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SHADOWS IN THE WHEAT FIELDS: UNRAVELLING THE IMPLICATIONS OF ORGANIZED CRIME IN THE BLACK SEA GRAIN INITIATIVE

Abstract. *Since July 2022, Ukraine has had a pivotal role in alleviating the global food crisis by leveraging its grain supply chain, even in times of war. Despite the political advantages and formal control exerted by UN authorities over this initiative, the presence of organized crime in the Black Sea region has brought forth profound implications. These include economic losses for legitimate businesses, distorted market prices, reduced government revenues, compromised food safety and a weakened rule of law. This article sheds light on the broader societal impacts of organized crime in the grain trade, such as the fostering corruption, eroding trust in institutions and perpetuating social inequality through various illicit activities. Based on open-source intelligence analysis and focused interviews, this article demonstrates how organized crime infiltrates the grain trade in multiple ways, from the misuse of sanctions and control of supply chains by Russian forces to organized groups in Ukraine facilitating fraudulent transactions, customs abuse and corruption in the southwest of the country. These criminal networks exploit weak border controls and porous maritime routes to smuggle grain across international borders, further worsening the security situation in the region and undermining the integrity of state institutions. The situation requires a comprehensive approach that involves strengthening border controls, enhancing transparency and traceability in the supply chain, implementing robust quality control mechanisms, and promoting international cooperation.*

Key words: *grain deal, Odesa connection, organized crime, war, security, crime prevention*

INTRODUCTION

Implementing existing international and local agreements is the main way to bring Ukraine closer to European countries. It would not only help to strengthen and deepen political and economic ties but also contribute to shared values between Ukraine and the EU. This has become especially evident after the start of Russia's full-scale war against Ukraine on 24 February 2022, which has crushed international trade in the region.

International trade has a crucial role in modern international relations *(Manzhola et al., 2007)*. Consequently, its development and regulation are important areas of scholarly research. Many researchers have made significant contributions to the theory and practice of international cooperation, particularly in the context of Ukrainian trade at sea *(Alekseievska and Derkach, 2020; Kozak and Fedoruk, 2021; Lyzun, Vitálišová and Borseková, 2023)*.

The Russian – Ukrainian war has had a significant impact on global wheat exports, as these two countries account for 30% of worldwide supply, and 25 African countries import more than a third of their wheat from Russia and Ukraine. The war has led to a blockade of the Black Sea by Russia, destruction of infrastructure and constant missile strikes, which have severely affected the supply of agricultural products. This situation makes African nations, in particular, vulnerable to famine; for example, the World Food Programme sources half of its wheat for programmes in West Africa from Ukraine.

Developed countries have responded with two initiatives, namely the Black Sea Grain Initiative and Solidarity Lanes. The Black Sea Grain Initiative, an agreement between Ukraine and Russia brokered with the mediation of Turkey and the UN, enabled food and fertilizer exports (including ammonia) to continue from three key Ukrainian ports in the Black Sea. Through its extensive grain supply chain, Ukraine was able to launch a significant initiative to address acute food shortages worldwide despite wartime challenges. This collaborative effort, bolstered by support from UN authorities and distinguished by remarkable logistical prowess, is a testament to the power of international cooperation in the face of immense adversity *(Tuliakov, Yakubovski and Truba, 2024)*.

Despite the noble intentions of these initiatives, a darker force is at play, endangering not only Ukraine's progress but also the overall stability of the Black Sea region. Russian attacks on port infrastructure on the Danube have caused wheat futures to rise for the eighth consecutive session. This is the longest streak since 2012, as reported by Bloomberg (2023). But the grain deal also raises some thought-provoking questions about its beneficiaries, such as,

'Why have China, Spain, and Turkey emerged as the three main recipients of Ukrainian grain exports during the conflict, when prior to the war, the greatest dependency was observed in Lebanon, Djibouti, and Somalia, which imported 50–60% of their total wheat supply from Ukraine?'

Countries with significant shares of Ukrainian wheat in their imports prior to the war included Eritrea, Mauritania, Libya and Pakistan (approximately

40–45% of their wheat supplies), as well as Tunisia and Egypt (30–35%). However, these dependency figures require clarification, as they appear inconsistent with previously cited data regarding pre-war import patterns.

In January 2023, the European Council published data indicating that developing countries were the main recipients of Ukrainian wheat exports, accounting for 65% of total shipments. However, of the more than 600 grain ships that departed Ukrainian ports during this period, only 13 vessels carrying approximately 380,000 tonnes of wheat were destined for the most food-insecure nations: Ethiopia, Yemen, Djibouti, Somalia and Afghanistan *(European Council, 2023).* According to UN Joint Coordination Centre data, merely 0.3% of the 23 million tonnes of grain exported through Black Sea ports reached Lebanon, 0.2% went to Somalia and 0.03% to Djibouti *(UN Black Sea Grain Initiative Joint Coordination Centre, 2023).*

The use of Ukrainian grain for livestock feed in Europe and China raises critical questions about the underlying motives of these export initiatives. Does this distribution pattern effectively address global food insecurity, or does it primarily serve other economic and political objectives? This shift in grain allocation raises concerns about its impact on combating world hunger and whether the grain trade is being utilised for purposes beyond humanitarian aid.

Moreover, there are valid concerns about the correlation between the safety of Odesa ports and the export of fertilizers from the Russian Federation, considering that fertilizer exports now bring in more income than oil *(Hervé, 2024).* Why are there rumours about the reopening of the ammonia plant in Pivdenny port, specifically focused on Russian fertilizer exports? Around 2.4 million tonnes of ammonia were shipped from the Pivdenny Port in Odesa in 2021, of which only 150,000 tonnes were from Ukraine. The balance comes from the Russian manufacturers TogliattiAzot and Rossosh, which, respectively, move about 1.8 million tonnes and 0.5 million tonnes of ammonia through Pivdenny each year.

