

## PREVENTION

Two thirds of the objectives outlined in the Comprehensive Programme relate to prevention activities. This chapter outlines the main prevention activities conducted so far in Ukraine, assesses their impact and identifies the remaining needs.

The activities of the Prevention Programme can be divided into four groups:

### *1. Raising awareness of trafficking in human beings*

This includes public awareness and information campaigns, especially for high-risk groups, such as publishing materials on the subject in the press, broadcasting films, operating hotlines, and introducing special prevention courses in school curricula; international exchanges in combating trafficking; and research.

### *2. Improving economic opportunities and awareness of rights*

These activities include professional and job skills training for the unemployed, particularly young people and women; assistance with job placement for youth and women; supporting women entrepreneurs and those engaged in SMEs; setting up crisis centres; running programmes for vulnerable youth and children; and training people to be aware of their rights.

### *3. Supervising migration*

This includes monitoring the activities of businesses that act as intermediaries for job placements abroad and tour companies; ensuring the appropriateness of rest cures for young people and orphans abroad; and the work of the Border Services, specialized MIA police detachments, and passport offices in preventing trafficking.

In addition to these activities in the Comprehensive Programme, this chapter also discusses activities in the countries of destination.

#### ***4. Reducing risk factors***

Activities that provide individuals with life and job skills have been shown to have a long-lasting impact and are highly valued. These skills remain after training, even if the person does not find a job immediately upon completing the course. These activities have shown that participants become better prepared to seize opportunities in the long run and to create their own opportunities, as well as openings for others.

Job creation programmes that lead to work with decent wages also provide long-term stability to participants. One example of using a comprehensive approach to dealing with the problem of trafficking by finding jobs is the combination of two programmes – the Winrock Trafficking Prevention Programme and the Women’s Economic Empowerment Programme – by the Donetsk Oblast League of Business and Professional Women.

### **4.1. Trafficking Prevention Programmes**

This section provides a detailed overview of prevention programmes that are being implemented in Ukraine, analyses their effectiveness, and notes the gaps and weaknesses that remain. The last part identifies areas of prevention that have been given little attention so far.

#### ***4.1.1. Research***

Many studies on trafficking have been conducted by government institutions, including the Institute on Family and Youth Affairs, NGOs, such as La Strada-Ukraine, the Women’s Consortium and Winrock International, and international organizations, such as IOM, OSCE, ILO, USAID, and the British Council, among others.

A number of serious difficulties in conducting research in this area remain, to which this study has not been immune. The most critical source of information for research has so far been those that have been trafficked. However, it is believed that the number of women who come forward or are identified as trafficked is a very small percentage of the real number those who have been trafficked. The reasons include issues relating to the identification of trafficked persons.

Since there are no reliable means of monitoring the numbers of people currently going abroad and remaining there illegally, it is difficult to even estimate the number of migrants, let alone how many of them have been trafficked. In short, realistic data on which to base research are impossible to obtain. As a result, statistics are often sporadic and happenstance, and the methods for gathering them various, so the results can rarely be compared. Research in Ukraine is often conducted in only a number of oblasts, without truly representing all of Ukraine. There have also been concerns that research is rarely followed up on, nor used strategically in order to plan how to address the problems identified before the data becomes outdated.

More importantly, the inadequacies of research have resulted in gaps in countertrafficking programmes. For example, little attention has been paid to research on child trafficking (one exception is a recent IOM/IPEC study released in May 2004), internal trafficking, or trafficking in men, which has resulted in the lack of programmes addressing these particular issues.

Another issue that has been largely ignored in the research, and identified by respondents during this study, is the demand for unprotected migrant workers in destination countries and the mechanisms for organizing exploitation in destination countries (see Chapter 1).<sup>153</sup>

### **4.1.2. Telephone hotlines**

Telephone hotlines are often the first point of contact with potential victims. Since La Strada first started operating a hotline in November 1997, more than 17,500 phone calls have been received. The majority of these calls have been in connection with employment, education and travel opportunities abroad. A relatively small percentage has concerned those seeking to return from abroad or people in Ukraine looking for missing family members abroad.

La Strada introduced a national toll-free trafficking hotline in November 2002.<sup>154</sup> In its first year of operation, 75 per cent of the 4,851 calls received were about employment opportunities abroad, 4 per cent about studying abroad, and another 2 per cent about marriage abroad. The majority of calls, however, were from Kyiv oblast. In addition to the toll-free hotline, La Strada also has a network of regional hotline operators who have been working since 2000 in Odesa, Kharkiv, Luhansk, Sevastopol, Ternopil, and Uzhhorod, since 2003 in Mykolayiv, and 2004 in Vinnytsia. These hotlines not only provide consultations, but are also clearly an important source for gathering statistics.<sup>155</sup>

The Woman to Woman network of centres also provides hotline assistance. Over 68,000 calls have come in over the course of the project – about 15 per cent specifically on trafficking. In 2003, they published a Hotline Manual for operators of trafficking crisis centres, providing information on the basic functions of telephone hotlines, how to provide psychological assistance to specific groups such as teenage girls, how to control your emotions as a consultant, FAQs and answers, and ethical standards for hotline operators.

More than 200 hotlines and help lines are also provided through the YSC network, which offer consultations on employment opportunities, education and marriage abroad, alongside legal aid and psychological support. Although they receive many calls, it is unclear how

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<sup>153</sup> 'Cooperation in Preventing Trafficking in Persons and Assisting Trafficked Persons', an international conference, conference materials. Organized by Caritas-Ukraine under the Preventing Trafficking in Persons programme, Kyiv, 14 November 2003. Also: 'Is Trafficking Demand-Driven?' IOM Migration Series №15, 2003. Also: ILO rapid assessment studies of trafficking from Moldova and Ukraine, 2003 *supra* and 'Research on Case Studies of Victims of Trafficking in 3 EU Member States', a report published under the European Commission Hippocrates programme at <http://www.rodedraad.nl>.

<sup>154</sup> The hotline is financially supported by OSCE/ODIHR and (Utel), a national long-distance operator, and organizational support is provided by MFCYA.

<sup>155</sup> La Strada Hotline Information, statistics distributed at a roundtable on Hotline Promotion, 16 January 2004.

many are actually related to trafficking issues, as data is not separated into component parts in their reports. This network is very widespread, but most of the consultants have not been trained to deal with trafficking issues. Funding restrictions also mean that these hotlines are not always available.

In some regions, such as Ivano-Frankivsk oblast, there is no regional hotline dealing specifically with trafficking issues. One local NGO commented that even the national toll-free hotline is not accessible in villages in which callers cannot access numbers outside of their immediate area code.

Other issues with hotlines include cutbacks in working hours because of lack of funding. The YSC hotline in Ivano-Frankivsk was cut to 6 hours a day and in L'viv, the Woman to Woman Centres had to reduce their hotline service from 24 hours to 8 hours (10:00-18:00) due to budget cuts. Respondents feel that it is essential that 24-hour access be available for those in need.

Lately, more calls have started coming in from male callers who were trafficked, who are checking on the legitimacy of job offers abroad, or who are looking for a missing person whom they suspect of being trafficked. Some of them call on behalf of family members or friends who have been trafficked.

“Although our hotlines have cut their operating hours from 24 to 8 hours a day, we still receive 100-130 calls monthly from callers of all ages, mostly aged 20-40. The issues often involve domestic violence, alcoholism and co-dependency, especially on the part of women married to alcoholics or other situations that damage the woman’s self-esteem and make her want to go abroad to escape an abusive situation. This kind of woman never considers the possibility that she will run into abusive treatment abroad. 60-70 per cent of calls require more than one-time assistance. Male callers have also started calling for help finding missing wives or to check on the legitimacy of foreign job offers given to a female friend or relative.”

*Interview with Woman to Woman Centre, L'viv*<sup>156</sup>

From 2001 to September 2004, BIZPRO<sup>157</sup> funded a network of business hotlines that provide legal, tax and licensing consultations. Although the target group is SMEs, in some instances the operating NGOs are aimed specifically at women’s economic empowerment. These issues are the ones cited as most problematic for those trying to start up new

<sup>156</sup> Interview with Woman to Woman Centre, L'viv, November 2003.

<sup>157</sup> BIZPRO is a 5-year Small and Medium Enterprise Development project funded by USAID. Its main goals are to foster economic development in Ukraine through SME business skills development, assistance to business associations, and an auspicious legal environment for SMEs at the regional level. BIZPRO improves the management of SMEs by disseminating best practice for business operations and legal/regulatory information to enterprises in the regions of Ukraine. BIZPRO specifically targets small, underserved businesses operating in smaller cities and rural areas. BIZPRO’s partners are local associations that operate Business Hotlines in every oblast and Crimea. BIZPRO evolved from the USAID-funded Newbiznet project that was carried out in 1995-2000 and created a network of business support centres throughout Ukraine.

businesses. Although not directly linked to the fight against trafficking, the fact that more programmes are targeting business development for returned trafficked persons or at-risk groups means that these hotlines can be a useful resource for such groups as well. NGOs are already preparing plans to sustain the hotlines once the BIZPRO programme ends.<sup>158</sup>

### ***4.1.3. Educational programmes for youth***

The Ministry of Education and Science and partner organizations such as La Strada-Ukraine, Winrock International and local NGOs, are running a number of educational programmes in Ukraine for young people, schoolchildren and orphans.

For instance, La Strada started a project of Lecture Groups in 1997.<sup>159</sup> These groups operate in 7 oblasts of Ukraine, cooperating tightly with regional NGOs as a tool for disseminating information on the dangers of trafficking. Some of their effectiveness lies in the fact that the goal is to reach every school in those oblasts, so the lecturer travels to far-flung areas of the oblast and presents directly at the school, orphanage or state boarding school. Their impact also comes from the fact that they are prepared with a specific focus on the given audience and are carried out by professional trainers. The interactive approach encourages free discussion, feedback and the consolidation of information. These Lecture Groups also have the aim of encouraging people who are in the target environment, such as teachers, caregivers and parents, to continue to improve the level of their knowledge on anti-trafficking issues.

In total over 2000-2003, 1,072 presentations on trafficking were held, with 32,000 members of different target groups involved.<sup>160</sup> The Lecture Group consisted of representatives of over 20 NGOs from Uzhhorod, Kharkiv, Ternopil, Kherson, Lutsk, Mykolayiv, Ivano-Frankivsk, Simferopol, and Vinnytsia, who generally presented their lectures in their own regions, as well as in Zaporizhzhia, Cherkasy, Sevastopol and Kyiv. Members of the groups met on a regular basis and received training and informational materials that they then distributed to their audiences. 3,000 posters, 42,000 brochures and 1,500 press releases were issued under the project.<sup>161</sup>

Lecture groups were identified as a particularly effective means of reaching out to pupils in public schools. The lectures and informational materials delivered through these groups were considered a major benefit to all oblast Departments of Education. However, such courses need to be tailored to take into account regional characteristics and concerns, as certain approaches work in one region, but not in others. The information itself should also be integrated into other subjects, so that pupils can reinforce their knowledge and understanding of the issue.

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<sup>158</sup> Interview with Donetsk Oblast League of Business and Professional Women, November 2003.

<sup>159</sup> During 2002-2004, the La Strada Centre's Anti-Trafficking Lecture Groups were co-financed by the French, Finnish and Royal Dutch Embassies in Kyiv, with the support of the MES and MFCYA.

<sup>160</sup> OSCE Plan of Action Against Trafficking in Persons approved by the Permanent Council №557, 24 July 2003.

<sup>161</sup> La Strada Lecture Group Activity Report on the Prevention of Trafficking in Persons Project, Kyiv, 2003, 47 pp.

In 2001, the La Strada Centre also developed a trafficking prevention manual in conjunction with the MIA. 25,000 manuals in Ukrainian and Russian were distributed to schools across Ukraine,<sup>162</sup> along with 2,500 supplemental videos. At the moment, the handbook is being updated to include changes to national and international legislation, NGO case studies of best practices in counter-trafficking, as well as additional information that has been suggested by those who use the manual.

In cooperation with the MES, La Strada also conducted a series of regional seminars and roundtables in 1998 and 2000. It hosted an international conference called ‘Ways to Improve Public Awareness Campaigns in the Prevention of Trafficking in Persons’, at which the result of one year’s use of the handbook in public schools was assessed. The Centre’s staff also periodically provided seminars for specialists who were undertaking Professional Development courses at the National Academy of Post-Graduate Studies.

At a recent roundtable for Lecture Group members, one of the speakers from Kharkiv described how, within a period of two months, her group had worked in outlying areas preparing 20 local trainers and teachers from the Youth Services Centres, to whom they gave full information packages. She felt that the results were more effective and longer-lasting than going out to the areas themselves, because now they have permanent people in those locations who can continue to provide information independently.

In Odesa, mini-workshops were held for teachers and students at the Odesa National Marine Academy. They were also successful in approaching local marriage agencies about cooperation. These agencies proved willing to cooperate and disseminate information among their clientele. Now, women who turn to such agencies will be aware of their rights.<sup>163</sup>

Many of the lecturers noted that the most widely requested publications were small brochures with contact information, bookmarks and posters. They also noted that the more they had to distribute, the better, as demand among NGOs and schools is very high. This alone is evidence that raising general awareness continues and is very much needed.<sup>164</sup>

“We go to the schools in teams. One of us handles the trafficking prevention training and the lawyer talks about civil rights. This is very effective, because the kids get a variety of information from different specialists. We also work through orphanages, not only with the children, but also with their whole environment – teachers and caretakers. For example, the orphanage in Volodymyr Volynskiy has mostly children whose parents have lost their parental rights. These children desperately need someone to turn to. They tend to be open and willing to communicate.”<sup>165</sup>

*Interview with La Strada lecturer from Lutsk*

<sup>162</sup> This anti-trafficking manual was printed with financing from USAID and the British Embassy.

<sup>163</sup> Roundtable for Anti-Trafficking Lecture Groups, International Women’s Rights Centre, La Strada, Ukraine, December 2003.

<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

The UNDP Peer Education in Secondary Schools Project has helped spread the word on HIV/AIDS prevention and healthy lifestyles to 50,000 teenagers throughout Ukraine, through its country network of 3,000 schools and 2,000 teachers who are trainers. The project is continuing under a wider initiative with the MES and the Ukrainian Reform Education Programme. It could easily and effectively incorporate a training module on trafficking prevention.<sup>166</sup> However, one of the more common criticisms of mass Peer Education programmes is that they do not take into consideration the importance of motivational factors for those involved in peer education. They felt that children who were not properly selected to participate such programmes lacked the commitment necessary and, in fact, they do not carry forward with the mission they are intended to pass on to others.<sup>167</sup>

#### **4.1.4. Training**

Much of the training on trafficking in persons is designed for specialised groups, such as MIA personnel, judges and prosecutors (see Chapter 5). However some training also overlaps with other prevention activities.

IOM has conducted extensive training programmes for staff from law enforcement agencies, especially Anti-Trafficking Units, the SBU, and the Prosecutor General's Office, as well as judges, NGO personnel, journalists, Rehabilitation Centre staff, and other target groups.

In summer 2004, the office of the OSCE Project Coordinator in Ukraine organized and carried out a training for more than 40 consular officers from 30 Embassies in cooperation with IOM.<sup>168</sup> This training focused on building awareness among consular officials on anti-trafficking issues, in particular with regards to potential victim identification, sharing best practices, and in forming consulates about the presence of the national and regional support hotlines, all with the purpose of combating trafficking in humans in Ukraine.

The first such seminar was held in February 2003 by La Strada with support from OSCE and the Embassy of Switzerland.

Winrock International, together with partner organizations, has conducted workshops for the police, prosecutors, judges and local government officials on 'The Legal Bases for Combating Trafficking in Human Beings'. They have also provided training on crime detection and the investigation of trafficking at the MIA Academy of Law.<sup>169</sup>

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<sup>166</sup> UNDP Programme Information.

<sup>167</sup> Interview with representative of an NGO that works on HIV awareness.

<sup>168</sup> This training was carried out under the 'Combating Trafficking in Human Beings in Ukraine' project funded and implemented by the IOM, in partnership with OSCE.

<sup>169</sup> As part of Winrock's Community Response to Domestic Violence and Human Trafficking programme, financed by the Anti-Violence and Trafficking in Persons Training and Technical Assistance Programme of the US Department of State Bureau for International Narcotics and Law Enforcement Affairs. Partner organizations have included the Women's Informational Coordination Centre in Dnipropetrovsk.

Winrock has conducted multi-disciplinary training for YSCs and other professionals working with youth, such as headmasters, psychologists, teachers, social workers and librarians. Workshop participants have received training manuals developed for the purpose of conducting workshops for youth. The film “Victim” was also distributed and shown in schools.

Winrock has been monitoring the effects of its training on a regular basis by following up with training participants. In this way, it has identified examples of effective work to include in the organization of follow-up training courses and awareness-raising activities.<sup>170</sup>

In 2003, La Strada-Ukraine also conducted workshops for consular staff from foreign embassies in Kyiv, lecture groups, foreign registration offices, YSCs and hotline consultants, as well as seminars for instructors within the MIA system.

#### **4.1.5. Information campaigns**

Most respondents for this study found public awareness on the issue of trafficking of persons fairly high among the general population. This is evident from the detailed nature of questions now being asked over hotlines and during personal consultations. In fact, these campaigns have been so effective in spreading information on the issue of trafficking that most people in Ukraine are now quite familiar with the issue.

#### **4.1.6. Work with media**

Government and non-government organizations alike have recognised the importance of media coverage in public awareness campaigns. There are many examples of the press being more interested in the issue of trafficking in persons, especially in relation to investigative reports on stories such as women being sold into slavery.

The government papers have featured such news columns as ‘A Woman Needs Protection’, ‘No to Human Goods’, ‘Women and Children for Sale’ and ‘Prevention of Trafficking in persons’. Some regional channels have included legal consultations and advice in their programmes, such as ‘The Law and Us’, ‘A Lawyer’s Comments’, ‘The Lawyer Explains’ (Odesa oblast), and ‘Youth of Poltavschyna’ (Poltava oblast), to name a few.<sup>171</sup>

Workers at the SEC in Donetsk noted that awareness campaigns on the radio have been very effective in the oblast over the last three years because they reach people in areas other forms of mass media barely get to. Certainly, many more people now seek advice before going abroad.

The Donetsk Oblast League of Business and Professional Women is very active in working with the local media. They prepare topic-specific articles for local newspapers and encourage readers to use the information in whatever manner they want. Their Woman to Woman

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<sup>170</sup> Winrock, Sixth Quarterly Progress Report, ‘Community Response to Domestic Violence and Human Trafficking Project’, April 1–June 30, 2003.

<sup>171</sup> MFCYA 2002 Report on Implementing the Comprehensive Anti-Trafficking Programme for 2002-2005.



Centre also has a 30-minute monthly television programme on oblast television, in addition to USAID/Winrock trafficking videos that are shown regularly as well. They also organize an annual call-in show on the radio, centred on trafficking and women's business. The League emphasises the role of the press, as 50 per cent of those who come to the Centre have learned about its activities from newspapers and magazines. During the '16 Days against Gender Violence Campaign', this organization was even able to get commercial radio stations to air social advertising.<sup>172</sup>

La Strada regularly gives interviews to the media on the issue of trafficking in persons, as do regional hotline operators. They also take part in national campaigns such as '16 Days against Gender Violence', the 'Human Rights Film Festival' and other festivals and events that are well publicised in the press and raise public awareness of the issue of trafficking.

The Ukrainian Market Reform Education Programme, now the Ukrainian NGO CURE has organized regional press clubs throughout Ukraine, many of which had workshops on the topic of trafficking. This resulted in a myriad of articles on the issue of trafficking in regional publications. Internews, IOM and Winrock also conducted workshops for journalists on the topic, which has helped journalists understand the issue better and cover it more effectively. As a result, trafficking in persons has received wide exposure in the press.

With the support of the OSCE in Ukraine and the Royal Dutch Embassy, La Strada produced a small video clip for the National Hotline. Since August 2003, the clip has been distributed via the Ministry of Family, Children and Youth Affairs to almost all regional TV stations in Ukraine and received air time. With the help of Style-S, an advertising agency, the clip was aired for 30 days on commercial channels during prime time. In early January 2004, a roundtable discussed the impact of commercials in various media on raising the number of calls to the national toll-free hotline, as well as the capacity of the participating organizations – state, NGO and commercial – to promote the hotline.<sup>173</sup>

Although there is a law on advertising<sup>174</sup> that includes the concept of free public service announcements (PSAs) or 'social' advertisements for no less than 5 per cent of the air time or printed area devoted to commercial advertising, in practice, this rarely happens. Firstly, this applies to those channels who have partial or full state financing, while the most popular channels, where commercials have the greatest impact, are privately owned (commercial) and have no desire to lose revenues by providing free air time for PSAs. In addition, the law does not provide for any mechanisms to implement the norms it sets.<sup>175</sup>

The level of cooperation varies from region to region, depending on the level of engagement of local NGOs or on the level of interest of local officials in drawing attention to the problem. For example, in Ternopil one of the local newspapers is very cooperative and regularly prints the hotline number for the local NGO free-of-charge. The newspaper also

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<sup>172</sup> Donetsk Oblast League of Business and Professional Women presentation to Regional Press Club in November 2003.

<sup>173</sup> OSCE Trafficking Programme description.

<sup>174</sup> The Law on Advertising, edition №1121-IV of 11 July 2003.

<sup>175</sup> Interview with Taras Shevchenko, lawyer, Internews Network, an NGO.

regularly features stories on the lives of Ukrainians abroad. Other newspapers view the printing of hotline numbers as advertising for the organization and expect to be paid for it.<sup>176</sup>

One respondent suggested the need for a national women's newspaper that would focus on women's issues and provide regular counselling, arguing that most women live far from any consultation services or crisis centres. However, launching a separate newspaper would not ensure that it would reach the population mentioned. A better option might be to approach existing popular publications about cooperating, such as *Poradnytsia*, a paper that is well known for advice of all kinds and already reaches every city, town and village in Ukraine with its huge circulation.

Some respondents are convinced that only national media campaigns will have the necessary effect, capturing all social groups. Others think that regional and local campaigns are more effective, because they can address local populations in terms and examples that are familiar to them.

#### **4.1.7. Films, videos, public service announcements**

A number of films, videos, documentaries and PSAs have been produced on the subject of trafficking in persons. In particular, Internews Ukraine has produced a number of PSA clips on preventing trafficking, financed by USAID in 1998 and commissioned by IOM in 2001. A six-part documentary called *Prey of Silence* was produced in 2001 under the IOM programme, 'Combating Trafficking in Persons: Ukraine', with EC financing. When it aired on national television, it was accompanied by commentary from qualified psychologists and legal professionals. It was also shown several times on regional television.

The USAID-funded project was a three-part docu-drama entitled *If I Don't Return*, a fictional account of the plight of young Ukrainian girls lured abroad by promises of employment and then forced into prostitution. The docu-drama was aired nationally, with a call-in session afterwards, where a group of specialists fielded questions.

The Swedish film, *Lilya 4-Ever*, focuses on a young Russian girl's struggle to survive after her mother goes abroad. It shows her desperate attempts to maintain her identity and sense of self as her world crumbles around her. Her childish optimism and trust eventually lead to her into being trafficked, with tragic results. The Swedish Embassy in Ukraine and UNDP made it possible for the film to get wide airing among those engaged in anti-trafficking activities, including government officials, NGOs, international organizations, law enforcement agencies, elected deputies, and teachers in Kharkiv, Odesa and Kyiv.

In the opinion of some respondents, such films could be useful if shown in schools, but they need to be placed in the appropriate context and be accompanied by guidance from the teachers.

Also in 2001, La Strada prepared a training film as a video supplement to their manual entitled 'Preventing trafficking in persons', with USAID funding. This video consists of six 10-minute segments focusing on different aspects of trafficking. To attract the attention of young people, the film makes use of cartoons and even computer games. The film, made in

Ukrainian and dubbed into Russian, has been distributed in cassette form to schools across Ukraine.

The Centre also put together a video-clip with advice for those who are going abroad for work, study or marriage. In addition, the video promotes the national hotline. The main point is that, unlike all other films on the topic in Ukraine, this clip does not especially focus on trafficking in women for sexual exploitation, but instead emphasises the dangers for men.

As part of a joint Caritas-Ukraine, Caritas-Spes and Caritas-Italiana project, a 20-minute film on trafficking was produced, with personal accounts of trafficked women from Ukraine. These women discussed their personal experiences and warned viewers about potential traps. The film was shown in a few oblasts, but efforts to broadcast it over national television were not successful. In some oblasts, TV stations wanted money from the producers to air the film. The film was also shown at regional Caritas parish centres, especially for those parishioners who were likely to consider going abroad to work. In addition, this film has been broadcast in Albania, Romania and Moldova.

#### **4.1.8. Publications**

OSCE/ODIHR and the OSCE in Ukraine, La Strada, IOM, and Winrock have published numerous manuals focusing on trafficking in persons and general information about prevention for hotline consultants, social workers and law enforcement workers. The value of publications in educational campaigns, as well as in raising general awareness, is clear, whether they are handbooks, posters, brochures, or even bookmarks.

With the support of IOM, MIA has been publishing a monthly newsletter highlighting law enforcement issues.

Caritas-Spes, a joint Ukrainian-Italian project, has also put out three publications, one of which was aimed at prevention. The *Work Abroad* pamphlet serves to educate at-risk women on the dangers of trafficking. It also contains a comprehensive list of organizations that can help women in need.

