединенная зерновая компания), or OZK, headquartered in Rostov-on-Don.<sup>19</sup> The company provides logistics services, as well as facilitates the export of harvested crops from its own facilities in Novorossiysk, where it owns the Public Joint Stock Company (PJSC) Novorossiysk Grain Plant (ПАО «Новороссийский комбинат хлебопродуктов») storage and shipment facility.<sup>20</sup> OZK is partially

owned by the Russian State.<sup>21</sup>

OZK carriages have also been spotted across occupied areas in Ukraine. A video shared to YouTube, uploaded on 6 May 2022, on a trainspotting channel showed 20 OZK grain carriages being pulled towards Simferopol from the direction of Chonhar, in Kherson Oblast.<sup>22</sup> On 8 May 2022, a row of 20 newly arrived grain carriages was pictured by satellite imagery next to the grain terminal at Sevastopol.<sup>23</sup> Based on CIR's mapping of the Crimean rail network, this train could have also potentially originated in Yevpatoriya, Crimea.

<sup>17</sup> @LIC\_LPR (10 June 2022). Available at: [https://t.me/LIC\\_LPR/27803](https://t.me/LIC_LPR/27803)

<sup>18</sup> OZK Group (Last accessed 10 February 2023). Available at: <https://ozk-group.ru/en/activities/logistics/>

<sup>19</sup> OZK Group (Last accessed 9 April 2023). Available at: <https://www.ozk-group.ru/>

<sup>20</sup> OZK Group (Last accessed 30 January 2023). Available at: [https://www.ozk-group.ru/about/ozk\\_group/novorossiysk\\_grain\\_plant/](https://www.ozk-group.ru/about/ozk_group/novorossiysk_grain_plant/) [Accessed 30/01/2023]

<sup>21</sup> OZK Group. Last accessed 2 April 2023. Available at: <https://www.ozk-group.ru/about/>

<sup>22</sup> Videos taken of the freight train. 'Crazy station (6 May 2022). Available at: <https://www.youtube.com/watch?v=9G5sUblj2jE>; Транспорт Симферополя! (7 May 2022). Available at: <https://www.youtube.com/watch?v=tgH5sMmChmq>

<sup>23</sup> Based on a review of satellite imagery provided by Planet SkySat (0.5m). This train is unlikely to be drawing grain from areas of Ukraine occupied since 24 February 2022.





*Figure 5: Southern-bound train on the line running between Crimea and Kherson, hauling carriages marked with OZK livery. [Geolocated to 45.013084, 34.041843].*

After the restoration of the rail infrastructure within the facility, CIR observed a notable increase in rail traffic within the 'Starobilsky Elevator LLC' compound. In satellite imagery from 13 July 2022, CIR identified several lines of carriages across the compound as

grain trucks, which are pictured queuing internally and externally (see figure 6, below). Satellite imagery from December indicates extractive activities were persistent throughout 2022.



*Figure 6: PlanetLabs image of 'Starobilsky Elevator LLC' on the 13 July 2022. E-trucks seen queuing to deliver grain on the northern perimeter of the compound, highlighted in white. Rail carriages highlighted in yellow.*

Further images were shared to the occupying administration's media outlet<sup>24</sup> as well as local Telegram channels.<sup>25</sup>



Figure 7: PlanetLabs image of 'Starobilsky Elevator LLC' on 5 December 2022. Rail carriages highlighted in yellow.

### Further Branches

Three other facilities were seized and incorporated under 'Starobilsky Elevator LLC's ownership in 2022 based on Russian open-source commercial records.<sup>26</sup> These include Svatove, Belokurakinskiy, and Novoaidar.

In Svatove, a train was filmed departing from a second Nibulon elevator facility,<sup>27</sup> under the supervision of occupation authority customs officials.<sup>28</sup> As of April 2023, it is unclear where grain collected from the Svatove elevator was taken.

<sup>24</sup> LZHD (7 July 2022). Available at: <https://lug-info.com/news/starobel-skij-elevator-ezhesutochno-prinamaet-2-5-3-tys-t-zerna>

<sup>25</sup> @tygvfhh (1 August 2022). Available at: <https://t.me/tygvfhh/71898>

<sup>26</sup> Rusprofile (Last accessed 15 February 2023). Available at: <https://www.rusprofile.ru/branches/1229400033444>

<sup>27</sup> Nibulon (Last accessed 15 February 2023). Available at: <https://www.nibulon.com/data/filii/virobnichi-filii-tov-sp-nibulon/filiya-svativs-ka.html>

<sup>28</sup> LZHD (20 August 2022). Available at: <https://lug-info.com/news/tamozhenniki-lnr-oformili-na-eksport-pervye-560-tonn-zerna-iz-svatovskogo-elevatora>





*Figure 8: 'LPR' customs official, Volodymyr Honcharuk (Владимир Гончарук, right), pictured alongside wagons at grain elevator facility in Svatove, Luhansk. [Geolocated to 49.404276, 38.178705; facing northwest].*

Beyond Nibulon facilities in Luhansk, two facilities owned and operated by PJSC 'Agrotron', the elevators in Bilokurakyne and Novoaidar,<sup>29</sup> were also seized by the enterprise.<sup>30</sup> Rail activity was detected at Bilokurakyne in October 2022, based on a review of PlanetLabs satellite imagery.