According to expert interviews, Russia is expected to increase ammonia exports by 1 million tonnes from the new terminal at Taman port by the end of this year. The Russian Ministry of Finance announced that nearly EUR 3.15 billion was allocated to the 2023 budget from excess profits, of which EUR 600 million (20%) was generated by fertilizer exports. This means that every tonne of fertilizer exported to the EU is contributing directly to financing the war in Ukraine *(Fertilizers Europe, 2024).*

Questions also arise about whether the grain deal supports collaboration, organised crime, corruption, shadow capitals, budget financing and defence against Russian aggression. The control and distribution of grain revenues by foreign-owned agricultural holdings also raises substantial concerns about external management and the allocation of profits and transnational organised crime issues. Reports suggest that criminal networks have infiltrated supply chains and are diverting shipments, manipulating prices and engaging in other illicit activities to profit from the disruption. The impact of these criminal activities has been significant, affecting not only Ukraine but also the global community. The global agricultural market has been greatly destabilised by the Russian invasion of Ukraine, which is a major producer of wheat and a key supplier to the European market *(Ghirdha, 2022)*.

Organised crime has had a long-standing presence in the Black Sea region and has become entrenched in Ukraine's grain supply chain. This has resulted in consequences that go beyond just economic losses. According to the head of the Odesa Regional State Administration, an estimated 30–40% of grain exporters from the Odesa region operate in the shadows, based on the findings of a 2023 inspection *(Kiper, 2023)*.

Look only on two interrelated cases of high-profile financial misconduct involving Ukrainian entrepreneurs operating across borders. The first concerns Ihor D, an Odesa-born figure who orchestrated a complex grain trading fraud, deceiving business representatives, criminal networks, and law enforcement agencies out of approximately $37 million before fleeing to Romania. Allegedly operating under the protection of a Ukrainian-Romanian criminal authority, D is now suspected of laundering funds through the luxury goods sector in Bucharest. The second case involves Roman T, founder of T T Holding and owner of several major grain enterprises, who has come under investigation by the State Financial Monitoring Service of Ukraine. Tereshchenko is accused of illicitly transferring $3 million abroad, partly under the implausible guise of receiving payments as a content creator on the adult platform OnlyFans. Together, these cases reveal vulnerabilities in financial oversight and highlight the evolving interplay between transnational crime, digital finance, and regulatory evasion in the post-war Ukrainian context.

The complex relationship between organised crime and the grain export industry in Ukraine has become a growing concern in recent years. As a major global producer and exporter of grains, Ukraine has struggled to maintain the integrity of its agricultural supply chains, with reports of criminal networks infiltrating and exploiting the industry. The disruption of Ukrainian grain exports due to the ongoing conflict with Russia has worsened these issues, leading to significant global food security concerns. As a result, Ukraine has sought alternative export routes, such as through the Romanian port of Constanta, which has struggled to handle the influx of Ukrainian grain. These challenges have created an environment ripe for exploitation by organised crime groups, which have increasingly targeted the grain export industry. As Melnychuk *(2017, p. 297)* writes:

‘The transformation of economic relations leads to the extinction of some forms of criminal activity and the emergence of new crimes or new ways of committing them. Their emergence is because the shadow economy and economic crime always parasitize the legal infrastructure of the economy and reflect adaptive mechanisms of adaptation to changes in the ‘rules of the game’ in the regulation of economic activity, marketing priorities, business ethics, etc. In this case, economic crime is a type of deviant socialization, analyzed in a particular historical formation, taking into account the realities of production resources, social capital, the intensity of business communication, and mentality of the population’.

This article discusses the complex implications of criminal networks infiltrating the grain trade. We will analyse the legal battles against organised crime in the south-western region of Ukraine and explore how intelligence services, with the help of collaborators, exploit sanctions and control the supply chain. This infiltration distorts market prices and poses a significant threat to the rule of law. We will also examine the involvement of organised networks engaged in illicit activities that threaten the integrity of the grain trade by operating between the south and north.

We will examine classic organised crime groups operating within institutions. This analysis will emphasise their participation in fraudulent activities, abuse of customs regulations and corruption. These criminal networks exploit relaxed border controls and easily accessible maritime routes to unlawfully transport grain across international borders. This activity further undermines security in the Black Sea region.

We aim to provide a comprehensive understanding of the multifaceted impacts of organised crime in Ukraine’s grain supply chain, emphasising the importance of addressing these issues to ensure the success of global efforts to alleviate a food crisis and ensure regional stability via Ukrainian port safety *(Tuliakov, Alekseievska and Yakubovski, 2021)*.

METHODOLOGY

Understanding the intricate connection between organised crime and Ukraine’s grain supply chain requires a comprehensive research approach. This study integrates a number of approaches to gather insights into the operations of criminal networks in the grain trade.

The study has a systematic holistic approach that incorporates comparative and descriptive methods based on existing literature, research and statistics provided by the official agencies of Ukraine. Various open sources of information, such as videos, public statements by officials and other digital information, were reviewed for the analysis. Data and other information are sourced from the Office of the General Prosecutor, Economic Security Bureau media content analyses and interviews with academics and customs and security experts in the Odesa region to establish a well-rounded and multifaceted understanding of the subject.

