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New Dynamics, New Opportunities: Trends in Organised Crime in Ukraine After Russia's Invasion

RESEARCH

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Press

ABSTRACT

Russia's full-scale invasion of Ukraine on 24 February 2022 reshaped the way organised crime operated within Ukraine and how it interacted with criminal interests in other countries, disrupting some forms of illicit business and generating new opportunities. This chapter will explore three key areas of change: the responses of criminal actors; the nascent illicit economy in drugs and arms trafficking at the front line, and the new trend in smuggling conscripts away from the fighting; and the changes that have occurred to illicit markets and flows in the west of Ukraine, where massive inflows of military equipment and humanitarian aid, and similarly large outward movements of refugees, have created new vulnerabilities that organised crime is attempting to exploit. This last area also discusses the risks of corruption around another imminent inflow – that of reconstruction funds.

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CRIMINALS IN CONFLICT: PATRIOTS OR PARASITES?

The Russian invasion posed an interesting conundrum to organised crime actors in Ukraine: stay or go?[1] In the early stages of the war, many chose the latter, with several Ukrainian criminal bosses (and their assets) moving abroad, although their networks and lieutenants remained. (One Odesa underworld source said that his boss had moved abroad but was still paying him to ensure his loyalty) [2]. Reported destinations for crime bosses included Turkey, the United Kingdom, Germany, Spain, Monaco, Italy, Austria, Israel, and Dubai [3–5]. But as 2022 came to an end, several major organised crime figures returned to Ukraine, perhaps judging that the security situation had sufficiently improved or that their presence was needed on the ground again.

Our fieldwork found that some high-level criminal actors were looking for 'weak points' abroad where they could redirect criminal operations to avoid the conflict: Romania (Constanza), Bulgaria, Italy (Genoa), and France (Marseille) were cited as potential options [3, 6]. There are significant Ukrainian diasporas in several Eastern European countries, especially Czechia, Romania and Poland, which could provide cover for some criminal actors to either wait out the conflict or start up new ventures. The Baltic states also offer fertile ground for Ukrainian criminals to expand their operations, given that they already have extensive ties in such places. For those who have stayed, however, the war brought opportunities – and criminals were not slow in exploiting them.

One significant area of change was in the emergence of what might be loosely termed 'patriotic' criminals. At the beginning of the 2022 invasion of Ukraine, Moscow once again turned to its 2014 toolbox, with reports of sabotage and riots in Ukraine orchestrated by criminal groups linked with Russia. However, unlike in 2014, these agitations were quickly suppressed, in part due to the efforts of local organised crime [7]. According to a law enforcement figure, the Security Service of Ukraine (SBU) asked Ukrainian criminals to help to detect Russian criminals that had been sent by Moscow to destabilise the situation. Within a few months, the source alleged, most Russian criminal actors had been either apprehended or ejected from the country.[2] 'Patriotic' criminals have also been reported patrolling the streets with the police in Odesa, which hosts a large number of suspected pro-Russian criminals, particularly thieves-in-law who had been ejected from Georgia in the mid-2000s [8]. However, the patriotic tendency of some criminals should not be taken at face value. After all, seen through a criminal lens, the conflict is a threat to both territory and profit, neatly aligning issues of patriotism and self-interest. As such, patriotism could merely be the end product of a complex calculation aimed at furthering one or both of organised crime's overriding priorities: money and power.

Organised crime may also come to benefit from patriotic fervour in a more indirect way: through the recruitment of demobilised soldiers into organised crime groups. After demobilisation, many of the hundreds of thousands of ex-soldiers may struggle to find employment, may be traumatised by their experience, or may simply miss the intense camaraderie of military life, any of which will leave them vulnerable to criminal recruitment. Add ready access to illicit weapons, and the conflict in Ukraine may be incubating a reservoir of criminal violence in the near future. There is also the risk of a Ukrainian Wagner-type group emerging from the pool of demobilised personnel. Private military companies (PMCs) are currently banned in Ukraine but they are also banned in Russia, which demonstrates that laws may pose little obstacle if the relevant interests align.[3] Groups may also operate illegally – in 2021, for example, two illegal Ukrainian PMCs were broken up [10] – or laws may change.

THE FIGHTING ECONOMY: DRUGS, GUNS AND DRAFT DODGERS

The intense fighting and extensive territorial changes of 2022 have created a degree of uncertainty and risk that has drastically hindered much criminal business in Ukraine, especially drug trafficking from east to west Ukraine. In other aspects, though, the volatile front line has emerged as a catalyst for illicit activity.