Possibly, Russian military vehicles were observed at the Novoaidar elevator in April 2022, based on PlanetLabs imagery. The area experienced extensive Russian activity over the course of April-May 2022.<sup>31</sup>

<sup>29</sup> Agrotron (Last accessed 14 February 2022). Available at: <https://tripoli.land/companies/agrotron>

<sup>30</sup> Based on commercial records. See also: Старобільські новини (16 September 2022). Available at: <https://www.facebook.com/starobilskinovyny/posts/pfbid0NeUM1bHwbKGv2hqofLZT5WRnKdxUiUJfd3XBDzs6vcb8nwufr4A88PZnwARkSrg1l>

<sup>31</sup> @MarQs\_ (6 May 2022). Available at: [https://twitter.com/MarQs\\_/status/1522664252720529409](https://twitter.com/MarQs_/status/1522664252720529409) [geolocated to 48.964485, 39.016382]; @200\_zoka (19 May 2022). Available at: [https://twitter.com/200\\_zoka/status/1527268991718285312?s=20](https://twitter.com/200_zoka/status/1527268991718285312?s=20) [00:18-00:21; geolocated to: 48.942048, 39.03259].



Figure 9: Planet satellite imagery of possible military vehicles within Novoaidar compound on 25 April 2022.

### State Unitary Enterprise State Grain Operator (Государственный зерновой оператор, ГУП "ГЗО")

Melitopol, in Zaporizhzhia oblast, has become a significant centre for trafficking grain from areas in the region, partially occupied since Russia's 2022 offensives into Ukrainian territory.<sup>32</sup> This section reviews available indicators of how grain was seized, trafficked, and ultimately exported from Zaporizhzhia oblast, finding that commercial entities with ties to occupation authorities have played a key role in all stages of the extraction and export process.

The grain elevator in Melitopol is listed as a 'branch' of the Russian State Unitary Enterprise State Grain Operator. The enterprise, and its director, Busel

Nikita Petrovich (Бусел Микита Петрович), are currently under US sanctions.<sup>33</sup> The organisation claims the State Grain Operator has the capacity to export approximately 12,000 tonnes of grain from the occupied territory every day. In March 2023, the enterprise's official Telegram channel claimed it engaged in meetings between Dmitry Patrushev, the Russian Minister for Agriculture, and representatives of the occupation authorities for Zaporizhzhia in Moscow, suggesting further links to the Russian State.<sup>34</sup> Russian state-owned media shares the use of the elevator by occupying authorities publicly.<sup>35</sup>

32 Biesecker et al (3 October 2022). Available at: <https://apnews.com/article/russia-ukraine-putin-business-lebanon-syria-87c3b6fea3f4c-326003123b21aa78092>

33 US Department of State (Last accessed 5 March 2023). Available at: <https://www.state.gov/the-united-states-takes-sweeping-actions-on-the-one-year-anniversary-of-russias-war-against-ukraine/>

34 The meetings were also attended by Євген Віталійович Балицький. Available at: <https://t.me/gupgzo/448> [Accessed 27/03/2023].

35 TASS (5 April 2023). Available at: <https://tass.ru/ekonomika/17454493>

State Grain Operator lists 16 addresses across occupied areas of Ukraine.

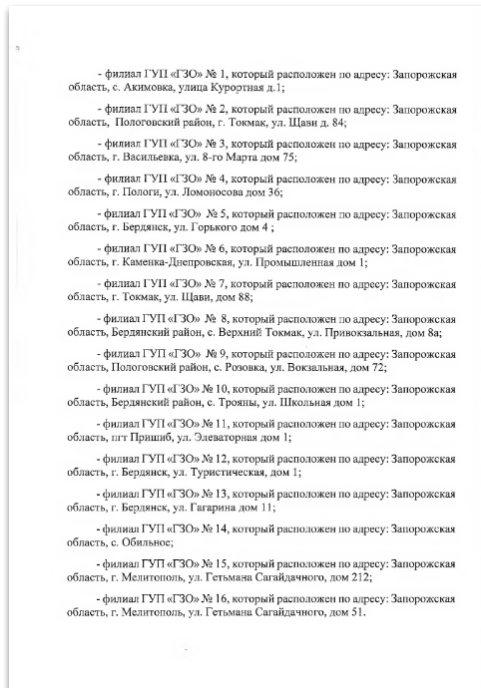


Figure 10: List of locations of branches of State Grain Operator based on the company's charter.<sup>36</sup>



Государственное предприятие «Государственный оператор зерна и продовольствия»

Официальные цены на покупку зерновых, масличных и бобовых культур в период от 07.03.2023 по 13.03.2023.

Наименование товара	Цена на дату покупки (руб/т)	Цена на дату покупки (руб/т)
Пшеница 1 класс ГОСТ 8130-2018	11 410,00 руб.	11 410,00 руб.
Пшеница 2 класс ГОСТ 8130-2018	10 800,00 руб.	10 800,00 руб.
Пшеница 3 класс ГОСТ 8130-2018	10 200,00 руб.	10 200,00 руб.
Пшеница 4 класс ГОСТ 8130-2018	9 600,00 руб.	9 600,00 руб.
Пшеница 5 класс ГОСТ 8130-2018	9 000,00 руб.	9 000,00 руб.
Пшеница 6 класс ГОСТ 8130-2018	8 400,00 руб.	8 400,00 руб.
Пшеница 7 класс ГОСТ 8130-2018	7 800,00 руб.	7 800,00 руб.
Пшеница 8 класс ГОСТ 8130-2018	7 200,00 руб.	7 200,00 руб.
Пшеница 9 класс ГОСТ 8130-2018	6 600,00 руб.	6 600,00 руб.
Пшеница 10 класс ГОСТ 8130-2018	6 000,00 руб.	6 000,00 руб.
Пшеница 11 класс ГОСТ 8130-2018	5 400,00 руб.	5 400,00 руб.
Пшеница 12 класс ГОСТ 8130-2018	4 800,00 руб.	4 800,00 руб.
Пшеница 13 класс ГОСТ 8130-2018	4 200,00 руб.	4 200,00 руб.
Пшеница 14 класс ГОСТ 8130-2018	3 600,00 руб.	3 600,00 руб.
Пшеница 15 класс ГОСТ 8130-2018	3 000,00 руб.	3 000,00 руб.
Пшеница 16 класс ГОСТ 8130-2018	2 400,00 руб.	2 400,00 руб.
Пшеница 17 класс ГОСТ 8130-2018	1 800,00 руб.	1 800,00 руб.
Пшеница 18 класс ГОСТ 8130-2018	1 200,00 руб.	1 200,00 руб.
Пшеница 19 класс ГОСТ 8130-2018	600,00 руб.	600,00 руб.
Пшеница 20 класс ГОСТ 8130-2018	0,00 руб.	0,00 руб.