Adhering to internationally recognised best practices and standards, the paper applies a 'reasonable grounds to believe' standard of proof. This standard is satisfied when factual information has been gathered to convince an objective and prudent observer that the incident has occurred as described with a reasonable degree of certainty.

RESULTS AND DISCUSSION

The security of a state depends on its developmental trajectory, societal ideology, the primacy accorded to human rights, and the establishment of equitable responsibility for rights violations. The development of criminal law and criminal policy should be a complex undertaking, requiring a careful balance between established principles and the constantly changing dynamics of public and social relations. This discord challenges traditional methods of social control, involving various stakeholders, including the state, offenders, victims and civil society, each with different perspectives on criminal law and criminology.

In the context of aligning Ukrainian criminal legislation with the EU's standards and norms of the COE, contemporary criminal law has a crucial role in protecting human rights and businesses. This theoretical framework should be in line with Recommendation CM/Rec (2023)2 of the Committee of Ministers of the European Council, which emphasises the importance of safeguarding collective and individual human rights. According to the recommendation, crime is a violation of the rights of both the society and victims. Member states are urged to ensure that the rights of victims, including their liberty, security, property, dignity and private and family life, are recognised and respected. This marks a significant advancement in intergovernmental communication, notably in the context of Ukraine's path towards European integration during the war. The evolving circumstances highlight the need for innovative approaches to aligning with EU law and protecting both international and local human rights.

Ensuring that fundamental rights and freedoms are protected requires a re-evaluation of certain aspects of modern criminal law theory, including identifying specific individuals, legal and illegal entities and social groups as objects of social interaction. It is an essential and continuous process that aligns with societal expectations.

This also applies to analysing and optimising criminal policies in the maritime industry. Maritime crime refers to criminal activity that occurs in or is related to the maritime domain, such as piracy, armed robbery at sea, drug trafficking, smuggling, human trafficking, arms trafficking and illegal fishing. These crimes pose a significant threat to maritime security, global trade and the well-being of humanity. The war in Ukraine has added to this a considerable number of torts related to violations of public order in maritime practice *(Tuliakov, Arakelyan, and Ivanova, 2021),* the rules and customs of hybrid war, seaport blockades and acts of environmental and marine damage, not to mention circumvention of sanctions and organised maritime crime and terrorism.

ORGANIZED CRIME DURING A TIME OF WAR

The emergence and operation of organised criminal groups pose significant challenges to the security and stability of any country, and Ukraine is no exception. In the context of the ongoing military aggression in eastern Ukraine, the country is forced to deal with an additional complexity: organised criminal groups that take advantage of the instability and virtuality of criminal law prohibitions. This section examines, from a perspective of Ukrainian criminal law, the characteristics of crimes related to the emergence and operation of organised criminal groups, with a particular focus on the challenges posed by the ongoing war in the east of the country.

Ukrainian legislation contains a strong legal framework for combating organised criminal groups. The main provisions can be found in the Criminal Code of Ukraine, primarily in articles 255–257, which deal with the creation of criminal organisations, participation in such organisations and, particularly, serious forms of criminal activity *(Kivalov et al., 2022).* Legal measures have been implemented to prosecute both leaders and members of criminal organizations. These measures have had a significant role in bringing individuals involved in organised crime to justice.

However, the ongoing conflict in Ukraine has created a favourable environment for the growth and emergence of organised criminal groups. The chaos, insecurity and displacement caused by the war have allowed criminal groups to flourish in several ways, as briefly described.

- Arms trafficking: The war has led to the proliferation of weapons, enabling organised criminal groups to engage in arms trafficking, exacerbating conflict and contributing to violence.
- Smuggling: The conflict zone has become a centre for smuggling of goods, including contraband and illicit drugs, which is a source of income for criminal organisations.
- Corruption: Disorganisation caused by the war has undermined governance structures, leading to increased corruption, which often benefits organised criminal groups.

• Human trafficking: Conflict-related population displacement has made people, especially vulnerable women and children, more susceptible to trafficking.

THE GRAIN DEAL: OPPORTUNITIES FOR ORGANIZED CRIME?

Ukraine is one of the world's largest producers of grain and oilseeds. Until recently, most of its exports were shipped to regions outside the EU. However, the grain deal faces significant security challenges from organised maritime crime. Naval attacks, including the bombing and mining of sea routes, port infrastructure, and commercial vessels, have occurred during grain deal operations, with reports implicating both civilian criminal networks and Russian intelligence services. The optimisation of criminal policy in the maritime sector, especially in the context of the grain deal, requires a multifaceted approach that addresses the unique challenges posed by hybrid warfare, organised criminal activity and the involvement of state intelligence agencies.

But does the grain deal, an important agreement for the transport of grain through maritime routes, have significant implications only for global food security or also for organised crime and violations of human rights? According to the Ukrainian Grain Association, the new harvest is expected to yield approximately 48 million tonnes of grains and oilseeds for export purposes. This is almost twice as much as the Romanian port of Constanta, which was the main export channel for Ukrainian grain in 2022, can handle in a year. Without the reopening of the grain corridor, which is undermined by Russian military action and their collaboration with Ukrainian nationals, exporting such a volume of grain from the country is not achievable.

During the 11 months of the grain deal, more than 1,000 vessels carrying 32.9 million tonnes of agricultural products, including corn, wheat, sunflower products, barley, and rapeseed, departed from the ports of Greater Odesa, bound for Asia, Europe and Africa. Beyond grain deal shipments, the ports of Greater Odesa handled an additional 34.4 million tonnes of cargo in the first six months of 2023 alone, demonstrating the broader economic significance of these facilities. The National Bank estimates that closing the grain corridor will cost Ukraine USD 2 billion.

