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Collaboration or Survival: Understanding the Experience of Russian Occupation in Ukraine

Russia currently occupies approximately 20% of Ukrainian territory. According to the Ministry of Development of Communities and Territories of Ukraine, thousands of settlements are classified as Temporarily Occupied Territories (TOT),¹ housing an estimated population in the millions. However, the precise numbers are unknown: many have left, many have died; Russian citizens have been moving from internationally recognised Russian territory to the captured Ukrainian towns and villages. For those trapped, the choice between fleeing and abandoning their lives or waiting for liberation under duress is a difficult one. By 2025, most residents have resolved this dilemma; refugee arrivals in Western Europe have steadily declined, except for a recent spike following legislative changes in 2025 that allowed men aged 18 to 22 to leave Ukraine.²

To leave the occupied territories, people were required to undergo the so-called “filtration” procedure, usually at the administrative borders of the occupied regions or locally at their place of residence, during which their identities and belongings, including deleted content from their devices, were scrutinized. Since the closure of the last direct crossing point in the Zaporizhzhia region in autumn 2022, the only way for people to travel out was via Russia, either by traveling directly through Belarus to Ukraine or the neighbouring EU states. This journey entails financial and bureaucratic demands: personal vehicles initially required temporary, regularly updated permits issued by the occupation administration, and the regime later mandated Russian license plates—a requirement that complicates entry into states such as Finland. Privately organized carriers operating from occupied territories to Ukraine or other European states charge substantial fees for their services (sometimes exceeding 500 euros per person).³

¹ Наказ Міністерства розвитку громад та територій України № 376 "Про затвердження Переліку територій, на яких ведуться (велися) бойові дії або тимчасово окупованих Російською Федерацією", 28.02.2025, <https://zakon.rada.gov.ua/laws/show/z0380-25#Text>.

² Eurostat, Temporary protection for persons fleeing Ukraine - monthly statistics, 05.12.2025, https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Temporary_protection_for_persons_fleeing_Ukraine_-_monthly_statistics#How_many_decisions_providing_temporary_protection_were_issued.3F

Постанова Кабінету Міністрів України № 1031 "Про внесення змін до Правил перетинання державного кордону громадянами України", 26.08.2025, <https://zakon.rada.gov.ua/laws/show/1031-2025-%D0%BF#Text>

³ See e.g., Дар'я Куренная, "Хтось бере соління, а хтось лише все, крім кота". Як змінилися умови виїзду з окупації: розмова з Helping to leave", 29.05.2025, <https://suspilne.media/donbas/1028875-htos-bere-solinna-a-htos-lisae-vse-krim-kota-ak-zminilisa-umovi-viizdu-z-okupacii-rozmova-z-helping-leave/>; Олена Бадюк, Юлія Щетина, "Найбільше люди бояться фільтрації": шлях українців без пункту "Колотилівки" через Білорусь", 20.08.2024, <https://www.radiosvoboda.org/a/shlyakh-ukrayintsiv-bez-kolotylivky-cherez-bilorus/33084449.html>; Олександр Потапенко, "Як виїхати з окупованої території: вичерпний посібник на 2025 рік" 24.11.2025, <https://gelios.ua/yak-vyyihaty-z-okupovanoj-terytoriji-vycherpnyi-posibnyk-na-2025-rik/>; Віра Перун, "Окупанти зобов'язали власників авто на окупованих територіях встановити номери за російським зразком", 24.11.2024, <https://lb.ua/society/2024/11/10/644329-okupanti-zobov'yazali-vlasnikov-avto.html>; "Suomi aikoo kieltää venäläisten henkilöautojen maahantulon", 15.09.2023, <https://yle.fi/a/74-20050301>.