## **4.2. The Role of Faith-based Organizations**

Numerous opinion surveys throughout Ukraine have shown that, of all public institutions, the general population trusts their churches the most. In Ternopil, the approval rating was 89 per cent. Although not everyone in Ukraine attends church regularly, some of the regions particularly affected by trafficking are in fact quite religious. Thus, using the authority of the church in providing information about the risks of trafficking seems quite reasonable. There are some successful examples of church involvement in activities aimed against trafficking in persons.

In spring 2001, Winrock International and the OSCE Project Coordinator established contact with the State Committee for Religious Affairs. During a meeting with the Committee Chair, they provided the Committee with informational materials which were then distributed to all of Ukraine's religious leaders during an annual meeting.

Women's Prospects, a L'viv partner organization of Winrock, conducted a workshop on trafficking prevention for 16 seminarians at the L'viv Holy Spirit Theological Seminary, a Ukrainian Greek-Catholic institution. Theologians who had already taken a course on preventing domestic violence hired them to provide additional training.<sup>177</sup>

The seminary of the Ukrainian Orthodox Church of the Kyiv Patriarchate also covers issues of trafficking in persons in its classes on parish life, as many of the seminarians have had personal experiences involving trafficking through contact with their constituencies.<sup>178</sup>

Winrock also conducted an innovative workshop for the wives of priests, since they are often the ones parish women will go to for counselling and guidance.

Members of COATNET, a Catholic organization, have participated in study visits to gather information and exchange best practice to set up a transnational Christian network against the trafficking of women.<sup>179</sup>

In February 2004, IOM, with support from SIDA, organized workshops for 25 religious leaders of various confessions with the purpose of promoting cooperation in preventing trafficking among church groups that included both traditional and non-traditional faiths in Ukraine.

### 4.3. Lobbying

Together with government agencies, NGOs have been actively lobbying for changes in legislation in a number of different areas in connection with trafficking over the last few years. This has included lobbying for: legislative reform of social assistance to those who have been trafficked, from both government and non-government agencies; stronger licensing requirements for businesses acting as intermediaries to provide job placements abroad or travel services; simpler business start-up procedures; tax incentives to start up a new business; better mechanisms for protecting the rights of Ukrainians working abroad, including by signing bilateral agreements; and ratification of the Palermo Protocol. One of the latest victories of these efforts was the ratification of the UN Convention Against Transnational Organized Crime and the Palermo Protocol on 4 February 2004.

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<sup>176</sup> Interview with Revival of the Nation, an NGO, Ternopil, November 2003.

<sup>177</sup> Winrock programme activity report on [www.winrock.org.ua](http://www.winrock.org.ua).

<sup>178</sup> Interview with the Rector of the Ukrainian Orthodox Church (KP) Seminary.

<sup>179</sup> The COATNET (Catholic Organizations Against Trafficking in Women Network) pilot project started in Ukraine in April 2001. Participating organizations are Caritas-Czech Republic, Caritas-Ukraine, Caritas-Switzerland, In Via Berlin, an NGO, and the Missing Persons Families' Support Centre, (Vilnius, Lithuania). The current project is entitled 'CAAT' (Christian Action and Networking Against Trafficking).

## 4.4. International Exchanges

Currently, many programmes in Ukraine provide opportunities for the exchange of international experience in the area of trafficking through study tours, international conferences and informational materials.

Study visits have proven particularly popular because they involve professionals from different backgrounds and allow for the development of closer cooperation and networks both within Ukraine and in the host country. Respondents from the Ministry of Internal Affairs cited how valuable the law enforcement networking visits sponsored by IOM to 17 European countries – including Belgium, The Netherlands, France, Russia, the Czech Republic, and Turkey – have been. Ukrainian police and other MIA officials have gained a better understanding of the procedures used by their counterparts in other European countries. Most importantly, they have been able to establish work contacts that will allow them to cooperate in the investigation of trafficking cases, where time is of the essence and formal channels often take months to respond. In addition, IOM organized a number of visits for NGOs, also to establish contacts and exchange experience with colleagues in destination countries. These study tours not only increase the potential of Ukrainian organizations but also facilitate cooperation among countries.<sup>180</sup>

A number of respondents mentioned the importance of the USAID-funded training programme, which has provided opportunities since 1998 for developing innovative approaches to preventing trafficking in Ukraine, based on initiatives in other countries. For example, the 2002 course for municipal officials, law enforcement officers and oblast administrators, which took Ukrainians to the Czech Republic and Germany, aimed at establishing contacts among NGOs on a national and international level, reviewing legislation and mechanisms to prevent human trafficking, and providing assistance to victims. The 2003 trip focused on the Italian experience and included a mixed group of government and NGO representatives working on trafficking prevention. A response on the effectiveness of these trips is given here.<sup>181</sup>

“The study tour to Rome, Turin and Rimini helped me to better understand the bigger picture, not only what is ordained by our (Ukrainian) legislation... I also saw how this problem is perceived abroad. We learned not only about conventions on labour migration, trafficking prevention, NGOs working in this area abroad and their cooperation with the government, but because we had a high-level Government of Ukraine’s official in our group, we were able to participate in discussions of a bilateral agreement on labour between Ukraine and Italy. Legal job placement opportunities could easily be organized through our State Employment Centres...”

*Interview with participant of USAID Trafficking Study Tour, 2003*

<sup>180</sup> Interview with MIA Anti-Trafficking Departments in various oblasts and Kyiv.

<sup>181</sup> Information provided by USAID Anti-Trafficking Coordinator Tatiana Tymoshenko and AED Coordinator Tatiana Trischuk.

In January 2004, the International Labour Organization conducted a study tour to Turin, for representatives from the Ministry of Labour, professional trade unions, the Federation of Employers, NGOs and the Ministry of Family, Children and Youth Affairs for the purpose of identifying new approaches to preventing trafficking of humans through social partnerships and job creation in Ukraine. An inter-agency strategy on how best to address the problem in Ukraine is now being developed. In addition, the vast network of social partners will be useful for coordinating and disseminating information coordination.<sup>182</sup>

Winrock International's Women's Economic Empowerment Programme, has included tours to Poland that gave women the opportunity to learn from other businesswomen and observe progress in neighbouring countries firsthand. These tours also provided valuable business connections for Ukrainians.<sup>183</sup>

In 2003, the British Council sent a participant to a seminar entitled 'Violence against Women: Combating Trafficking'. This was an excellent opportunity to share Ukraine's experiences with participants with other countries of origin, like Kazakhstan, Kyrgyzstan and Azerbaijan, and destination countries like Greece, Turkey, Cyprus, Israel and Poland.<sup>184</sup>

Ukraine has other programmes for strengthening international cooperation. Caritas-Ukraine, for instance, conducted a joint program with Caritas Italiana and the Italian Ministry of Foreign Affairs to promote the Italian experience of good cooperation between government and NGOs in combating trafficking. The project included roundtables in three border oblasts of Ukraine – Chernihiv, Vinnytsia and Ivano-Frankivsk, none of which currently have a permanent anti-trafficking programme. Participants, including specialists from NGOs, law enforcement, local government, social services and churches, compared legislation on trafficking and reviewed forms of cooperating in both prevention and assistance.

Despite the high visibility of both the problem and the programmes in Ukrainian society, many of the regional participants at the final roundtable were still unaware of the resources available to them both at the national level and in their own oblasts. For example, some of the organizations were unaware of how much anti-trafficking literature was available until this programme – although they worked at YSCs or SECs and should have been included in the regular distribution of such literature.<sup>185</sup>

As part of this same project, Caritas-Ukraine, Caritas-Spes and government leaders were also invited on a study tour to Italy to see firsthand how their partner organizations work. They also attended a conference on trafficking in persons, among whose participants were representatives of the Embassy of Ukraine in Italy.<sup>186</sup>

International conferences are also a useful forum for the exchange of experiences and networking. In 2002, La Strada organized an event called 'Anti-Trafficking Regional

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<sup>182</sup> Interviews with ILO Study Tour participants, 2003.

<sup>183</sup> Interviews with Winrock WEE Programme study-tour participants.

<sup>184</sup> Interview with Veena Lakhumalani, advisor on HIV/AIDS and Human Rights, British Council, Kyiv.

<sup>185</sup> Materials from the international conference called 'International Cooperation in Preventing Trafficking in Persons and Assistance to Trafficked Persons', organized by Caritas-Ukraine under the 'Preventing Trafficking in Persons' project, Kyiv, 14 November 2003.

<sup>186</sup> Interview with Caritas-Ukraine-Anti-Trafficking Coordinator.

Conference: Economic Causes and Solutions' sponsored by USAID. There, the focus was on creating more opportunities in-country for at-risk groups, especially women, as an approach to preventing trafficking.<sup>187</sup> In the years that it has been operating in Ukraine, La Strada's Centre has organized 10 international conferences for law enforcement agents, education professionals, social workers and hotline consultants.

In November of that same year, representatives from the State Committee of Family and Youth, MIA, MFA, the SBU, MES, and other government bodies and NGOs participated in the European Conference on Trafficking Prevention in Brussels, which led to the "Brussels Declaration on the Prevention and Combating of Trafficking in Persons".<sup>188</sup>

In recent years, these programmes have shown reciprocal value, as Ukraine has developed successful models and gained a lot of experience that can now be shared with other regions. Ukraine has indeed hosted many delegations, especially from FSU countries, that have come to learn from the best practices and examples developed here. For example, La Strada is carrying out joint projects with counterparts in Moldova and Belarus and has hosted visiting delegations from Armenia and Uzbekistan, organized by OSCE. Winrock has also had representatives of their organizations in other countries visit its Woman to Woman Centres.

The OSCE office in Yerevan, Armenia, and the OSCE Project Coordinator's office in Ukraine agreed to conduct joint workshops for Armenian NGOs and government officials involved in the fight against the trafficking of humans. An Armenian delegation consisting of 14 representatives from government and non-government agencies visited Ukraine in July 2003 and met with all the relevant government institutions, NGOs and international donors working against trafficking. The delegation also took a short trip to Odesa, where they were acquainted with anti-trafficking work at the regional level.<sup>189</sup>

An Uzbek delegation visited Ukraine in September 2003, specifically for the purpose of studying the Ukrainian experience in the fight against trafficking. The seven law enforcement representatives, two members of the US Embassy in Tashkent, and one representative of the OSCE office in Uzbekistan held several meetings, organized by the OSCE Project Coordinator, with the MIA, MFA, SBU, MFCYA, the Prosecutor General's Office, IOM, Winrock, La Strada and others, which gave them a comprehensive overview of the efforts undertaken by Ukraine in the fight against the trafficking in human beings. A delegation from Georgia is expected to visit Ukraine for the same purpose in 2004.<sup>190</sup>

There has also been an exchange of international experience in presenting the issue of trafficking in the media. For example, Ukrainian journalists from Internews-Ukraine have conducted workshops on the topic for media professionals from other former Soviet republics. In 2003-2004, workshops took place in Azerbaijan and Uzbekistan, with financial support from OSCE/ODIHR and IOM and in cooperation of the local Internews offices. In June 2004, a similar workshop was held in Tajikistan.<sup>191</sup>

<sup>187</sup> Conference materials, Kyiv, 21-22 October 2002, 167 pp.

<sup>188</sup> SFCYA Report 'On implementing the Comprehensive Anti-Trafficking Programme for 2002-2005', 2002.

<sup>189</sup> This study trip was financed by ODIHR.

<sup>190</sup> Ibid.

<sup>191</sup> Interview with Anton Topchiy, Internews-Ukraine, 2 April 2004.

## 4.5. Reducing Vulnerability Factors

### 4.5.1. Job and training opportunities

In Ukraine today, whatever a person's education level, there are simply too few opportunities to make a decent salary. A college education no longer guarantees job security. The reality of unemployment looms especially before graduates of technical-vocational schools, young single mothers with no work experience, or older mothers who have been laid off. All these groups are considered the most at risk of trafficking. A number of government and NGO programmes are attempting to address this issue.

The State Employment Centre system has perhaps the largest network of programmes for vocational and job skills training – 594 across Ukraine. In 2003, more than 175,000 people participated in professional training, development and re-training for new jobs with the support of SECs including more than 115,000 women. Some 88,000 of these were young people under the age of 28.<sup>192</sup> Although SECs do not specifically target at-risk groups, in fact, these are their main clients.

In Donetsk, for example, 70 per cent of SEC clients are women, young people or graduates of technical-vocational schools. The Centre is currently working on a consolidated job database that would provide information on jobs available across the country, not just locally. This would give people the option of moving to another city to fill positions that could not be filled locally.<sup>193</sup> In 2002, some 855,000 people below 28 turned to SECs for job search assistance. 286,200 of them found jobs, 87,000 participated in some kind of training, and 64,900 were given paid community jobs.

SECs also offer many different training courses, starting with basic information for those who want to know how to start their own business, and ending with special sessions on *How to Write a Business Plan* or *Organizing a Commercial Farm*. Together with the MFCYA, the SEC system has also offered seminars on topics like *My Own Business*, *How to Start a Business* and *Women and Business*. Jobless individuals had an opportunity to opt for a one-time lump sum payment towards business start-up costs rather than getting monthly unemployment benefits. In 2002, 39,200 individuals applied for such support, including 18,094 women. The SEC system also provides consultations for those going into business on their own.<sup>194</sup> However, there are no statistics on the success or sustainability of all these new businesses that were funded by public money.

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<sup>192</sup> Interview with SEC in Kyiv.

<sup>193</sup> Interview with SEC in Donetsk.

<sup>194</sup> Ibid.



In order to reduce the number of unemployed young people, the MFCYA has established special network of 35 Youth Employment Centres.<sup>195</sup> Many of the jobs available to young people are for temporary or part-time work, since most of them are still studying. Regional departments of the Ministry and regional YECs organize special seminars like My Own Business for unemployed women.<sup>196</sup>

In Donetsk, the YEC works closely with the University of Economics in promoting entrepreneurship among students. They hold competitions for business plans among all the universities, and then the Ministry provides business development funding for the winning plans. The Centre also coordinates regular conferences, seminars and young business workshops with youth NGOs. Outreach is done through oblast television and radio programmes.

*Interview with Youth Employment Centre, Donetsk*

Unfortunately, some of the part-time work proposed to students hearkens back to earlier forms of youth labour used by the State to complete public projects, agricultural, environmental or other ‘volunteer’ work. Often these arrangements are called practica, since students actually do receive practical experience and a small wage; but most students are not interested in this kind of low-paying, heavy work. As a result, they may become convinced that the only solution is to seek job opportunities abroad.

Some programmes report that students feel that, if they are going to be exploited in the labour market, it might as well be somewhere abroad where they might at least get to see the world. They are also not interested in working in groups or crews. They want individual jobs that pay at least \$100 a month.<sup>197</sup> The official minimum wage is currently set at UAH 205 per month [around \$40], while cost of living statistics indicate that the minimum living standard now is UAH 343 [around \$65] per month.<sup>198</sup> Some labour experts say that the Government’s minimum living standard is unrealistically low and should actually be adjusted to at least UAH 550 per month [a little over \$100]. The Government announced in early 2004 that it would bring official minimum wages up to the minimum living standard by 2007.<sup>199</sup>

In Ivano-Frankivsk, the Youth Services Centre works closely with the Canadian Business Centre and the Oblast Department of Education to provide training and psychological support to women who have been unemployed for long periods of time. They also have a number of programmes promoting entrepreneurship among the young. YSCs have also conducted courses for women in the Carpathian foothill towns of Nadvirna and Kolomyia on taking up eco-tourism and other forms of business. In Western Ukraine, this is a realistic alternative.<sup>200</sup> With the implementation of new visa regimes, many Ukrainians no longer

<sup>195</sup> Op. cit., SFCYA Report.

<sup>196</sup> Ibid.

<sup>197</sup> Interview with YEC, Donetsk, November 2003.

<sup>198</sup> The minimum living standard is set by the Verkhovna Rada in the annual State budget. For 2004, this minimum is Hr 365 (Law on amendments to the Law on the 2004 State Budget, Uriadoviy kur’yer, №61, 1 April 2004).

<sup>199</sup> Inside Ukraine, Kyiv, 25 February 2004.

<sup>200</sup> Interview with Ivano-Frankivsk YSC, November 2003.

cross the Polish, Slovak, or Austrian borders to ski, but prefer to take their holidays in the Carpathian Mountains. This has produced an influx of tourists. In L'viv oblast, for example, tourism has increased by 10 per cent this year and there is every indication that it will continue to grow.<sup>201</sup> Eco-tourism is also being promoted as a business opportunity in other western regions that are particularly hard-hit economically, such as Zakarpattia and Ternopil oblasts.

The ILO programme is geared towards creating positive employment conditions through training and re-training professionals and providing micro-credits for private business start-ups. A pilot project in preventing trafficking through the creation of economic opportunities is running currently in Chernivtsi. One of its goals is to encourage closer cooperation between NGOs and government agencies, using NGOs to refer both at-risk and former trafficked women to the local SEC for job training and placement.<sup>202</sup> This partnership with both government and non-government players has proved effective, combining both well-developed networks and specialists knowledgeable about the target groups with whom they work.

Winrock International, in cooperation with local Ukrainian NGOs in Chernivtsi, Dnipropetrovsk, Donetsk, Kherson, L'viv, Rivne and Zhytomyr, established seven Woman to Woman Centres within the framework of their Trafficking Prevention Project. The Centres provide a job skills training component that includes individual consultations for women on work issues, two-day training courses on employment and entrepreneurship, skills courses in such areas as hairdressing, computers, accounting, sewing, and beadwork, and a mentoring programme. In addition, they have a grant programme run in cooperation with the International Renaissance Foundation to increase economic opportunities for women. The Centres also provide interactive training on women's rights, practical life skills, employment opportunities and how to develop a business. Over the last six years, the seven centres have provided training to 35,067 individuals, exceeding their original target by 142 per cent. 17,438 women have been enrolled in technical skills courses; 5,514 completed the job skills training courses; 17,156 women who visited the trafficking prevention centres reported that they are no longer looking to work abroad; 5,040 reported they were in new jobs and another 176 started their own business, thanks to job skills training.<sup>203</sup>

The small grants programme at the Business Initiatives Centre in Ivano-Frankivsk has also had a number of successes. For example, an oblast network of informational consulting and legal support for businesswomen was set up. Among the network's activities will be regional training courses for women interested in starting up their own business. These include such topics as psychological readiness, business planning, management, and legal commercial activities.<sup>204</sup>

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<sup>201</sup> 'Carpathian hotels—no vacancies', 'Tourist boom in the Carpathian Mountains', Iryna Yegorova, L'viv, Ukraine, The Day Weekly Digest in English, Kyiv, 17 February 2004.

<sup>202</sup> Interview with ILO Trafficking Prevention programme in Kyiv.

<sup>203</sup> Winrock International project indicators as of January 2004.

<sup>204</sup> Established by Business Initiatives, an Ivano-Frankivsk NGO.

The Donetsk League of Business and Professional Women also organized mobile business schools to travel from small town to small town. They spent a month in each oblast, from the time they advertised the programme and selected 25 people to the time they conducted a 5-day workshop. At the end, participants had to defend their mini business plans. In small towns, the ‘schools’ had a 49.2 per cent success rate, meaning that the participating women either received credits to start their own business or found work. The results for the city of Donetsk were somewhat lower, with only a 41-45 per cent success rate.

Unfortunately, funding for the Woman to Woman Centres ended in April 2004 – until a new programme is implemented.<sup>205</sup> So the women’s NGOs currently running the centres have had to find other means of support. The services will likely continue, but on a smaller scale. As indicated by the numbers, this programme has been extremely effective in serving a large number of clients in a variety of areas. Although there has been criticism that training is insufficiently targeted towards real market needs, the long waiting lists for courses testify to the fact that local women disagree with this assessment. The WTW courses clearly serve an important function in building self-esteem and providing job-seeking skills in difficult circumstances.

The new programme anticipates continued support for NGOs by building up the capacity of the local network. The plan is to expand the number of organizations working in this area, both to other regions and to other sectors, and to include not just women’s organizations but also others, like youth organizations. In addition, the job skills component will be conducted through a new Women’s Economic Empowerment Programme, built on the foundation of the original programme. This WEE will specifically target women between 18 and 35.<sup>206</sup>

The WEE Programme, also run by Winrock International, supports Women’s Business Support Centres in six oblasts: Donetsk, Kharkiv, Ivano-Frankivsk, Mykolayiv, Chernihiv, and Simferopol. Although not directly targeting groups most at risk of trafficking, WEE provides business skills and entrepreneurship training, as well as financing for small business development through micro-credits.

During the last five years, 2,023 women have completed the three-month business training courses offered by these centres. These graduates started or diversified 606 businesses, while participants of other WEE activities started another 352 businesses. 875 women entrepreneurs received business loans from project-affiliated credit unions, with a ‘surprisingly high’ rate of return.<sup>207</sup>

In Ivano-Frankivsk, the most popular course has been How to Start Your Own Business, where participants develop and write their own business plans. Thirty-two per cent of those who finished the course started their own businesses or expanded existing businesses in

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<sup>205</sup> The original donor was USAID.

<sup>206</sup> Interview with USAID Anti-Trafficking Coordinator.

<sup>207</sup> Winrock International web-page, January 2004.

such areas as eco-tourism, farming, sewing, medical and practical services, wholesale and retail sales of food products and children's clothes.

Similar examples may be found at other centres, as illustrated by the following case.<sup>208</sup>

“The training not only helped us to save my husband's business, but it actually rescued our marriage. When my husband's car shop began to lose business, it really affected our relationship. After the workshop, I registered as a sole proprietor and took out a small loan. The information I had about how to cut the red tape when opening a business, plus the fact that I knew my rights – all thanks to the course I took – helped me with the administrative side, while my husband took care of managing the technical side of car repairs. Together, we did so well that we were able to open a second car shop in another town. I can confidently say that I see our business developing, getting more competitive, and eventually attracting foreign investment.”

*Interview with participant in WEE training by Invisbrim, a Simferopol NGO*

This type of programme has been particularly effective because it focuses on job creation, not just job skills training. The women who are successful have also served as positive role models in their community. Despite the success of these programmes and referrals from state agencies, however, these initiatives have received little or no financial support from their local SECs.<sup>209</sup>

The UNDP Vocational Training Project is a 3-year project based on ILO methodology. It involves 300 trainers with a 140-module, job-oriented curriculum for market-driven job skills training. Its target group is both working and unemployed women. The goal for the jobless is to pick up job-seeking skills and to orient themselves in the labour market. For those already employed, the goal is to help them keep up with technological developments and structural changes in order to keep their jobs. Training is provided either free-of-charge through the SEC or paid if employers with specific needs request customised training. Special attention is given to training and support for promoting small businesses, and self-employment. As of June 2003, over 119,000 individuals were trained throughout Ukraine, 80 per cent of whom were placed in permanent jobs. As the result of an experimental programme promoting small business development in nine oblasts, 121 new businesses were created – 62 by women – providing 276 new jobs. Over 2,000 specialists were trained to develop and provide modular training.<sup>210</sup>

Obviously, this is a programme with great potential: the flexible training modules can easily be adapted to market needs, leading to interesting work opportunities for those who are currently unemployed.

<sup>208</sup> Women's Economic Empowerment Programme book on the project's achievements, Winrock International.

<sup>209</sup> Interviews with WEE partner organizations.

<sup>210</sup> UNDP statistics, June 2003.

In addition to all this, there are many business incubators and small grant programmes to support SMEs. Many are gender sensitive and target certain percentages of women to promote equality or specifically assist vulnerable women. For example, in Lutsk a grant was provided to a local NGO for a programme entitled *Be Informed, Be Protected* for unemployed women between the ages of 18-35. Its goal was to encourage eco-tourism as an alternative for rural women.<sup>211</sup> This alternative is quite realistic in those areas currently experiencing an increase in tourism.

The office of the OSCE Project Coordinator organized several meetings with international donors in order to identify gaps and weaknesses in the economic development of women and to discuss the role the OSCE can play in their economic empowerment.

Under a local economic development project, the office has been supporting efforts to create opportunities for entrepreneurs and would-be entrepreneurs to obtain the necessary business skills, as well as access to key information and financing for SMEs. This should reinforce the activities of the SECs that deliver basic services to the unemployed. Nine business information and consultation centres will be set up in three oblasts: Rivne, Dnipropetrovsk and Chernihiv. These centres will deliver information and consulting services for entrepreneurs in each oblast. Also, the booklet entitled *How to start your own business* will be distributed among target groups.<sup>212</sup>

The Office's anti-trafficking programme includes assessment studies of labour markets in Donetsk, Luhansk, Dnipropetrovsk, Ternopil, Khmelnytskyi, Ivano-Frankivsk, Zakarpattia, Kherson, and Mykolayiv oblasts and in Crimea. In addition to reviewing the labour market, these assessments will identify needs and high-risk groups, and elaborate sustainable economic empowerment strategies. The findings will be published for relevant government agencies.