The corridor should be reconnected to other supply routes. According to the COE, a sharp increase in imports of agricultural products from Ukraine has created problems for farmers from the closest EU member states – Poland, Romania, Bulgaria, Hungary, the Czech Republic and Slovakia – as reported at the end of January 2023. Poland, in particular, was concerned about the sharp increase in imports of Ukrainian corn (6,000 tonnes in November 2021 compared with 1.6 million tonnes in November 2022). In Bulgaria, imports of Ukrainian sunflower products increased 22 times (from 36,100 tonnes to 804,000 tonnes between January and December 2022), which makes it difficult to sell locally produced sunflower products and drives down prices in the domestic market. The countries demanded an urgent response to the situation, as European farmers have already suffered from the hostilities in Ukraine, in particular, from rising prices for fertilizers, fuel and energy. There were calls for compensation to be paid to affected farmers as well as for 'sealing' supply routes from Ukraine so that products would not harm local farmers but instead would be sent in transit to markets that need them *(COE, 2023).*

CORRUPTION IN THE GRAIN DEAL

However, Russia's blockade of the Black Sea ports means that Ukraine is now cut off from its traditional export routes and is forced to rely on other paths, such as overland transit routes through Poland, Slovakia, Hungary and Romania *(Lepiarz et al., 2023).* It also presents opportunities for exploitation by criminal entities and state actors, making it necessary to implement robust policy measures to safeguard this critical supply chain. The primary objective of the grain deal was to facilitate the global release of much-needed Ukrainian grain, mitigate rising food prices, and, for Russia, provide immunity from US and EU sanctions on agricultural and fertilizer exports. Under this agreement, Ukraine has exported approximately 32 million tonnes of grain, with a value of USD 8–9 billion, including to China, Spain and Turkey. On average, based on the latest statistics, 901 trucks are handled in the Odesa region per day. As of October 2024, 6,712 grain trucks were en route to the seaports. This extensive export volume has led to a reduction of 11.6% in global food prices. In addition, Ukraine benefits from generating hard currency and freeing grain silos for upcoming harvests, preventing domestic price surges. The number of trucks heading towards Izmail has now decreased, as has the daily unloading rate, primarily owing to constant Russian air raids and shelling.

However, merely six weeks after the agreement's inception, Moscow voiced dissatisfaction, asserting that the deal's terms were not being adhered to, specifically regarding grain deliveries to impoverished nations. Yet Russia's primary objective appeared to be eliminating export barriers for its own grain and fertilizer exports.

An illegal scheme that allowed exporting companies to evade taxes of more than UAH 13 million between 2022 and 2023 was recently uncovered. Through this scheme, which involved employees of the Odesa State Customs Service, goods were sold for cash, and the person involved provided tax credits to other companies. The employees abused their official position to intentionally obtain an unlawful benefit in the interest of another legal entity, namely the officials of the exporting company. In this way, substantial tax evasion was made possible, in particular with regard to customs payments. The requirements specified in the letters of orientation and instructions of the Bureau of Economic Security and the State Tax Service provided to the Odesa Customs regarding the exporting company were ignored, and by the customs officials' intentional actions, the export of agricultural products continued unimpeded outside the customs territory of Ukraine based on forged documents and EUR certificates with falsified information *(Kiper, 2023).*

The grain deal, which is an important component of global food security, is now once again threatened by corruption. Representatives of the Minister of Infrastructure named V and K, those who appointed the former minister, appeared to have benefited directly from corruption schemes, maintaining their intermediaries ('gaskets') within the grain deal operations. The arrangement operated through a relatively straightforward mechanism: individuals purchased grain from farmers, enterprises and large agricultural holdings, then resold the products through multiple companies with questionable characteristics, removing tracking documentation before export. The scale of these operations is substantial: in 2022 alone, 22 million tonnes of grain passed through the ports. The State Security Bureau has investigated 10 such firms to date, yet many of these intermediaries continue to operate under the protection of undisclosed patrons *(Chabretz, 2023).*

A notably positive development has been the impact of Ukrainian naval operations on the Russian fleet, which contributed to ending the blockade. However, significant questions remain, and details of the new grain deal arrangements are not readily accessible for analytical review.

THE GRAIN DEAL FROM A RUSSIAN PERSPECTIVE

In July 2023, Russia declared the end of its participation in the initiative, followed by the shelling of the Odesa port *(Stezycki, 2024)*. The country is also increasing control over its grain industry and occupied territories, potentially giving the state more power over grain exports amid growing global concern about rising wheat prices. Major Western agribusiness companies, including Cargill and Viterra, stopped exporting from Russia after the government demanded that foreign firms transfer control to local companies.

Moreover, the consolidation of the industry in the hands of companies close to the government limits foreign traders' understanding of Russian supplies at a time when global wheat prices are rising owing to a poor harvest. Russian wheat supplies have had a key role in curbing global food inflation over the past few years, but economists note that the country's influence over grain is growing, and the key question is how this will affect the global market. In particular, Moscow is already trying to set unofficial minimum prices for the country's crop, and further tightening control over the grain sector will allow the government to influence exports more easily. In this way, the grain market will become controlled by only a few companies and so give Moscow more influence over wheat supplies.

During the war, particularly between July and August 2023, Odesa ports were extensively attacked by missiles and unmanned aerial vehicles. Approximately 215 facilities were damaged, and 153 vehicles and 8 civilian vessels were destroyed. Over the past three years, officials have made glib assurances that Ukraine has actively and easily switched its logistics to land. But the port administration does not share such optimism and points out that 95% of all global world trade takes place by sea.