From crisis to normalization

Tetiana Zhurzhenko (2022)⁴ provided a detailed analysis of life under occupation at the start of the full-scale invasion and Andreas Heinemann-Grüder, Sergej Savčenko, and Dmitriy Durnev (2025)⁵ elaborated on the process of occupation itself in detail. The onset of occupation brought a rapid deterioration of the humanitarian situation. Basic services—water, electricity, healthcare—were disrupted or destroyed; pharmacies closed, and essential medicines became scarce. Food supplies shrank as Ukrainian logistics were blocked, leaving residents to rely on dwindling supplies or, later, on expensive goods imported from Russia. A central pillar of occupation became repression. Zhurzhenko describes widespread abductions, torture, and killings, especially targeting local officials, journalists, activists, and former soldiers. Hundreds of civilians were “disappeared,” often after denunciations or at filtration checkpoints.⁶ Occupation forces immediately imposed strict information control, shutting off Ukrainian media and internet connections, replacing them with Russian networks, and enforcing surveillance through Russian SIM cards. At the same time, immediately after the occupation regime was established and persistently thereafter, networks of resistance emerged. Early mass protests in cities such as Kherson and Melitopol were followed by more discreet forms of civic defiance: clandestine humanitarian networks, the removal of Russian flags, graffiti featuring Ukrainian symbols, and teachers' refusal to implement Russian curricula. A partisan movement emerged, carrying out sabotage, bombings, and targeted attacks on collaborators and Russian-installed administrators. Reports presented in Zhurzhenko's article can be corroborated by our interviews with people who lived under occupation for an extended time.

In this article, we shift the focus to the process of normalization that follows the establishment of the occupation regime and to how, during this process, Ukrainian citizens who remain in occupied territories are compelled to enter into social and economic relations with the occupation regime. Having a Russian passport became a prerequisite for access to medical services, social assistance, pension, employment, or basic emergency provisions such as water.⁷ The Russian President passed a decree according to which everyone without a Russian passport living in the occupied territories is considered a “foreigner” since the summer of 2024. In the case of an extremist activity (which is a common label for repressed Ukrainians), such “foreigners” can be deported.⁸

In 2022, the Ukrainian Parliament introduced legislation criminalizing “collaborationism” with the enemy regime. In this article, we problematize this legislation and its implementation in court by juxtaposing it with accounts of occupation from in-depth interviews conducted in 2024 and 2025. We argue that current legislation does not accommodate survival strategies or a nuanced understanding of the lived experiences of occupation during its protracted stage. To do that, we first analyze the

⁴ Zhurzhenko, T. (2022) Terror, Kollaboration und Widerstand. Osteuropa 6-8. <https://zeitschrift-osteuropa.de/hefte/2022/6-8/terror-kollaboration-und-widerstand/>

⁵ Heinemann-Grüder, A., Savčenko, S., and Durnev, D. (2025) Zwangskonversion und Terror Russlands Besatzungsregime in der Ukraine. Osteuropa 4, 5-32. <https://zeitschrift-osteuropa.de/hefte/2025/4/zwangskonversion-und-terror/>

⁶ For a detailed discussion of the filtration procedure, see Heinemann-Grüder, A., Savčenko, S., and Durnev, D. (2025)

⁷ See e.g. Марія Педоренко, Інга Леві, “You won't receive any payments”. How Ukrainians in the occupied territories are forced to get Russian citizenship”, 02.10.2024, <https://suspilne.media/847793-you-wont-receive-payments-how-ukrainians-occupied-territories-forced-russian-citizenship/>; Vitaly Shevchenko, “Ukraine war: Locals forced to take Russian passports, report says”, 16.11.2023, <https://www.bbc.com/news/world-europe-67427840>; Nikolay Petrov, “Russia in the Occupied Territories of Ukraine Policies, Strategies and Their Implementation”, 05.09.2024, <https://www.swp-berlin.org/10.18449/2024C38/>.

⁸ Указ Президента Российской Федерации № 307 “Об особенностях правового положения отдельных категорий иностранных граждан и лиц без гражданства в Российской Федерации”, 27.04.2023.

legislation and its implementation in the Ukrainian courts and then shortly present narratives from interviews with people who experienced occupation.