Another OSCE initiative targeted at fostering economic growth in Ukraine is the FDI Attraction Programme. It will assist three oblast administrations in establishing regional Investment Promotion Agencies. The primary objective of these agencies will be to promote the regions and attract foreign direct investment, which should bring new technologies, create new jobs, provide advanced business skills and, thus, empower people to better their lives. One goal of the project is to support the indigenous capacity of local businesses in establishing an industrial business cluster, to develop business links and to reach a high level of competitiveness on the market. The project has three key phases: a broad-based study of the current potential in Ukraine to develop an industrial business cluster based on international best practice; the selection of two oblasts in Ukraine where the building of a regional cluster in a specific sector would produce the best results; and the provision of Technical Assistance for the development of the cluster in the selected region.<sup>213</sup>

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<sup>211</sup> La Strada Lecture Group roundtable, Kyiv, December 2003.

<sup>212</sup> With funding from the European Commission in a joint programme entitled 'Combating Trafficking in Ukraine' executed by IOM in partnership with OSCE.

<sup>213</sup> OSCE Anti-Trafficking Action Plan, adopted by the Permanent Commission (№557 of 24 July 2003).

## 4.5.2. Crisis centres and consultations

A large number of government and non-government organizations run crisis centres, either exclusively aimed at preventing trafficking, or including trafficking prevention as one of their main components, such as Winrock's Woman to Woman Centres.

In addition to job skills training, the seven Woman to Woman Centres also provide a Crisis Prevention Programme (CPP) and a Legal Services Programme (LSP). CPP involves personalised, confidential consultations, organizing peer support groups, and holding workshops on the prevention of violence and trafficking. In addition, the centres provide leadership and human rights training for women aged 12-40 who have been victims of domestic violence or trafficking. When necessary, centre staff also arrange referrals to psychologists and medical doctors. Over the course of the programme, some 28,000 people have used CPP walk-in services, over 26,000 attended workshops in preventing violence and/or trafficking, and another more than 12,000 underwent training in women's rights and gender equality.

The LSP involves advice on defending civil rights for women at risk of trafficking, trafficked persons who have returned, and victims of domestic violence. Among the issues the programme attempts to address are employment both in Ukraine and abroad, assistance in searching for women who have gone missing while abroad, and the defence of workers' rights. More than 12,000 people have received legal consultations, which led to 1,300 court actions. About 30 per cent of these cases were either handled by a Trafficking Prevention Centre lawyer or assisted by the lawyer in court. A key function of these centres, then, lies in empowering individuals, as illustrated here.

“Two girls signed a contract with a firm in Warsaw to work as dancers in Japan. They consulted the centre as to what they should do beforehand. Based on the advice they received, they insisted on having round-trip air tickets in advance and refused to give their passports to anyone when they arrived. Then they were taken to a dormitory, where they met other girls from Ukraine and Russia who told them immediately that they had been forced into prostitution. The two girls found a way to escape and flew back home the next day. When they returned to L'viv, the representative of the Warsaw firm met them and demanded his money back. But when the girls threatened to take the firm to court, he backed off.”

*Interview with Woman to Woman Centre, L'viv*

The Government itself also runs a number of crisis centres for women and shelters for victims of violence. Some of these crisis centres are combined with maternity hospitals, which means their resources are often more extensive. For lack of funding, unfortunately, the Government has not been able to develop these crisis centres as planned, and even those that are working require additional support to address the needs of their many clients.<sup>214</sup> State Family Planning Centres also offer consultations and informational workshops for young women.

<sup>214</sup> Interview with Donetsk Oblast Administration official, Donetsk, November 2003.

Although the Government has already set up a number of crisis centres for women and young people who are victims of violence in some regions of Ukraine, the Comprehensive Anti-Trafficking Programme should focus on setting up specialised crisis centres. These would then offer Ukrainian women the entire range of appropriate support services and be run by specialists qualified to work in anti-trafficking programmes.

The YSC system also has a widespread network with a presence even in small county seats. Some of their staff have participated in workshops and other events run by La Strada and the Woman to Woman Centres. In towns where there are no NGOs, there is a referral system to send clients to Youth Services Centres to resolve specific problems. Still, these centres generally have too few staff to have someone who specialises in trafficking issues. Theoretically, there should be eight staff in each centre, but due to budget constraints, most smaller towns have only have two or three. The centres work with groups such as the disabled, drug addicts and troubled families. Trafficking is not necessarily a priority, although centre staff recognise its importance. Some staff note that trafficking prevention materials do come to them from various sources, but there is never enough of them. Often, they do not even have enough copies to hand out among district branches of their centres, let alone to their target groups. There is also a sense that those young people who are aware of the problems of trafficking do not think it can happen to them.<sup>215</sup>

In 2003, UNICEF supported a project on preventing domestic violence called 'Life Without Violence' and run by the All-Ukrainian Volunteer Community Centre. More than 100 staff from state shelters for juveniles participated in workshops on domestic violence and learned about child rights issues in volunteer centres set up in Kyiv, Sevastopol and Chernivtsi. The project included roundtables and seminars on the subject of adoption and, for intake staff at juvenile detention centres, on the psycho-social rehabilitation of abandoned children. To support these efforts, printed materials and posters on preventing domestic violence were distributed among youth centres, shelters and NGOs.

With the support of UNICEF, a training centre was set up in Kyiv under the State Institute on Family and Youth Affairs, for foster parents, children, social workers and staff of group homes.<sup>216</sup> Working closely with local governments and NGOs, UNICEF has also given support to numerous children's rights awareness programmes and campaigns throughout Ukraine.<sup>217</sup>

In 2004, Caritas-Ukraine launched a new programme funded by the EU to set up information centres for trafficked persons at local Caritas centres in four cities around Ukraine: Ivano-Frankivsk, Sokal, Drohobych and Khmelnytskyi. Part of the purpose of these centres will be to provide clients with referrals to government and non-government agencies that provide assistance. In addition to helping trafficked persons, the programme is engaged in preventive work.

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<sup>215</sup> Interviews with regional YSCs.

<sup>216</sup> UNICEF programme information.

<sup>217</sup> Interviews with regional FYA offices.

Local Departments of Justice also provide professional free legal assistance at 1,100 legal consultation offices throughout Ukraine. The staff of these departments also travel to passport offices, where individuals who are planning to travel or work abroad can ask for their advice.

Under the Community Response to Domestic Violence and Human Trafficking project, a L'viv organization called Women's Prospects, has set up Community Consultation Points that offer *pro bono* legal advice and non-binding consultations with police officers, as well as free consultations with psychologists and social workers. Teachers, parents, children and teenagers can also turn to a CCP for advice on preventing trafficking, domestic violence, drug addiction and alcoholism.<sup>218</sup>

### **4.5.3. Gender programmes**

The UNDP Equal Opportunities Programme is focused on gender mainstreaming in national policies, the media, education and civil society. Through its networks, the programme promotes gender awareness and the empowerment of women through better access to information and legal consultation and economic resources and works to reduce gender-related violence and gender-based inequities. Gender Resource Centres and Gender Education Centres have been established with local governments and 20 universities across Ukraine.<sup>219</sup>

Many NGOs and institutions throughout Ukraine focus on gender research, policy development and implementation. They all serve a fundamental role in educating the public and the government on the need to even the odds for women, without resorting to gender discrimination towards men. This delicate balance is often difficult to maintain, but it is necessary, especially in counteracting the claims of those who do not understand gender issues and consider them to be a product of the imaginations of feminists and radical women.<sup>220</sup>

### **4.5.4. Programmes for the young**

ILO/IPEC has a project on the prevention of trafficking of women and children. It focuses on fundamental labour principles and rights in relation to the new Labour Code, professional development for the jobless, the prohibition of child labour, and the elimination of the worst forms of child labour. At the moment, a pilot study is underway on work with street children and children from poor families. This is an extremely important focus, as there are too few programmes targeting the in-country abuses that many respondents cited as a strong push factor in placing young people at risk of being trafficked.

There is an obvious and huge gap in the social system in terms of dealing with orphans who graduate from state boarding schools. Most of these children are given minimal care and

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<sup>218</sup> Op. cit., Winrock progress report.

<sup>219</sup> UNDP programme information.

<sup>220</sup> References to gender programmes made by two local government officials during interviews.



support until they turn 18, at which point they are sent out into the world largely unprepared for the situations they will encounter. There are no real statistics as to what happens to orphans after they leave the walls of their state ‘homes’, but based on discussions with orphanages and boarding school directors, only about 30 per cent keep in touch with their minders on an informal basis. Some respondents expressed the concern that many of these young people will die early for lack of survival support mechanisms, or end up in a life of crime, drug abuse or exploitation.<sup>221</sup>

Help Us Help the Children (HUHTC), a charitable foundation called Pryyately Ditye in Ukrainian, has been operating in the country for more than 10 years, providing assistance to orphans, along with sister organizations in Canada and the US. HUHTC has organized educational summer camps for orphans in the Carpathian Mountains for the last eight years. In 2003, over 600 orphans from 37 orphanages and boarding schools across Ukraine joined the summer programme, which focuses on leadership training, increasing self-esteem and raising awareness of social and civil rights. Practical workshops raise such issues as professional development, resume writing, interviewing skills, conflict resolution, and health issues, such as drinking, smoking and HIV/AIDS awareness. Courses in basic entrepreneurship and crafts are also offered, as well as sports and simple R&R. Psychological issues are explored through art therapy. The foundation’s University Scholarship Programme assists orphans who want a higher education. In 2003 alone, over 120 students were granted scholarships and entered universities throughout Ukraine. These students are given monthly stipends, money for clothing and school supplies, additional funds for tutoring (if necessary), medical assistance and other support from the Foundation.

The benefits of this programme are already visible, as some of the first students of the Scholarship Programme have successfully gone on to graduate studies, while others have succeeded in their professional pursuits. The organization recently expanded its scope to include the promotion of trafficking awareness within the orphanage system and is helping graduates of the system to find jobs when they leave.

At a recent HUHTC winter camp, Winrock International held trafficking awareness and prevention workshops.<sup>222</sup> The aim was to prepare teenaged orphans who are about to leave the boarding school system with information about how to protect themselves from trafficking. Other workshops promoted healthy lifestyles, self-esteem, life-skills training, and job placement. This kind of work gives orphaned teenagers who are not eligible for university scholarships a better chance of succeeding once they leave the state system.<sup>223</sup>

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<sup>221</sup> Interviews with NGOs working with orphans and state boarding schools.

<sup>222</sup> HUHTC Winter Camp in the Carpathians, the HUHTC (Children of Chernobyl Canadian Fund) Anti-Trafficking Initiative (HUHTC-ATI).

<sup>223</sup> HUHTC Canada press release, February 2004. The Anti-Trafficking Initiative is part of a larger Canadian national coalition ‘Stop Trafficking’ that is coordinating activities of Canadian-Ukrainian organizations and individuals working together to end growing human rights abuse of this kind. The national coalition includes representatives from HUHTC-ATI, a project of Canadian Children of Chernobyl Fund, Ukrainian Canadian Congress Committee for Justice, Ukrainian Canadian Civil Liberties Association, Ukrainian Canadian Immigrant Aid, Ukrainian Canadian Social Services, and the World Federation of Ukrainian Women’s Organizations.

Some orphans have established NGOs of their own, such as Faith in the Future in Ivano-Frankivsk, which offers free legal and psychological assistance to orphans. They have also created a support network among themselves to defend their rights and to help each other find a place to live and a job. In some sense, these young people have created their own extended family, some of whose members already have nuclear families of their own. This kind of programme is critical because it brings together individuals who have managed not to give up or to take unknown risks but are trying instead to deal with their problems independently. Such NGOs are well-positioned to work with orphans because their members know the territory and have faced the same fears as their target group.<sup>224</sup>

In fact, there need to be more programmes that work with orphans, providing a social net for them once they leave the state system. Theoretically, all graduates from the state boarding school system are supposed to be placed either in jobs or at post-secondary institutions, usually vocational schools or two-year colleges (technicum). Those that end up in such a college are moved into dormitories where the rooms are intended for three students, but are often occupied by as many as 12. Such living conditions are not conducive to normal living or normal studying, and many of the orphans look for alternative means of survival. Because most of them are not able to make use of their freedom of choice or other rights effectively, they form the most at-risk group for trafficking.

Some students are taken in by local businesses, offered jobs and guaranteed a place to live. This in itself may be a form of internal trafficking because such orphans often receive no real salary for their hard labour and are threatened if they tell anyone about their situation. According to HUHTC, there have been cases where orphans in dire straits were brave enough to go to the police for help, only to find out that the police had been paid off. Instead of helping the orphans, the police officers registered a complaint from the employer that this worker was suspected of theft.<sup>73</sup> Other businesses have taken advantage of the special tax privileges granted to orphans and registered them as founders in a start-up business. Needless to say, the owners rarely shared any profits with them.<sup>225</sup>

One respondent suggested that young people leaving orphanages need to have a community or church organization behind them to mentor them in life and provide support when they run into trouble. Most of these teenagers do not even know where to find the nearest Youth Services Centre and, when they do end up at their offices, are not always given the extra time or individual attention they need. This respondent was convinced that Ukraine needs to take ‘community guardianship’ of these young people, who could otherwise end up being a lost generation for Ukraine.<sup>226</sup>

Under the Families in Crisis Programme, YSCs in most oblasts provide assistance to children whose parents have disappeared abroad without a trace, as it is within their scope of

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<sup>224</sup> Interview with Faith in the Future, an NGO, Ivano-Frankivsk, November 2003.

<sup>225</sup> Interview with HUHTC.

<sup>226</sup> As of 1 January 2004, orphans have been stripped of any special tax breaks or privileges. Kyiv Post, 4 March 2004.

responsibility to care for all children in a crisis situation. This means that children of potential victims can receive various forms of assistance:

- Help in preparing official documents (guardianship, etc.).
- Help with searching for missing parents.
- Help in finding a sponsor.
- Humanitarian assistance.
- Financial assistance (can only be given by local budgets, as oblast budgets have no such allocation).

Recent polls of those considering migration as a life option show that many young people feel that they have no future in Ukraine. The demise of many state-funded youth programmes leaves many of them idle and restless. Helping such young people build a sense of self and community could influence their future choices so that, even if they choose to leave the country, their decision to leave and experience new challenges will be an informed one.

There remain a number of successful youth programmes in Ukraine that develop leadership skills among youth and aim to address topical issues. One such example is the School of Equal Opportunities, whose slogan is ‘Peer to Peer’. The programme addresses problems such as trafficking in persons, HIV/AIDS and child labour through a series of ‘child to child’ and ‘child to community’ activities. This approach has been chosen so that, when people hear children talk about their problems, they will take the young people more seriously and trust them more. The organization promotes gender sensitivity among children and develops gender policy in society. These promote the basic tenet of developing a civil society: that actions of individuals can have an impact in changing their society. Activities also include theatrical presentations on various topics at schools, festivals and other public events.

This organization also runs a USAID-funded Youth Leadership Programme that involves in-country summer and winter training camps for girls and boys aged 12-16. Participants are selected on a competitive basis among schools and NGOs. At the winter and summer camps, young people learn about women’s and children’s rights, they discuss the problem of trafficking in persons, and they hear about Ukrainian organizations working in these spheres, including crisis centres. In addition, the young participants gain leadership and conflict resolution skills. After the two-week course, they are encouraged to go back to their schools and organizations to work with their peers and lead trafficking awareness campaigns. Many of the students go on to become volunteers at various NGOs.<sup>228</sup> This type of more targeted peer education programme may have a smaller impact in numbers, but its impact is definitely more long-term in developing teenagers with a social conscience and skills to work on community projects. They will have a better understanding of the

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<sup>227</sup> Interview with HUHTC.

<sup>228</sup> Interview with the director of the School for Equal Opportunities, Kyiv, December 2003.

issues, which they can convey informally to their peers, as well as through more broad-based approaches such as theatrical shows that are understood by people of all ages.

Another organization that has worked with youth throughout Ukraine is the Centre for Democracy Development, which holds debates and competitions and promotes children's rights. A large number of other NGOs work closely with local schools and youth programmes in providing trafficking prevention activities through training and interactive lectures. For example, Revival of the Nation, a Ternopil-based NGO that works closely with IOM, OSCE, La Strada Ukraine, and the local government, participates in weekly meetings of youth organizations where plans for the future are shared and experiences exchanged.

Many of the local officials interviewed for this study cited examples of other youth and women's organizations that they felt were very effective in working with youth and were supported partly by local governments. In Ivano-Frankivsk, for example, the city is helping finance about 10 NGOs, including Plast, a Ukrainian scouting organization with over 10,000 members throughout Ukraine, Zhinocha Hromada, and the Soyuz Ukrayinok, a league of Ukrainian women. They also work with international organizations such as La Strada and UNICEF, who notify them about upcoming events.

## 4.6. Controlling migration

### 4.6.1. Job placement and travel agencies

There are currently 455 firms licensed to provide employment opportunities abroad. Legal employment abroad is rare, expensive and usually limited to specialists, medical personnel and seamen (mostly from Mariupol and Odesa). However, many agencies offer positions that do not come with work visas.

“Licensing for firms engaged in arranging work abroad is done through the State Employment Centres of the Ministry of Labour and Social Policy. A license costs Hr 200-300. It is usually valid for two years, but it can be revoked for certain violations. In practice, however, revoking a license is not easy, as the courts often reverse previous decisions. Moreover, the owners themselves can simply re-register their firm under a new name and obtain a new license.”

*Interview with SEC in Kyiv, January 2004*

Over the first nine months of 2003, regional SEC inspectors reviewed all 455 enterprises and found 513 violations. 106 of these inspections were conducted jointly with law enforcement agencies – the SBU, MIA, and Prosecutor General's Office. As a result, 67 case files were forwarded to law enforcement officials for review and 55 to local government bodies and the Prosecutor General.<sup>229</sup> However, none these violations were found to be

<sup>229</sup> Statistics received from SEC, February 2004.

connected with trafficking. Clearly, these agencies are closely monitored and are thus highly unlikely to be directly involved in trafficking.

Still, SEC specialists felt that licensing procedures for businesses offering job placement abroad could be improved to further enhance migrants' rights. In particular, licenses should only be approved on the basis of actual foreign agreements at the Government level, with explicit time limitations. At the moment, the VR Committee on European Integration is considering draft legislation on this very issue.

As for travel agencies, here, too, there are no hard facts to connect them directly to trafficking. Nevertheless, there is no doubt that some agencies have provided job placement services without the authority to do so. The police and others thus caution people to understand that travel agencies are not automatically licensed for such business.

#### ***4.6.2. Foreign rest cures for state wards***

Three Ministries – Education and Science, Health, and Family, Children and Youth Affairs – and the State Border Committee are responsible for overseeing programmes offering orphans rest cures abroad. Stricter regulations are now being applied to the documentation necessary for taking minors across state borders. Officials are also paying more attention to situations where children have not returned to Ukraine within the stated time. There are also concerns that very young children are being placed with families abroad without any guardians from the Ukrainian side to monitor the situation.

Some critics have even suggested that children should not be taken abroad at all, especially when their certified guardians or counsellors are not properly supervising them. They are convinced that such children would be better served by participating in similar programmes at home.

#### ***4.6.3. Border checkpoints***

The Specialised MIA Police Detachment at Ukraine's Boryspil International Airport works closely with the SBU in the exchange of information and checking of flights considered prone to trafficking. Pre-departure checks focus especially on flights to Barcelona, Istanbul and Ankara. In order to prevent trafficking, the Police Detachment tries to find out what the passengers' destinations are, the purpose and length of their stay, the legitimacy of their documents, and whether the police are looking for a particular person. Although NGOs have provided some training on the identification of trafficking cases in the past, high turnover means that the duty staff may not have been trained at all. Moreover, the detachment is too understaffed to properly interview suspicious persons and returning deportees (see Chapter 5). In addition, the police must be careful not to infringe on the rights of passengers and, generally, they must have a plausible reason for interrogating someone.<sup>230</sup>

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<sup>230</sup> Interview with MIA Specialised Police Detachment at Boryspil International Airport, Kyiv, December 2003.

<sup>231</sup> Interview with Faith, Hope and Love, an NGO, Odesa, December 2003.

In the seaport of Odesa, the Specialised Police Detachment works closely with the Faith, Hope and Love NGO in interviewing and surveying potential trafficked persons among the deportees returning on the ships that arrive twice a week from Turkey. This type of cooperation has proven effective.<sup>231</sup>

The Border Police fulfil a similar function to the Specialised Police Detachment in trying to screen potential victims, but they do not actually have the right of interrogation if a person's documents are in order, unless the person is wanted by the police. However, if they suspect that a group travelling together is involved in trafficking, they may question them or call in the police.

#### **4.6.4. Passport offices**

The study revealed that there is a significant difference between passport offices in different regions in terms of what they are doing in the prevention of trafficking. In all oblasts, the Passport Office has an information stand for materials on trafficking in persons. Every person who hands in documents for the purpose of getting an international passport is given a flyer. Explanatory interviews are often conducted with young women and the parents of girls travelling abroad.

In many regions, especially in Mykolayiv, Kherson and Crimea, women under 35 can get an international passport only after they have presented a document confirming that they have undergone an interview with the Anti-Trafficking Department. Passport Office staff are convinced that their preventive work is having an effect. The director of the Ternopil Passport Office gave as an example the story of one woman who had been given information by them and when she found herself in a tricky situation, she remembered the advice and knew where to turn for help.

In Donetsk, the Passport Office mentioned that it conducts interviews with younger women and does not issue passports without the physical presence of the applicant. Still, they conceded that few women admitted to the real purpose for their travel during interviews.<sup>232</sup>

### **4.7. Prevention in Destination Countries**

In some destination countries with a high concentration of Ukrainian migrants, NGOs have formed for the purpose of organizing the community more constructively, lobbying for social protection of migrant workers in that country, and assisting newcomers in avoiding the traps of exploitation. For example, in Portugal, two Russian-speaking NGOs have been formed to help migrants find safe work placements, avoiding the criminal rings that are responsible for much of the exploitation of migrants in that country. These NGOs also provide assistance in legalising a migrant's status and introductory language classes.

In Italy, the Ukrainian community's NGO undertook a study of the profiles of migrant workers and their experiences there. It tries to intervene on behalf of new arrivals looking

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<sup>232</sup> Interviews with Passport Offices in Donetsk, Ternopil and Ivano-Frankivsk.

for jobs, and directs them to organizations that can provide assistance. For example, Caritas-Italiana prints posters in Ukrainian that are put up throughout Italy, it provides temporary food and shelter for those who find themselves in difficult circumstances, and when necessary it can provide other forms of assistance.

## 4.8. Prevention Gaps and Flaws

In addition to the numerous gaps and weaknesses among existing prevention programmes mentioned throughout this chapter, two more areas of prevention activity that have so far received little attention deserve mention here.

### 4.8.1. Legalising jobs in destination countries

One of the most obvious approaches to preventing trafficking is to provide more transparent and legitimate channels for migrants to work in destination countries. These countries are home to any number of successful migrants from Ukraine, as well as trafficked persons. Still, this aspect of the problem has not been incorporated into any of the trafficking prevention strategies in the country today.<sup>233</sup> Although many interviewees reported that Ukraine had approached several countries about obtaining bilateral labour migration agreements, the issue remains unresolved.

Internationally-adopted guidelines and recommendations point to such measures as integral to an effective strategy in trafficking prevention.<sup>234</sup> It would seem that the obvious issue, and one that is possibly the primary underlying cause of much trafficking, has been deliberately avoided because of the official anti-immigration policies that are currently in favour in many of the most popular destination countries. The experience of one trafficked Ukrainian girl was described in a report from the Israeli Woman to Woman NGO. She put it simply: “Why can’t I have a legitimate job?”<sup>235</sup> A number of respondents for this study also pointed out that many young people have understood from much of the trafficking awareness programmes in Ukraine that they need legal jobs and are starting to seek them.<sup>236</sup> It seems clear that initiatives need to be taken to ensure a certain number of legal jobs to satisfy the minimal needs of migrants. Those destination countries that pay only lip service to the idea of regularising the migration process also need to shift their position on this issue.

This can be achieved in a number of ways that can be included in the strategies of prevention programmes: state bodies or other appropriate structures can take on the role of intermediary to organize legal work for migrants in either their country of origin or their destination

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<sup>233</sup> Most NGO and international prevention programmes do not include such aspects as legalising migrants in destination countries.

<sup>234</sup> See, for instance, OSCE action plan *supra*.

<sup>235</sup> ‘Women as Commodities: Trafficking in Women in Israel’, Foreign Workers’ Support Centre, Haifa, 2003, 98 pp.

<sup>236</sup> Interview with Halyna Kravets, Revival of the Nation, a women’s NGO, Ternopil, 19 November 2003.

country. This kind of approach has been promoted by a number of NGOs, international and government agencies as a way to increase the level of transparent migration.<sup>237</sup>

Both irregular job placements offered by licensed agencies in Ukraine and other informal mechanisms for irregular job offers would be targeted here. Although even legal labour migration sometimes leads to abuses, interviewees in this study and trafficked persons themselves report that legal workers have access to – and take advantage of – mechanisms to protect themselves or seek redress under the given country’s labour laws.<sup>238</sup> Moreover, any bilateral agreements that are in force would afford protection to Ukrainians.