Figure 11: Prices of grain purchases set by the State Grain Operator.<sup>37</sup>

The enterprise also sets prices for grain purchase from farmers hoping to export grain via the State Grain Operator's export facilities. CIR utilised the State Grain Operator's Telegram chatbot to ascertain information about current prices set by the enterprise per collection location.

CIR conducted analysis of several of the sites listed on the enterprise's website and charter, which lists activities relating to crop production as well as storage and exports, to identify patterns of seizure of grain.

<sup>36</sup> [Disk.yandex.ru](https://disk.yandex.ru/) (Last accessed 6 March 2023). Available at: <https://disk.yandex.ru/#EWEFMb9WSDQzhg>

<sup>37</sup> Received via the State Grain Operator Telegram chatbot, @gup\_gzobot, for prices between 7 and 13 March 2023; Available at: [https://t.me/gup\\_gzobot](https://t.me/gup_gzobot)

## State Grain Operator in Melitopol: Branch No. 16, 38 Melitopol Grain Elevator, and nearby Branch No. 15 <sup>39</sup>

Activity at the Melitopol Grain Elevator was identified prior to the establishment of the State Grain Operator. A video shared widely on social media shows a convoy of over 15 Category E trucks, with trailers used to transport grain, heading South-West in proximity to the Melitopol Grain Elevator.<sup>40</sup>

The trucks had no number plates, and the majority of the vehicles were marked with the 'Z' symbol used by the Russian Armed Forces (see figure 12, below). Based on the analysis of shadows in the video, the footage was likely captured in the early morning at some point in late March or April 2022.



*Figure 12: (Left) Annotated Maxar (2023) satellite image showing the route captured on video of 15+ trucks departing Melitopol in a south-west direction. (Right) Frame from the footage, showing a truck marked with the Russian 'Z' symbol.*

On 15 July 2022, Andrey Siguta (Андрей Сигута),<sup>41</sup> the Russian-appointed acting head of the so-called military-civilian administration of the Melitopol district, held a press conference stating that

grain from the Melitopol grain elevator would be transported to Sevastopol Port and Berdyansk Port.<sup>42</sup> A day prior to this, Russian troops were photographed in armoured vehicles in the Melitopol

<sup>38</sup> Address: Melitopol, Hetmana Sahaidachnoho street, 51 [46.855109, 35.364243]

<sup>39</sup> Address: Melitopol, Hetmana Sahaidachnoho street, 212 [46.860784, 35.3619526]

<sup>40</sup> @nevedimka123 (15 May 2022). Available at: <https://twitter.com/nevedimka123/status/1520787867743698947> [geolocated to: 46.846065, 35.357876].

<sup>41</sup> Siguta is currently under international sanctions; OFAC (Last accessed 10 April 2023): <https://sanctionssearch.ofac.treas.gov/Details.aspx?id=39199>; War & Sanctions (Last accessed 10 April 2023). Available at: <https://sanctions.nazk.gov.ua/sanction-person/24196/>

<sup>42</sup> Izvestia (15 July 2022). Available at: <https://iz.ru/1365103/2022-07-15/inostrannym-zhurnalistam-pokazali-polnyi-zerna-elevator-v-melitopol>



Elevator facility.<sup>43</sup> Video footage showing trucks leaving with grain was shared on social media on 24 July 2022.<sup>44</sup> CIR investigators geolocated this video to Branch No. 16 of the State Grain Operator by the Melitopol grain elevator. One of the trucks

was identified as having Russian number plates registered to occupied Crimea (see figure 13, below), suggesting a road transportation route between Melitopol and Crimea.



*Figure 13: Trucks identified by the Melitopol grain elevator with plate number L734HE82, registered to occupied Crimea.*

At the nearby Branch No. 15, extensive activity has been recorded in reference to the collection and export of grain. In a video produced by the State Grain Operator, the enterprise's director, Nikita Busel, can be seen standing in front of several rail

wagons as they are loaded with grain.<sup>45</sup> The video claims that the wagons are bound for Berdyansk for shipment. The video is no longer available on the enterprise's website or Telegram channel.

43 Getty Images (Last accessed 13 February 2022). Available at: <https://www.gettyimages.ca/detail/news-photo/russian-service-man-guards-a-grain-elevator-in-melitopol-news-photo/1241909960>, [geolocated to: 46.854667, 35.361705].