In this article, we analyze public court rulings and present findings from nine in-depth interviews with displaced persons who resided under occupation for at least three months. Recruiting participants was challenging for two reasons. First and foremost, people are afraid of repercussions from the Russian regime towards friends and family who remained in the occupied territories. At the same time, most people we spoke to in Ukraine have been questioned by the Ukrainian Security Forces after displacement, so they might also be hesitant to reveal details about their lives under occupation that could be considered suspicious to the Ukrainian state.

Legal framework

Although the occupation of Ukrainian territories began in 2014, it was only following the 2022 full-scale invasion that the Ukrainian Parliament codified specific illegal actions under the framework of collaboration. The state interest pursued in the legislation on collaboration is to protect national security by identifying and prosecuting people who “have assisted or continue to assist the Russian Federation in carrying out aggressive actions, waging armed conflict against Ukraine, including supporting armed formations and occupation administrations of the aggressor state, and other actions that qualify as collaborationism.”⁹

Under the Criminal Code of Ukraine (CCU), four primary articles govern these offenses:

- (1) State treason (Art. 111 CCU)**
- (2) Collaboration (Art. 111-1 CCU)**
- (3) Aiding and abetting the aggressor state (Art. 111-2 CCU)**
- (4) Justification, recognition of the lawfulness, denial of the armed aggression of the Russian Federation against Ukraine, glorification of its participants (Art. 436-2 CCU)**

Collaboration criminalised under Art. 111-1 CCU is defined in the following way:

- public denial of the armed aggression against Ukraine, establishment and confirmation of the TOT;
- public calls to support decisions and/or actions of the aggressor state, armed formations and/or occupation administration of the aggressor state, to cooperate with the aggressor state, armed formations and/or occupation administration of the aggressor state, to non-recognition of the extension of state sovereignty of Ukraine to TOT;
- voluntary holding of a position not related to the performance of organizational, administrative or administrative and commercial functions in illegal authorities established in the TOT, including in the occupational administration;
- propaganda in educational institutions to facilitate the armed aggression against Ukraine, establish and confirm the occupation, avoid responsibility for the armed aggression against Ukraine, as well as actions of Ukrainian citizens aimed at implementing the education standards of the aggressor state in educational institutions;
- transfer of material resources to illegal armed or paramilitary groups on the TOT and/or of the aggressor state;

⁹ Explanatory note, https://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71220

- conducting commercial activities in cooperation with the aggressor state, illegal authorities in the TOT or occupational administration;
- voluntary holding of a position related to the performance of organizational, administrative or commercial functions in illegal authorities established in the TOT, including in the occupational administration;
- voluntary election to such bodies, participation in their organization and conduct and/or referendums in the TOT or public calls for such illegal elections and/or referendums in the TOT;
- organizing and conducting political events, information activities in cooperation with the aggressor state and/or its occupational administration aimed at supporting the aggressor state, its occupational administration or armed formations and/or avoiding responsibility for armed aggression, in the absence of signs of treason, active participation in such events;
- voluntary holding of a position in illegal judicial or law enforcement bodies established in the TOT;
- voluntary participation in illegal armed or paramilitary formations established in the TOT and/or of the aggressor state or provision of assistance to such formations in conducting hostilities against the Armed Forces of Ukraine and other military formations.

Despite legal distinctions, public discourse and law enforcement practice often conflate "collaboration" with the more severe crime of "state treason." Differentiation of crimes can be challenging even for investigators and prosecutors. For example, the law enforcement agencies generally open criminal proceedings for state treason under Art. 111 CCU for the dissemination of information about the location of the Armed Forces of Ukraine and other military formations with the aim of providing such information to Russian representatives.¹⁰ Yet, often, such cases are seemingly arbitrarily prosecuted under the article on collaboration (Art 111-1(7))¹¹ or state treason (Art 111(2)).¹² Further, denial of armed Russian aggression or support for it constitutes a form of collaborationism, and denial of armed aggression is a separate crime under Art. 436-2 CCU. Punishments for such crimes differ substantially. By way of comparison, a punishment prescribed under Art. 436-2 CCU is imprisonment or correctional labor, while under Art. 111-1 CCU - deprivation of the right to hold certain positions or engage in certain activities. In 2022, 1191 guilty verdicts were sent to court under Article 436-2 alone.