Putting this idea into practice does present a number of challenges. First, certain political issues need to be resolved. Many EU countries are under considerable constraints in terms of offering third-country nationals the right to work on their territory.<sup>239</sup> In addition, many EU countries consider themselves too overwhelmed by more traditional migrant populations to want to consider new arrangements that would permit even more migration. For example, Ukraine has been seeking a bilateral labour migration agreement with Spain. Despite the fact that Spain belongs to the ‘network’ of countries whose labour policy is determined by the EU, Ukraine is not a priority. Spain’s traditional migrant populations are Moroccans and Ecuadoreans, and it is believed that these groups should be given priority. Yet it is estimated that there are 45,000 legal and 70,000 illegal Ukrainian migrants in Spain working together in construction, meat processing plants, tool-making factories, in farming and housework, caretaking for children, invalids or the elderly, serving in restaurants, and providing commercial sex. This confirms the fact that Spain actually needs foreign workers, but no mechanism for achieving this by supplying Ukrainian hands has yet been found.<sup>240</sup>

Although older EU member countries can afford to limit third-country nationals, it is not clear whether these kinds of restrictions will affect new member-countries. Poland and Hungary have already introduced special arrangements to benefit Ukrainian populations living near their borders to facilitate local movement, despite of EU resistance to this initiative. In addition, Ukraine already has bilateral labour migration agreements with some of the new EU member states and is negotiating with others.<sup>241</sup> Many respondents in this study believed that EU enlargement would ultimately lead to more freedom of movement for Ukrainians, allowing them to migrate and seek work. This is likely to emerge as population decline and the aging of Europe’s workforce become felt, or as new EU member nationals emigrate to old member states, leaving behind jobs in their own countries. Attention should therefore be paid to those countries that will be more receptive to recommendations to increase opportunities for trafficking-risk groups – notwithstanding comments made by certain new member states – and to the necessary bilateral migration agreements that go with them.

<sup>237</sup> ‘The expansion of the European Union: Meeting a cautious Europe’, Caritas Europa, 2004. Details can be found at the website <http://www.caritas-europa.org/code/EN/publications.asp>; OSCE action plan, *supra*.

<sup>238</sup> The Spanish consulate reported that many Ukrainians had obtained legal assistance in actions against their employers for non-payment of wages. Many reports by migrant organizations have made clear the abuses even with certain legal migration schemes. Nonetheless, most of this kind of abuse arises from the tying the acquisition of work permits to employers. ‘Asian Migrant Yearbook 2000: Migration Facts, Analysis and Issues in 1999’, Asian Migrant Centre, Hong Kong. See also *op. cit.*, ILO draft report.

<sup>239</sup> The labour policies of some EU countries are regulated by EU institutions.

<sup>240</sup> Interview with Martin Remon-Mirenso, Spanish Consul, Kyiv, 18 December 2003.

<sup>241</sup> Interview with Francesco Luciani, *supra*.



Secondly, there are organizational obstacles to implementing regular migration schemes. Experiments to reduce irregular migration between Albania and Italy by providing legal job placements did not lead to the desired results. Italy and Albania entered into an arrangement whereby Italy set quotas for workers in certain sectors. Although this agreement was actually being considered in the context of preventing trafficking in people between the two countries, in fact, it made it possible to ensure Albanian men were offered legitimate work.<sup>242</sup> Candidates were screened and selected in Albania and details sent on to the Italian employer. But employers did not care for this manner of recruitment, preferring to be entirely in control of the selection process. As a result, few posts were officially filled, while employers continued to recruit informally through word of mouth.<sup>243</sup>

It is also unclear how the Portuguese labour migration agreement might operate in practice in terms of placing Ukrainian workers. The purpose of this agreement was to eliminate the role of private agencies in finding work in Portugal, since many of these agencies were suspected of being organized rings. Portugal has vacancies in such areas as science, the arts, sports, technicians, and unskilled labour. However, these positions can only be accessed through the Portuguese Ministry of Labour, which is supposed to organize the selection of candidates and interviews of specialists in Ukraine, possibly with some assistance from the consulate. During the study, however, word came that, even if ratified, this agreement was unlikely to result in many placements.<sup>244</sup>

The second alternative is drawn from the findings of a recent ILO study (see Chapter 3) on differences in the organization of successful migration and trafficked migration from Ukraine.<sup>245</sup> This study found that successful migrants more often than not used both travel agencies to get visas and their own network of friends and family in the destination country to secure employment.

Travel agencies are not specifically considered involved with trafficking in Ukraine, but have clearly been responsible for the facilitation of tourist visas for those wishing to migrate for work. Social networks have been recognised by foreign consular officials as the main conduit for Ukrainians to obtain work visas. There are, for instance, no job placement agencies in Ukraine, to the knowledge of the Spanish consulate, that provide legal positions in Spain to Ukrainians. The 3,000-6,000 work visas that are issued annually on the basis of employer requests in Spain are mainly issued to men and women (60:40) who have received recommendations—invariably from a family member or acquaintance who is working for the prospective employer. Nor does this mean that employment agencies are not providing irregular placements.

Similarly, studies in Italy recognise that the demand for care-minding for children, invalids and the elderly has provided an environment in which many migrant women, arriving through travel agencies and equipped only with tourist visas, easily find work. These positions are clearly irregular to begin with, but some of these individuals have later legalised their status through amnesty programmes for irregular migrants.<sup>246</sup> Many such employees are Ukrainian women.

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<sup>242</sup> 'Reference Guide for Anti-Trafficking Legislative Review with particular emphasis on South Eastern Europe', Angelica Kartusch, OSCE/ODIHR, September 2001, 151 pp.

<sup>243</sup> Op. cit., interview with F. Luciani.

<sup>244</sup> Op. cit., interview with C. Martos.

<sup>245</sup> Op. cit., ILO research.

<sup>246</sup> Caritas research. Between 1986 and 2002, Italy announced four amnesties that granted permission to stay on the basis of certain criteria, including a contract of employment.

This situation indicates that positions are available in different destination countries, but access is very much on an *ad hoc* basis. Although officials in the favourite destination countries of Ukrainians may not be prepared to discuss migration agreements and quotas on an official level, and employers in many cases prefer to use their own networks to find workers, destination countries might be prepared to support a less radical form of authorisation. Community networks or even organizations formed by migrants themselves, as in the case of Portugal, to assist newcomers in finding work could be sought out and provided with support. This, together with a properly supervised job placement system in the country of origin – which is arguably already sufficiently supervised, should provide much improved protection to potential migrants.

#### ***4.8.2. Preventing trafficking of third country nationals***

Despite all the programmes aimed at preventing trafficking in Ukraine, there are no programmes that address Ukraine's role as a transit country for trafficking to the west, or as a destination country.

The problem of illegal migrants in Ukraine and Ukraine's role in preventing them from getting across its borders and into the EU has surfaced during many discussions. Unfortunately, neither international organizations working with these migrants, such as UNHCR and the IOM, nor charitable organizations, such as Caritas-Spes, have investigated or questioned these persons on the subject of possible trafficking. The fact that some of these migrants may also be trafficked persons is being disregarded at the moment, but it is an issue that merits more attention in Ukraine.

## PROSECUTION

Trafficking has been identified in international law as a crime committed by transnational organized criminal rings.<sup>247</sup> According to the UN, trafficking in persons ranks third in profitability behind arms and drug trafficking and, what is more, the risk of capture and punishment has, until recently, been minimal. Observers have noted that the shadow economy in many countries has witnessed increased involvement of international rings, which exploit trafficked persons as virtual slave labour in these sectors.<sup>248</sup>

Combating organized crime is at the heart of anti-trafficking activities. Law enforcement bodies in Ukraine have been identified in the Comprehensive Programme as having specific roles to play in investigating traffickers. These include the Prosecutor General's Office, the MIA, SBU, the State Border and Customs Services, with the Prosecutor General's Office responsible for coordinating anti-trafficking activities. This chapter outlines the roles of the relevant bodies charged with combating trafficking in persons in Ukraine through prosecution, the problems encountered in prosecuting these cases, and actions designed to improve the capacity to prosecute such crimes.

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<sup>247</sup> The UN Convention Against Transnational Organized Crime and its Protocol (Palermo Protocol) to prevent trafficking in persons, adopted in November 2000.

<sup>248</sup> Interviews with the SBU and MIA, November 2003, February 2004.

## 5.1. Roles

### 5.1.1. The Prosecutor General's Office

According to the Constitution of Ukraine, the Prosecutor General's Office is a complete system responsible for prosecuting in the name of the state in court, representing the interests of a citizen or those of the state in court, ensuring the legality of investigative practices by police detectives, ensuring compliance with law in handing down court decisions and other measures related to the restraint of civil liberties in criminal cases.<sup>249</sup>

In overseeing the activities of law enforcement agencies, the Prosecutor General's Office is responsible for ensuring:

- The legality of investigations.
- Approval for the detention of suspects.
- The protection of the rights of all participants, including suspects, witnesses and victims.

According to the Comprehensive Programme, the Prosecutor General's Office has been identified as directly responsible for:

- Ensuring that Ukrainian legislation on the rights and interests of women and children conforms with international norms.
- Reviewing international experience in preventing and combating trafficking in persons and in assisting trafficked persons; developing recommendations.
- Providing statistical reports on trafficking crimes committed under Art. 149 of the Criminal Code of Ukraine.

Prior to 2001, the investigation of crimes in this category was carried out by investigators from the Prosecutor's Office. In 2001, in addition to changes to the Criminal Code, there were changes to the Criminal Procedural Code, particularly in Section 11. This section outlines the basic procedures for a pre-trial investigation. Amendments to Art. 112 'Under Investigation', included the transfer of authority for the investigation of crimes involving trafficking in persons from Prosecutor's Office investigators to police investigators.<sup>250</sup> Now, the Ministry of Internal Affairs is responsible for operative enquiries (finding suspects) and investigating criminal cases under Art. 149 of the Criminal Code. Afterwards, the case is passed on to the Prosecutor's Office.

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<sup>249</sup> 'Constitution of Ukraine: Review, Comments & Text of Main Law. Section 8: The Prosecutor's Office', Kyiv, 26 June 1998, 138 pp.

<sup>250</sup> The Criminal Procedural Code, Kyiv, Atika, 2001, pp. 65-66.

If the prosecutor is satisfied that there is sufficient evidence to substantiate the charges brought against a suspect, and that the correct procedures have been followed, the case is admitted to court. If not, the case is returned to the police for additional investigation. This can happen when, for instance, there is insufficient evidence of guilt, or it is not supported by documentary evidence. Cases that are returned for further investigation are often closed, since the collection of further evidence is rarely possible.

Where investigations require assistance from abroad, the Prosecutor General's Office must formally request such assistance and conduct an official investigation. Law enforcement agencies may conduct their own investigations, which are often based on bilateral agreements with law enforcement counterparts in other countries.

### ***5.1.2. The Ministry of Internal Affairs (MIA)***

In accordance with the Comprehensive Programme to Prevent Trafficking of Women and Children for 1999-2001, a specialized Anti-Trafficking Unit was formed in 2000 within MIA's Main Criminal Investigation Department, and specialised sub-units were formed within oblast MIA Departments.<sup>251</sup> Today, there are 27 such units responsible for the prevention, discovery and investigation of crimes involving trafficking in persons.

Units like this existed in only three oblasts prior to 2000, in Kyiv, Donetsk and Luhansk, and were referred to as the 'Moral Police' – sub-units responsible for violations of social mores. Police in these sub-units were the first to begin investigating cases of trafficking in persons.

Within the MIA, there is a Department for Combating Organized Crime, which also investigates trafficking crimes, although only those cases involving organized rings.

The departments also differ in their approach to investigations. The Criminal Investigation Department works on the principle from the crime to the perpetrator, that is, uncovering the crime, and then tracking the person responsible. This means that they become involved only after a crime has taken place. The Anti-Crime Department works the other way around, from the suspect to the crime, that is, identifying suspected criminals and tracking their activities, theoretically preventing new crimes in the preparatory stages. In reality, the difference in approaches is moot, since the Anti-Trafficking units of the Criminal Investigation Department have also uncovered many crimes in the preparatory stages.

In addition to the tasks in the Comprehensive Programme, such as establishing contacts with the law enforcement agencies of other countries, informing the general public about the dangers of trafficking in persons, and other responsibilities, these Departments are also expected to monitor travel agencies and agencies offering job opportunities abroad.

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<sup>251</sup> In 2003, the name of the Main Criminal Investigation Department was changed to the Criminal Investigation Department.

### **5.1.3. The State Border Service**

The State Border Service is primarily responsible for maintaining the security of the state border, and preventing illegal entry into, or exit from, Ukrainian territory. Since the current definition of trafficking in Ukrainian law stipulates crossing the border, the Comprehensive Programme places some responsibility in combating trafficking on the State Border Service. This includes keeping tracking of trafficking cases, exchanging information, and collecting and analysing data.

In practice, the Border Service performs an important additional function. It is the first point of contact for deported citizens returning to Ukraine – most return via Kyiv’s Boryspil International Airport – and among them, quite often, are trafficked persons. For this reason, border guards should play a leading role in the identification of trafficked persons. Future work with trafficked persons, including the institution of proceedings against traffickers, depends to a fair extent on the professionalism and sensitivity of border police in identifying trafficked persons, as well as their knowledge of which NGOs can help trafficked persons further. If such individuals make a statement that they were trafficked when they cross the border, the border guard will refer them to the Specialised Police Detachment (‘line division’) of the MIA or the SBU. Should the person wish to testify against traffickers, this is registered and the case is passed on to the Anti-Trafficking Unit.<sup>252</sup>

### **5.1.4. The State Security Service (SBU)**

Trafficking in persons is considered a crime that threatens national security. Thus, the SBU Anti-Corruption and Organized Crime Department manages investigations of cases connected with international or transnational criminal activity, illegal migration, and trafficking in persons. The SBU has been dealing with human trafficking since 2002 and, to an extent, is duplicating some of the activities conducted by similar departments within the MIA. However, SBU respondents saw this as ‘healthy competition’ that contributed to the overall success rate and provided an alternative reference point for assessing MIA activities.<sup>253</sup>

The SBU Anti-Corruption and Organized Crime Department operate on a conceptual basis, proceeding from a problem. Its investigative activities are based on information received from a variety of sources. In the seaport of Odesa, the SBU is now interviewing women returning as deportees from Turkey in order to identify those who have been trafficked and get information about the traffickers. This kind of intelligence is very valuable for the police, as trafficked people can often provide very good information about those who trafficked them. But getting such women to testify in court against the perpetrators remains a problem.<sup>254</sup> SBU officers fairly regularly refer trafficked women to NGOs for social assistance. Of course, the suspicion is that the SBU supports such rights to assistance and protection only because it believes that trafficked persons who have worked with an NGO are more useful witnesses.<sup>255</sup>

<sup>252</sup> Interview with Mukachevo Border Patrol, Zakarpattia oblast, 27 November 2003.

<sup>253</sup> Interview with SBU, 3 February 2004.

<sup>254</sup> Interview with SBU, Odesa, 15 June 2002.

<sup>255</sup> Ibid.

The Comprehensive Programme also requires that the SBU, like other law enforcement agencies:

- Holds annual regional and inter-agency meetings and seminars to coordinate activities and define strategies to combat trafficking in persons.
- Monitors the activities of travel agencies, marriage agencies, and other businesses licensed to act as intermediaries for job placement abroad.
- Improves the mechanisms for exchanging information with foreign law enforcement agencies about organizations and individuals suspected of involvement in transnational trafficking and about investigative methods.

### **5.1.5. The judiciary**

According to the Constitution of Ukraine, general jurisdiction courts are formed either on a territorial basis (districts) or to fulfil specialised functions. At the moment, there are no specialised trafficking courts in Ukraine, and general jurisdiction district courts handle these cases.

As with other criminal cases, the Supreme Court of Ukraine will consider a case of trafficking in persons only after the case has been reviewed by lower courts and the trafficked person or the defendant appeals the decisions of local and appellate courts. If there are signs of an unlawful or erroneous ruling by a lower court, then the Supreme Court normally agrees to consider the case and a new hearing is held, after which the Supreme Court issues its decision.<sup>256</sup>

In relation to trafficking in persons, one of the main tasks of the Supreme Court is to study and summarise court practice. Based on its interpretation of general practice, the Court develops guidelines for the lower courts. The Supreme Court is in the process of producing such an assessment with regard to trafficking, but at the time of this writing nothing had been published.

## **5.2. Difficulties in Prosecution**

Respondents in this study reported that trafficking cases have proven among the most difficult to prosecute in Ukraine, compared to other crimes defined in the Criminal Code. The difference between the number of cases that have been investigated and those that actually made it to court and resulted in convictions is highly disproportionate and seems to be characteristic of trafficking cases.

### **5.2.1. Conviction rates**

The commitment and improved capacity of law enforcement agencies to investigate trafficking crimes reported by many respondents is reflected in the statistics published by

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<sup>256</sup> Interview with V. Kuzmenko, Justice of the Supreme Court, 22 December 2003.

the MIA. The number of cases investigated and filed with the MIA has been steadily rising ever since specialised Anti-Trafficking Units were formed and trained.<sup>257</sup>

Table 1 shows that during the last six years, Ukraine has seen a dramatic increase in the filing of trafficking cases, from 2 in 1998 to 289 in 2003.

**Table 1**

*Criminal cases filed with the Ministry of Internal Affairs  
under Art. 149 of the Criminal Code (old Art. 124)<sup>258</sup>  
as of 31 December 2003<sup>259</sup>*

Year	Number of criminal cases
1998	2
1999	11
2000	42
2001	91
2002	169
2003	289
<b>Total</b>	<b>604</b>

Filing a case with the MIA is only the first stage in the prosecution process. It must be accompanied by approval from the prosecutor and admission into court, after which start the actual court proceedings. The MIA and SBU reported that the Prosecutor's Office or the courts are sending the majority of cases back for additional investigation because the suspects cannot be located. In practice, this means that there are very few convictions for trafficking.

Table 2 indicates that less than 5 per cent of cases filed by the Anti-Trafficking Unit and pending in 2003 resulted in the conviction of traffickers.<sup>260</sup>

According to the data in Table 2, 234 trafficking cases were opened over 2003, but only 59 were actually brought to court. These resulted in only 11 convictions. The remaining 46 cases were dropped under either Art. 6 or Art. 206 of the Criminal Procedure Code, meaning that either the court was unable to establish any suspects or the suspect could not be found. Respondents reported that often suspects were not detained during the investigation and they simply disappeared abroad.<sup>261</sup> In total, 413 victims were involved, and 160 offenders. There is no information on the number of minors among the victims.

These statistics can be compared to data from the MIA for 2002 set out in Table 3.

<sup>257</sup> IOM statistics, December 2003 and press report of IOM seminar, 'Best Practice Principles for Interviewing Victims of Trafficking', Kyiv, 10 March 2004

<sup>258</sup> Art. 149 of the current Criminal Code was Art. 124 in the previous Criminal Code.

<sup>259</sup> MIA data obtained from IOM.

<sup>260</sup> MOJ also provides statistics on those convicted of trafficking. In the first six months of 2003, 7 people were sentenced under Art. 124 and 13 under Art. 149, but it is not clear what proportion of filed cases these sentences represent. The data in Table 2 represent the work of the Anti-Trafficking Unit from initiation through to conviction.

<sup>261</sup> Interview with SBU and MIA Odesa, December 2003.



Table 2

*Trafficking case statistics  
from the Ministry of Internal Affairs Anti-Trafficking Department  
for the period 1 January 2003 to 31 December 2003*

Jurisdiction	opened	opened before 2003 and pending	brought to court	verdicts	closed under Art. 6	dropped under Art. 206	dropped under Art. 206 p.1 of CPC	dropped under Art. 206 p. 2 of CPC	dropped under Art. 206, p. 3 of CPC	unfinished	Total offenders	Total victims
Crimea	3	4	3	1	0	0	0	0	0	1	4	6
Vinnitsia	3	4	0	1	0	1	1	0	0	3	4	14
Volyn	2	3	0	0	0	1	1	0	0	2	3	5
Dnipropetrovsk	8	12	11	2	0	0	0	0	0	1	29	44
Donetsk	8	9	2	0	1	4	0	1	3	1	8	15
Zhytomyr	5	5	3	0	0	2	1	0	1	0	18	9
Zakarpattia	4	4	2	0	0	1	1	0	0	1	5	6
Zaporizhzhia	0	1	1	1	0	0	0	0	0	0	1	4
Ivan-Frankivsk	4	4	1	0	0	0	0	0	2	1	1	4
Kyiv oblast	3	4	2	0	0	2	2	0	0	0	5	18
Kyiv (city)	2	3	1	1	0	2	1	0	1	0	4	5
Kirovohrad	0	0	0	0	0	0	0	0	0	0	0	0
Luhansk	6	11	6	2	0	2	1	1	0	3	24	46
L'viv	1	3	1	0	0	2	0	2	0	0	3	16
Mykolayiv	1	3	0	0	0	1	1	0	0	1	1	3
Odesa	8	9	3	1	2	3	1	0	2	1	4	9
Poltava	4	4	4	0	0	0	0	0	0	0	8	55
Rivne	0	1	1	0	0	0	0	0	0	0	1	7
Sevastopol	2	2	1	0	0	0	0	0	0	1	6	20
Sumy	3	4	1	1	1	1	1	0	0	0	4	20
Ternopil	3	3	3	0	0	0	0	0	0	0	3	4
Kharkiv	6	7	3	1	0	3	3	0	0	1	10	34
Kherson	7	8	3	0	0	3	0	0	3	0	6	12
Khmelnyskiy	7	7	2	0	0	3	2	0	1	2	6	15
Cherkasy	4	5	1	0	2	1	0	0	1	1	2	15
Chernihiv	4	4	1	0	0	3	1	0	2	0	3	9
Chernivtsi	5	5	3	0	0	2	1	0	1	0	6	17
Donetsk Railway	1	0	0	0	0	1	0	0	0	0	1	3
L'viv Railway	0	0	0	0	0	0	0	0	0	0	0	0
Odesa Railway	0	0	0	0	0	0	0	0	0	0	0	0
Southern Railway	0	0	0	0	0	0	0	0	0	0	0	0
Southwestern Railway	0	0	0	0	0	0	0	0	0	0	0	0
Prydniprovskiy Railway	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>104</b>	<b>130</b>	<b>59</b>	<b>11</b>	<b>6</b>	<b>40</b>	<b>19</b>	<b>4</b>	<b>17</b>	<b>20</b>	<b>160</b>	<b>413</b>

**Table 3****Statistics on trafficking cases registered, solved and unsolved in 2002  
(Art. 124-1 and Art. 149 of 2001 Criminal Code of Ukraine)<sup>262</sup>**

Oblast	under investigation	registered	completed	investigations dropped under Art. 206 *	unsolved	guilt established	sent to court
Crimea	17	15	16	0/1	1	1	
Vinnitsia	4	3	3	0/1	1	2	
Volyn	1	1		0/1	1		
Dnipropetrovsk	25	22	15	0/1	1	10	
Donetsk	31	18	29	0/0		11	
Zhytomyr	1	1		1/0	1		
Zakarpattia	1	1		1/0	1		
Zaporizhzhia	13	10	11	0/1	1	3	
Ivan-Frankivsk	2	1	1	0/1	1	1	
Kyiv oblast	7	7		2/0	2		
Kyiv city	17	15	16	0/1	1	6	
Kirovohrad	3	2	3	0/0		5	
Luhansk	20	19	17	0/3	3	13	
L'viv	3	2	1	0/0		1	
Mykolayiv	3	3		2/1	3		
Odesa	9	8	5	0/1	1	5	
Poltava	2		1	0/1	1	1	
Rivne	2	2		0/0			
Sevastopol	2	2	2	0/0		2	
Sumy	10	10	8	1/0	1	1	
Ternopil				0/0			
Kharkiv	15	13	6	1/1	2	7	
Kherson	8	7	2	0/0		2	
Khmelnyskiy	1	1		1/1	1		
Cherkasy	3	2		0/0	1		
Chernihiv	1	1		0/1	1		
Chernivtsi	3	3	3	0/0		3	
<b>Total in Ukraine</b>	<b>205</b>	<b>169</b>	<b>139</b>	<b>9/16</b>	<b>26</b>	<b>74</b>	<b>46</b>

\* Art. 206 Para. 1: investigation dropped due to inability to find individual sought, p. 3: investigation dropped as no suspect was established.

<sup>262</sup> MIA data obtained from the Supreme Court.

In 2002, a total of 169 cases were filed with the MIA, but only 46 were admitted to court. Unfortunately, the number of verdicts delivered in these cases was not provided. Separate statistics provided by the MOJ revealed that a total of 20 people were sentenced for trafficking crimes in 2002, although it is not clear whether this data is based on the same cases as those filed with the MIA. If the data is comparable, then this means convictions were handed down in only 12 per cent of the cases filed.<sup>263</sup> On the other hand, the cases filed with the MIA recognised 400 victims, among whom were 40 minors, and 250 offenders.<sup>264</sup>

“The Donetsk Organized Crime Department stopped the activities of a three-man ring in 2002. Over the year, they had recruited and transported minor females from poor families, and orphans to Moscow for sexual exploitation. The girls were taken to Moscow by train, where they were sold to Russian pimps who paid \$500-700 per girl. Over 11 months, they sold 15 girls in this fashion, making nearly \$10,000. Based on this, the Donetsk Prosecutor launched a case under Section 2 of Art. 149 of the Criminal Code.”