44 @Riamelitopol (24 July 2022). Available at: <https://t.me/riamelitopol/62638>

45 @melitopolnewsru (Last accessed 9 March 2023). Available at: [https://vk.com/video/@melitopolnews-ru?z=video-213103258\\_456240666%2Fpl\\_-213103258\\_-2](https://vk.com/video/@melitopolnews-ru?z=video-213103258_456240666%2Fpl_-213103258_-2) [Geolocated to 46.86005, 35.36149].





Figure 14: Planet SkySat imagery from 17 October 2022 (left) and 7 November 2022 (right). Branch No. 15 with exposed grain storage annotated in white (left). Grain railway wagons at site highlighted in yellow (right).

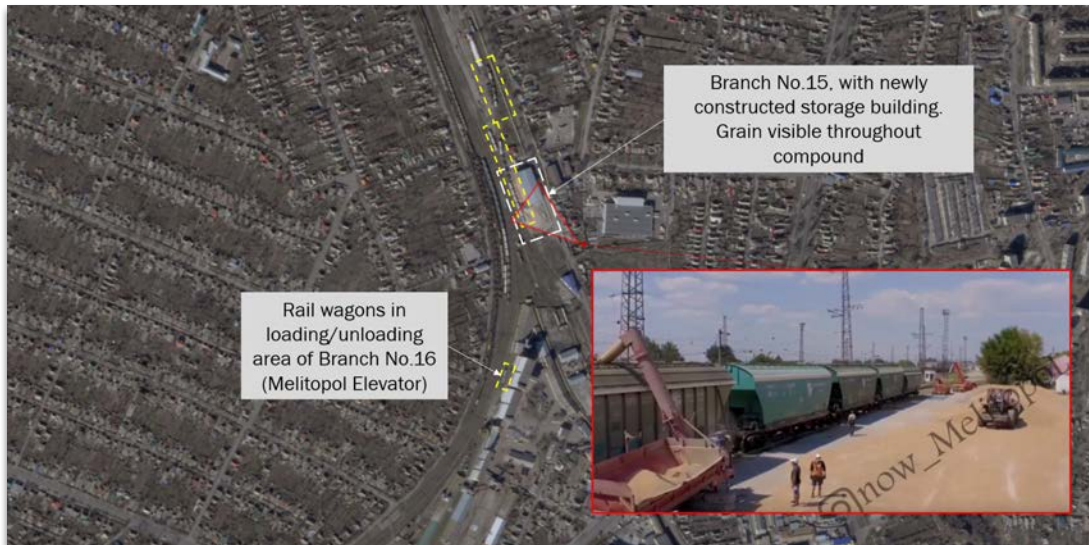


Figure 15: Planet SkySat imagery from 2 March 2023 showing Branch No. 15 with exposed newly constructed storage building in yellow. On the right, social media footage showing rail wagons loading/unloading grain geolocated to the area of Branch No. 16.

Imagery from February 2023 shows the expansion of the operation in Melitopol. Both branches (Branch No. 15 and Branch No. 16) appear to accommodate rail activity, suggesting a high tonnage of grain passing through the facility.

Statements circulated by several media sources suggest that transfers of grain from Melitopol to Crimea began in early June. On 7 June 2022, Yevgeny Balitsky, head of the occupying 'Military-Civilian Administration' of the Zaporizhzhia region, claimed that 11 wagons had departed from Melitopol elevator for Crimea.<sup>46</sup> Video footage shared by RIA Novosti published on the same day shows a locomotive leaving Melitopol railway station in a southern direction, towing several grain hopper

wagons.<sup>47</sup> The locomotives are decorated in the liveries and logo of state-owned Russian Railways.<sup>48</sup>

A video shared to Telegram in July 2022 show grain wagons arriving in Melitopol, moving towards the enterprise's two rail loading branches.<sup>49</sup> The train, comprised of 15+ grain wagons, is arriving from the direction of Melitopol's rail link to the Crimean peninsula.

In conclusion, the analysis provided above implies a very high likelihood of export activity from the Melitopol elevator, as well as other branches of the State Grain Operator, to Crimea via both rail and road.

### Branch No. 6: Kamianka-Dniprovska<sup>50</sup> [47.500759, 34.386155]

Evidence on social media, as well as investigations by international media, have demonstrated extensive extractive activities at the grain elevator in Kamianka-Dniprovska. The facility, also owned by Nibulon,<sup>51</sup> is now listed as a branch of the enterprise under State Grain Operator's charter.<sup>52</sup>

Images from 19 May 2022 shared on Facebook show several trucks heading eastwards on the road leading away from the elevator compound, along with a claim that Russian forces were stealing grain from the facility.<sup>53</sup>

46 Interfax (7 June 2022). Available at: <https://www.interfax.ru/world/845178>

47 Ria Novosti (7 June 2022). Available at: <https://ria.ru/20220607/zerno-1793854089.html> [Geolocated to approximately 46.86779, 35.35658, looking north].