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[1] This article was adapted from *New Front Lines: Organized criminal economies in Ukraine in 2022* [1].

[2] It was not possible to verify this claim, and it is unlikely that such a complete sweep of Russian actors was achieved [4, 5].

[3] In the context of Ukraine before the Russian invasion, see the efforts made by Blackwater founder Erik Prince in Ukraine before the conflict [9].

In November 2022, during fieldwork conducted for this research, a Ukrainian soldier was encountered in Bakhmut in a state of high agitation [11]. He appeared to be under the influence of a powerful narcotic – most likely amphetamine or a similar stimulant – and he is by no means an anomaly. Kyiv is increasingly concerned about growing drug use among soldiers. In December 2022, the Verkhovna Rada (Ukrainian parliament) passed a law that authorises ad hoc testing of military personnel for drugs and alcohol [12].

That drugs are present on the front line should not be surprising: soldiers have used drugs throughout history, either as stimulants to help them fight or as ways of escaping the harrowing trauma of warfare. Seen through the eyes of organised crime, the soldiers represent merely a new and lucrative market for their drugs. At the start of the conflict, monthly pay for front line soldiers in Ukraine was increased to 100,000 Ukraine hryvnias (UAH) (US$3,400 at the time). This gave them significant spending power in a country where the official average salary in September 2022 was UAH14,500 (US$360) per month [13, 14].

What is more notable is how synthetic drugs continued to be easily available, showing how organised crime can adapt rapidly during conflict. The Russian invasion drastically disrupted heroin flows from the Donbas region and domestic production of synthetics in the eastern city of Kharkiv, while the naval blockade of Odesa and Mykolaiv also made smuggling cocaine and precursors for synthetic drugs impossible. Given this, the natural assumption would be that the supply of synthetics would diminish [15, p10].

Following an initial period of disruption in Kyiv in the early days of the war [16], illicit distribution picked up once again throughout the country by means of online stores, street dealers, and the postal system [17, 18]. Traffickers may be drawing more heavily from sources in western Europe to make up for the drop in supply from eastern Ukraine, but local production also appears to be robust. Police busts of synthetic drug labs in central and western Ukraine in 2022 have continued, with INTERPOL reporting that, according to their upstream and downstream monitoring, flows appeared to be continuing almost unabated [19].

According to the Ukrainian State Bureau of Investigation, synthetic drugs are being sold in all regions of Ukraine, and on the front line [20]. In the first six months after the invasion, Ukrainian law enforcement launched more than 270 investigations into drug trafficking at the front line [20]. In military units where drug use was witnessed, cannabis was overwhelmingly the most-used drug by soldiers, although synthetic drugs were readily available. According to sources close to law enforcement, a major player in the front line drugs trade is Khimprom, a transnational organised crime group that has a long-standing presence in both Russia and Ukraine, and which has resisted repeated efforts to dismantle it.

The huge influx of weapons into Ukraine since February 2022 has also been a prominent concern for analysts of criminal activity. Given Ukraine's history of arms trafficking (rated as the country's most pervasive criminal market, according to the GI-TOC 2021 Global Organized Crime Index), the risk of weapons trafficking was flagged in the early days of the war by Europol and others [21]. Asd of January 2023, it appeared that the worst case scenario had not happened, and that the diversion of arms had been more limited than was initially feared. Of the billions of dollars' worth of weapons that the West sent to help Ukrainian armed forces in 2022 [22], there have been few reports of missing weapons, with the US reporting only one verifiable instance of weapons in the period to October 2022 [23]. In the main, this has been due to a high degree of awareness of the risks of arms trafficking, and the implementation of mechanisms to counter it [23–25]. The types of weapons involved may also have had a bearing on leakage risks: in the early days of the war small arms formed a substantial element. As the war progressed, the arms in question have become larger systems and spare parts that are less suitable for illegal diversion. The intense nature of the fighting is also likely to have a dampening effect on leakages, with significant quantities of weapons and ammunition being deployed by fighters as soon as they reach the front. For the most part, the allegations of trafficking Western weapons are unsubstantiated or appear to be the result of Russian disinformation [26, 27].

Where the leakage is most likely on the Ukrainian side is in the form of 'bad apples' – units or commanders who misappropriate weapons under the fog of war. Some units of the

International Legion have seen claims of misappropriation: in December, a returning British mercenary who had served in the Legion alleged that two trucks of Western-supplied weapons and ammunition – including Javelins – had 'disappeared' from his convoy. Although this information has not been verified, other allegations of stolen arms have been reported in the Legion [28, 29]. Sources also reported that weapons from a stockpile used by an International Legion unit were moved in civilian vehicles from a city in the south to an undisclosed destination [30]. It is also possible that weapons are being hidden in caches around the front line, to be collected and sold on the black market at a later date, as happened during the 2014–2022 Donbas conflict [31].