*Interview with MIA Main Department in Donetsk Oblast, April 2002, Odesa*

### 5.2.2. Sentencing traffickers

In addition to the low number of convictions, another worrying trend in trafficking cases is the brevity of the jail terms handed down in sentencing. Only a small proportion of those convicted of trafficking crimes receive serious sentences, including the confiscation of assets (see Chapter 2). It also has become evident that even these sentences are often suspended, while respondents reported that serious sentences are frequently overturned on appeal and the suspects freed on probation.<sup>265</sup>

The situation in Luhansk illustrates this problem clearly. A local organization, Women of Donbas, produced its own statistics on trafficking cases in the region and presented its findings at a roundtable dedicated to the ratification of the UN Convention and Palermo Protocol in Kyiv in December 2003. This was organized by the VR Anti-Organized Crime and Corruption Committee jointly with Winrock International. The data is reproduced in Table 4.

**Table 4**

*Statistics on cases under Art. 149 (124) of the Criminal Code in Luhansk oblast for the period of January 2000 through November 2003<sup>266</sup>*

Year	# cases opened	# cases in court	# convicted
2000	4		
2001	15	15	3
2002	19	16	8
11 months of 2003	22	7	0

<sup>263</sup> MOJ statistics for 2001 through the first six months of 2003.

<sup>264</sup> Ibid.

<sup>265</sup> Data from Women of Donbas, a Luhansk NGO.

<sup>266</sup> Ibid.

This table shows that the number of cases being filed has been rising gradually over the last four years, while the proportion of those going on to court is declining, resulting in few convictions. In the first 11 months of 2003, there was not a single conviction.

As to the sentences handed down, a brief analysis shows that in no cases have the terms of imprisonment recommended under Art. 149 been applied. Moreover, in every case in which the defendant appealed, the sentences were suspended.

**Table 5**

*Results of sentencing in trafficking cases 2001-2002*

<i>2001:</i>	
2 years' imprisonment, confiscation of half of assets	1
3-year suspended sentence	1
1½-year suspended sentence	1
<i>2002:</i>	
5 years' imprisonment, no confiscation on appeal changed to 3-year suspended sentence	2
4 years' imprisonment, no confiscation on appeal changed to 2-year suspended sentence	1
3 years' imprisonment, no confiscation on appeal changed to 2-year suspended sentence	1
5 years' imprisonment, confiscation of assets on appeal changed to 3-year suspended sentence	2
5 years' imprisonment, no confiscation on appeal changed to 3-year suspended sentence	1

Not long ago, the Supreme Court was appealed to in a Luhansk case, and it returned this trafficking case to the district court for retrial. The Court indicated that it considered a 5-year suspended sentence for trafficking overly lenient.<sup>267</sup> It remains to be seen whether this will actually change current practice.

The punishments meted out to traffickers are clearly neither effective and nor proportionate, as required under international law. Also, it is not clear whether the additional penalties provided for under Ukrainian law in trafficking cases involving minors have, in fact, ever been applied.<sup>268</sup>

### **5.2.3 Convictions for less serious crimes**

Due to the difficulties associated with proving trafficking crimes, many suspects are convicted instead of lesser crimes, under other provisions of the Criminal Code including Art. 210, Section 1, which was in effect until September 2001 (Keeping Brothels and Procuring), Art. 302, Section 1-2 (Establishing or Maintaining Brothels and Procuring), and Art. 303 Section 2-3 (Prostitution or Coercion or Recruiting into Prostitution).

The statistics in Table 6 illustrate the numbers convicted of such offences, among whom, according to law enforcement agencies, are traffickers. Exact numbers have not been provided.

<sup>267</sup> Op. cit., interview with Justice Kuzmenko, Kyiv, 13 February 2004.

<sup>268</sup> Art. 149 provides that where the crime of trafficking is committed against minors, the guilty may be punished for a term of 5 to 12 years or 8 to 15 years, depending on the type of criminal organization. The standard term of punishment is otherwise 3 to 8 years.

**Table 6**

*Statistics on convictions and types of sentences  
under Articles of the Criminal Code connected to prostitution<sup>269</sup>*

Type of offence	Article	convictions
1998		
Maintaining brothels and procuring	210 Sec. 1	21
1999		
Maintaining brothels and procuring	210 Sec. 1	35
2000		
Maintaining brothels and procuring	210 Sec. 1	68
2001		
Maintaining brothels and procuring	210 Sec. 1	72
Establishing or maintaining brothels and procuring (CC 2001 )	302 Sec. 1-2	32
Prostitution or coercion or recruiting into prostitution (CC 2001)	303	1
2002		
Maintaining brothels and procuring	210 Sec. 1	5
Establishing or maintaining brothels and procuring (CC 2001)	302 Sec. 1-2	105
Prostitution or coercion or recruiting into prostitution (CC 2001)	303	53
First 6 months of 2003		
Maintaining brothels and procuring	210 Sec. 1	1
Establishing or maintaining brothels and procuring (CC 2001)	302 Sec. 1-2	60
Prostitution or coercion or recruiting into prostitution (CC 2001)	303	43

### ***5.2.4 Failure to investigate, prosecute or adjudicate***

A number of factors seem to lie behind the current failure to investigate effectively, prosecute and adjudicate trafficking cases in Ukraine. The collection of evidence continues to challenge law enforcement professionals. The inability to collect sufficient evidence clearly affects the ability of the prosecution to prove that a suspect really is trafficking in persons. Other issues of a structural or organizational nature were also mentioned as obstacles to progress. Finally, difficulties with identifying trafficked persons continue to undermine police efforts to combat organized crime.

<sup>269</sup> Based on MOJ data obtained from the Supreme Court.

## 5.3. Collecting Evidence

### 5.3.1. Obstacles to witness cooperation

The international community has adopted a number of recommendations in relation to the collection of evidence for trafficking cases. In particular, it has encouraged the use of alternative methods of investigation to reduce reliance on victim testimony in the prosecution of trafficking cases.<sup>270</sup> Despite such recommendations, the testimony of trafficked persons is still considered central to a successful prosecution in Ukraine. Given the expense and difficulty of carrying out international investigations, the testimony of trafficked persons is generally the most cost-effective and trouble-free source of evidence for law enforcement agencies.<sup>271</sup>

Unfortunately, respondents reported that trafficked persons are not generally willing to provide testimony to police, let alone testify in court against their oppressors. In most cases, women trafficked into sexual exploitation – as opposed to labour exploitation – want to be left alone and not be pressured into speaking about their unhappy experiences with anyone, let alone with the police and the courts. In many cases, trafficked persons prefer to return home anonymously, so that no one will ever know what happened to them.<sup>272</sup> This is clearly their fundamental right and should be respected. In the experience of police, the best that can be expected is for only one in four identified trafficked persons to cooperate, that is, to be willing to provide testimony against traffickers.<sup>273</sup>

Apart from the desire to keep their terrible experiences to themselves, other factors also contribute to the reluctance of those who were trafficked to cooperate with law enforcement officers.

Firstly, **fear of possible intimidation or retribution** by traffickers, real or imagined, plays a major role, as illustrated here.

“In 2003, the Odesa police rescued 15 trafficked women and launched 4 criminal proceedings against a total of 21 suspects. However, the women were so fearful of revenge on the part of the traffickers that they refused to cooperate with the police.”

*Interview with Odesa Oblast MIA*

Secondly, the **inadequacy of the witness protection measures** currently available in Ukraine aggravates the fear of retribution. Trafficked persons are entitled to protection under the Law on ‘Ensuring the Protection of Persons Involved in Criminal Proceedings’, adopted in 1994. The law itself is comprehensive and provides for the possibility of protection during both investigations and trials (see Chapter 2). In practice, it is not effectively implemented

<sup>270</sup> See, for instance, UNHCR guidelines and principles on trafficking, as well as OSCE action plan.

<sup>271</sup> Interview with Anti-Trafficking Units, Kyiv, December 2003.

<sup>272</sup> Interview with Border Service Administration, Kyiv, and Anti-Trafficking Department, Donetsk, November 2003.

<sup>273</sup> Interview with Anti-Trafficking Unit, Donetsk.

due to budget constraints, the lack of mechanisms within various organizations involved in its implementation, and, occasionally, simple negligence. For instance, the confidentiality of personal data is often not observed. Thus, suspects may become aware of the identities of those providing evidence against them, while under investigation.

The law also guarantees that a safe house be provided for witnesses during the investigation, during the trial, and after the trial. Nevertheless, in practice, only a limited number of witnesses have been provided with accommodation in NGO shelters, and they were only able to stay there during court proceedings. Witness protection beyond the actual trial is unavailable, despite what the law states.

The initiation of proceedings in another location is always an option, to ensure both confidentiality for the trafficked person and possibly greater protection. Again, it is rare due to financial constraints.

A closed trial is an important factor that can encourage witnesses to come forward against traffickers, although, in general, trafficking cases do not fall under the type of criminal case that is heard in a closed trial.<sup>274</sup> This means that details from the trial can be written up in the press (see Chapter 2).

The absence of effective witness protection means that trafficked persons take on a number of risks by cooperating with law enforcement agencies. Weighing these risks against the chances of a conviction would reasonably deter many trafficked persons from sharing their experiences with the police.

Thirdly, the **marginal likelihood that justice will be served**, i. e., that traffickers will actually be punished through the courts, or that the trafficked person will receive compensation for damages, all work against a decision to cooperate with the police. Both the Civil and Criminal Codes of Ukraine provide for compensation from traffickers, but so far, those traffickers who have been convicted have not had significant assets or been wealthy. Plans to set up a compensation fund for trafficked persons could help resolve this problem.

Finally, there is also the **risk of being subject to prosecution for prostitution** under Art. 303, Section 1 of the Criminal Code, if the victim was coerced into the sex business (see Chapter 2). This is often used by traffickers to scare their victims and keep them from cooperating with the law.

In the current climate, it seems entirely reasonable that trafficked persons do not volunteer to cooperate with law enforcement agencies. Yet, despite these negative indicators, increasing numbers of trafficked persons are providing testimony to the police.<sup>275</sup>

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<sup>274</sup> Art. 20 of the Criminal Procedure Code lists the kinds of cases that are to be heard behind closed doors. See Fn. 35.

<sup>275</sup> IOM statistics, December 2003

### ***5.3.2. Testimony from trafficked persons***

Under these circumstances, any decision by a trafficked person to cooperate with law enforcement agents and testify against traffickers must be taken after the witness has been presented complete information about the positive and negative consequences.

Ukraine has witnessed increased cooperation between law enforcement bodies and NGOs in the past three years. This, in turn, has led to an obvious increase in confidence on the part of trafficked persons towards the police. In fact, most contacts with the police happen through the mediation of NGOs. Fewer trafficked persons now turn directly to the police for assistance.

Some respondents expressed concern that this increase in confidence has arisen in the absence of independent and truthful information about the risks faced by trafficked persons in testifying against traffickers. These include, at a minimum:

- Violation of confidentiality of personal data, and dissemination of the experience.
- The identity of the witness becoming known to the traffickers.
- Lack of witness protection.
- The unlikelihood that the case will result in a conviction, i. e., that the trafficker will be given a jail term and/or be required to pay compensation for damages.
- Being prosecuted for prostitution themselves, if they have been sexually exploited.

Table 7 shows the increase in numbers of those agreeing to testify over the last three years.

It should be noted that Art. 6 of the Palermo Protocol requires the unconditional provision of protection and assistance to trafficked persons, irrespective of whether they agree to cooperate with law enforcement agents or not. It is important that all service providers are aware of and respect this principle in their practice.

IOM is now in the process of trying to provide more systematic legal assistance to trafficked persons who agree to testify against traffickers. In this context, a number of Kyiv lawyers have been identified who are prepared to protect the interests of trafficked persons in court. However, little information was available at the time of writing as to the success or comprehensiveness of this initiative.



**Table 7***Statistics on trafficked persons testifying against traffickers in selected cities<sup>276</sup>*

City	2001	2002	2003
Luhansk	54	29	35
Donetsk	15	40	41
Kyiv	5	13	5
Sevastopol	4	–	10
Kharkiv	3	35	66
Odesa	2	–	4
Mykolayiv	1	2	2
Ternopil	–	10	17
Khmelnyskiy	–	7	15
Kirovohrad	–	4	6
Chernivtsi	–	2	13
Rivne	–	8	–
Simferopol	–	5	11
Uzhhorod	–	–	9
Zhytomyr	–	–	13
L'viv	–	–	9
Vinnytsia	–	–	2
Dnipropetrovsk	–	–	20
<b>Total</b>	<b>84</b>	<b>155</b>	<b>278</b>

### **5.3.3. International cooperation**

Cooperation with law enforcement agencies in other countries was also reported as essential to conducting effective investigations and collecting sufficient evidence for prosecutions. However, it also became clear that law enforcement agencies from some countries have been refusing to cooperate or provide assistance to Ukrainian investigators. Given that, for the most part, these crimes take place beyond Ukraine's borders, to document the facts of a case without the cooperation of foreign counterparts is unusually difficult. And the evidence that can be collected in Ukraine – about recruitment or enticement, transport and other stages of trafficking in persons – is not sufficient to ensure a conviction.<sup>277</sup>

The success of international investigations depends firstly on agreements of cooperation between law enforcement agencies, on understanding the seriousness of counter-trafficking activities in the country where cooperation is being sought, and on personal contacts with law enforcement professionals in those countries.<sup>278</sup> At this time, Ukraine's Interior Ministry has agreements for cooperation in combating crime, including trafficking, with Bulgaria, the Czech Republic, Germany, Hungary, Israel, Kazakhstan, Latvia, Moldova,

<sup>276</sup> IOM statistics, December 2003.

<sup>277</sup> The Criminal Code of Ukraine, official edition, Kyiv, 2001, pp. 97-98.

<sup>278</sup> Interview with Prosecutor General's Office, Kyiv, 20 January 2004.

Poland, Romania, Slovakia, Turkey, and Uzbekistan. Signatures are being prepared for a similar agreement with Greece, whereas there has been little progress with important destination countries like Portugal and Italy.<sup>279</sup>

The February 2004 ratification of the Palermo Protocol should help foster cooperation between Ukrainian law enforcement agencies and those abroad in the investigation of criminal rings. It is particularly important in relation to those countries with whom Ukraine does not have agreements on mutual legal assistance. In order to have real impact, however, Ukrainian legislation needs to be brought into concordance with the Convention. In particular, amendments to Art. 149 and Section 1 of Art. 303, which have been drafted and submitted to the Verkhovna Rada, need to be adopted.

In addition, establishing cooperation between source, transit and destination countries requires ratification of the UN Convention and Protocol by all relevant countries.

## 5.4. Organizational and Other Problems

Apart from specific difficulties related to collecting evidence, more general problems were also reported as contributing to the current situation:

- **Personnel constraints.** All countries that are fighting against trafficking in persons acknowledge that crimes of this type are a challenge to investigate. In other words, only trained and highly qualified specialists should handle such cases. According to respondents, there are between 170 and 200 such specialists in Ukraine's Anti-Trafficking Units. However, they are not exclusively assigned to trafficking cases, but are often involved in investigating other kinds of crime. Many have even been transferred to other MIA units, and it is sometimes difficult to replace these specialists. Other police officers are reluctant to work in a unit where the difficulty of investigating cases results in a low conviction rate.<sup>280</sup> This situation affects both the effectiveness of anti-trafficking units in investigating trafficking crimes and the number of trafficking cases being taken up.
- **Time constraints.** Only 60 days are allowed for an investigation from the date a case is opened. Given that much of the crime takes place in a foreign country, it is often impossible to investigate it within such a short period of time, and the Prosecutor General's Office has been reluctant to extend investigation time. In part, this may be related to the fact that the Prosecutor General's Office does not fully understand the specifics of trafficking in persons.
- **Lack of understanding.** Law enforcement specialists on trafficking reported that the general lack of understanding of the issue, both at home and abroad, created difficulties for them. This affected not only the effectiveness of their investigations but also whether or not those cases were pursued by the Prosecutor General and then properly understood by the courts.

<sup>279</sup> Op. cit., IOM counter-trafficking analysis.

<sup>280</sup> Interview with M. Maksiuta, Winrock International, Kyiv, 12 February 2004.

- ***Unclear laws.*** Lack of clarity in the trafficking provisions of Ukrainian legislation is a source of confusion on all sides and has made it that much more difficult to prove trafficking crimes and get them accepted for trial by the Prosecutor General's Office.<sup>281</sup> In addition, conducting cases pursuant to two different articles of the Criminal Code is very confusing. Some cases were originally brought to court under the old trafficking provision, Art. 124-1, which was in force until 2001. Defence lawyers have evidently been taking advantage of this general confusion.
- ***Lack of judiciary experience.*** The judiciary has little experience in conducting such cases and is in desperate need of a ruling from the Supreme Court to provide guidelines.
- ***Systemic corruption.*** Corruption at all levels of the prosecution process creates pressure on those involved in investigation, prosecution and judgement. This even leads to cases being abandoned. The US Department of State report on human trafficking, while highlighting Ukraine's positive accomplishments in combating trafficking, pointed out that the Government's measures did not yet meet minimum standards due to both a lack of financial resources and pervasive corruption.

#### ***5.4.1. Difficulties with identification***

There is a very real problem with the identification of persons who have been trafficked. One of the techniques of identification is interviewing people who have been deported back to Ukraine from other countries, either before or after they cross the Ukrainian border. Responsibility for conducting such interviews lies with border guards and police detachments stationed at points of entry to Ukraine. According to respondents in this study, however, there are actually no professionally-trained specialists with an understanding of counter-trafficking activities. Having had no specialized training, they have no basic guidelines for how to treat and interview trafficked persons, let alone how to deal with cases where the victim is a minor.

Of course, there is the simple physical matter of being able to interview all deportees in order to start the identification process. For example, a representative of the Border Service Administration stated that a single deportee needs to be interviewed for at least three hours in order to determine whether or not they have been trafficked. In practice, border guards ask only the minimal questions that are required of them in their main work: reasons for being abroad, being deported, losing a passport, and so on. In order to ascertain any other circumstances around the deportation, the person can be handed over to the MIA Specialised Police Detachment or to the SBU.<sup>282</sup>

The Rapid Response Unit at Boryspil Airport, as an example, which is charged with interviewing deportees at the airport, is composed of just three officers, and they are often dealing with up to 30 deportees at a time, with only one to two hours to interview all of them. Moreover, this unit is responsible for preventing and investigating all violations that

<sup>281</sup> Interview with MIA Anti-Trafficking Unit in Mykolayiv oblast, Mykolayiv, 24 November 2003.

<sup>282</sup> Interview with SBU, Kyiv, 3 February 2004.

take place on the territory of the airport – fisticuffs, thefts of personal belongings, car thefts, and so on – with no special training to work with trafficked persons. Under such conditions, it is not possible properly to identify trafficked persons among all the deportees returning to Ukraine.<sup>283</sup> Experts believe that those who are identified represent only a tenth, or even a hundredth, of the true numbers.<sup>284</sup>

There are specific obstacles to the identification of trafficked men and children. Most trafficked persons who are identified are women. According to some respondents, this is a result of the dominant stereotype that those who are trafficked can only be women who have been forced to work in the sex business.

## **5.5. Enhancing the Prosecution of Trafficking**

International organizations and NGOs are playing an important role in the organization and implementation of the Comprehensive Programme. Their joint programmes with law enforcement agencies were first launched in the late 1990s. Today, international organizations such as the IOM, OSCE, ABA/CEELI, Winrock International, and La Strada, among others, collaborate closely with law enforcement agencies in Ukraine.

La Strada – Ukraine, the International Women’s Rights Centre, is a pioneer in this field. It was the first organization to draw attention to the need to provide professional development for Ukrainian law enforcement agencies. One of their first national activities was a seminar entitled, Problems of Counter-Trafficking Activities and Cooperation between Law Enforcement Agencies and NGOs, which took place in Yevpatoria, Crimea, in September 1999, and was held jointly with the National University of Internal Affairs (Kharkiv). Since then, the two organizations have worked with the MIA to organize 20 more regional and national seminars and educational conferences, including workshops for Anti-Trafficking Units, lectures for MIA’s Professional Development Institute workers in the international units of the Organized Crime Department, Criminal Investigation Department, and others. In 2001, La Strada and the National University of Internal Affairs (Kharkiv) published a manual entitled MIA Trafficking Prevention Activities. The manual was distributed among all the universities within the MIA system, as well as among all Anti-Trafficking Units. In 2003, a second, updated edition of the manual was published with the support of the British Embassy and La Strada.

An All-Ukrainian conference for young academics and post-graduate students from higher education establishments of the MIA took place in May 2004. In cooperation with the University of Internal Affairs, practical and other literature is being developed to reflect the needs and recommendations of both educators and operatives. The goal of these activities is to enable MIA cadets to study the problem of trafficking in persons while they are still students. This is also being fostered by a number of theoretical and practical seminars and yearly national and international conferences organized by La Strada.

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<sup>283</sup> Interview with Specialized Police Detachment at Boryspil International Airport, Kyiv, 12 December 2003.

<sup>284</sup> Interviews with MIA and Border Services, Kyiv and Odesa, November–December 2003.

In addition, La Strada is working with the State Border Service. In the past few years, they have conducted a number of roundtables on counter-trafficking activities for border guards working at immigration control, such as at the Boryspil and Simferopol International Airports. There was also a bilateral Ukraine-Moldova roundtable at the port of Odesa.

The OSCE field representative is also an important player in the fight against trafficking of human beings in Ukraine. With the support of the OSCE Project Coordinator in Ukraine and other international organizations and government agencies in Ukraine, current legislation was reviewed and the first steps were taken to bring it into conformity with international standards.

The OSCE Project Coordinator in Ukraine and the Office for Democratic Institutions and Human Rights (ODIHR) have also been supporting several regional counselling hotlines and NGOs in Ukraine since 2000, and a national toll-free hotline since 2002. These are not only essential for helping to prevent trafficking, but also critical in the field of victim identification.

From 2001-2003, the OSCE Project Coordinator and the Prosecutor General's Office carried out a joint project called Strategies for Combating Corruption, Strategies for Preventing Corruption. Four seminars were held in different oblasts and one wrap-up seminar in Kyiv, attended by personnel from Prosecutors' Offices, the SBU and MIA. One of the activities focused on witness protection. A working group was set up, consisting of representatives of relevant government agencies, for the purpose of putting together a witness protection programme that included trafficked persons. To gain experience in witness protection, ABBA/CEELI co-sponsored two study tours, one in spring 2002 to Vilnius, Lithuania, and one in November 2002 to Bari, Italy. Among the participants were staff from Prosecutors' Offices, the SBU, MIA and the Ombudsman Office, as well as from NGOs.

Cooperation between IOM and Ukrainian law enforcement agencies began in 2000, when IOM's organizational and financial assistance enabled officials at the MIA, the SBU and the Prosecutor General's Office to visit Greece, Italy and Turkey to familiarize themselves with counter-trafficking activities in these countries.<sup>285</sup> Systematic cooperation between the IOM and law enforcement agencies became official in 2000, when special Anti-Trafficking Units were established within the MIA, and IOM began implementing a European Commission project on combating trafficking in women in Ukraine. Within this project, IOM collaborated with the MIA to conduct a seminar for Anti-Trafficking departments, examining issues on how to work with trafficked persons, the best ways to obtain data and information, and methods of investigating crimes in this area. According to participants, these activities had a positive impact on their work. But high turnover within ATUs means that the long-term effect of this training is less than 100 per cent.

Since the adoption of the new Criminal and Criminal Procedural Codes, when MIA investigators were given the power to investigate trafficking cases, IOM began working

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<sup>285</sup> Interviews with D. Labovitz, F. Larsson and O. Horbunova, IOM, Kyiv, 12 November 2003 and 30 January 2004.

with the Main Investigation Department of the MIA. In November 2001, a seminar was conducted for investigators that focused on the various problems they encounter. IOM also organized and financed a study tour to Greece, which established contacts and exchanged experience between Greek and Ukrainian police officers involved in counter-trafficking activities. In addition, MIA and SBU officials took part in Interpol meetings in both Lyon and Oslo.

With SIDA-funding, IOM provided computers to all ATUs to make the process of providing a paper trail for each investigation easier.

IOM also directly assists law enforcement agencies in the investigation of crimes by establishing direct contacts with their counterparts in destination countries, and by arranging the delivery of evidence through foreign embassies in Ukraine. IOM missions in other countries facilitate cooperation in cases that are being investigated in two countries at the same time.

Joint activities organized by IOM and law enforcement agencies raised the idea of developing methodological recommendations for police officers and others on the subject of disclosing, investigating and solving crimes connected with trafficking in persons. In 2003, a manual entitled *Best International Practices in Counter-Trafficking Activities* was produced with the collaboration of Paul Holmes, a British police officer from Scotland Yard with extensive experience working with Interpol, SECI, IOM, Europol, and others. Prepared in cooperation with the Prosecutor General's Office and the MIA, this manual is available only to law enforcement agencies.

In 2002, the British Council commissioned a study on trafficking<sup>286</sup> under the EC-funded HIV/AIDS project, and in that same year hosted a visit by two Turkish police officers from Istanbul to Ukraine to exchange experience in tackling trafficking issues. At that time, there were more than 200 Ukrainian women in Turkish jails for prostitution or for overstaying their visas.<sup>287</sup>

The ABA/CEELI Criminal Law Programme is addressing human trafficking through a number of different initiatives in Ukraine.<sup>288</sup> The programme provides technical legal assistance on a number of specific projects in trafficking, including: setting up multi-disciplinary case review teams in selected oblasts, encouraging the exchange of information from NGO hotlines with law enforcement agencies, supporting the development of computer networks and databases for law enforcement agencies, and providing technical advice to the Inter-Agency Coordinating Council on witness protection. In October 2004, ABA/CEELI launched a new 12-month Criminal Law Reform Programme.