Agricultural commodities and products from the mining and metallurgical industries need ports; planes, trucks and ways cannot deliver a significant volume of cargo, and the cost of shipping by sea is much cheaper than transporting goods over land *(Rail insider, 2023)*. One big ship, even one of just 100,000 tonnes, has an equivalent capacity of 5,000 trucks, which need 5,000 drivers. Before the war, there were 18 ports in Ukraine. Five remained in Crimea, and three more came under Russian control during the war, namely Mariupol, Berdyansk and Skadovsk. In addition, the Mykolaiv port region cannot be fully utilised, as military operations are very close.

POLICIES TO ADDRESS ORGANIZED CRIME IN WARTIMES

Hybrid warfare blends conventional military tactics with irregular methods, such as cyberattacks, disinformation and economic coercion. It is increasingly relevant in the maritime sector, where Russian intelligence agencies have been using these tactics to disrupt maritime operations and undermine international agreements such as the grain deal. These actions can include cyberattacks on shipping infrastructure, the sabotage of vessels and the spreading of false information to create uncertainty and fear among stakeholders. To counter these threats, criminal policy optimisation should include enhanced cybersecurity measures, intelligence- sharing agreements among allied nations and the development of rapid-response teams to address and mitigate the impacts of hybrid attacks.

Maritime economy, law, and security should develop in parallel as the main components of Ukraine's comprehensive maritime strategy, given that maritime exports are a matter of national and economic security for Ukraine *(Radzivivska and Us, 2021)*. Over the past year, Russia has been unable to leverage the grain deal to its advantage, recognising that the balance of power has shifted. The deal has not provided the expected leverage over Ukraine and the West, resulting in Russia becoming a formal partner rather than a dominant force.

Klymenko *(2023)* notes that 'the UK's maritime security strategy, which has recently been released, includes the development of military and economic blocs. Their entire country depends on maritime imports, making it a matter of national and economic security for them. The same should be true for us. Ukrainian strategy for maritime economic development that was approved a month before the war started should be revised with this in mind.

Russian invaders are alleged to have stolen millions of tonnes of grain, valued at approximately USD 1 billion, from temporarily occupied Ukrainian territories. In July 2024, Ukraine seized the cargo vessel *USKO Mfu*, which it claimed was transporting looted agricultural products from Russian-occupied territories *(Bloomberg, 2024)* – the first such physical seizure since Moscow's invasion in 2022. Since the beginning of the full-scale invasion, Ukraine's Prosecutor General's Office has been documenting violations of maritime entry and exit procedures in temporarily occupied territories, as well as the export of allegedly stolen Ukrainian grain through Crimean seaports. Ihor Ponochovnyi, head of the Prosecutor's Office of the Autonomous Republic of Crimea, told national media that 21 vessels had been subject to arrest warrants in absentia for such activities. However, *USKO Mfu* was the first vessel to be physically detained *(Prosecutors' General Office, 2024)*.

Discussions between Turkey and Russia regarding the grain deal, as well as the influence of African leaders, may encourage Russia to rejoin the agreement. The geopolitical implications of the grain deal, its suspension and the factors affecting its future continue to be a complex and evolving issue with global ramifications. Despite exemptions from US and EU sanctions for Russian agricultural exporters, Western companies have been hesitant to resume business with their Russian counterparts. Various challenges contribute to this reluctance, including financial transaction difficulties, increased costs and concerns about potential new sanctions. Many of these Russian companies are associated with the state or have individuals under sanctions on their management boards. Nonetheless, Russia has managed to export over 60 million tonnes of grain, generating earnings of more than USD 41 billion during the 2024 agricultural year. Prospects for the new crop and export revenues remain favourable, given Russia's substantial grain reserves and adaptability to restrictions. Furthermore, grain is actively exported from territories annexed from Ukraine.

One notable concern is the safety of Ukrainian port infrastructure. While direct attacks on grain carriers by Russia currently seem unlikely, Ukrainian ports in the Black Sea and along the Danube became potential targets during the 2023 summer and autumn. According to Ukrainian authorities, Russia's withdrawal from the grain deal has led to 118 hits on Ukrainian ports. Consequently, a third of port infrastructure facilities have been damaged or destroyed. Despite the fighting, the field mines and the blast that destroyed the Kakhovka hydroelectric power plant, Ukraine will harvest a better grain and oilseed crop in 2024.

UKRAINIAN INVOLVEMENT IN CORRUPTION RELATED TO GRAIN TRANSACTIONS

There is a lot of money to be made from grain. According to data from the ESSU, a common method of illegal grain exports involves the use of risky enterprises. These enterprises are set up to export unaccounted-for grain that was purchased for cash. In other words, farmers grow the grain and sell it in cash to buyers that are usually registered to front companies and do not engage in regular business activities. Some companies do not provide any documents regarding the origin of the grain they export. They also state fake producers in their customs declarations. Once the grain leaves Ukraine, it is sold multiple times before reaching the final buyer legally. This results in a loss of foreign exchange earnings for Ukraine, and the treasury does not receive any revenue as the exporting companies are non-existent. The typical scenario involves a non- resident company as the final buyer of grain. This company transfers the payment for the goods to another non-resident company, which is associated with a Ukrainian exporter.