The situation is starkly different when it comes to Russian materiel, which has been abandoned in huge quantities during the conflict. These 'trophies' have driven the emergence of what one Ukrainian soldier described as 'a simplification of bureaucracy'. Here, captured Russian materiel is exchanged among some Ukrainian units for other military equipment, with swaps negotiated using Telegram, a mobile messaging service. Although no evidence of leakage to the illicit market has been reported, an analyst for Small Arms Survey highlighted that this type of unofficial exchange could undermine stockpile management procedures, potentially increasing the supply of untracked weapons that could later enter the illicit market [32].

Soldiers are not necessarily the first to scour the battlefield. Villagers have been reported collecting abandoned weapons and ammunition and storing them at home, with some accounts of tanks being stored in barns. Many of these 'grey' stockpiles are turned over to the Ukrainian army, but there have been isolated incidents of people picking up 'trophies' around the front line and selling them on the black market. Tellingly, the domestic arms market has continued to function throughout the war, with reports of domestic arms dealers selling hand grenades, explosives, machine guns, ammunition, and anti-tank RPGs [33, 34]. It is also salient to reflect that given the prevalence of checkpoints in Ukraine since the war started, these weapons could not have moved unless the traffickers were operating as military personnel, or with the collusion of corrupt checkpoint guards.

Collectively, this rise in untracked, misappropriated and found weapons will play into the hands of criminals that are assembling illicit stockpiles for exploitation at a later date, when the fighting is less intense and the ambit for arms trafficking has expanded, as occurred when the fighting in 2014 settled into a stalemate.

The smuggling of Ukrainian conscripts, by contrast, provided a clear example of an illicit market connected with the fighting that immediately flourished in 2022. On 24 February 2022, President Zelensky ordered the mobilisation of Ukraine's adult male population between the ages of 18 and 60; all those eligible for service were unable to leave the country [35]. For human smugglers, this created a whole new clientele, and business has been brisk: between February and October 2022, more than 8000 conscripted men were caught attempting to cross the border, with 245 recorded attempts to bribe border guards [36] – but many more are likely to have succeeded. Moldova and Poland are the preferred exit routes, with small groups of people crossing at a cost of between €5000 and €10,000 each [37]. Such is the demand and revenue on offer that some smugglers of alcohol and tobacco have reportedly switched to smuggling conscripts. There have also been reports of actors with no prior criminal background setting up sophisticated smuggling schemes [38].

Corrupt professionals, including lawyers and doctors [39, 40], have facilitated the market by forging official statements, including 'fictitious documents' about the removal of conscripts from the military register and 'letters from state authorities to the State Border Service' [41]. In 2022, a counterfeit certificate of unfitness for military service cost approximately US$2000 [42]. In January 2023, the Ministry of Internal Affairs reported that Ukrainian border guards had discovered almost 3800 forged documents at checkpoints since martial law had been imposed, most around the border with Poland and Hungary [43].

The Global Initiative Against Transnational Organized Crime (GI-TOC) also received information that much more sophisticated fake documentation was in use, such as with corrupt officials inserting fake information into official databases [44]. The National Agency on Corruption Prevention (NAZK) reported a scheme in which a fake charitable organisation was set up to enter fraudulent information in the Shlyah database to enable it to register conscripts as carriers of humanitarian aid. (The Shlyah system allows those transporting humanitarian aid, medical supplies or cars for the armed forces to travel outside Ukraine for a maximum of one month.) [41, 42, 45] The head of one charity fund in Lutsk was accused of helping approximately 300 men of draft age to go abroad by offering them roles as 'drivers' of humanitarian cargo [46].

NEW VULNERABILITIES: PEOPLE, SMUGGLING, RECONSTRUCTION

For organised crime, the opportunities surrounding the vast number of Ukrainians displaced by the conflict – and the EU's response to the crisis – are manifold [47]. The conflict in Ukraine precipitated the swiftest and largest refugee migration in Europe since World War II, and, coupled with millions of internally displaced persons (IDPs), has created a large pool of human vulnerability [48]. Ukrainian traffickers were well placed to exploit these vulnerabilities, given that human trafficking was deeply entrenched in Ukraine before the Russian invasion of 2022.[4]

Many observers raised the alarm over the increased risk of human trafficking [50, 51], but the extent to which these fears were realised in 2022 remains unclear. At the time of writing, data was scarce, both on internal trafficking dynamics within Ukraine and among Ukrainian refugees. However, this should not be taken to indicate a lack of criminal activity, especially for human trafficking, which by its nature deprives its victims of voice and agency, and so reduces capacity for detection.