Winrock International has been implementing projects in Ukraine to prevent human trafficking since 1998. In 1999, it began implementing the project Community Response to

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<sup>286</sup> 'Situational analysis of trafficking in persons in Ukraine', Y. Lutsenko, T. Semykop, British Council, Kyiv, 2002.

<sup>287</sup> Interview with V. Lakhmalani, British Council HIV and Human Rights Adviser, 2 February 2004.

<sup>288</sup> Interview with I. Zaretska, ABA/CEELI, 28 January 2004.

Domestic Violence and Human Trafficking. The purpose of this project is to promote community-based approaches to the prevention of crimes connected with human trafficking and domestic violence, and to protect trafficked persons during prosecution. It has also facilitated local initiatives aimed at establishing cooperation between legislative and executive bodies, as well as with services and organizations assisting women who are victims of domestic violence or trafficking.

By October 2003, Winrock had conducted 273 multi-disciplinary trainings on the problems of human trafficking and domestic violence for 3,818 participants – among them 1,465 law enforcement officers, 55 officers from Anti-Trafficking Units, 186 professors from MIA institutions, 116 officials from state agencies, 22 prosecutors, 29 judges, and 104 lawyers. An additional 63 specialised seminars were provided to specific groups, including prosecutors and judges.

Winrock's work with the Verkhovna Rada helped speed up the ratification of the UN Convention against Transnational Organized Crime and its Protocols.





# PROTECTION AND ASSISTANCE

The Comprehensive Programme lists a number of measures to be taken to protect and assist trafficked persons. These include assisting repatriation to Ukraine, providing medical care, psychological help and legal aid, supporting the establishment of rehabilitation centres, facilitating searches for persons missing abroad, and organizing seminars on the issue of trafficking in persons for specialists in a variety of disciplines. NGOs that work in this area and specialists who were interviewed for this study all mention a number of additional aspects in working with trafficked persons: operating hotlines as a source of information about trafficked persons or those who have gone missing abroad, and organizing professional development, job skills training and job placement.

This chapter outlines the main activities in the protection of trafficked persons that are conducted so far in Ukraine, assesses their impact and identifies remaining issues.

### **6.1. Hotlines for Identifying Trafficked Persons**

Although the Comprehensive Programme does not designate telephone hotlines as a form of protective measure for those who have been trafficked, hotlines have proven to be an effective means of identifying trafficked persons for the purposes of providing protection and assistance.

The role of the hotline as a source of information about trafficked persons is becoming ever more important. Respondents in Ternopil, Uzhhorod and Odesa pointed out that an increasing number of traf-

ficked persons are turning to their hotlines, looking for help. In terms of numbers, among 5,756 callers to regional lines that are partners of La Strada and the OSCE in 2002, 177 were requesting help in finding missing persons, and 439 were people who had returned from abroad and wanted help. In 2003, of a total of 6,801 calls, 108 were about missing persons and 531 were from returnees.<sup>289</sup>

IOM reports emphasize the importance of regional organizations in gathering information about trafficked persons. In 2001, NGOs identified 129 trafficked persons, 205 in 2002, and 440 in 2003. IOM missions in other countries identified 242 persons between 2001 and 2003 whom they referred to IOM in Ukraine, while Ukrainian police identified 73 over the same period.<sup>290</sup> Clearly, regional NGOs are the most effective means of identifying trafficked persons at this time.

According to data from La Strada, 69 per cent of the requests the organization receives regarding assistance for trafficked persons or missing persons abroad also come through their hotline. Other requests come through IOM missions (16 per cent), partner NGOs in Ukraine (3 per cent), law enforcement agencies (4 per cent), partner NGOs in other countries (3 per cent) and the internet (4 per cent).<sup>291</sup>

## 6.2. Assistance in Returning to Ukraine

Assistance to trafficked persons returning to Ukraine is one of the costliest forms of assistance. Firstly, transportation costs to Ukraine are high. An analysis of the responses of trafficked persons to the question “Who helped you return to Ukraine?” (see Table 1) from a 2003 survey entitled *The system of assistance to trafficked persons in Ukraine* spelled out the different players involved in the return. Conducted by La Strada Ukraine and the Institute of Family and Youth Affairs and commissioned by OSCE, this survey showed the role that different organizations play in the repatriation process.<sup>292</sup>

**Table 1**

*Breakdown of Answers to the Question “Who Helped You Return to Ukraine?”, per cent*

IOM	66
Ukrainian Embassy abroad	29
Police abroad	25
NGO	12
OSCE	4
acquaintances	7
clients	2
other	9

<sup>289</sup> Within the Regional Hotlines project, partners of La Strada and OSCE have been working in Luhansk, Kharkiv, Uzhhorod, Ternopil, Sevastopol, and Odesa since 2000, in Mykolayiv since 2003, and in Vinnytsia since 2004.

<sup>290</sup> ‘Combating Trafficking in Persons in Ukraine: Cooperation and Support of NGOs’, IOM Report, 31 December 2003.

<sup>291</sup> Of a total of 513 calls received by La Strada between 1998-2003 with regard to helping trafficked persons.

<sup>292</sup> Op. cit., Levchenko et al.

### **6.2.1. IOM-assisted returns**

The majority of returns to Ukraine are organized by IOM. According to IOM reports, 287 trafficked persons have been returned to Ukraine through this organization since it began doing this kind of work in 2001. The IOM has largely returned these women by air, the safest mode to avoid re-trafficking en route home.<sup>293</sup>

### **6.2.2. Ukrainian missions abroad**

The majority of returns to Ukraine also need the assistance of Ukrainian embassies and consulates in the destination country. Where documents are lost, only diplomatic representations are authorised to issue certificates of return to Ukraine. Every day, a large number of lost passports is reported to Ukrainian embassies. For example, according to the Passport Office of the Ternopil MIA, in the first 10 months of 2003, they received 2,500 inquiries from their embassies asking to verify personal data to permit the issuance of certificates of return to Ukraine. The majority of these inquiries involved the verification of the identity of women.

In the La Strada-IFYA survey, respondents were also asked to name the manner in which they obtained their return documentation in the destination country. Twenty-six per cent of respondents answered that they were helped by the Ukrainian Embassy, 15 per cent responded that they received help thorough the police, and 6 per cent responded that they were helped by NGOs. Fully 50 per cent of respondents received their documents with the help of acquaintances.

Embassies currently are in no position to pay for the return of trafficked persons to Ukraine due to lack of funding. They report that the number of trafficked persons is so large, that funds directed for emergency cases – as a rule 10 per cent of an embassy’s revenues – are simply not enough to return all of the people requiring assistance. La Strada said that until 2001, when IOM began to operate in Ukraine in this area, women returned to Ukraine mostly with the help of Ukrainian Embassies and consulates or NGOs in the destination country.

In addition to lacking budgets, embassies and consulates generally lack a specialist to deal with trafficking cases. Such a person would clearly be able to provide assistance to trafficked persons more efficiently and to identify those merely pretending to be trafficked to secure free travel documentation and other assistance. According to Ukrainian diplomatic and consular missions, as of November 2002, 196 women out of the 213 who applied for assistance as trafficked persons were helped to return to Ukraine.<sup>294</sup>

Embassies and consular sections have an important role in providing a number of services to trafficked persons:

- Preparing Certificates of Return for Ukrainian citizens.
- Covering travel costs back to the country of origin (in exceptional circumstances).

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<sup>293</sup> Op. cit., IOM report.

<sup>294</sup> ‘2002 Progress report on Comprehensive Programme on Combating Human Trafficking for 2002-2005’, SIFYA.

- Cooperating in the search for missing Ukrainian citizens.
- Cooperating in the return of bodies of Ukrainians who have died abroad.

### **6.2.3. Office of the VR Ombudsman**

The Verkhovna Rada's Ombudsman's Office is also currently working on provisions to assist trafficked persons. The first annual Ombudsman's report already noted that, as a result of cooperation among the Ombudsman, MIA's National Central Bureau of Interpol and the MFA, assistance was being given to trafficked women returning to Ukraine.<sup>295</sup> Unfortunately, the report did not provide any statistics on those returned to Ukraine. The Ombudsman's Office is particularly active in the issue of trafficking in children and children's rights in general. It is also assisting in the return of trafficked men.<sup>296</sup>

### **6.2.4. NGOs and faith-based organizations**

Both NGOs and faith-based organizations are actively assisting in the return of trafficked persons to Ukraine. As an example, the majority of returned trafficked persons from Germany and Israel between 2000 and 2003 were helped by NGOs in those countries.<sup>297</sup>

## **6.3. Shelters**

### **6.3.1. Specialised shelters for trafficked persons**

#### *Asol Centre, Odesa*

One of the oldest shelters operating in Ukraine today is the Asol Centre in Odesa. The shelter opened its doors in 2000 with financial support from the government of Bavaria, as part of the "Stop Traffic" project. It is run by Faith, Hope and Love, an Odesa NGO. The main purpose for starting this shelter was to provide assistance to women who had returned to Ukraine after being trafficked in Bavaria. The shelter has capacity for 4 persons, with a maximum stay of 90 days. During this time, women are provided food and basic personal items. The shelter has a full-time social worker. If one of the occupants needs other specialists such as psychologists or doctors, there is an arrangement with a local hospital to meet those needs. In 2003, Odesa City Hall provided a 4-room apartment for the shelter. Before this, the shelter had been in a rented private house, which was very expensive. As of 2003, IOM has also been partly funding the shelter.

In addition to Ukrainian women trafficked to Germany, a large proportion of deported women from Turkey identified as trafficked by social workers at the port of Odesa also stay at the shelter. The majority of these women are citizens of Moldova. This means that,

<sup>295</sup> 'The State of Human Rights and Freedoms in Ukraine: Report of the Ombudsman of the Verkhovna Rada of Ukraine', Kyiv, 2001, 409 pp.

<sup>296</sup> Ibid.

<sup>297</sup> Information provided by La Strada.

in most cases, the shelter is essentially a transit point for women to stay overnight, receive advice about further assistance, and continue on their way home. In response to this need for transit accommodation, a transit shelter for Moldovans was opened in the summer of 2003 by Faith, Hope and Love with financing from IOM. Now, women from other countries can spend some time at the shelter before going home. Staff at the shelter say that between November 2003 and April 2004 nearly 80 women were assisted in this way.<sup>298</sup>

### ***IOM Rehabilitation Centre, Kyiv***

In February 2002, IOM opened up a rehabilitation centre for trafficked persons in Kyiv. The centre is attached to a hospital and is itself a medical facility, where trafficked persons can obtain the full range of medical and psychological care, including diagnosis and treatment. The only service trafficked persons cannot receive at the centre is an abortion. The average stay is 13-18 days, although exceptionally severe medical cases have stayed up to 75 days. Nonetheless, due to the very nature of a medical rehabilitation centre and the overall objective, i.e. comprehensive and specialized medical care, it is intended to be a short-term facility. During the stay, women are provided with food and basic personal items. The facility has room for 14 persons at a time. Since its launch, the centre has assisted 373 persons.<sup>299</sup>

### ***Caritas-Ternopil Shelter, Ternopil***

In November 2002, Caritas-Ternopil, a charity, opened up a shelter for trafficked persons with the financial support of nuns from Italy.<sup>300</sup> In its first year, 43 persons were given assistance. The shelter can accommodate up to 10 and it has never had less than 3 women at any one time. The duration of stay is unlimited, ranging in practice from several days to 7 months. A professional social worker and security guard are at the shelter at all times. The main threat to this shelter is possible loss of the premises.

### ***Rehabilitation Centre, Zhytomyr***

In October 2003, the town of Novohuivinsk, Zhytomyr, joined forces with the Woman to Woman Centre and the town's administration to set up a rehabilitation centre for trafficked persons. Since it was established, the centre has assisted 9 people, including one man who was trafficked. Those who live in the shelter receive help from specialists at the Woman to Woman Centre. According to staff, the main problem for the shelter is lack of money to renovate the building and buy furniture, which means the shelter is not being used to full capacity. After renovations, the shelter should be able to handle as many as 25.

### ***Other facilities***

In addition to shelters set up specifically for trafficked persons, there are other types of rehabilitation centres and shelters in Ukraine that accept trafficked women. One of them is in the town of Sokal, L'viv oblast, and is run by Caritas-Sokal, a Catholic charity. This shelter is intended for single mothers with children and thus accepts trafficked women with children.

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<sup>298</sup> Interview with Faith, Hope and Love, Kyiv, 2004.

<sup>299</sup> Op. cit., IOM report.

<sup>300</sup> Current sources of financing are not being publicised at the request of the donors.

Some centres are being closed, unfortunately, for lack of funding. In 2000, a shelter for trafficked persons and victims of domestic violence was opened in Kharkiv by World of Women, a local NGO, in cooperation with the Kharkiv City administration. Located on the premises of what was once a nursery school, the shelter was able to accommodate up to 25. The shelter provided a resident social worker and psychologist. In 2002, the shelter stopped accepting trafficked persons because financing was discontinued, although the organization itself continues to provide assistance to trafficked people.

### **6.3.2. Shelters for children**

An entire national network of shelters for minors was set up by the State Committee of Family and Youth (now the Ministry of Family, Children and Youth Affairs). These provide social protection and temporary shelter to children who have fallen into very difficult circumstances, and determine their status for further accommodation. The number of shelters grew from 61 in 1997 to 91 by 2002. In addition, there are 30 charitable shelters that provide children with assistance and temporary accommodations. Over 2002, 30,007 minors were taken care of at these shelters.<sup>301</sup> The proportion of these who had been trafficked has not been established.

The rehabilitation of trafficked children is a complicated matter. Most of these children are placed in the state's care. This means that, after returning from abroad, such a child is supposed to be placed in a shelter for minors until his or her identity and previous place of residency are established, when necessary. According to Sevastopol Juvenile Services, this is the first step in working with trafficked children. Such a child can stay at the shelter for up to 90 days. During this period, the child's further accommodation in a state institution or with a foster family is supposed to be arranged.

## **6.4. Crisis Centres**

In addition to centres offering overnight accommodation, crisis centres are being established by both the government and NGOs for victims of domestic violence and trafficking. For example, in the summer of 2003, in the town of Voznesensk, Mykolayiv oblast, the Nadia Crisis Centre was established in cooperation with the local YSC to provide social and psychological help. By 15 October 2003, 50 persons had visited the centre, among them women, teenagers and children.

In 2003, Sofia, an information and referral centre, was launched in the city of Lutsk, Volyn oblast, by Volynski Perspektyvy, a local NGO, in cooperation with the MFCYA. The centre provides advice to women in crisis situations. The centre also provides psychological counselling and legal aid through lawyers working *pro bono*, employment counselling and other services.

In February 2004, Caritas-Ukraine, a charity, began setting up consulting and information centres for women who have been trafficked. These centres are attached to Caritas parishes

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<sup>301</sup> Op. cit., SIFYA report, pp. 139-140.

in the western Ukrainian cities of Ivano-Frankivsk, Khmelnytskyi, Drohobych and Sokal. According to the plan, there is a separate room at the parish hall where, after a telephone consultation with Caritas, trafficked persons can come for consultations and information as to other organizations providing assistance. Further assistance is provided by partner organizations. The project has an arrangement for medical services through Salus, a L'viv-based charity.

## 6.5. Housing

Many trafficked persons returning to Ukraine have problems with housing. This can be due to divorce, rejection by the immediate family, or loss of rights to property due to extended absence, among other reasons. Although the law is on the side of the returned trafficked person in terms of property claims, it is extremely difficult to repossess a residence. Thus, after a period of rehabilitation at a shelter, trafficked persons often need a place to live. In such cases, NGOs find places in dormitories or rent apartments. As a rule, IOM pays for such services. According to its report for 2001-2003, 101 women were given this kind of service through IOM. All assistance, including housing allowances, is given by IOM only after a comprehensive reintegration assessment and plan have been prepared. IOM has achieved an 81 per cent employment rate. An additional 7 per cent have re-entered the educational system. Only 3 per cent returned abroad (2003 case-load). The authors of this study believe that rental payments should only be provided on condition that the person undertakes educational courses and finds employment, in order to eventually pay rent independently. This is the only way that rehabilitation can be considered successful.

## 6.6. Medical Care

The majority of trafficked persons receive medical treatment at the IOM Rehabilitation Centre. Among the services provided are full-range diagnoses, treatment and consultation with doctors. The only exception is abortion, which is not provided. IOM reports that from 2001 to 2003, 736 trafficked persons were provided with some form of medical care.

The Salus Charity Fund has worked with trafficked persons since 2001. Among the free services provided by the Fund are testing for HIV/AIDS and STIs, pregnancy tests and consultations, and doctor's visits. Testing is done on a voluntary basis and is free of charge. Salus does not, however, pay for any actual medical treatments.

“Caritas-Ternopil works privately with the oblast hospital. We have an official contract with a private gynaecological clinic. Consultations and diagnostics are provided free-of-charge at this clinic, and Caritas pays only for medicines prescribed by the doctor. Although our budget does not specifically include financing for treatment, it does use surplus funds from other allocations.”

*Interview with Caritas-Ternopil Shelter for Trafficked Persons, November 2003*

As a rule, every NGO working with trafficked persons has its own contacts with doctors providing medical treatment to victims.

A similar situation can be seen across all regions of Ukraine. According to NGOs, they all try to interest medical facilities in their work with trafficked persons. In any case, each organization has regular doctors to whom someone can turn ‘unofficially’ for help. Officially, Oblast Departments of Health are ready to cooperate with NGOs in providing assistance to trafficked persons. At best, however, this amounts to moral support. As far as medical help is concerned, as a representative from one of the regional health departments noted, “...the quality of care given to any victim will be proportional to the amount of money in her pocket.” This is confirmed by the experience of NGOs who have encountered corruption at state medical facilities during the treatment of seriously ill trafficked persons.<sup>302</sup>

Government-run Family Planning Centres, most of which involve the regional offices of the Ukrainian Family Planning Association, also work with NGOs in assisting trafficked persons. Although the centres are unable to provide free medical treatment to trafficked persons, their specialists provide free medical and psychological help and conduct basic diagnostic testing. The advantage of applying for services to these medical facilities is that their specialists are well informed about the issue of trafficking and are qualified to work with vulnerable groups, including trafficked persons.

## 6.7. Psychological help

Psychological help is provided by many organizations. IOM has a psychologist in its rehabilitation centre who works with trafficked persons from the day they arrive. This psychologist works on an individual basis, through group sessions, and with peer groups. Separate psychological counselling is provided to trafficked persons infected with HIV. Counselling for those who are HIV-positive is further sponsored by NGOs through psychologists associated with oblast HIV/AIDS centres.

Each Youth Services Centre also has a psychologist. After a trafficked person returns home, psychological support can be continued at such centres. YSC offer psychological counselling both over the phone and in person, at the centre. On the one hand, the opportunity to receive psychological assistance at a YSC means additional support to trafficked persons in any oblast, since the YSC network includes over 600 centres across Ukraine. According to YSC staff, however, their psychologists do not have specific experience with trafficked persons, and qualified professionals are not attracted to these centres because of the low level of pay.

Many NGOs working with trafficked persons have psychologists on their staff. When an organization does not have its own specialist, the social worker in charge of trafficked persons will refer them to other organizations, medical facilities, or counselling centres, such as the Family Planning Centres. IOM covers the costs for the services of a psychologist if a trafficked person is receiving reintegration assistance at the same time.

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<sup>302</sup> Op. cit., Levchenko et al.



Some NGOs, such as a youth centre in Sevastopol called Women's Initiatives, organize peer support groups consisting of trafficked persons who have already gone through rehabilitation. In their turn, these women can provide moral support to those who have just returned.

Through its newly-created counselling centres, Caritas-Ukraine has a psychologist who can provide counselling on an as-needed basis to trafficked persons who come to their centre.

## **6.8. Court Support and Legal Assistance**

### **6.8.1. Legal aid**

All trafficked persons who apply for help to NGOs or IOM are given legal support. This means that they are informed of their rights, and the possibility of testifying against their traffickers, by the social worker to whom they are assigned. This does not require the presence of a qualified legal professional. If a trafficked person chooses to testify against traffickers or if other legal issues arise, the organization will turn to a qualified specialist. The IOM is funding lawyers to protect the interests of trafficked persons who testify in court. IOM data for 2001-2003 show that 79 trafficked persons received legal aid through this organization.

Legal aid is also provided through Youth Services Centres, where advice is offered both over the phone and in person.<sup>303</sup> No data are available about the number of trafficked persons who have applied for legal aid services.

NGO lawyers also provide legal assistance to trafficked persons. For example, lawyers at the Woman to Woman Centres provide counsel about cases involving different forms of violence or abuse. Among the problems seen by lawyers working with trafficked persons are reclaiming property after a long-term absence from Ukraine, divorce, and civil cases for compensation of losses.

### **6.8.2. Compensation claims**

The Women's Initiatives Youth Centre in Sevastopol, the World of Women, a municipal NGO in Kharkiv, and Spivdruzhnist, an NGO in Simferopol, have experience providing legal aid to trafficked persons and escorting cases to court.

“In 2000 alone, Spivdruzhnist's lawyers brought eight civil claims to court in Crimea in connection with trafficking cases. Despite the fact that we won every single case, not a kopyyka in compensation was paid to any of the plaintiffs. The court bailiff could not enforce the decision. This only shows how the rights of trafficked persons continue to be violated, even at the level of enforcing court decisions.”

<sup>303</sup> According to 'Activity Report of the System of Youth Services Centres for 2001', 118 lawyers work for the YSC in different regions.

“There are also problems at the pre-trial stage that made it impossible for one trafficked person to even file a civil suit, let alone claim compensation: she had been named as a witness and not as a victim. This made it impossible for her to be compensated. Again, plaintiffs do not know their rights and are not informed that they can sue for compensation.”

*Interview with the director, Spivdruzhnist, Yevpatoria, May 2003*

Several measures have been identified as important to overcome problems with compensation claims:

- Informing trafficked persons about the option of filing a civil suit and providing assistance with initiating a claim.
- Getting clear guidelines from the Supreme Court about procedures through which moral damages to trafficked persons are settled in civil suits.
- Establishing a threshold amount for moral damages in cases involving trafficking in persons.
- Applying the principles of legal precedent in the settlement of civil cases.
- Setting up a state programme for the compensation of damages to trafficked persons.
- Placing the foreign accounts of traffickers under arrest prior to detaining the suspect, because traffickers frequently dispose of their assets while under investigation.

### **6.8.3. Witness protection**

Regarding the protection of trafficked persons who act as witnesses in court proceedings, interviews with law enforcement authorities and NGOs revealed that there were several cases of trafficked persons needing safe places to stay in during their investigations. In the opinion of the authors, a separate safe house must be organized in order to protect witnesses during criminal proceedings without endangering others.

## **6.9. Job Skills Training**

Job skills training is necessary for most trafficked persons because of their typically low level of education and lack of suitable work experience. A survey among trafficked persons called System of Assistance to Trafficked Persons in Ukraine revealed that 19 per cent never finished high school, 16 per cent went to a technical-vocational high school, and 49 per cent had a normal high school diploma. Another 8 per cent have some college education, while only 7 per cent had completed a degree,<sup>304</sup> compared to 70 per cent among the general population.

As to work experience prior to their departure, 10 per cent worked as clerk-typists, salespersons and teachers, 11 per cent worked in light industry, and 7 per cent in the service industry, while 6 per cent were employed in the arts. 9 per cent of the respondents had no

<sup>304</sup> Op. cit., Levchenko et al.

qualifications whatsoever. It is clear that there is a need for most trafficked persons to acquire new job skills in fields that will bring them employment in Ukraine.<sup>305</sup>

To obtain new professional skills, trafficked persons can turn to the services of private agencies, NGOs and SECs. The majority of trafficked persons obtain a new profession by attending private courses. Social workers assigned to trafficked persons give preference to courses that guarantee a job upon their completion. The costs for such courses are also covered by IOM, whose statistics for 2001 and 2002 show that 361 trafficked persons attended job-training courses. The most popular courses appear to be for hairdressers, manicurists-pedicurists, seamstresses and office managers.

### **6.9.1. NGO-run courses**

Trafficked persons can also gain new job skills through their local NGO. In Odesa and Ternopil, IOM has helped two NGOs, Faith, Hope and Love and Revival of the Nation to open tailoring shops for trafficked persons undergoing rehabilitation. Their clients learn how to sew clothing and linens, with material costs covered by IOM. The idea of these shops is to enable women to make a living by sewing after completing their rehabilitation at the shelter. In Ternopil, trafficked persons can also study English, business management and computer literacy at the NGO's facility.

The Women's Initiatives Youth Centre in Sevastopol offers job search training, including how to put together a CV, how to look for work systematically, how to prepare for an interview, and how to start your own business.<sup>306</sup>

Woman to Woman Centres have courses for unemployed women. Trafficked persons are given priority in these courses, since there are often long waiting lists. Among courses offered by such centres, depending on the oblast, are: computer literacy, bookkeeping, English language, macramé, cooking, and how to start your own business.

World of Women, a Kharkiv NGO, is working on setting up a private business to train nannies and governesses with guaranteed job placement. This will be a great opportunity for trafficked women to enter a new profession.