48 Russian Railways (Last accessed 11 April 2023). Available at: <https://www.russianrailways.com/>

49 @riamelitopol (9 July 2022). Available at: <https://t.me/riamelitopol/60999> [Geolocated to approximately 46.854804, 35.357848, facing north-west]

50 This site has been the subject of an investigation by the Wall Street Journal. WSJ (7 July 2022). Available at: <https://www.youtube.com/watch?v=dLQilhrutmA>

51 Nibulon (26 January 2017). Available at: <https://nibulon.com/news/news-company/the-first-million-of-kamianka-dniprovs-ka-branch.html>

52 Disk.yandex.ru (Last accessed 6 March 2023). Available at: <https://disk.yandex.ru/i/EWeFMb9WSDQzhg>

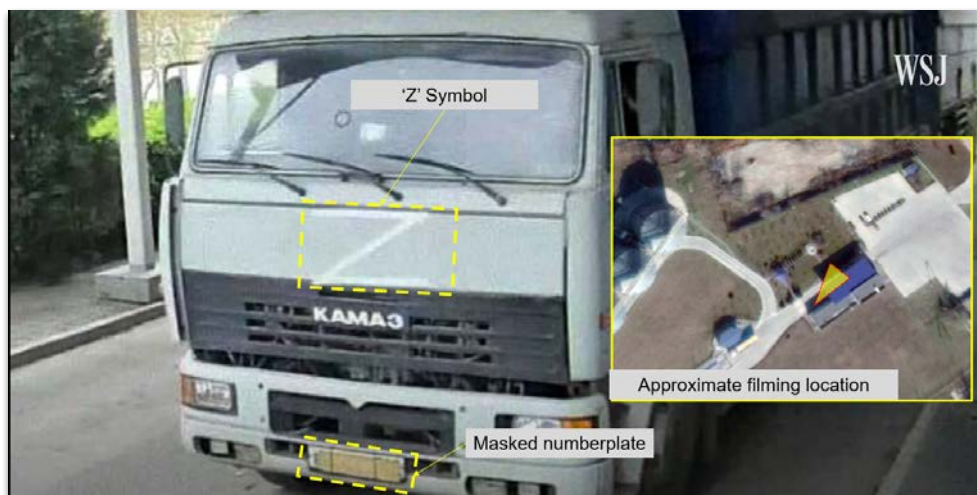
53 Private facebook post ( 29 May 2022). Collected and archived by CIR. Last accessed 3 April 2023.



*Figure 16: Queues of trucks, allegedly carrying seized grain, reportedly in Kamianka-Dniprovska.<sup>54</sup>  
[Geolocated to: 47.495444, 34.407490, facing East].*

The sighted trucks have no number plates or identifying features. An investigative report from the Wall Street Journal reporting on the facility included CCTV footage, apparently from May 2022, showing trucks with masked number plates arriving at the

grain facility with the 'Z' symbol associated with the Russian invasion painted on the front. The WSJ's reporting did not discuss the facility's ties to the State Grain Operator enterprise.



*Figure 17: Grain carrying trucks marked with 'Z' symbol of Russian invasion seen entering the grain elevator compound in CCTV footage provided to the Wall Street Journal, annotated by CIR.<sup>55</sup> [Geolocated to: 47.501669, 34.387838, facing east]. Reported date of filming: 05 May 2022.*

<sup>54</sup> Ibid.

<sup>55</sup> WSJ (7 July 2022). Available at: <https://www.youtube.com/watch?v=dLQilhrutmA>



Satellite imagery from the facility would further demonstrate activity from the facility, with several trucks seen queuing at the edge of, and within, the grain elevator facility in June 2022.



*Figure 18: Trucks used to transport grain in the vicinity of the facility in June 2022.*

### Branches in Berdiansk

Several branches are listed in and around the town of Berdiansk, in Zaporizhzhia oblast.

Branch No.12 was initially seized by Russian forces in mid-March, with satellite imagery showing a small

military column on the edge of the compound. CCTV footage acquired by international media outlets shows several vehicles, reportedly from the same day, entering the grain storage compound via the main gate.



*Figure 19: Annotated PlanetLabs SkySat imagery from 26 March 2022 showing a column of military vehicles (yellow) on the road. CCTV footage acquired by the WSJ geolocated to the front gate of the compound [Geolocated to 46.796015, 36.730520].*

Later imagery shows multiple grain loading trucks across the facility, some queuing in the holding area. The first vehicles in the site were detected on 2

August 2022, with extensive activity pictured on 15 August 2022 and later into the year (see figure 20, below).



*Figure 20: Frequency of vehicles at the facility visible on Planet imagery from August, 2022.*



Images of grain being loaded onto a cargo ship (46.752427, 36.778497) at Berdiansk port were shared on Telegram 26 June 2022.<sup>56</sup> The *Branch No. 5* of the State Grain Operator is listed as located next to the port on 4, Gork Street [46.755197, 36.778829]. The State Grain Operator is understood to be a separate entity to the Berdyansk Port operator, which is listed as a separate State Unitary Enterprise in Russian commercial records.<sup>57</sup> A number of ports in newly occupied areas have also been placed under the control of State Unitary Enterprises, including the Kherson River Port<sup>58</sup> and the Skadovsky Sea Port<sup>59</sup>

User generated-content shared on 24 October 2022 shows multiple carriages at Berdiansk railway station. One of the carriages is clearly labelled 'зерно' ('grain').<sup>60</sup> Branch No.13 of the State Grain Operator is listed as being on 11 Gagarina Street [46.751234, 36.804954], which is located next to the railway station and where the photograph was taken. Berdiansk Port has been an important, albeit limited, location in the transfer of grain. However, Russian officials have stated that they have plans to

increase grain export from the port through the Sea of Azov.<sup>61</sup>



*Figure 21: Train carriages labelled 'grain' leaving Berdiansk Train Station [46.750873, 36.804023].*

<sup>56</sup> @berdiansk\_in\_occupation (26 Jun 2022). Available at: [https://t.me/berdiansk\\_in\\_occupation/137874](https://t.me/berdiansk_in_occupation/137874)

<sup>57</sup> Rusprofile (last accessed 31 Mar 2023). Available at: <https://www.rusprofile.ru/id/1229000019984>