Another problem is disproportionate sentencing. For example, the transfer of material resources to the armed forces of the aggressor state is considered collaborationism under Art. 111-1(4) CCU, and at the same time, under Art. 111-2 CCU, aiding and abetting the aggressor state includes inter alia "the transfer of material resources or other assets to representatives of the aggressor state, its armed formations". The prescribed punishments are entirely disproportionate: a fine or imprisonment from 3 to 5 years under Art. 111-1(4) CCU compared to imprisonment from 10 to 12 years under 111-2 CCU. In practice, law enforcement bodies are often uncertain which article to apply when pursuing such a case.

However, this is not the only problem; in fact, it is not the biggest. The current version of Art 111-1 of the Criminal Code is criticised by both experts¹³ and authorities. Both the Government, particularly the

¹⁰ see e.g. <https://ssu.gov.ua/novyny/sbu-zatrymala-ahenta-fsb-yakvi-koryhuvav-udary-rf-po-kharkovu>

¹¹ Ухвала Дніпровського апеляційного суду у справі No 233/2091/24, 22.01.2025, <https://reyestr.court.gov.ua/Review/124783262#>.

¹² Ухвала Дніпровського апеляційного суду у справі No 243/5051/24, 02.04.2025, <https://reyestr.court.gov.ua/Review/126405211#>.

¹³ Павло Вуєць, "За вбивство менше дають". Держава змінює підходи до колаборантів", 26.07.2023, <https://glavcom.ua/publications/za-vbivstvo-menshe-dajut-derzhava-zminjuje-pidkhodi-do-kolaborantiv-943357.html>; Ганна

Ministry of Reintegration of the Occupied Territories, and members of the Parliament recognize the problems with criminal liability for collaboration. More than 10 draft laws aimed at amending the present legal framework have been submitted to the Parliament. The relevant committees of the Verkhovna Rada have criticised both the current law and the proposed amendments, but no substantial progress has been made in their consideration¹⁴. Proposed reforms diverge sharply: some aim to decriminalize essential humanitarian interactions—such as medical care, utilities, and food trade—to reduce excessive criminalization.¹⁵ Other legislators seek to expand liability by removing the "voluntariness" requirement for certain acts, further "toughening" the legislation.¹⁶

Judicial Implementation: Analysis of Court Cases

While some convictions under Article 111-1 CCU appear straightforward within the context of national security, others highlight the problematic breadth of the legal definition of collaboration. For example, certain verdicts involve individuals whose actions directly facilitated the establishment or maintenance of the occupation regime.

In Starobilsk, a person served as head of the culture department and generally assisted the occupation administration. He was accused and proven to have collaborated with representatives of the so-called "Luhansk People's Republic (LPR)" by agreeing, without duress, to take this position. The court proceedings mentioned that the accused discussed with the "LPR" representatives the need to hold a concert for propaganda and informing people that the Russian Federation "has come forever," that these territories were "liberated" from Ukraine, and promoted Russian culture and language to the population of Starobilsk. Importantly, before multiple witnesses, he emphasized the importance of patriotic education for young people and participated in the transfer of books on Russian culture and history to the libraries of Starobilsk. While the defence lawyer argued that in the course of proceedings it was not proven that such collaboration was free and without duress, this claim was rejected and the person was sentenced (in absentia) to 10 years imprisonment with deprivation of the right to hold positions in state authorities, public administration, and local self-government related to educational, cultural, and sports activities for a period of 15 years and with confiscation of property.¹⁷

Another example is a case against a man from Mykolaiv region, who assisted Russian army by "transferring material resources," which means he used his truck to deliver drinking water and other goods to the combat positions, fortifications or temporary deployment points of the Russian Armed Forces, "which helped the units of the aggressor state to improve living conditions, unload logistics mechanisms for the supply of food or other means to ensure the conduct of offensive or defensive measures, etc.". He also seized the property of the local private agricultural enterprise and local inhabitants and delivered it to military positions, thereby participating in the unlawful confiscation of

Соколова-Стех, "Як Україні повернути не лише території, а й громадян?", 03.07.2023, <https://www.dw.com/uk/zvilneni-mista-j-sela-ak-ukraini-povernuti-ne-lise-teritorii-a-j-gromadan/a-66082737>.