### **6.9.2. State Employment Centres**

SECs also offer courses for unemployed women. Depending on the oblast, women can attend courses in bookkeeping, computer literacy and other practical skills. In order to attend courses at an SEC, the trafficked person has to be registered as unemployed. In those regions where this study was carried out, there were no instances of trafficked persons studying at an SEC. On the contrary, respondents in some oblasts, especially Mykolayiv, complained about a lack of understanding and cooperation on the part of these centres. Hopefully, a 2004 ILO economic empowerment co-project with the Chernivtsi SEC aimed at trafficked persons will create a model for other SECs and lead to greater opportunities in both education and employment through these state institutions.

<sup>305</sup> A total of 102 returned trafficked persons were surveyed between 2001-2003.

<sup>306</sup> Op. cit., IOM NGO report.

## 6.10. Employment

### 6.10.1. Job placement

When it comes to placing trafficked persons, the main partners of NGOs are SECs. In the majority of oblasts where this study was conducted, this cooperation is running smoothly. There are positive examples of the placement of trafficked persons through SECs. In some areas, such as the Sevastopol SEC, there is a department that works specifically with women. Poor women, including trafficked women, are employed based on a 5 per cent quota system.<sup>307</sup> If an organization refuses to hire a trafficked person, it must pay a fine.

The main problem with such job placements is not the work itself, but the generally low wages offered. For example, the Sevastopol SEC has 4,000 vacancies in its database, of which 400 vacancies are for the five per cent quota. But 30 per cent of these vacancies pay only the minimum wage, which few people are willing to accept.<sup>308</sup>

Youth Services Centres also provide nearly 170 support services for young people seeking employment. In 2001, YSCs counselled 51,000 individuals on employment issues, including 21,000 in career counselling, 17,000 on temporary employment through labour associations, and 12,600 on permanent employment.<sup>309</sup> Although YSC data does not specify the number of trafficked persons using its services, these centres can potentially provide assistance to this group as well.

### 6.10.2. Micro credits

The SECs provide courses for unemployed women, after which they are placed in jobs. These courses include IT, business development and accounting. On completing business-oriented courses, participants can apply for a loan to start up a small business. The amount of the loan depends on the pay that the person received at their previous job and is equivalent to 10 months' wages or 10 months' unemployment benefits. The average amount of these micro credits is around Hr 4,500. The problem with obtaining such loans through the SEC, however, is that the person has to have a college degree, which the vast majority of trafficked persons do not. As a result, there have been no cases of trafficked persons obtaining a business start-up loan from an SEC.

An alternative means of obtaining small business start-up loans is through credit unions. For example, in Mykolayiv, Zlahoda Credit Union, a women's credit union, provides loans to women who have completed courses at the Women's Business Centre run by the city administration. According to the credit union's director, there is an advantage to obtaining loans through Zlahoda rather than from banks or the SEC. The SEC requires going through their courses, having a college degree, preparing a solid business plan and so on, while banks

<sup>307</sup> A poor person is an individual whose income is lower than the official poverty level or minimum standard of living. This minimum is set by the Verkhovna Rada along with the State budget. For 2004, the minimum was set at Hr 365 (see the Law on Changes to the Law on the 2004 National Budget, Uriadoviy kur'yer, №.61, 1 April 2004).

<sup>308</sup> Interview with Sevastopol City SEC.

<sup>309</sup> Op. cit., YSC report, pp. 24-25.

require borrowers to prove their creditworthiness, which is impossible for most women. Although the credit union charges a higher interest rate than the banks do, the fees for its services are lower. Additional advantages at Zlahoda are that the financial illiteracy of some clients, their incomplete education and other possible shortcomings are compensated for by the business development consultations provided by credit union specialists, particularly to women.

IOM has also experimented with providing non-repayable credits, that is, grants, to trafficked persons. Lyubystok, a charity, said in a 2003 interview that IOM financed the opening of a tomato-growing business by one trafficked woman. The result of the micro-credit given to this woman is not known as contact was lost.

In 2004, IOM is also planning to start a programme of business development grants for trafficked persons. These will not have to be paid back. However, information on what types of businesses would be supported and the criteria for obtaining these grants was not available at the time of writing.

In 2004, ILO started a pilot project with the SEC to train and provide jobs for unemployed women. The project is being implemented with the Chernivtsi Oblast SEC and will be administered in close cooperation with NGOs. The project aims at preventing trafficking by providing jobs for at-risk groups in Ukraine. Trafficked persons will have the opportunity to study and be placed in a job via the SEC, as well as to receive micro financing through existing financial institutions. The expectation is that 80 trafficked women will be able to benefit from this programme.

## **6.11. Training Social Workers**

Training specialists to work with trafficked persons is an important component in successful reintegration. Interviews for this study showed that one of the most important organizations providing advanced training for social workers to deal with trafficked persons is La Strada. Between 2000 and 2002, this Centre ran a number of workshops for NGOs and members of anti-trafficking organizations. These workshops involved developing principles for providing assistance to trafficked persons, mutual cooperation, and working with the law. They also contributed to drafting a position paper on a rehabilitation centre for trafficked persons that served as a basis for the official document later approved by the Cabinet of Ministers, and a number of other documents.

To establish a national network of assistance to trafficked persons, it is crucial to train social workers at YSCs in how to work with trafficked persons. Between 2000 and 2003, YSCs and La Strada jointly conducted a series of national seminars for YSC social workers from all across Ukraine. In addition, a practical handbook called *Social Work in Preventing Trafficking in Persons and Assisting Those Who have been Trafficked* was published and disseminated throughout the YSC network.

La Strada regularly organizes advanced training seminars for regional hotline consultants who work with NGOs and the Woman to Woman Centres. The main focus is on gathering data about trafficked persons and counselling them.

In the process of setting up information centres in western Ukraine, Caritas-Ukraine is also inviting La Strada specialists to lead training sessions for the employees of the four newly established centres on how to work on hotlines and how to deal with trafficked persons.

IOM also organized a series of seminars during 2002 and 2003 for organizations working the prevention of trafficking. These seminars were aimed at exchanging experiences and discussing practical issues.

## **6.12. Referral Systems**

Recent research into the national system for providing social assistance to trafficked persons revealed that Ukraine has, in fact, a well-developed network of NGOs providing social services.<sup>310</sup> These organizations offer a full range of services to trafficked persons with financial support from IOM, which works through the network.

As to state services, respondents emphasised that there was still a lack of means to provide assistance to trafficked persons. They have neither the funding nor the authority to do so. Moreover, trafficked persons are not included among social categories entitled to welfare benefits or subsidised services, so state agencies direct them to NGOs for assistance instead. At the same time, NGOs do not always have sufficient organizational or administrative resources to help trafficked persons, either, and so they themselves turn to state agencies. This kind of mutual work between NGOs and state agencies has positive and negative aspects. The main point is that each referral should culminate in the resolution of a problem for the trafficked person.

## **6.13. Identification for Referral**

The identification of trafficked persons remains a prerequisite for the provision of any assistance. The Comprehensive Programme calls for psychological, medical and legal assistance to be provided by the state. The issue of setting up a body that is ultimately responsible for identifying trafficked persons in order to provide the state assistance outlined in the Comprehensive Programme is a contentious, yet urgent issue.

### ***6.13.1. Who should identify?***

A poll on how to assign the status of a trafficking victim in Ukraine resulted in a number of approaches to identification:

- Law enforcement agencies say that a person should be given the status of a trafficked person only during a pre-trial investigation. They believe that real trafficked persons will defend their rights in court. Women who turn to law enforcement agencies are provided with assistance due to police cooperation with NGOs and the IOM.
- The State Border Service is more inclined to rely on NGOs to determine the status of trafficked persons. According to the Border Service Administration, they have

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<sup>310</sup> Op. cit., Levchenko et al.

already drafted an internal memorandum detailing procedures for working with deported persons. It indicates that, should the deported person be suspected of having been trafficked, officers are to contact NGOs. The toll-free hotline of La Strada Ukraine and regional hotline numbers are provided.

- NGOs believe that identification should be a joint activity with state officials. NGOs with experience in working with trafficked persons should determine whether or not the person is a victim, while the state agencies should provide assistance.
- State officials say that victim identification can only be provided through a note, for example, from the Ukrainian embassies, local police or NGOs in the destination country. In other words, communication systems need to be established between agencies in the destination country and the country of origin. Then it will be possible to receive trafficked persons on the basis provided by specific foreign agencies. Ukraine should also have a body that would determine whether or not the individual was trafficked.
- Social workers think that the clients' word should not be questioned and that they should receive assistance according to their needs. They believe that psychologists can clarify whether the person was trafficked or not on the basis of an interview.

The issue of identification is unusually important to minimise potential abuse of the state assistance system. However, identification cannot be undertaken only during the pre-trial investigation by the police, because a significant number of trafficked persons do not want to disclose their experiences.

Similarly, establishing a special centre to issue official determinations as to trafficked status would only lead to further stigmatisation of trafficked persons.

The identification of trafficked persons would be most effective if conducted jointly by state authorities and NGOs. NGOs already have experience with trafficked persons and can generally identify whether or not someone has been trafficked.

### ***6.13.2. The State Border Service***

The State Border Service, in cooperation with NGOs, recently held a series of roundtables, including a bilateral Ukrainian-Moldovan roundtable, dedicated to the problems of victim identification at border crossings. Border officials emphasised the need to develop and disseminate to all border checkpoints a 'Profile of a Potential Trafficked Person', to hold workshops with guards at border checkpoints on 'How to Identify a Trafficked Person' and 'How to Interview a Trafficked Person', and a variety of other related skills. Clearly, training border patrols in how to work properly with trafficked persons will improve the process of identifying them at the point when they return home, and increase the number of such people who have access to assistance.

Unlike the MIA, the State Border Service has no specialised division similar to the MIA's Anti-Trafficking Units, which makes it ineffective in working with trafficked persons. At the moment the situation is such that all anti-trafficking activity conducted by border officials,

both in prevention and assistance, is based on the initiative and goodwill of individuals within the Service, who do this in their off hours. There is neither the time nor the human resources available to work with deportees at border checkpoints for the purpose of identifying those among them who may have been trafficked. Border Service officers noted that it takes up to 3 hours to ascertain whether or not someone has been trafficked, and currently the Border Patrols cannot afford this time (see Chapter 5). As a result, their work with trafficked persons is often little more than a formality.

The Border Service could clearly play an important role in identifying trafficked persons. If a specialised division were organized, its job could be to monitor the trafficking situation, to gather statistics on the number of deportees and trafficked persons returning to Ukraine, to improve the system of training border guards to work with such people, to selectively interview people who were going abroad to work, to participate in the work of the Inter-Agency Coordinating Council, and even to supervise the transport of minors across the border, whether to be adopted, treated or educated abroad.

### ***6.13.3. Identifying trafficked minors***

A special problem is how to identify trafficked children who have come to intake shelters. According to a 2003 joint ILO/IPEC study called Preventing Trafficking in Children for Forced Labour and Sexual Exploitation in Ukraine, children found in intake shelters are generally either homeless or have committed a crime. During their stay in the shelter, the children have daily school sessions, conversations, lessons and games. A care minder and an inspector work with each child.<sup>311</sup> In other words, theoretically there is a possibility of identifying victims of trafficking among such children. However, on average each child stays in the shelter for only a short period of time which, shelter personnel say, is not sufficient for full rehabilitation. There is also no way of monitoring and continuing any work with the child after his or her return home.

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<sup>311</sup> Ibid. p. 62.



## COORDINATION AND COOPERATION

### 7.1. The Comprehensive Prevention Programme

The Comprehensive Anti-Trafficking Programme for 2002-2005, adopted by the Cabinet in June 2002, incorporates 33 tasks in the prevention and prosecution of trafficking and the protection of trafficked persons in Ukraine. One of the main weaknesses of this piece of legislation is that it lacks practical mechanisms for coordinating the Programme's execution, and does not clearly define sources of financing.

#### 7.1.1. Weaknesses

The tasks outlined in the Comprehensive Programme are of a general, unspecific nature. They are assigned in an untargeted manner to various government agencies, NGOs and international organizations, without indicating what responsibility each institution has in carrying out the task. The Programme also fails to provide any timeframes for carrying out its provisions. Finally, there are no benchmarks identified by which to measure the success or effectiveness of the tasks.

In order for the Programme to have any real effect, it must provide a proper breakdown of the nature of each task and establish which agency or organization is responsible for it. In order to monitor the progress of the Programme and assess its effectiveness, a mechanism is needed periodically to evaluate implementation of the tasks.

Some experts thought the Programme also failed to focus sufficiently on the causes of trafficking, and devoted too much attention to the symptoms or outcomes of trafficking. The Programme needs to pay more attention to job creation and to the development of economic opportunities for potential migrants.

The issue of internal trafficking is currently not considered at all by the Programme, and it should be.

### **7.1.2. Coordination**

The Inter-Agency Coordinating Council on the Prevention of Trafficking in Persons established in the spring of 2002 in accordance with the Comprehensive Programme and Cabinet Resolution №1961 of 25 December 2002 (see Chapter 2) is supposed to coordinate and ensure the government response to trafficking in persons laid out in the Programme, and to resolve issues that need inter-agency coordination in the prevention and counter-action of trafficking in persons, the search for missing persons, and the rehabilitation of trafficked persons.

The Council is chaired by the Minister of Family, Children and Youth Affairs and includes representatives of all the Ministries and Agencies listed in the Programme, including the Ministries of Family, Children and Youth Affairs, Internal Affairs, Foreign Affairs, Education and Sciences, Justice, Labour and Social Policy, and Health, the SBU, the State Committees for Information and Nationalities and Migration, the State Border Security Administration, and the State Tourism Administration. All the members of the Council are supposed to work on carrying out the Comprehensive Programme and to report on their efforts to the Government. NGOs and international organizations are not included in this group, even though they have been at the forefront of anti-trafficking initiatives. At the time of writing, moreover, the Council had only met once, in September 2004.

In addition to the functional implications of not having an active coordinating body at the highest level, this inertia also sends a clear message to the regional levels that combating trafficking in persons is not a national priority.

On a day-to-day basis, the Ministry of Family, Children and Youth Affairs is responsible for coordinating government activity in counter-trafficking on the basis of the Programme, and annually reports to the Government about progress in carrying out the Programme among the various Government structures, detailing their activities in this direction.

Oblast coordination council meetings are also supposed to be called at the initiative of oblast Departments of Family, Children and Youth Affairs. But according to reports from the regions, these tend to report on activities that are not directly connected to combating trafficking, but happen to arise during the course of their regular work. In fact, say respondents, official activities specifically targeted at combating trafficking are very rare.

Many respondents interviewed for this study believe that there needs to be a permanent agency to coordinate anti-trafficking activity on a daily basis. They argued that this would make work in this direction more effective, not because the MFCYA is itself ineffective, but

simply because other bodies on the Council do not always recognise its authority. According to word from MFCYA, there are plans to set up a separate department for combating trafficking in persons.

Many respondents also noted the problem of a plethora of other coordinating councils on which many of the same government officials sit. They recommended strongly that a special post be created in each government department so that a single individual took specific responsibility for anti-trafficking activities.

## **7.2. Update on Coordination and Cooperation**

### ***7.2.1. Government initiatives***

Starting in October 2003, MFCYA and La Strada began to hold roundtables in each oblast, under an EC-funded project entitled The Prevention of Trafficking in Persons: Coordinating Efforts among Government and Non-government Organizations. These roundtables included the coordination of efforts and the exchange of information among local government representatives and NGOs regarding their roles in anti-trafficking activities. The purpose of these meetings was to determine how well the regional anti-trafficking programme was being implemented and to consider possible areas where the coordination of activities might be improved. Planned for 10 months, the project was to end with a national conference to summarise the year's work of regional coordination councils.

The study showed how the activity and constructiveness of regional government efforts are directly related to the level of activity of local NGOs. Where such organizations are working pro-actively, local governments are familiar with the issues and are addressing them in creative new ways. Similarly, in oblasts where there was a felt lack of community initiatives, local governments only complained at these roundtables about the lack of financing for anti-trafficking programmes or simply stated that trafficking was not an problem in their oblast, or, at least, not a priority.

### ***7.2.2. International initiatives***

In 2003, the UN established a Counter-Trafficking Advocacy Group, which meets once a month. International donors and NGOs join these meetings. UNDP, UNICEF, UNHCR, IOM, and OSCE are all members of the Group, which is hosted by IOM at its premises.

However important international initiatives are, there is no doubt that the Government of Ukraine needs to be the main driving force behind coordinating in-country initiatives. Otherwise, the sustainability of the programmes discussed in this report – and the commitment of the Government to combat trafficking – will disappear as soon as current financing of various aspects winds down. It is critical that the Inter-Agency Coordinating Council begin meeting regularly, in order to provide high-level coordination and signal the high priority of the trafficking issue on the national agenda.

### **7.2.3. Law enforcement agencies**

The Prosecutor General's Office is responsible for coordinating the activities of law enforcement agencies including the MIA, SBU, the Border Service, Tax Administration and Customs Service. In January 2004, one of the first decrees issued by the new Prosecutor General was a call for coordination activities to be raised to a higher level.

Interviews with law enforcement employees indicated that they regularly exchange information and jointly participate in workshops, seminars and conferences where they discuss coordination, analyse the situation and identify strategies for their anti-trafficking activities.

They also reported that they periodically cooperate in the investigation of specific cases involving trafficking in persons. For example, if the SBU has information about an individual suspected of being involved in trafficking, they pass this on to the police. Or if, in the process of investigating a crime, the Anti-Trafficking Department encounters organized rings, they pass this information along to the Anti-Organized Crime Department.

Cooperation among Ukrainian law enforcement agencies, international organizations and NGOs has been both lively and productive. The police often seek assistance from NGOs in dealing with a variety of problems. For example, in the absence of an operational witness protection programme, the police have been able to turn to NGOs when women have agreed to testify against traffickers, and the NGOs have allowed such women to take cover at shelters for trafficked women when there were no other women staying there. But it is critical that this kind of coordination be formalised, not based solely on personal contacts as it is now.

### **7.3. Obstacles to cooperation**

While there are plenty of positive examples of coordination between NGOs and government agencies, the failure of the Comprehensive Programme to designate specific tasks to specific community organizations means that, in many cases, NGOs are not accepted as proper partners by the Government.

The frequency of staff shuffles in government offices is also a problem. Just as contact is established and a working relationship developed, or the person has begun to understand the specifics of their job, they are transferred to another department. This inevitably breaks down the coordination and cooperation mechanisms that were built up on personal contacts.

There is a lack of communication among government agencies as well. Among NGOs, the sharing of information is somewhat better organized, but also not ideal. In the opinion of the authors, sharing best practice among NGOs and government agencies in different oblasts, as an example, would help raise interest in trafficking issues in those oblasts where little or nothing is being done.

When it comes to different law enforcement agencies such as ATUs and the SBU, cooperation in investigations is not as common as it should be. Often a strong sense of competitiveness arises among various departments involved in investigating trafficking cases, so it is difficult to imagine serious cooperation among them. Experts believe that the result of this kind of competition is that sometimes information that could be vital to a case is kept from colleagues in other departments.

The Comprehensive Programme outlines ways to set up a better mechanism for communication between Ukrainian and foreign law enforcement agencies in connection with trafficking. The ratification of the Palermo Protocol should also enhance such cooperation. Sometimes the absence of a bilateral treaty also gets in the way of effective cooperation, for instance, by preventing the extradition of suspects. This can only be addressed by the adoption of the relevant extradition treaties.

Cooperation between the Ukrainian police and Interpol or Europol is also not always as timely and efficient as necessary. Because only 60 days are allotted for a given investigation, turnaround time between requests for information and responses needs to be short. In the past, however, investigations have been hampered precisely because inquiries took months to be answered.



## CONCLUSIONS

- 1.** Over the last five or six years, Ukraine has succeeded in putting together a concrete Action Plan directed at combating trafficking in persons. An American report on trafficking in persons indicates that, despite the efforts being made in Ukraine to provide an appropriate response to eradicating trafficking in persons, lack of funding and a high level of corruption mean that those actions that have been taken do not correspond to even the most minimal international standards.<sup>312</sup>
- 2.** Among the most important recent achievements in Ukraine in the area of preventing trafficking in persons are: the ratification of the UN Convention against organized crime and the Palermo Protocols (see Chapter 2), the submission of a wide range of amendments to domestic legislation, the increase in both the number of cases opened against traffickers and the number of sentences handed down, and the establishment of Anti-Trafficking Units, whose experience and professionalism have led to an increase in investigating cases involving this kind of crime.
- 3.** Incidents of trafficking in persons constitute a small percentage of Ukraine's illegal migration. However, the similarity between the two kinds of population movement makes the process of counteracting trafficking much harder. The unofficial and illegal nature of both phenomena plays into the hands of traffickers

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<sup>312</sup> 'US Department of State 2004 Report on Trafficking in Persons: Eurasia', at <http://usinfo.state.gov/ruski/key/2004-06-21-tip2004.htm>.

and interferes in the capacity of potential victims to recognise the risks that they are encountering.

- 4.** Workers are migrating from Ukraine on a massive scale that is not regulated at the moment. State bodies are almost entirely disengaged from the process of organizing work abroad for Ukraine's citizens. Despite the many talks that have been held about signing bilateral treaties on legitimising such workers with the most popular destination countries, the number of legitimate job openings for Ukrainians has not changed, and for most Ukrainians, a trip abroad to work illegally is neither unusual nor without purpose – nor do they perceive it as illegal. This kind of migration is the only available way to get a job for many Ukrainians.
- 5.** Responsibility for this unregulated migration should lie not so much with the migrant workers themselves, as with the destination countries, who have accepted and employed millions of Ukrainians without being able to ensure the legality and transparency of this process. If destination countries lack the legal means to employ foreigners and they do not acknowledge the obvious need for cheap labour, illegal employment will continue to flourish.
- 6.** As long as this illegal aspect remains a main feature of successful migration among Ukrainians, traffickers will always be able to find victims. Until the economic position of Ukrainian workers somehow improves and decent employment becomes more available, the trend towards migrating for work is unlikely to decline. This means that the risk of Ukrainian migrants being trafficked will remain high and worrisome.
- 7.** The responsibility of destination countries is not limited to trafficking in persons. The exploitation of people is largely organized directly in these countries, without any recruiting in the countries of origin. This means that the current definition of “trafficked person” needs to be carefully examined. Moreover, those actions that have been taken to counter trafficking in persons need to consider all possible forms of exploitation, based on the experience of trafficked women, men and children. Finally, the question arises whether destination countries are putting enough effort into dealing with the way this kind of trafficking in people is organized and whether they are actually offering the right kind of assistance and protection to those people who have been caught in the traffickers' web.
- 8.** This study revealed that in Ukraine today there are no mechanisms to take advantage of money transfers from abroad. There are no data on incentives for the migrants who transfer this money to, say, develop a business in Ukraine.
- 9.** The activities of NGOs are the most effective in such areas as disseminating information about the issue of trafficking, teaching and training, assisting in returns, and rehabilitation. They are also a valuable resource for government agencies, who are thus able to include highly-qualified NGO specialists in their own efforts. In most instances, NGOs are considered the ideal executors of programmes in countering trafficking in persons.



**10.** Relations between NGOs and government agencies have a number of weak areas. Firstly, government workers are sometimes reluctant to take on NGOs as official partners for a number of reasons, including an inability to ensure the necessary budget funding, lack of understanding of the role of NGOs in the community (although this is improving), and envy of the international support given NGOs that, in the opinion of government bureaucrats, ought rightly to go through them.

Secondly, there is occasionally a sense that NGOs are competing among themselves for limited resources in a given area of activity. Getting access to a network for preventing trafficking in persons that is supported by international organizations not only means financial security for the NGO, but also ensures that local officials will trust them more. This means that other NGOs who might be equally effective working in that area and providing quality services are not included in the roster of those who are financed by international organizations, since each network needs only a single organization per region. This then leads to local and national officials also ignoring them. This kind of situation can create strains among NGOs and lead to the interruption or degeneration of services that are very much needed by their target group.

**11.** Telephone hotlines, which are supported by government, international and non-government organizations alike, are incredibly extremely for every aspect of countering trafficking in persons. Experts in preventing trafficking in persons consider such hotlines the ‘front line’ against trafficking, as they can intervene before, during and after the crime takes place. At the same time, they provide an invaluable preventive function and are a much-needed source of information about trafficked persons.

**12.** The study revealed that workshops in preventing trafficking in persons are a key component in prevention work, especially in terms of raising the level of awareness and knowledge among government officials in many regions of Ukraine. The study also showed that, in some oblasts, those who are responsible for coordinating prevention activities confuse this issue with the problem of those who work in the sex business of their own accord. They are also fairly ignorant of the measures being used currently in Ukraine to counter trafficking in persons.

**13.** The effectiveness of training is negatively affected by staff turnovers and shuffles. Either such workshops have to be carried out on a more regular basis, or they should be designed so that participants can pass on their know-how to their replacements. It also makes sense to include this kind of training in the curricula of pedagogical institutions. For example, one respondent from the State Border Service noted that he had participated in only one such workshop, whereas those who play a major role in the process need systematic training. This problem has a serious impact on how effectively people like this can work in countering trafficking.<sup>313</sup>

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<sup>313</sup> Interview with State Border Service, Kyiv, November 2003.