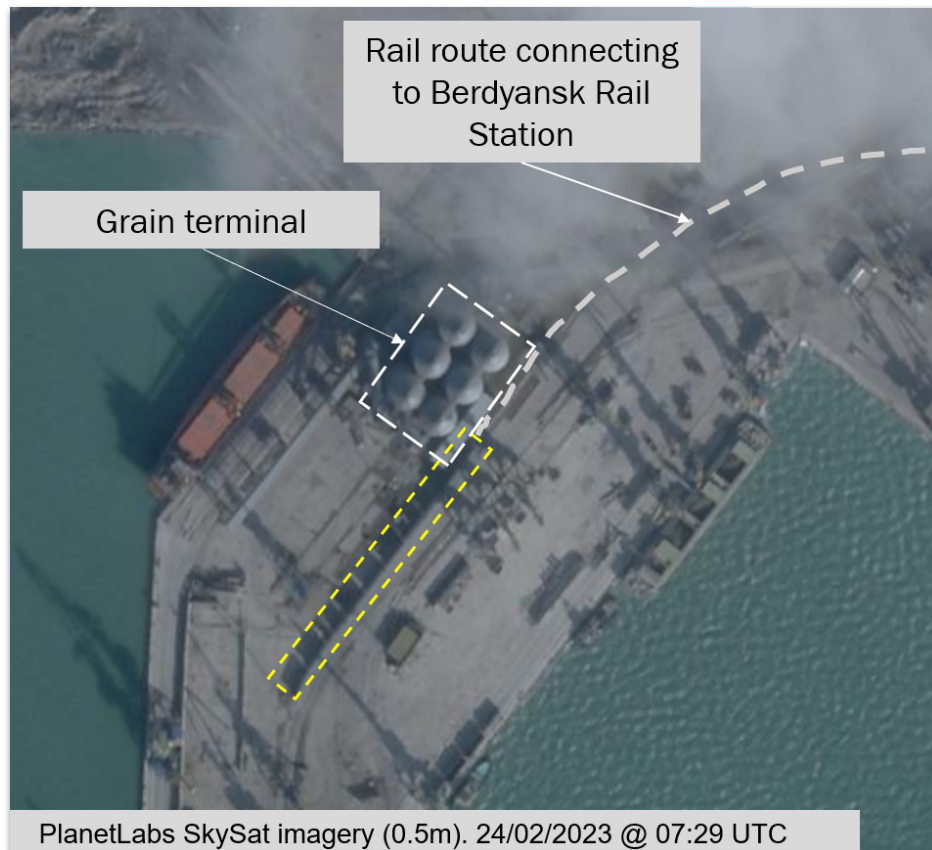
<sup>58</sup> Rusprofile (last accessed 31 Mar 2023). Available at: <https://www.rusprofile.ru/id/1229500007417>

<sup>59</sup> Rusprofile (last accessed 31 Mar 2023). Available at: <https://www.rusprofile.ru/id/1229500007330>

<sup>60</sup> @brdnews (24 October 2022). Available at: <https://t.me/brdnews/9839>

<sup>61</sup> Reuters (14 March 2022). Available at: <https://www.reuters.com/article/ukraine-crisis-zaporizhzhia-grains-idAFS8N3570ME>

Further rail activity was detected between Branch No.13 and Branch No. 5, with grain wagons being hauled between the main train station (Branch No.13) and Berdyansk Port (Branch No. 5). Satellite imagery obtained in 2023 shows increased rail activity in proximity to the grain elevator of the port.<sup>62</sup>



*Figure 22: Imagery of Berdiansk port on 24 February 2023 showing a train at the loading/unloading point of the grain elevator.*

In late March 2023, CIR acquired satellite imagery of a barge at Berdiansk Port, suspected to have been used previously to carry heavy equipment to and from the port. For example, imagery from 24 February 2023 (see figure 22, above) shows heavy equipment in proximity to the barge as it is moored alongside the pier.

<sup>62</sup> @brdnews (23 December 2022). Available at: <https://t.me/brdnews/10818>, [geolocated to approximately 46.749515, 36.788227] ; @brdnews (11 December 2022). Available at: <https://t.me/brdnews/10692>, [geolocated to approximately 46.749881, 36.787674].

However, in imagery from 21 March 2023 (see figure 23, below), CIR confirmed a similar barge was loaded with grain at the facility. Based on analysis of

the colour of the material in the hold of the barge, it is likely barley or wheat.



*Figure 23: Imagery of Berdyansk Port on 21 March 2023 showing a barge moored alongside the pier loaded with grain.*

Barges tend to be used for short-haul transportation along coastlines or river systems. CIR worked with maritime experts and assessed that it is unlikely that

the barge is used to carry grain outside of the Azov Sea, narrowing its potential destinations to Rostov-on-Don in Russia or Kerch in occupied Crimea.

# OPERATIONS IN CRIMEA

## Over-land Transit

Based on evidence collated above in reference to the Melitopol elevator, CIR finds sufficient evidence to suggest there are multiple forms of overland logistics connections between State Grain Operator's enterprises and occupied Crimea.

This section collates available evidence of grain transit activities over the course of several routes throughout Crimea to maritime export hubs in the Black Sea.

### Road logistics

Based on available information on Melitopol, multiple convoys of grain vehicles can be seen carrying grain in the direction of the Crimean peninsula. The convoy identified as taking part in grain extraction activities from Melitopol Grain Elevator (see figures 12 and 13, above on previous page) is travelling

along the route listed as the most direct between Melitopol and Crimea, according to YandexMaps.<sup>63</sup> Large quantities of transport vehicles, including multi-trailer bulk carriers used to transport grain, have been identified along this route in the direction of Crimea (see figure 24, below).