¹⁴ Законопроекти No. 7273, No. 7279, No. 7329, No. 7570, No. 10136, No. 7646 (was recently withdrawn) and No. 7647 (was recently withdrawn), No. 8301, No. 8301-1, No. 8301-2, No. 8077, No. 2549 and No. 9236

¹⁵ See e.g., Законопроект No. 10136, 09.10.2023, <https://itd.rada.gov.ua/billInfo/Bills/Card/42957>; Законопроект № 7646, 08.08.2022, <https://itd.rada.gov.ua/billInfo/Bills/Card/40204>.

¹⁶ Законопроект No 8077, 26.09.2022, <https://itd.rada.gov.ua/billInfo/Bills/Card/40531>.

¹⁷ Ухвала Рівненського апеляційного суду у справі No 569/13583/22, 29.08.2023, <https://reyestr.court.gov.ua/Review/113192056>.

private property by the Russian Army. He was sentenced to three years of imprisonment, which was later changed to one year of probation¹⁸.

Unlike these cases, which still suffer from arbitrariness and lack of clarity in sentencing, the following cases indicate that the concept of collaboration as such is too broadly and vaguely defined. The following examples illustrate how the law's current wording criminalizes the maintenance of daily civilian life. For example, a man from Izyum district in Kharkiv region was employed by the occupation administration as the head of the housing and communal services sector. During court proceedings, he explained that he agreed to take the said position only in June 2022, when asked by the head of the village council. His duties included communication with people who reported problems in the housing and communal sphere and managing a small team of workers. They mowed parks, cleaned garbage, and repaired water channels. He was sentenced to five years, the minimum possible term for the type of collaboration, due to his acknowledgment and acceptance of guilt¹⁹.

An entrepreneur from the Kharkiv region received a permit from the occupation authorities to continue selling goods as he did before the occupation, and later applied for exemption from paying "taxes". He was convicted of collaboration and initially sentenced to four years' imprisonment, with a prohibition on engaging in entrepreneurial activity for ten years, but was eventually released from his sentence in exchange for three years of probation²⁰. In another case, the founder and sole owner of a local transportation company organized more than a dozen passenger trips in the temporarily occupied territory, primarily in Kherson and Zaporizhzhia, during the summer and autumn of 2022. Notably, some of the bus routes led to the checkpoint Vasylivka (Zaporizhzhia region) with the government-controlled territory. He was sentenced to three years of imprisonment and prohibited from providing transportation services for ten years²¹.

Notably, the vast majority of cases concerning the organization of daily life in cooperation with the occupational administration involve actions committed in territories that have since been liberated by the Ukrainian authorities. The current legal framework grants law enforcement and the courts wide discretion in deciding whom to prosecute and determining criminal liability for the actions. As observed by a judge of the Dnipro Court of Appeal, the law on collaboration as currently applied "imposes criminal liability for almost any commercial or economic activity on the occupied territories" and encompasses a range of persons whose primary objective may have been survival rather than treason.²²

Lived experience of occupation

So far, we have shown how politicians and lawyers struggle to define acts that legally constitute collaboration under occupation. In the interviews, people who experienced occupation elaborate on how the line between survival and cooperation with the occupation regime was a matter of constant,

¹⁸ Ухвала Апеляційного суду Кропивницького у справі No 383/119/23, 08.05.2023, <https://reyestr.court.gov.ua/Review/110748281>.

¹⁹ Вирок Новомосковського міськрайонного суду Дніпропетровської області, 02.10.2023, <https://reyestr.court.gov.ua/Review/113869316>.

