

Ukraine

*Selected Statistics and Indicators on Child Labor*³⁵¹⁵

Working children, 5-14 years (%), 1999:	2.4
Working boys, 5-14 years (%), 1999:	3.0
Working girls, 5-14 years (%), 1999:	1.8
Working children by sector, 5-14 years (%), 2002-2003:	
- Agriculture	49.5
- Manufacturing	3.3
- Services	44.7
- Other	2.6
Minimum age for work:	16
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	102
Net primary enrollment rate (%), 2006:	90
School attendance, children 5-14 years (%), 1999:	91.5
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes

Incidence and Nature of Child Labor

Children in Ukraine are found working in agriculture, trade, services, manufacturing, construction, and in surface coal mines. Such children typically begin working at age 12.³⁵¹⁶ According to the ILO, children in rural areas were approximately twice as likely to work as those in urban areas.³⁵¹⁷

Ukraine is a source country for child pornography, available on the Internet, and the commercial sexual exploitation of children is also a problem.³⁵¹⁸

Ukrainian children have been trafficked for sexual exploitation, forced begging, and forced labor in agriculture.³⁵¹⁹ Internal trafficking of children is also a problem in Ukraine.³⁵²⁰ Most trafficked girls are subject to commercial sexual exploitation, while boys are trafficked for labor or to sell narcotics.³⁵²¹

Debt bondage is a common occurrence in trafficking situations.³⁵²² St. Petersburg and Moscow are destination centers for Ukrainian children trafficked for forced begging or sexual exploitation.³⁵²³

Street children, victims of domestic violence, orphans, residents of boarding schools, and children with absent parents (often due to migration in search of work or incarceration) are the groups most vulnerable to exploitation into the worst forms of child labor, including commercial sexual exploitation.³⁵²⁴

Child Labor Laws and Enforcement

The minimum age for employment is 16 years.³⁵²⁵ With Government permission and the consent of a parent, children at 15 years may work in certain non-hazardous industries. Also, with the permission of a parent, children at 14 years may work in agriculture and the social sector (orphanages, hospitals, elder care, etc.) on a short-term basis if it does not interfere with their education.³⁵²⁶ The employment of an underage child is prohibited by law and is punishable by up to 6 months of imprisonment or judicial restraint for up to 3 years. The sentence is increased to 2 to 5 years of imprisonment if multiple children are involved, if considerable damage is done to the health of the child, or if the child was involved in hazardous work.³⁵²⁷

Forced labor of children is forbidden by law.³⁵²⁸ The minimum age for military conscription and participation in combat is 18 years.³⁵²⁹ Pimping or managing a brothel that employs minors is illegal and punishable by 2 to 7 years of imprisonment. Involvement of a child in prostitution is prohibited and offenders can be punished by 3 to 5 years of imprisonment.³⁵³⁰ The importation, sale, distribution, or manufacturing of child pornography is punishable by 6 months to 3 years of imprisonment. The sentence is increased to 5 years if the material is on film or video media. If there are repeat child pornography violations or if the act was committed by a group of persons and involved compelling the minor to participate, the sentence is increased to 3 to 7 years of imprisonment.³⁵³¹ Trafficking of children ages 14 to 18 years is prohibited by law and is punishable by 5 to 12 years of imprisonment.³⁵³² If the child is under the age of 14 years, the punishment is 8 to 15 years of imprisonment.³⁵³³ Children are forbidden from

leaving the country or changing residence without the consent of the minor's legal representatives.³⁵³⁴ Ukraine has a witness protection law for trafficking cases that ensures anonymity, confidentiality, and closed trials.³⁵³⁵

The State Labor Inspectorate and the State Department of Surveillance over Labor Legislation Observance in the Ministry of Labor and Social Policy are responsible for enforcing child labor policies and laws in the formal sector.³⁵³⁶ There were 708 labor inspectors in Ukraine in 2006, the most recent year for which data was available.³⁵³⁷ The State Department of Surveillance over Labor Legislation Observance reported that during 2007, there were 563 labor inspections which uncovered 1,500 cases of minors working. Sixty-two of these incidents were referred for prosecution.³⁵³⁸ The Labor Inspectorate does not have the authority to inspect informal workplaces.³⁵³⁹ The Department of Juvenile Affairs within the Ministry of Family, Youth, and Sport (MOFYS), the Criminal Police on Juvenile Affairs, along with the Ministry of the Interior (MOI) are responsible for finding children engaged in the worst forms of child labor in the informal sector. In addition to the Labor Inspectorate, the Ministry of Emergencies and the Ministry of Health also conduct inspections.³⁵⁴⁰

The MOI's Anti-trafficking Department is responsible for the enforcement of anti-trafficking laws.³⁵⁴¹ There is also a specialized, 68-person unit within the Anti-trafficking Department dedicated to combating trafficking for labor exploitation and tracking businesses, such as employment agencies, that hire Ukrainians for work abroad.³⁵⁴² The Border Guards are required to screen for potential trafficking victims at the border.³⁵⁴³ In 2007, the Government identified 359 cases of trafficking, including 55 children.³⁵⁴⁴ Many victims were reluctant to testify against their traffickers due to a lack of trust in the law enforcement system, weak witness protection efforts, and a negative public perception of trafficking victims.³⁵⁴⁵ USDOS reports that corruption among police and in the courts hampered the enforcement of anti-trafficking laws.³⁵⁴⁶