*Figure 24: PlanetLabs SkySat Image of high number of transport vehicles queuing at the approach Crimea near Chonhar on 12 August 2022 [46.00082, 34.54735].*

After passing onto the Crimean peninsula, vehicles reach Dzhankoy. A number of different routes can be identified here (see figure 25, below on next page).

<sup>63</sup> Based on information from Yandex Maps: <https://yandex.com/maps/?ll=35.520852%2C46.641856&mode=routes&rtext=46.855902%2C35.361809~45.972762%2C34.574189~45.713335%2C34.392849&rtt=auto&ruri=~&via=1&z=9.8>.



*Figure 25: Agrotransport vehicles turning east towards Kerch at Dzhankoy [geolocated to 45.710901, 34.411970].*

For example, in a video<sup>64</sup> shared by a Russian trucking vlogger, several bulk carrier vehicles can be seen turning from the E105, from the direction of Zaporizhzhia, onto the E97, towards Kerch. One of the vehicles in the video is identifiable as a vehicle belonging to Russian agro-logistics firm 'ITECO'.<sup>65</sup>

It is also possible these vehicles could have departed from the nearby elevator in Dzhankoy itself, which has seen some road transit activity since the beginning of grain export operations into Crimea and sits on the train rail line running from Melitopol to Sevastopol.

## Rail Operations

In regards to rail transit, Agro-frigat ("АГРО-ФРЕГАТ"), an agro-transportation LLC based in Rostov-on-Don,<sup>66</sup> is likely heavily involved in the movement of grain by rail across occupied areas and Black Sea ports. Wagons belonging to the company have been in widespread use across Crimea. The

enterprise's wagons have also been seen at the 'Urozhane' (Krasnogvardeyskoe) railway station, 80 kilometres along the rail line from the border of the Kherson oblast, and in the vicinity of Feodosia,<sup>67</sup> including at the elevator in Melitopol.<sup>68</sup>

<sup>64</sup> Антон Власов (23 September 2022). Available at: <https://www.youtube.com/watch?v=VrTR4E94MqQ&t=35s> [See 01:20 in video].

<sup>65</sup> ITECO (Last accessed 27 March 2023). Available at: <https://iteco.com/> (Accessed 27/03/2023).

<sup>66</sup> Rusprofile (Last accessed 27 March 2023). Available at: <https://www.rusprofile.ru/id/11913850> [Accessed 27/03/2023].

<sup>67</sup> Поезда России (8 August 2022). Available at: <https://www.youtube.com/watch?v=YzdfiF55tUI> [Geolocated to: 45.038919, 35.382627]

<sup>68</sup> See section State Grain Operator in Melitopol: Branch No. 16, Melitopol Grain Elevator, and nearby Branch No. 15.



In March 2022, Russian company ‘Petrokhleb-Kuban OOO’<sup>69</sup> concluded at least three leasing agreements (“1056/K\_1-DL”,<sup>70</sup> “1056/K\_2-DL”,<sup>71</sup> “1056/K\_3-DL”<sup>72</sup>), which provided additional wagons (hoppers)

for grain, with a total number of 620 units. These wagons were filmed at the exit from the port of Aval, Sevastopol, where vessels have been observed loading grain from large elevators.<sup>73</sup>

## Maritime Transit

Crane Marine Contractors (CMC), operates in Sevastopol. It is a subsidiary of Russian state-owned defence contractor United Shipbuilding Corp.<sup>74</sup> United Shipbuilding and its senior executives were sanctioned by the United States in April 2022 for providing weapons to the Russian war effort.<sup>75</sup> CMC now owns and operates four ships. The company bought three grain carriers just before Russia invaded Ukraine, a departure from its core business of providing heavy lift platforms to the oil and gas industry.<sup>76</sup> All three ships are ‘handy bulkers’ (medium bulk carriers),<sup>77</sup> which is the maximum length and depth that Sevastopol’s Avlita grain terminal allows. The owned ships are the ‘Matros Pozynich’, ‘Matros Koshka’, and ‘Nikolai Nenashev’.<sup>78</sup> The enterprise purchased the ‘Matros Shevchenko’ in 2023, suggesting an expanding operation.<sup>79</sup>

CMC’s handy bulkers are the biggest ships likely taking part in grain smuggling operation, at 170-180 meters. They are also the ships that are in the best shape. They have the capacity to reach any European port, and have been present in Turkish ports of Iskenderun, Derince, and Dörtüyol.<sup>80</sup> These ships can carry up to 30,000 metric tons of wheat.

‘Petrokhleb-Kuban’ also operates several vessels to small Black Sea Turkish ports, with many small ships working as feeder ships to larger vessels in the Kerch anchorage.<sup>81</sup>

AnRussTrans, a Russian company whose ships work Turkish ports in the western Black Sea or Sea of Marmara, owns its ship Fedor through a subsidiary.

69 Petrokhleb-Kuban (Last accessed 11 April 2023). Available at: <https://petrokhlebkuban.ru/english/>; OOO or общества с ограниченной ответственностью refer to private companies with limited liability.

70 Fedresurs.ru (Last accessed 19 March 2023). Available at: <https://fedresurs.ru/sfactmessage/02631D97B3904D65AB0AFF1B8F833C4A>

71 Fedresurs.ru (Last accessed 19 March 2023). Available at: <https://fedresurs.ru/sfactmessage/CA64D2CF87A546E2BB706EE5EE318E6>

72 Fedresurs.ru (Last accessed 19 March 2023). Available at: <https://fedresurs.ru/sfactmessage/7114AA92E574485786854D9040A7F715>

73 Zen.Yandex.ru (Last accessed 20 March 2023). Available at: <https://zen.yandex.ru/video/watch/62acc617cbd9197865ab128e?t=11> [Geolocated to: 44.635249, 33.561549].