²⁰ Постанова Верховного Суду у справі No 953/7065/22, 04.10.2023, <https://reyestr.court.gov.ua/Review/114021020>.

²¹ Постанова Верховного Суду у справі No 766/9915/23, 11.02.2025, <https://reyestr.court.gov.ua/Review/125125133>.

²² Ухвала Дніпровського апеляційного суду у справі No 202/1677/23, 31.08.2023, <https://reyestr.court.gov.ua/Review/113226198/>.

explicit negotiation. Personal accounts reveal that this threshold is not static; it is contingent on geographic location, the duration of the occupation, and significant personal circumstances.

The nature of the occupation varies significantly between urban centers and rural settlements, as interaction between residents and occupation forces in rural areas is more visible and transparent due to the close-knit nature of these communities. This makes such accounts especially informative, yet no less specific. Among the interviews in this study, the most informative narratives come from interlocutors based in villages or small towns.

There are certain positions in the rural economies that make interaction with the Russian forces and administration more immediate and understandable to the residents, for example, shopkeepers or village heads (*starosta*). In one of the interviews, a fifty-year-old woman who lived for five months under the occupation in the Kherson region referred to a female shop owner, which was frequented by the Russian soldiers stationed nearby. This proximity to the Russian occupation forces transformed the shopkeeper into a vital source of information about new rules of conduct, such as the prohibition on burning biodegradable waste or the specific, non-threatening manner required when approaching military checkpoints. She shared this important information for the safety of other residents in the village. While another resident who posed for propaganda photos with Russian aid was called a collaborator by our interlocutor, the shopkeeper's contact was viewed by her and the whole community as an inevitable and dangerous professional necessity.

Similarly, a 55-year-old woman from a village near Mariupol highlighted the role of her village head, who managed the distribution of essential goods to residents after the start of the full-scale invasion and after Russian forces entered the village. This meant that he supplied flour to the local bakery and organized patrol distribution, first by expropriating such goods from local businesses for the benefit of the residents and later by cooperating with the Russian forces. While our interlocutors pointed out that they avoided people they knew to be in regular contact with Russian forces, whether by choice or necessity, they also benefited from and relied on information and basic resources derived from such cooperation to survive and, often, to leave the occupied territories.

Everyday life under occupation changes significantly over time: from the initial stage of unorganized chaos to the establishment of a military regime, and, finally, to the stabilized and normalized administrative occupation regime. Over time, residents often shift from a strategy of total avoidance to one of navigating inevitable interactions with soldiers or regime representatives. An interviewee from around Mariupol, who spent more than half a year under occupation with her husband, described a shift among local residents in their attitudes toward the occupation administration. While at the beginning, people mostly avoided any interaction if they could: "And then, when everyone had gone to work, you know, little by little, those who wanted to leave quietly left. And those who stayed began to say: well, where can we go? We have work here, we have a home here."

Together with her husband, she left in August 2022 after the administration had approached her several times to return to work at a local school, a request she refused. Like all other interviewees, she perceived such attention from the administration as threatening and dangerous. At the beginning of the occupation, going back to work, especially at a state institution, was rare and noteworthy among residents. At the end, the interviewee was frequently asked by her neighbours and acquaintances about her reasons for refusing the work at the local school. For those who remained, returning to their positions was necessary and normal; for her, it was unacceptable and the primary catalyst for leaving.