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government is pursuing the State Program to Combat Child Homelessness and Neglect for 2006-2010. The document identifies child labor as a factor related to child homelessness, and the program aims to identify and support at-risk families.³⁵⁴⁷ The Government of Ukraine has a National Action Plan for 2006 to 2016 on the implementation of the UN Convention on the Rights of the Child, with separate chapters on the worst forms of child labor, child trafficking, and sexual exploitation.³⁵⁴⁸ On May 14, 2007, the Head of the Donetsk Regional State Administration approved a Regional Action Plan to Eliminate the Worst Forms of Child Labor. The plan calls for regular workplace monitoring, support for local action committees working with ILO-IPEC, awareness raising activities, the provision of services to formerly working children, and the regular supervision of at-risk families to prevent child labor.

On May 7, 2007, the Head of the Kherson Regional State Administration approved the Regional Program on the Prevention of Trafficking in Human Beings (2007-2010). The program provides services for trafficking victims, including child victims. It also supports information and awareness-raising activities targeting children and youth, regular monitoring of labor migration, and the implementation of programs for the psychosocial rehabilitation of child victims.³⁵⁴⁹ Shortly before this, on March 7, 2007, the Government adopted the State Program on Combating Trafficking in Human Beings (2007-2010), which includes special provisions on child trafficking and provides direct State funding from the MOFYS for anti-trafficking efforts.³⁵⁵⁰ The program specifically calls for training of government officials on child trafficking issues, and also for the development and implementation of programs for the social and psychological rehabilitation of victims of child trafficking.³⁵⁵¹

In cooperation with the IOM and with funding from the European Commission, the Government supports seven shelters for victims in major

cities.³⁵⁵² During the first 9 months of 2007, the Government of Ukraine repatriated 353 potential trafficking victims through its overseas embassies.³⁵⁵³ The Government and NGOs cooperated on awareness-raising campaigns.³⁵⁵⁴ The Ukrainian Government provided radio and television access for anti-trafficking messages.³⁵⁵⁵ It also supports a national anti-trafficking hotline. The hotline is linked to the State Employment Service that provides information regarding the reliability of employment recruitment services.³⁵⁵⁶ The Ministry of Health is responsible for providing physical and psychological rehabilitation to child victims of commercial sexual exploitation.³⁵⁵⁷ The Government participates in a USD 3.5 million USDOL-funded ILO-IPEC regional project to combat child trafficking and other worst forms of child labor (2006-2009), which operates in Albania, Bulgaria, Kosovo, Moldova, Romania, and Ukraine. The project aims to withdraw 1,350 children and prevent 3,150 children from exploitive labor throughout all of the participating countries.³⁵⁵⁸ The Government of Ukraine also is participating in a USD 606,300 German-funded ILO-IPEC regional project (Albania, Moldova, Romania, Ukraine) to combat child trafficking, and a USD 1.2 million German-funded regional project (Albania, Moldova, Romania, Ukraine) to combat the worst forms of child labor through education and youth employment.³⁵⁵⁹ ILO-IPEC has worked to support community-based centers to assist children from at-risk families, street children, and orphans. It also assisted with a program to provide support to children leaving State boarding schools, a group especially vulnerable to trafficking, and to train them for life outside of the institution.³⁵⁶⁰ USAID funds a USD 1.2 million project through the IOM to raise awareness of trafficking in persons among children and young women 12 to 25 years, to provide support to both local and national Governments, and to assist approximately 700 trafficking victims.³⁵⁶¹

³⁵¹⁵ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see U.S. Department of State, "Ukraine," in *Country Reports on Human Rights Practices- 2007*, Washington, D.C.,

March 11, 2008, section 5, 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007.100590.htm>. See also U.S. Embassy- Kyiv, *reporting*, December 13, 2006, para. 3a. See also ECPAT International, *CSEC Database, Ukraine*, [accessed December 6, 2007]; available from <http://www.ecpat.net/>. See also Government of Ukraine, *Constitution of Ukraine*, Fifth Session of the Verkhovna Rada of Ukraine (June 28, 1996), article 53; available from <http://www.rada.kiev.ua/const/conengl.htm>.

³⁵¹⁶ PROTECT CEE, *Ukraine Country Profile*, [online] 2005 [cited December 6, 2007], 1,4, 5; available from http://www.ilo.org/iloroot/docstore/ipsec/prod/eng/2005_fs_ukraine.pdf. See also U.S. Embassy- Kyiv, *reporting*, November 30, 2007. See also U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d.

³⁵¹⁷ PROTECT CEE, *Ukraine Country Profile*, 5.

³⁵¹⁸ U.S. Department of State, "Country Reports- 2007: Ukraine," sections 5 and 6d. See also U.S. Embassy- Kyiv, *reporting*, November 30, 2007. See also ECPAT International, *CSEC Database, Ukraine*.