- 14.** The study showed that there is a particular need for training in those oblasts where there are no NGOs working in preventing trafficking or in training as such. For example, despite the large number of NGOs in the networks of IOM, La Strada Ukraine, the Women's Consortium, and Winrock International, not all of them can provide training in preventing trafficking. Indeed, training could become an incentive for more involvement on the part of government agencies. In particular, after Caritas-Ukraine held a series of workshops in one oblast, the issue of setting up a rehabilitation centre for women who were victims of violence was brought to the table at the highest level.<sup>314</sup>
- 15.** Key target groups need to be defined for the purpose of training instead of spreading a great deal of generalised material, according to respondents. At times, disseminating overly generalised materials can have a negative impact on prevention actions, especially given how limited the resources of organizations carrying out such campaigns actually are.
- 16.** The best tool for preventing trafficking in persons remains information campaigns. Still, there is a good deal of work ahead, regardless of achievements thus far. Most Ukrainians still associate trafficking in persons exclusively with sexual exploitation, and when the average person cannot imagine a situation, it means little to them. Although this crime has many aspects, including exploitive labour, the media are largely responsible for the fact that trafficking has gained such a sensationalistic aura and is limited to the notion of women being forced into the sex business. In addition, some information campaigns most likely did not provide a balanced view of the moral issues surrounding illegal migration, with the result that people remained ignorant of their rights and refused help.
- 17.** A variety of information campaigns geared towards raising awareness about trafficking in persons have proved their value and they continue to play an important role in preventing this crime because of their ability to reach a wide base of the population. This study showed that the need for such campaigns remains high.
- 18.** Information campaigns also tended to promote the notion that the main way that most people fall into the hands of traffickers is through recruiting in their homelands. However, closer analysis (see Chapter 3) testifies that a person can be forced into work, including sex work, in transit or in the destination country as well. Thus, such campaigns are not always providing the full picture in terms of the risks that potential victims take.
- 19.** Data show that information campaigns are the most effective when they are jointly carried out by government and non-government organizations. For example, in Donetsk, the oblast Department for Family and Youth Affairs closely works with La Strada and the Woman to Woman Centre. The information provided by La Strada serves as the basis for carrying out public awareness campaigns. La Strada

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<sup>314</sup> Op. cit., materials from Caritas-Ukraine conference.

has proved that it is effective because it works with a variety of government agencies. Another effective prevention activity is inviting international experts to provide realistic information about what happens in destination countries to those who are at risk, since people are more inclined to believe first-hand information.

- 20.** Respondents say that public awareness campaigns need to be improved. They say that, in particular, the broad distribution of printed materials is fairly inappropriate, since not every resident of Ukraine is a potential migrant or trafficked person. At the same time, a huge number of people do not have access to even the most basic information. This includes people in the countryside, who are the most vulnerable to trafficking. In addition, informational materials should respond to the particular needs of a given risk group, be prepared by specialists, and be disseminated from a central office through the network of organizations involved in the prevention of trafficking. It is inappropriate for different regional organizations to prepare such materials themselves.
- 21.** In addition to rural residents, other target groups needing specific attention include students at technical colleges, graduates of the state boarding school system, and sex workers.
- 22.** Respondents from a variety of sectors unanimously said that negative content in campaigns on preventing trafficking in persons tends to get the wrong response. Most people cannot imagine themselves as victims of trafficking, so when they see or hear exhortations coloured in dark and heavy tones (both literally and figuratively), they tend to lose interest in the message. Bright, colourful materials are more likely to grab the attention of readers than wordy booklets using gloomy colours.
- 23.** Despite the huge amount of information produced by different organizations in Ukraine, there remains a lack of materials specifically on trafficking in persons. These are needed firstly by Social Services Centres, State Employment Centres and other organizations providing social services. Thus, revising and republishing materials of this nature remains a high priority.
- 24.** The purpose of public awareness campaigns is not to scare people from travelling abroad, but to get them to think about their safety and the security measures that they need to take before their trip. Most importantly, people should develop a clear sense that they have the absolute right not to be forced into labour or sexual exploitation, whatever their status as a migrant might be.
- 25.** On the other hand, respondents said that information campaigns also need to admit to the negative social impact of migration. For instance, they should focus on such consequences as separation from the family, especially children. Illustrations of the miserable, poor conditions in which some migrants find themselves abroad, regardless of whether they ended up trafficked or not, should be aimed at the proper target audience.<sup>315</sup>

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<sup>315</sup> Interview with SEC, Ivano-Frankivsk, November 2003.

- 26.** In order to reach as many people as possible, television and radio should be used as much as possible. Some formats that are effective for spreading information include talk shows, live shows combine documentaries or re-enactments of real stories involving trafficking in persons, where callers can then contact the studio and ask questions. Such programmes need to be maximally interesting and allow some form of interaction to engage people in discussion.
- 27.** The broadcast of documentaries, dramas and other films on the subject of trafficking that encourage discussion can be very effective. But it is important to keep a number of things in mind. The material needs to be realistic and serious, so that viewers do not just forget about it the minute the film ends. The time of the showing should be when most working people are at home and watching their TV screens. This is a serious problem, since television channels are in no hurry to give prime time to social programming. Moreover, most films aimed at preventing trafficking in persons are fairly costly to produce, but are infrequently shown, which raises questions as to their ultimate effectiveness in terms of return on investment. Thus, government agencies should make it easier to show such films on a regular basis, at least on the main state channels.
- 28.** International exchanges are exceptionally important for the work involved in combating trafficking in persons. Still, there is a serious drawback in that only a few employees at any given time can participate in study tours, and there are few effective mechanisms for disseminating their experience to their colleagues. To maximise this situation, reports from participants can be sent around through e-mail, which would at least allow their counterparts across the country to also get some benefit from their experiences, while partner organizations can gain information about new approaches to cooperation.<sup>316</sup> Another form of disseminating information is to encourage those who participate in study tours or internships to debrief with their colleagues as soon as they get back and to analyse the experience they gained.
- 29.** Respondents raised a number of thorny issues in the exchange of experience that is important and valuable in their work. In particular, MFCYA workers mentioned a huge problem in studying international experience in areas such as reforming the system of state orphanages, introducing oversight of fostering with an appropriate system of checks, and resolving a wide range of other problems related to children.<sup>317</sup>
- 30.** One problem that arises when arranging study tours is the lack of coordination among donor organizations. Key players should have the opportunity to go themselves at least once. Organizing effective study tours requires taking into account what was learned on previous tours and insisting on the acquisition of experiences that are both new and interesting for Ukraine. Although participants are usually prepared before they go on study tours, lack of training prior to a number of tours had a

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<sup>316</sup> Interview with Revival of the Nation, an NGO in Ternopil, November 2003.

<sup>317</sup> Interview with Juvenile Services Department, MCFYA, February 2004.

negative impact on the participants' receptiveness to and application of the knowledge, experience and contacts that they were given. It turned out that they simply had different levels of information about the problem of trafficking.

- 31.** In recent years, there has been greater emphasis on training the police and combating organized crime. This has not only led to greater professionalism among staff in the various units, but has also led to more cases being launched. Despite the high turnover among staff in the Anti-Trafficking Units and the need for continuous training because of this, the level of professionalism is stable, according to respondents.
- 32.** Although investigations into trafficking cases have improved considerably, serious problems remain. Judges, in particular, need some form of training. It is critical that the Supreme Court hand down a ruling and guidelines as to how trafficking cases should be approached by the lower courts. For one thing, such a ruling would encourage judges to hand out stiffer sentences for those convicted of trafficking in persons. It would also make it easier for their victims to successfully sue for compensation for their suffering. Today, despite the rise in cases being brought to court, most traffickers get off very lightly, with no jail terms and no penalties for damage caused.
- 33.** The latest statistics show that very few cases end in jail sentences for those found guilty of trafficking, and that often those that do are then suspended. One of the reasons for this, respondents in the study said, was the high level of corruption that degrades the judicial process at all levels. In addition, they expressed concern that too little attention was being paid to raising the level of awareness of the problem of trafficking among officials in the court system as well as in the Prosecutor General's Office.
- 34.** Although the State Border Service has an important role to play in the prevention of trafficking in persons, there is still no specialised unit to deal with this specific issue. To raise the effectiveness of their work, workshops need to be held for them, because it is precisely these officers who can be engaged in working with both potential victims and trafficked persons in the process of crossing Ukraine's borders.
- 35.** The success of a court case often depends on the testimony of those who have been trafficked. Although Ukraine theoretically has a witness protection law, in practice its provisions are not followed, for lack of both budget allocations and the necessary mechanisms for coordinating the work of different agencies responsible for such witnesses. Trafficked persons thus find themselves in a position of having to agree to cooperate with the police, knowing that there is a risk of the traffickers tracking them down.
- 36.** Shelters that offer long-term stays for trafficked persons are not being used to capacity, according to respondents, because they are rarely full. This is confirmed by IOM statistics, which show that not a single woman who was assisted by the organization actually needed to stay in a shelter, and in 2002, there were only 4 who did.<sup>318</sup> On the other hand, trafficked persons do need long-term rehabilitation, but prefer to

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<sup>318</sup> Op. cit., IOM NGO report.

live with their families, rather than in shelters, during this time. In the opinion of the authors, there seems little need, therefore, to have shelters in every single oblast and, instead, currently operating centres should be given more support. Moreover, NGO respondents said that there is an urgent need to open more walk-in crisis centres in every oblast for women who are suffering from domestic violence, including those who have been trafficked. The cost of running such centres is lower, while the benefits to those who have been trafficked and victims of other forms of violence is greater.

- 37.** A widespread problem in setting up crisis centres for trafficked persons is the lack of money in local budgets, which is where funding is supposed to come from, according to the provisions of the Comprehensive Programme. Some regional NGOs said that this effectively made it impossible to open either rehabilitation or crisis centres. This problem can be resolved by changing the source of funding in the law from local budgets to the State budget.
- 38.** Some Kyiv NGOs complained that there are no transit shelters for trafficked persons who return from abroad through Kyiv. According to La Strada, until recently, a hotel run by Caritas-Kyiv served as such a shelter for trafficked persons who were returned to Ukraine with the assistance of partner organizations. More recently, the IOM rehabilitation centre has provided temporary shelter for those who are not interested in immediately staying for long-term rehabilitation at the centre. In 2003, according to IOM, 28 people used the rehabilitation centre as a transit shelter, and in the first two months of 2004, 26 persons did. There are no data as to this kind of use for 2001 or 2002.<sup>319</sup>
- 39.** According to this study, there is effectively no official medical care provided to trafficked persons at state facilities. The main problem, according to officials in the administration of the healthcare system, is the lack of money.
- 40.** The experience of NGOs in working with trafficked persons also reveals another problem in that the average medical practitioner is unprepared to come to a decision about providing treatment for a person who has been trafficked. The Ministry of Health and its local departments across the country need to be more involved in treating trafficked persons, and in holding workshops and lectures for specialists, especially gynaecologists and venereologists, about the ethical aspects of working with such people.
- 41.** The issue of psychological support for trafficked persons is being dealt with rather better at this point than most other areas. This is primarily because it requires only human resources rather than material ones, such as are needed for medical treatment.
- 42.** Although legal support is fairly costly, it has to be an integral part of assistance given to trafficked persons, especially as NGOs have begun to work more closely with the police. The state, of course, has no money to pay for this support, so for the time being, legal aid continues to be covered by international organizations.

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<sup>319</sup> Ibid.

- 43.** The latest statistics show that most trafficked persons who are assisted by NGOs agree to testify against their traffickers even when they do not have the necessary legal protection. The absence of a working witness protection system is an obstacle for many such persons, who fear shadowing and reprisals by their tormentors.
- 44.** In terms of placing trafficked persons in jobs, the main partner for most NGOs is the State Employment Centres. Although most respondents reported that working with these centres generally leads to results, some noted that SECs pose certain problems. For instance, in Mykolayiv oblast, staff at Lyubystok, a charitable fund, said that they were forced to find jobs for their clients through private agencies because the local SECs were unwilling to cooperate with them and cared little for the problems of trafficked persons.<sup>320</sup> This is another reason why efforts are needed to persuade government services of the importance of providing job placements for trafficked persons.
- 45.** The lack of an education and work experience means that trafficked persons who turn to SECs tend to be classified as ‘any kind of work will do’. The result is that the only work that is offered them is as cleaners, street sweepers or toilet cleaners with unacceptably low wages – offers that most of them are unwilling to accept. This in turn has a negative impact on their reintegration.
- 46.** There has been a growing trend among different institutions to lend money to trafficked persons to start up their own businesses. In the opinion of experts who participated in this study, introducing lending programmes for trafficked persons is a very positive phenomenon. Yet specialists in small business and micro-lending say that the key to this kind of programme’s success is for donor organizations to:
- only provide financing in the form of loans, not grants, although the interest rate can be set at zero. The requirement to return lent money is an important incentive for any business to develop, and this is as important for trafficked persons as it is for anyone else.
  - new business plans need to be looked at from the point of their profitability by SME specialists who can objectively evaluate the chances of the particular proposal to succeed. Unqualified persons such as social workers who deal with trafficked persons should not be in a position to independently make such calls.
- 47.** It is obvious that trafficked persons need training in preparing business plans, the rules of taxation, bookkeeping and other business practices. These kinds of skills prior to launching a business will allow the trafficked person to take on personal responsibility for the development of the business from the start, rather than depending on their social workers. Sticking to these rules, according to experts, will lead to the successful development of projects undertaken by trafficked persons and, thus, to their successful reintegration.

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<sup>320</sup> Interview with Lyubystok, a charity, Mykolayiv, 24 November 2003.





## RECOMMENDATIONS

- 1.** To set up a separate department under the Ministry of Family, Children and Youth Affairs, with an office in every oblast, whose only function is coordinating all activities in the area of trafficking in persons.
- 2.** To encourage regular meetings of the Inter-Agency Coordinating Council for the Prevention of Trafficking of Human Beings which, in turn, would stimulate regional governments to be active in this area. Funding for these activities should come from the State budget.
- 3.** To include representatives of NGOs and international organizations among the members of the Coordinating Council.
- 4.** To improve the Comprehensive Anti-Trafficking Programme by clearly delegating responsibilities to those agencies named as executors in the Programme and including milestones and other indicators of the success, or lack thereof, of various assignments and the effectiveness of the executing agencies.
- 5.** To consider setting up a separate department attached to the State Employment Centre system that would specifically work with impoverished and otherwise disadvantaged women and provide them some form of training through state courses that include job placement.
- 6.** To continue negotiating the conclusion of bilateral labour treaties with the most popular destination countries.

- 7.** To amend national legislation covering the area of trafficking in persons to comply with the Palermo Protocol and the UN Convention against Transnational Organized Crime.
- 8.** To lobby the adoption of a comprehensive law against trafficking in persons that would not only ensure that traffickers were punished, but that serious efforts would be made to prevent trafficking in the first place, and to develop mechanisms for identifying those who have been trafficked, for providing assistance, for cooperating among government agencies, NGOs and the police and courts in this process, and so on.
- 9.** To urge Ukraine to ratify the Convention on the Protection of Children and Cooperation in Respect to Intercountry Adoptions that was adopted by The Hague session on 29 May 1993.
- 10.** To call for amendments to consular statutes in terms of increasing responsibility for the fate of children who have been adopted by foreigners, and increasing both financial and human resources in the country's foreign missions.
- 11.** To prevent violations in the international adoption process by introducing the practice of having all facts and documents verified by an independent auditor or commission, outside the National Adoption Centre. In particular, before a child leaves Ukrainian territory, the adoption specialist should submit all the documents necessary for the final approval of an adoption to this independent commission. Among these documents, there should be: a copy of the original Power of Attorney with the name and contact information of the person who has been authorised to handle the adoption; a copy of the original letter from the NAC introducing the parents to the orphanage, with the actual date indicated; a copy of the judge's determination that the adoption can go ahead; and a copy of the original medical chart of the child who is being adopted.
- 12.** To ensure that the family that has adopted such a child provides the results of a new medical check-up within 30 days of returning to their home country with the child, as well as a copy of the child's registration with the nearest Ukrainian consulate.
- 13.** To require a repeat visit to the adopting family six months after the adoption goes through. The social worker who prepared the original home study would be an appropriate person to do this. Incidentally, this is already required by law in some US states.
- 14.** To increase economic opportunities for young people in Ukraine by supporting:
  - targeted regional initiatives for economic development to generate jobs at salaries appropriate to the real cost of living.
  - business development programmes.
  - mobile business schools in rural areas that can provide participants knowledge that they do not have an opportunity to attain in any other way.
- 15.** To support programmes aimed at children in orphanages, especially those graduating from the state boarding school system.

- 16.** To lobby the Government of Ukraine to provide tax breaks for Ukrainians who want to invest the money they have made abroad into businesses in Ukraine.
- 17.** To minimise staff turnover in those areas involved in preventing trafficking, especially in Anti-Trafficking Units.
- 18.** To support the Anti-Corruption Programme in Ukraine, especially as regards the judiciary. This needs to be done in parallel with greater attention to training workers in prosecutors' offices and the judiciary in the various aspects of the trafficking problem.
- 19.** To increase the personnel of Specialised Police Detachments at border crossings so that their officers can help identify trafficked persons.
- 20.** To set up a separate department under the State Border Service that would be responsible for identifying trafficked persons among deported Ukrainian citizens, for gathering information about new trends in trafficking, and for tracking rights violations related to trafficking at the time of crossing borders.
- 21.** To engage destination countries in confronting the fact that trafficking in persons takes place – and often enough is even organized – in these countries; to inform such countries about violations that occur in their jurisdiction, for which they carry responsibility.
- 22.** To facilitate and support networks of community organizations in destination countries that could help migrants find safe work and prevent trafficking in those countries.
- 23.** To determine new target groups for activities in preventing trafficking in persons, based on the changing trends that were detailed in this study.
- 24.** To disseminate information about new trends and mechanisms for trafficking in persons in order to increase awareness of the issue, the effectiveness of preventive work, and the identification of traffickers. Particular attention should be paid to establishing mechanisms that are appropriate to different destination countries.
- 25.** To formulate public service campaigns in such way that the target groups will understand that, regardless of the status of a migrant, basic human rights can still be violated. This is also critical to enabling trafficked persons to understand their own status and their right to both compensation and help.
- 26.** To introduce the subject of trafficking in person to post-secondary institutions that teach law enforcement officers, border guards, social workers, psychologists, lawyers, teachers, and other relevant professionals.
- 27.** To reflect changing trends when developing methods of identifying trafficked persons that will be used by the police, border guards, embassy personnel and others whose task is to determine the status of people who have been trafficked, in order to recognise all possible variations.

- 28.** To facilitate the development of mechanisms for delivering legal and other forms of assistance to migrant workers in destination countries.
- 29.** To develop a mechanism to ease the return of people who have been trafficked who otherwise have no money to pay for their return ticket or to settle penalties related to overstaying their visas in the destination country.
- 30.** To set up a network of transit shelters for trafficked persons who are returning to Ukraine without any means of support or information about opportunities and rights to social support.
- 31.** To facilitate the establishment of rehabilitation centres for trafficked persons and walk-in crisis centres instead of putting money into establishing live-in shelters. Based on reports from NGOs that run such shelters, there are enough overnight shelters today to take care of all trafficked persons who need such accommodation.
- 32.** Given that social support to trafficked persons is currently very dependent on financing from international donors, and that there is considerable concern already that this assistance will stop once the current programmes in Ukraine end, it is critical:
  - to change current legislation to include trafficked persons and their families among the categories of individuals who have the right to certain kinds of social benefits and subsidies, and to indicate the size of the monetary support that they can expect to receive.
  - to spell out the procedures whereby those responsible for identifying trafficked persons can refer them to other organizations for social services.
  - to develop a mechanism for identifying trafficked persons so that they can get help from the state.
  - to consider financing rehabilitation centres from central rather than local budgets.
  - to urge the Health Ministry to help more actively at the local level.
  - to raise the level of professionalism among psychologists at Youth Services Centres so that they can give qualified psychological assistance to trafficked people.
- 33.** To set up long-term specialised shelters for trafficking witnesses and trafficked persons during the pre-trial and trial process, as well as after the conclusion of court proceedings.
- 33.** To help establish a national network of lawyers who might provide legal services to trafficked persons by representing their interests in court and looking into the options for a civil damages suit.
- 34.** To encourage the establishment of a compensation fund for trafficked persons.
- 36.** To develop a mechanism to protect and assist men and children who have been trafficked.

- 37.** To pay particular attention to having rehabilitated trafficked persons talk to minors who are in juvenile shelters about the dangers of trafficking and, in the event that juveniles fall into the hands of traffickers, to refer them to rehabilitation specialists.
- 38.** To train staff at juvenile and intake shelters in the identification of trafficked persons.
- 39.** To urge international organizations to refrain from themselves directly taking on projects in trafficking that are directed at specific target groups, but, in the interests of sustainability once financing stops, to work instead through local NGOs and government agencies. This will have the added benefit of strengthening local capacities.
- 40.** To provide incentives for NGOs to diversify their financial base so that the provision of assistance to trafficked persons remains broad-based and competitive.



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## INTERVIEWED ORGANIZATIONS

### Kyiv

1. Ministry of Family, Children and Youth Affairs
2. State Committee on Nationalities and Migration
3. State Tourist Administration
4. Ministry of Health
5. State Border Service Administration
6. Ombudsman's Office
7. SBU, the state security service
8. MIA, Anti-Trafficking Unit
9. Supreme Court
10. Prosecutor General's Office
11. Specialised Police Detachment, Boryspil Airport
12. State Employment Centre
13. Federation of Employers
14. National Adoption Centre, former employees
15. IOM
16. UNHCR
17. USAID
18. UNDP

19. UNICEF
20. British Council
21. EU Commission, TACIS
22. ILO
23. OSCE
24. Centre for Ukrainian Reform Education
25. Internews Network
26. Internews Ukraine
27. Academy for Educational Development
28. La Strada Ukraine
29. Winrock International
30. Amnesty International Ukraine
31. Union of Women of Ukraine
32. New Life Social and Gender Research Centre
33. Grace Club
34. Help Us Help the Children (Priyateli Ditey)
35. Centre for Democracy Development
36. Ukrainian Family Planning Association
37. Caritas-Ukraine
38. Caritas-Spes
39. Ukrainian Orthodox Church, Kyiv Patriarchate
40. School of Equal Opportunities
41. Educational Information Centre (ACCELS)
42. British Embassy
43. Turkish Embassy
44. Portuguese Embassy
45. Spanish Embassy
46. Greek Embassy
47. Russian Embassy
48. Swiss Cooperation Office
49. Swiss Embassy
50. US social worker specialising in adoptions from Ukraine

## **Donetsk**

1. Oblast Youth Employment Centre
2. Oblast Juvenile Services
3. Oblast Youth Services Centre
4. Oblast Department for Tourism
5. Oblast Department of Family and Youth Affairs

6. N. Krupska Oblast Universal Scientific Library
7. Oblast SEC
8. Oblast Anti-Trafficking Unit, MIA
9. Oblast Passport Office
10. League of Business and Professional Women/Woman for Woman Centre
11. Pikluvannia Charitable Fund
12. Donbas Widows of Coal Miners Association

### **Ivano-Frankivsk/L'viv**

1. SALUS Charity Fund
2. Woman to Woman Centre, L'viv
3. Women's Business Initiatives Support Centre
4. Faith in the Future, orphans' rights association, Ivano-Frankivsk
5. Oblast Anti-Trafficking Unit, MIA, Ivano-Frankivsk
6. Ivano-Frankivsk Oblast YSC
7. Ivano-Frankivsk Oblast Department of Family and Youth Affairs, Department of Family, Youth and Gender Policy
8. Ivano-Frankivsk Passport Office
9. Ivano-Frankivsk Oblast SEC

### **Mykolayiv**

1. Oblast Anti-Trafficking Unit
2. Oblast Passport Office
3. Oblast Department of Family and Youth Affairs
4. Oblast State Broadcasting Company
5. Oblast YSC
6. Lyubystok Charity Foundation
7. Zlahoda Credit Union
8. Laska Mykolayiv City Fund

### **Odesa**

1. Odesa Department of Family and Youth Affairs
2. Oblast SEC
3. Odesa Port Border Patrol Service
4. Oblast Anti-Trafficking Unit, MIA
5. Oblast Juvenile Services
6. Oblast Department of SBU
7. Faith, Hope and Love, an NGO

## **Ternopil**

1. Oblast Organized Crime Unit, MIA
2. Oblast Juvenile Services
3. Oblast Department of Education and Science
4. Oblast Passport Office
5. Oblast Department of Tourism
6. Caritas-Ternopil Charity Foundation
7. Revival of the Nation, a youth and women's club
8. Podilys Teplom, a youth organization
9. Molod, Dovkillya, Rozvytok, a youth organization

## **Uzhhorod**

1. Zakarpattia Organized Crime Unit, MIA
2. Zakarpattia YEC
3. Zakarpattia YSC
4. Zakarpattia Juvenile Services
5. Zakarpattia Department of Education and Science
6. Zakarpattia Press and Information Office
7. Zakarpattia Department of Family and Youth Affairs
8. Women's Counselling Centre of Zakarpattia
9. Vesta, an NGO

## **Mukachevo**

1. State Border Service, Mukachevo Border Patrol, Pavshyno, Mukachiv County
2. Juvenile Shelter, Batiovo, Berehiv County
3. Temporary Shelter for Foreigners and Refugees