Thus, Ukraine's agricultural sector has also been damaged by the country's own corruption, a new investigation by Organized Crime and Corruption Reporting Project (OCCRP) and the RISE Project, OCCRP's Romanian member centre, has found. Trade data obtained by reporters show that, in the first seven months of Russia's full-scale invasion of Ukraine, much of the grain passing through Halmeu and other border crossings was exported by dubious Ukrainian companies that are accused of tax evasion and other crimes. These companies are among more than 300 under investigation by the Ukrainian authorities since last September 2024. Prosecutors say these companies have defrauded the state of at least USD 140 million in 2024 alone. As part of the investigation, authorities have seized tens of thousands of tonnes of grain from some of the companies, court records seen by reporters show. Some have challenged these seizures, and the court cases are ongoing. Multiple high-ranking officials are accused of abusing their positions to help set up the tax evasion mechanism, including senior customs officers working at ports in the Odesa region *(Puiulet, Loginova and Shedrofsky, 2023)*.

For example, on 7 June 2024, the business premises of Attollo Granum LLC, the grain terminal of Olympex Coupe International LLC, were searched, as ordered by the investigating judge in the framework of criminal proceedings initiated by the BES for tax evasion, as stated in documents of a ruling in the Shevchenkivskyi District Court of Kyiv on 27 June. The court seized more than 33,000 tonnes of corn and 29 containers filled with 11,000 tonnes of wheat and other grain. As it was established in court, 'risky' enterprises were used, and false information regarding the producer or supplier of grain was entered into official documents in order to evade taxes of close to 81 million hryvnias *(InterfaxUkraine, 2025).*

The situation is exacerbated by institutional corruption. Viktor Berestenko, chairman of the board of the Association of International Freight Forwarders of Ukraine, notes that drivers continue to have to pay bribes and that customs officers demand USD 0.4 per tonne and USD 1,000 per bill of lading (Berestenko, 2023). The minimum amount of cash on land is UAH 20 million. Law enforcers demand 2–4% of the contract price for grains and oil, claiming that they are trying to help. 'It's just trash,' he says. 'I saw this in 2011, the last time. *(Argumentum, 2023)* Institutions such as the BES, the SSU and DBR', he says, are 'like pimps of the customs [service]'.

Our respondents note that the war has opened several opportunities for hidden operations and organised crime associated with the grain deal:

- Grey cash and documentary grain (grain transported with documentation but for which no VAT is paid) can disrupt supply chains, inflate prices and contribute to regional instability. This is commonly seen when a consignment changes hands somewhere on the high seas or in a grain hub. The maritime sector is particularly vulnerable to organised criminal activities such as smuggling, piracy and illicit trafficking. The vastness of the oceans and the complexity of international maritime law create opportunities for criminal networks to exploit weaknesses in monitoring and enforcement. Effective criminal policy must therefore focus on strengthening international cooperation, improving the capacity of maritime law enforcement agencies, and implementing advanced surveillance technologies. In addition, fostering partnerships with private-sector stakeholders can enhance the overall resilience of maritime trade routes. Nevertheless, despite political circumstances, these routes are associated with criminal risks. For example, on the Bosphorus, some ships queue for a month to pass the control, whereas others go through on the same day as they arrive.
- The import of goods from Turkey and China can involve the transfer of

foreign currency to the account of a non-resident individual, who then sells these goods for cash and provides tax credits to other companies *(ESSU, 2023)*. The goods that used to go by ferries and container ships to Odesa now go to the port of Constanta in Romania and then by truck to Ukraine. Its flow is only growing, as are the offers of minimisers and optimisers; USD 20,000–50,000 per 'empty' truck is a standard offer.

- In the past, the SSU has regularly detained customs officers who, in return for bribes, 'helped' businessmen import their goods 'under an accelerated procedure' and 'bypass' mandatory import payments. The officials created their own organised criminal group and regularly received bribes from entrepreneurs for the 'unimpeded' import of foreign goods into Ukraine. For example, in Odesa, a deputy head of the local department of the State Customs Service was detained for 'underestimating' the customs value of foreign consumer goods for importers. Every month, the official passed almost 100 shipping containers through the scheme, each of which was 'valued' at USD 500 *(SSU, 2023a)*.

The State Bureau of Investigation (SBI) has also found hidden goods worth over UAH 1.5 billion at Odesa Customs during searches at the container terminals, such as a helicopter, luxury cars, machinery, huge batches of shoes, including branded ones, and construction materials and equipment *(SBI, 2023)*.

- Fuel smuggling resulted in budget losses of UAH 14–15 billion in 2022 owing to non- payment of fuel taxes (black sales and tax minimisation by chains) (*Hetman, 2023)*, and in 2023, losses were expected to reach UAH 10–11 billion.

POSSIBLE FOREIGN LINKS IN CORRUPTION, AS RELATES TO THE GRAIN DEAL

Ethnical elements of these activities add interesting considerations. Apart from Turkish groups involved in goods smuggling, we also noted that groups of ethnic Romas and representatives of the Bessarabian region, who traditionally controlled marijuana smuggling to Europe through the Danube, are now controlling the market of fake shell companies – intermediaries in cross-border transactions with EU countries businesses.

Before and after World War II, the descendants of Spanish Civil War refugees were settled in Ukraine. Despite the permanent prohibition of Ukrainian land trade to foreign citizens, a large amount of land and many agricultural industries were controlled by joint ventures involving Spaniards as managers and intermediaries. According to the UN, Spain is in second place in Ukrainian grain imports after Turkey *(UN, 2023)*. Given the high value of trade vessels moving through Ukrainian ports that are not affected by the war and blockades but are subject to corruption and other grey deals, it should be interesting to set up a joint task force to analyse this issue, as well as representatives of the Arab Emirates, Turkey, Syria and Egypt who act in the Odesa region as intermediaries.