Within Ukraine, it appears likely that several forms of human trafficking, especially sexual exploitation, have continued with little interruption and may have even expanded, although the curfew may have forced brothels and other sites of exploitation to alter their hours of operation. According to GI-TOC research, online listings of sexual service providers in Ukrainian cities have begun appearing in English as well as in Russian and Ukrainian, indicating an expanding client base drawn from the diverse international actors now in-country. Some foreign fighters have reportedly used the opportunity of being in Ukraine to seek sexual services, a significant proportion of which will be rendered by women in exploitative situations [52].

As the war continues, it is likely that human trafficking within Ukraine will expand as poverty and hardship increase. In July 2022, Ukrainian officials arrested a Kyiv-based ringleader accused of orchestrating a trafficking ring that sent women recruited on Telegram to work as escorts in Turkey, where they were sexually exploited. One of the intercepted women was a single mother who had lost her job following the Russian invasion and had a child to support, and it is likely that many of the other victims had similar profiles [53]. Other parents desperate for money, food and other essentials may either exploit their own children [54] or sanction their exploitation by others. It is likely that the cybersphere will also witness an uptick in such forms of sexual exploitation.

Outside Ukraine, there have been reports of the exploitation of Ukrainian refugees. For the most part, such incidents appear to be of an individual and opportunistic nature, but there have been troubling signs of more organised exploitation. For instance, two 'hackathons' run by Europol highlighted how traffickers were targeting Ukrainian refugees for sexual and labour exploitation online. The first hackathon in May 2022 found 'a significant number of suspicious job offers' targeting Ukrainian women [55], while the second in September found 30 online platforms related to vulnerable Ukrainian refugees, five suspected traffickers of Ukrainians and 25 possible Ukrainian victims [56].

Trafficking risks are also high for Ukrainian refugees returning home to a devastated country where jobs are scarce and living conditions are dire. Returns began after the liberation of Kyiv in mid-April 2022 and have since gathered pace. In September 2022, the International Organization for Migration (IOM) estimated that more than 6 million Ukrainians (IDPs and refugees) had returned to their habitual places of residence, with 85% indicating that they intended to stay [57, p2].

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[4] GI-TOC assessed human trafficking as the second most pervasive market in Ukraine (arms trafficking being the first) in the Global Organized Crime Index 2021 [49].

An alarming development in Russian-occupied territories has been the forced movement of Ukrainians into Russia, especially from the Kherson, Zaporizhzhia and Pryazovia (Mariupol) regions. Estimates of numbers have varied substantially, especially in regard to children: in July 2022, the US State Department estimated that between 900,000 and 1.6 million Ukrainians had been forcibly deported to Russia, including 260,000 children [58]. In December 2022, the Office of the Ukrainian Parliament Commissioner for Human Rights said that it had confirmed instances of more than 12,000 Ukrainian children in Russia, of whom approximately 8,600 had been forcibly deported [59]. These forcibly dislocated populations will be extremely vulnerable to exploitation in Russia.

The border channels that opened to facilitate the mass movement of refugees also facilitated increases in other forms of illicit activity and helped redraw the map in terms of illicit smuggling flows in, through and into Ukraine, which were heavily disrupted by the intense fighting in eastern and south-eastern Ukraine and the naval blockade of Odesa.[5] Formerly, the dominant flow was from the east and south to the west (the gateway to Europe). As a result of the looser border controls and the suspension of customs duties to help the flow of refugees and humanitarian and military aid, there has been a boom in smuggling from the west of the country (although the south–west connection is still operational). In particular, illicit flows through Poland have grown because Poland is the main channel for the humanitarian aid that has been pouring into Ukraine. This aid has been granted a simplified customs procedure [61] that criminals have taken advantage of to smuggle illegal goods, such as drugs and weapons, into the country [62]. There has also been evidence of theft of humanitarian aid and military items that have been entering Ukraine from the west. In June 2022, the Ukrainian interior minister said that most cases of theft of such aid (some of which was domestically produced) were registered in Kyiv, Lviv, Kharkiv and Kirovohrad, including the theft of cars intended for the army, as well as fuel, medicines, body armour, and food [63]. One high-profile instance came in October, when it was reported that the deputy head of the Office of the President was driving an SUV that General Motors had donated to Ukraine for humanitarian purposes [64].