74 United Shipbuilding Corps (Last accessed 15 March 2023). Available at: [https://www.aoosk.ru/companies/ooo\\_kmk/](https://www.aoosk.ru/companies/ooo_kmk/)

75 US State Department (Last accessed 16 March 2023). Available at: <https://www.state.gov/additional-state-department-designations-targeting-russian-state-owned-defense-shipbuilding-enterprise/>

76 Lloyd’s List (10 February 2023). Available at: <https://lloydslist.maritimeintelligence.informa.com/LL1143939/Handysize-bulk-carrier-joins-Russias-grain-plundering-operation>

77 Bulk Carrier Guide (Last accessed 9 April 2023). Available at: <https://bulkcarrierguide.com/size-range.html#:~:text=‘Handysize’%20are%20the%20medium%20bulk,and%20quantity%20of%20bulk%20cargoes>

78 Based on commercial maritime information seen by CIR. See Annex 1: Maritime Documentation on page 30.

79 Lloyd’s List Intelligence (10 Feb 2023). Available at: <https://lloydslist.maritimeintelligence.informa.com/LL1143939/Handysize-bulk-carrier-joins-Russias-grain-plundering-operation>

80 Based on CIR’s tracking of vessels through AIS tracking websites. See, for example, MarineTraffic (n.d.). Available at: [https://www.marine-traffic.com/en/ais/details/ships/shipid:407125/mmsi:273292290/imo:9515539/vessel:MIKHAIL\\_NENASHEV](https://www.marine-traffic.com/en/ais/details/ships/shipid:407125/mmsi:273292290/imo:9515539/vessel:MIKHAIL_NENASHEV)

81 Wilson (21 July 2022). Available at: <https://www.eupoliticalreport.eu/russia-must-be-held-accountable-for-stealing-and-selling-ukrainian-grains/>

## CONCLUSION

Indicators of widespread logistical operations by rail, road, and sea relating to the extraction of grain have been detected at sites across newly occupied areas of Ukraine. This report ties these logistical efforts, recorded on social media and by international journalists, to specific enterprises associated with

occupying authorities and, by extension, the Russian state. These enterprises, and the occupying authorities that engage them, have seized the means of grain storage and export to a point where they essentially control the grain trade in the areas they operate.

# ANNEX 1: MARITIME DOCUMENTATION

Commercial maritime information collected via 'Equasis' on ships owned by Crane Marine Contractor LLC.

## Company fleet

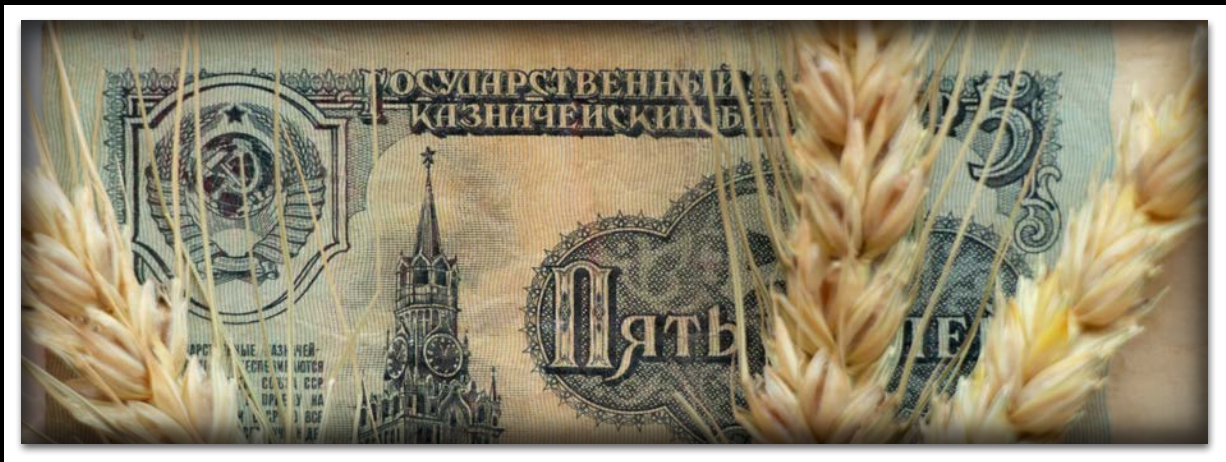
### • Fleet

IMO	Ship	Gross tonnage	Ship type	Year of build	Current flag	Current class	Detention in last 3 years for this company	Detention in last 3 years for all company	Acting as (Since)
9515539	MIKHAIL NENASHEV	17018	Bulk Carrier	2009	Russia	NKK		1	Registered owner (since 23/12/2021) Ship manager/ Commercial manager (since 23/12/2021)
9550137	MATROS KOSKA	17039	Bulk Carrier	2009	Russia	NKK		1	Ship manager/ Commercial manager (since 09/12/2021) Registered owner (since 09/12/2021)
9573816	MATROS POZYNICH	17025	Bulk Carrier	2010	Russia	NKK			Registered owner (since 08/02/2022) Ship manager/ Commercial manager (since 08/02/2022)



## Eyes on Russia

# Mapping grain seizure and extraction under Russian occupation authorities



MAY 2023