As of August 2023, Ukraine supplied 1.2 million tonnes of wheat to foreign markets. Historically, Egypt was one of the five largest importers, accounting for 17% of the total volume of grain (approximately 204,000 tonnes) in 2023. Egypt is one of the largest buyers of wheat in the world and has been a key importer of Ukrainian grain for many years. However, in August 2023 (and also in other months), it had no direct deliveries. Instead, the entire consignment of wheat to Egypt was handled by up to 18 intermediaries. Of interest is that Spain was the leading destination of Ukrainian wheat exports to Europe in physical terms, at over 3.2 million tonnes, between July 2023 and January 2024, followed by Romania and Egypt *(Statista, 2024)*.

Now, the point about buying Ukrainian soil belongs to Saudi interests. An agricultural holding owned by Saudi Arabia is expanding in Ukraine. Continental Farmers Group is acquiring assets from Odesa-based agricultural company Exim-Agro. The company is registered in the Odesa region, but the group also has assets in western Ukraine, particularly in the Lviv and Rivne regions. The real owner of Continental Farmers Group (almost 200,000 hectares of land) is the Saudi fund SALIC. This Arab company is systematically buying up companies and has already reached 6th place in terms of land bank of cultivated hectares for grain harvesting.

Trade representatives and relevant ministries should question why Ukraine has not yet signed direct contracts with a country that is a huge market, with some 100 million people highly reliant on bread and a state programme for the procurement of wheat. As a result, the money for wheat is routed through Hong Kong, China, Switzerland and the Seychelles. Moreover, the pricing seems strange: wheat was sold to Egypt through Switzerland at USD 182 per tonne, compared with the global average of USD 241 per tonne. However, at the same time, Ukrainian wheat shipped to Egypt through China was sold at USD 55 per tonne *(Samayeva, 2023)*.

Finally, analyses by the Global Initiative against Organized Crime (GI-TOC) show that organised criminal influence oriented on control and racketeering is still at work in Ukraine *(GI-TOC, 2023)*. This criminal activity extends to attempts to seize key agricultural infrastructure through questionable legal proceedings.

On June 6, 2023, the L’viv District Administrative Court reportedly closed proceedings in case no. 380/809/23, which was opened at the request of Madison Pacific Trust, a credit agent acting on behalf of Argentem Creek Partners (ACP) and Innovatus Capital Partners, who were trying to take over the Odesa grain terminal of Olympex

Coupe International LLC (GNT Group). Dorofeychuk *(2023)* notes that the proceedings were closed due to the lack of jurisdiction of the administrative courts (the dispute is not of a public law nature). The court clarified that to resolve the dispute, the plaintiff had to apply to the commercial court, which resolves disputes arising from corporate legal relations, rather than to the administrative court.

CONSEQUENCES OF CORRUPTION DURING WARTIME

War always presents opportunities for rethinking, working on mistakes and developing new models of behaviour. In some areas, governance approaches have changed. However, in others, all is the same as before, and the situation has become even more threatening during the war. Large amounts of corrupt money are still being siphoned off through government agencies such as customs and tax authorities, flowing into the pockets of top-level officials and law enforcement officers and filling the pockets of those who feed under their roof and serve their common interests *(Prokopenko, 2023).*

Money lost to corruption within the customs and tax authorities could be allocated for the needs of the defence forces; instead, corruption is undermining the efforts of the nation's patriots.

Bloated customs and tax structures directly affect the uncomfortable conditions for doing business and volunteering. This behaviour model is eroding entrepreneurial freedom and deterring investment in Ukraine. In general, smuggling causes losses to the state budget of about UAH 300 billion a year. Of this, about UAH 100–150 billion is due to inefficient customs operations. The scale of corruption and the arbitrary approaches of the bureaucratic and security forces in a country at war contribute to a decrease in the internal drive of even the most ardent Ukrainian patriots, who are able to distinguish between the concept of a homeland for which they are ready to give their lives and a state that has not yet learnt to perceive its citizens as having the highest value *(Yefimenko, 2023).*

For example, the Security Service of Ukraine (SSU) has exposed a corruption scheme in the department of the state service of Ukraine for food safety and consumer protection in the Odesa region. The offenders extorted money from representatives of companies exporting Ukrainian agricultural products. In exchange for bribes, they 'guaranteed' grain traders unimpeded receipt of phytosanitary certificates of conformity for their products. In case of refusal to pay the 'contribution', they threatened to substantially delay bureaucratic procedures. The SSU officers documented two cases of receiving almost UAH 400,000 through an intermediary engaged to transfer bribes.

It was established that participants demanded a 'contribution' of USD 0.40

per tonne of exported products. In the framework of the criminal proceedings, the SSU documented the transfer of another 'deposit' to the intermediary. He was served a notice of suspicion under Part 3 of Art. 369–2 of the Criminal Code of Ukraine (abuse of influence). The investigation is ongoing to establish all the circumstances of the crime and bring the perpetrators to justice *(SSU, 2023b).*

According to Law 713-VII of 19 December 2013 (on the rates of certain taxes and tax exemptions and which provides for VAT reimbursement for operations with grain and technical crops from 1 January 2014), the income of domestic agricultural producers is expected to increase, with the profitability of grain production set to increase by 10–12% to contribute to the revitalisation of the development of the agrarian sector of the economy.

Only grain producers and enterprises that purchased grain directly from agricultural producers are eligible for a VAT refund when exporting.

Export operations are allowed to involve only one intermediary, not two or three. In addition, on 17 November 2021, the president of Ukraine, Volodymyr Zelensky, signed Law 1888 on amending administrative and criminal legislation to introduce the activities of the Economic Security Bureau of Ukraine.