Finally, the degree to which a person enters into relations with the regime often has less to do with political loyalty than with immediate family obligations and safety concerns. We spoke only with individuals who left their homes under occupation, which means they had access to resources, managed to pass filtration, and took care of the dependent family members. Yet, let us provide examples from the same two interviews we relied on above to shed light on the kinds of significant personal circumstances that we mean. The first woman from the Kherson region mostly avoided any interaction with representatives of the occupation regime and people in contact with them because her teenage daughter was active in the local youth resistance movement. Fear for her safety led the family to withdraw from public life and leave at the first opportunity. The second woman from around Mariupol had her husband to be scared for, since his name was recorded in the list of volunteers to the Ukrainian Army during the Anti-terrorist Operation (2014-2022). The list might have been in possession of the Russian occupation administration, and he would be prosecuted if discovered. At the same time, she could not undertake the same strategy of avoidance because her mother-in-law had cancer. As a result, our interview partner was actively working at the local humanitarian hub, supplied by the Russian regime, where she was seeking medication for her mother-in-law. Only once she had arranged care for the mother-in-law *and* obtained filtration papers for her husband could she make arrangements to leave the occupied territories, thereby avoiding the increasingly pressing pressure from the administration to assume a leadership position in the local school.

These narratives point to the need to carefully engage with the accounts of people who survived the occupation to understand how to exclude such inevitable, necessary, and sometimes desperate forms of cooperation with the occupation regime from the current broad understanding of collaboration in Ukrainian legislation.

Conclusion

The judicial statistics from 2022 to 2024 reveal an intensifying state effort to prosecute collaboration, yet they also expose a system struggling under the weight of its own broad definitions. According to Chesno Ruch, 6,000 investigations were launched under the articles on collaboration and state treason in 2022, followed by 3,251 new collaboration cases in 2023,²³ while 2,724 cases were heard in trial (twice as many as in 2022). By 2024, the judiciary had considered only 27% of pending cases, indicating a significant backlog as the number of investigations continues to climb. In total, 793 persons were convicted, accounting for 80% of all cases considered, and 400 of these were sentenced to imprisonment for more than 10 years²⁴. There is a visible judicial trend toward harsher penalties, with the Supreme Court increasingly ordering retrials for sentences deemed too lenient if the convicted person was released from serving the sentence (that is, from imprisonment).

One of the main implications of these statistics is that the number of investigations into collaboration continues to increase, as does the number of convicted persons, as the vast majority of the accused receive convictions and prison sentences. The system is not ready to digest such a large number of cases. The "catch-all" nature of the current legislation often results in the prosecution of low-level

²³ Юлія Олещенко, "Хто із голів громад має провадження щодо злочинів проти нацбезпеки?", 05.02.2024, <https://www.chesno.org/post/6121/>.

²⁴ Andriy Kostin, former Prosecutor General, 26.01.2024, https://www.facebook.com/story.php?story_fbid=349728871204063&id=100085008594406&mibextid=WC7FNe

employees or municipal workers rather than the high-profile individuals responsible for torture or denunciation.

President Zelenskyy once publicly stated that the mere fact of being under occupation does not make a person a collaborator:

"Russian propagandists are intimidating people in the areas still controlled by the occupiers, saying that Ukraine will allegedly consider almost everyone who remains in the occupied territory to be collaborators. ... Absolute nonsense. If a person did not serve the occupiers and did not betray Ukraine, then there is no reason to consider such a person a collaborator. If a teacher remained a Ukrainian teacher and did not lie to children about who the enemy was... Or if a person remained a Ukrainian employee of a Ukrainian utility company and, for example, helped to maintain the energy supply for people, then such a person cannot be accused of anything."²⁵

However, the practical application of Article 111-1 CCU in court tells a different story. As demonstrated by the conviction of communal service workers and small-scale entrepreneurs, the legal system currently struggles to distinguish between ideological betrayal and the basic economic and humanitarian necessities under an entrenched occupation regime.

Ultimately, the longer the occupation persists, the more the current legal framework risks alienating the very citizens Ukraine seeks to reintegrate. Instead of serving as a mechanism for restorative justice, the ambiguity of the law provides a propaganda tool for the Russian regime. To ensure successful post-war reintegration, the legal concept of collaboration must be refined by taking the lived experiences of occupation into consideration to account for the complexity of survival under a protracted occupation regime and the kind of social and economic entanglement that such survival demands.

²⁵ Якщо людина не служила окупантам, немає підстав вважати її колаборантом – Зеленський, 04.10.2022, <https://interfax.com.ua/news/general/862929.html>