Looking ahead, one of the major areas of criminal opportunity will be that of reconstruction, which will take place on a massive scale. As of 1 September 2022, the Kyiv School of Economics estimated the cost of the total amount of damage caused to Ukraine's infrastructure at more than US$127 billion [65]. The costs of reconstruction and recovery will be even higher. In July 2022, the Ukrainian government set out a 10-year reconstruction plan predicated on US$750 billion in investment [66]. These reconstruction funds may enable Ukraine to reshape itself as a stronger country than it was before the war [67], but they are also vulnerable to seizure from corrupt actors and criminal groups. For instance, corrupt officials may take advantage of the lower levels of transparency that are characteristic of wartime to divert funds to chosen partners.

At the lower end of the organised crime spectrum, reconstruction efforts may be hampered by widespread theft of materials, while more sophisticated depredation may see organised crime groups inserting themselves in to reconstruction projects, both on the ground and at the procurement stage. The construction industry in Ukraine was already plagued with allegations of criminality and corruption before the invasion, which ranged from the illegal granting of permits and sales of land to raw materials (for example, illegally mined sand). A key development in this space will be Law 5655, passed in December 2022, which is intended to increase transparency and urban planning control, though some have flagged that it may also give developers greater control and so increase the risk of corruption in certain quarters [68].

Two egregious examples of government funds being misappropriated in 2022/3 highlight the nature and scale of the corruption risks in Ukraine. In November, two media investigations found that UAH1.5 billion (approximately US$40 million) had been paid out in the course of

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[5] Law enforcement and insider sources we spoke to in both Kyiv and Odesa confirmed that there is nothing coming into the port city: the ships using the grain corridor come in empty and leave with grain. There are no more ships coming in from Latin America and China; the only route is via Turkey under international supervision [60].

2022 to a relatively small company known as Budinvest Engineering for the repair of roads in Dnipropetrovsk region [69, 70]. This was far more than had been paid out to any other region – an especially glaring fact considering that the region had suffered relatively little damage as a result of the war. Suspicions were further aroused by the revelation that 49% of Budinvest Engineering was owned by a female fitness instructor who was romantically connected to the head of the Dnipropetrovsk Regional State Administration; the instructor was removed from the company ownership after the investigation became public [71]. Although the investigations flagged suspicions of overpricing and possible inventory fraud of purchased raw materials, the wartime suspension of the publication of state contracts makes it impossible to ascertain the existence or the extent of any illegality.

A second example highlights that the war economy has generated opportunities for corruption. In January 2023, the deputy defence minister resigned over a scandal regarding food procurement for the military [72] after a journalist had revealed that the army had signed a contract in December 2022 for food for units stationed well away from the front line [73]. Comparing the military purchase price with the price of food both before the invasion (adjusted for inflation) and in Kyiv's supermarkets, the journalist found that the military was paying between twice and three times over the going rate for certain staple goods. For example, the military's purchase price of eggs was UAH17 per unit, while eggs were retailing in Kyiv at the same time for UAH7 per unit; potatoes were purchased at a similarly inflated mark-up. In the context of a contract worth UAH13 billion (approximately US$353 million, as of mid-December 2022) these differentials amount to millions. It is also worth noting that this contract was signed without any public scrutiny due to the suspension of the ProZorro procurement system, again highlighting the risks of reducing transparency and accountability during wartime.

Corrupt public servants siphoning off state cash may appear to be merely a sophisticated form of theft, but it also has profound ramifications for governance. Such actions hamper the delivery of civic services, while corruption also builds patronage networks, enriches criminal middlemen, and undercuts democratic principles of transparency and accountability. This phenomenon is already well entrenched in Ukraine, where corrupt officials have turned many regions and localities into 'feudal estates', in the words of Andriy Kaluzhynskyi, the head of the main unit of the National Anti-Corruption Bureau of Ukraine's (NABU) detectives [74]. As billions of dollars flow into the country for reconstruction, there is a real risk that these estates may be strengthened into criminal fortresses.

CONCLUSION

Past evidence indicates that planning for the post-conflict period cannot wait for peace to come – and that includes analysing and reducing the influence of organised crime. While the battles on the ground and in the political and economic space understandably dominate attention, there is a broad body of research that points to the long-term risks of putting aside considerations of the illicit economy in a time of conflict. Indeed, Ukraine itself is a case study of such risks, as highlighted by the GI-TOC's 2022 assessment of the evolution of organised crime in the self-proclaimed people's republics of Luhansk and Donetsk [75]. As such, it is essential that trends in organised crime remains a priority area of focus for policymakers, researchers, civil society and other key stakeholders.

COMPETING INTERESTS

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