Certain paragraphs of the law amend the Criminal Code of Ukraine, including Article 222, and introduce liability as a separate type of criminal offence. The article implies embezzlement or illegal seizure of budgetary funds by obtaining budgetary reimbursement, as well as filing an application for the return of the amount of budgetary reimbursement, committed by providing knowingly false information, including through the use of a knowingly false document (VAT fraud).

In fact, numerous schemes still exist where grain imports escape official oversight, often involving fraudulent VAT refund claims. Over 20% of grain imports are connected to undeclared quantities that evade proper regulatory control.

For example, a large-scale corrupt grain sales scheme operated in Odesa in 2023, in which products were exported from Ukraine without taxes being paid. Grain crops were bought for cash so that the transactions were not reflected in reports. Afterwards, the products were exported using forged documents. In this way, all taxes and customs duties were avoided. According to a statement by the prosecutor's office, 'law enforcement officers conducted searches at the enterprise where agricultural products were stored on the basis of fictitious documents from a non-existent company' and found 9,000 tonnes of grain, corn and wheat, to the value of UAH 65 million. All the products were seized *(Kyiv City Prosecutor's Office, 2023; Nik Center, 2023).*

To prevent such deals, the Odesa regional government sent out a memorandum regarding the control of grain supply. In order to exercise their powers in the areas of socio-economic development, agriculture, transportation, employment, law enforcement and budget and financial control, they noted that they will impose measures to:

- ensure strict compliance with the requirements of Ukraine's constitution, laws and other regulations, including as they relate to the payment of taxes and fees on all types of production, supply, storage, transportation, processing and export of agricultural products, in particular by businesses that function in the ports of Odesa (port operators, cargo owners, shipping companies, agencies, freight forwarding companies, organisations providing cargo separation and fumigation services, etc.)
- improve processes for tax administration, deshadowing of income and relations in the field of employment prevent damage to Ukraine's economic interests and harm to the interests of the bona fide business community and create effective barriers to goods being exported without the lawfully required taxes and fees being paid
- promote the protection of the legitimate interests of agricultural enterprises in the legal, financial, economic, social, labour, environmental and other spheres
- ensure, within the framework of the current legislation, the balance of interests of the state and business entities, namely, by promoting the improvement of current legislation, including legislation in the field of international trade and accelerating and increasing efficiency and transparency of tax and customs control procedures *(Kiper, 2023)*.

Given the International Monetary Fund's demanding that Ukraine amend the Customs Code to strengthen anti-corruption measures in order to ensure continued international financial assistance, Kiev is obliged to bring customs procedures in line with EU norms and ensure transparency in the selection of management and employees. By the end of September 2024, Ukraine was to have conducted an external audit of the National Anti-Corruption Bureau, with auditors selected by international partners. In June 2024, the president signed the draft laws N 10168–2 and N 10169–2 on amendments to the Tax Code, other legislative acts of Ukraine, and the Customs Code to improve the implementation of foreign economic operations for the export of certain goods. The laws propose the introduction of mechanisms that minimise the possibility of abuse in the export of agricultural products.

CONCLUSION AND RECOMMENDATIONS

Optimising policy to curb criminal activity in the maritime sector, specifically as it relates to grain supply, requires a seamless integration of intelligence and enforcement efforts. Given the sophisticated nature of threats posed by state actors such as Russian intelligence forces and organised criminal groups, it is essential to establish robust mechanisms for real-time intelligence sharing and joint operations. This includes the creation of international task forces dedicated to maritime security, the use of satellite and drone technology for continuous monitoring of critical shipping lanes, and the development of comprehensive risk assessment frameworks. By aligning intelligence and enforcement strategies, stakeholders can more effectively anticipate and counteract threats to maritime security.

Several key recommendations for enhancing maritime security can be made. Firstly, international frameworks such as the International Maritime Organization should be strengthened to facilitate more effective collaboration and standardisation of security practices. Secondly, investment in cutting-edge technology, including AI-driven predictive analytics and autonomous surveillance systems, can provide a significant boost to monitoring and enforcement capabilities. Thirdly, building resilience within local communities that depend on maritime trade can help mitigate the socio-economic impacts of disruptions caused by criminal activities. Finally, fostering a culture of compliance and ethical conduct within the maritime industry through education and training programmes can reduce vulnerabilities and enhance overall security.

In conclusion, optimising criminological and security policy in the maritime sector, especially concerning the grain deal, requires a comprehensive approach that addresses the intertwined threats of hybrid warfare, organised crime and state-sponsored intelligence operations. By enhancing international cooperation, leveraging advanced technologies and integrating intelligence and enforcement efforts, policymakers can better safeguard maritime trade routes and ensure the stability and security of global supply chains.

In the vast space where economics and organised crime intersect, we find ourselves entangled in a complex web of human ambition, power and illicit wealth, as illustrated by examples from the grain deal. It is important to reflect on the complex relationship we have explored between the seemingly legitimate structures of the economy and the underground networks of organised crime groups. The various aspects of this complex relationship considered in this paper each reveal a different thread in this tapestry, from the ever-changing face of organised crime that thrives in the cracks of economic opportunity to economic and political catalysts that can facilitate organised crime.

Economic imbalances, recessions and globalisation in the grain deal can create fertile ground for criminal enterprises to flourish, and when the formal economy struggles, the illegal economy often expands. Smuggling and illegal trade, from grain to oil, have profound economic consequences, and such shadow markets can affect the economies of entire regions, and the fight against organised crime in Ukrainian ports remains challenging.

COMPETING INTERESTS

The author has no competing interests to declare.

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