³⁵¹⁹ U.S. Department of State, "Ukraine (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d. See also PROTECT CEE, *Ukraine Country Profile*, 7.

³⁵²⁰ ILO-IPEC, *Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Ukraine*, 2003, Geneva, 2004, 2. PROTECT CEE, *Ukraine Country Profile*, 7.

³⁵²¹ PROTECT CEE, *Ukraine Country Profile*, 7. See also ILO-IPEC, *Rapid Assessment Ukraine*, 1.

³⁵²² ILO-IPEC, *Rapid Assessment Ukraine*, 2.

³⁵²³ U.S. Department of State, "Russia (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82807.htm>.

³⁵²⁴ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography- Ukraine*, April 6 2006, 7. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, Geneva, September 19, 2006, 19. See also PROTECT CEE, *Ukraine Country Profile*, 6.

³⁵²⁵ U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d.

³⁵²⁶ ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, 34. See also U.S. Department of State,

"Country Reports- 2007: Ukraine," section 6d. See also U.S. Embassy- Kyiv, *reporting*, December 13, 2006.

³⁵²⁷ U.S. Embassy- Kyiv, *reporting*, November 30, 2007, para. 7.

³⁵²⁸ U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d.

³⁵²⁹ Coalition to Stop the Use of Child Soldiers, "Ukraine," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=935.

³⁵³⁰ Government of Ukraine, "Ukraine," in *Legislation of Interpol Member States on Sexual Offences Against Children*, 2007, article 302, 303; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/default.asp>.

³⁵³¹ *Ibid.*, article 301.

³⁵³² U.S. Department of State, "Country Reports- 2007: Ukraine," section 5. See also ILO-IPEC, *Rapid Assessment Ukraine*, 10. See also Vittoria Luda di Cortemiglia, *Trafficking in Minors for Commercial Sexual Exploitation: Ukraine*, Turin, n.d., 9; available from http://www.unicri.it/www/trafficking/minors/docs/d_r_ukraine.pdf. See also U.S. Embassy- Kyiv, *reporting*, March 7, 2008, para. 34.

³⁵³³ U.S. Department of State, "Country Reports- 2007: Ukraine," section 5. See also U.S. Embassy- Kyiv, *reporting*, March 7, 2008, para. 34.

³⁵³⁴ di Cortemiglia, *Trafficking in Minors for Commercial Sexual Exploitation: Ukraine*, 12.

³⁵³⁵ *Ibid.*

³⁵³⁶ U.S. Department of State, "Country Reports- 2007: Ukraine," section 6d. See also U.S. Embassy- Kyiv, *reporting*, November 30, 2007.

³⁵³⁷ State Labor Inspectorate- Ukraine official, Interview with USDOL official, March 30, 2006. See also Ministry of Labor and Social Policy- Ukraine official, Interview with USDOL official, March 30, 2006.

³⁵³⁸ U.S. Embassy- Kyiv, *reporting*, November 30, 2007. See also U.S. Embassy- Kyiv official, E-mail communication to USDOL official, July 23, 2008.

³⁵³⁹ Ministry of Labor and Social Policy- Ukraine official, Interview, March 30, 2006. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, 35.

³⁵⁴⁰ Ministry of Labor and Social Policy- Ukraine official, Interview, March 30, 2006.

³⁵⁴¹ U.S. Department of State, "Ukraine," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78846.htm>.

³⁵⁴² U.S. Department of State, "Trafficking in Persons Report- 2007: Ukraine."

³⁵⁴³ *Ibid.*

³⁵⁴⁴ U.S. Embassy- Kyiv, *reporting*, March 7, 2008, para 52.

³⁵⁴⁵ U.S. Department of State, "Country Reports- 2007: Ukraine," section 5.

³⁵⁴⁶ *Ibid.* See also U.S. Department of State, "Trafficking in Persons Report- 2007: Ukraine."

³⁵⁴⁷ ILO-IPEC, *National Programme for the Prevention and Elimination of the Worst Forms of Child Labour in Ukraine*, Technical Progress Report, Geneva, August 31, 2006, 3.

³⁵⁴⁸ UN Committee on the Rights of the Child, *Consideration of Reports- Ukraine*, 37. See also Ministry of Family Youth and Sport- Ukraine official, Interview with USDOL official, March 29 2006. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, August 31, 2007, 7.

³⁵⁴⁹ ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, August 31, 2007, 7.

³⁵⁵⁰ U.S. Embassy- Kyiv, *reporting*, November 30, 2007. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Ukraine."

³⁵⁵¹ ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, August 31, 2007, 6.

³⁵⁵² U.S. Department of State, "Country Reports- 2007: Ukraine," section 5. See also U.S. Department of State, "Country Reports- 2006: Ukraine," section 5.

³⁵⁵³ U.S. Department of State, "Country Reports- 2007: Ukraine," section 5.

³⁵⁵⁴ *Ibid.* See also UN Committee on the Rights of the Child, *Consideration of Reports- Ukraine*, 39.

³⁵⁵⁵ U.S. Department of State, "Trafficking in Persons Report- 2007: Ukraine."

³⁵⁵⁶ *Ibid.*

³⁵⁵⁷ UN Committee on the Rights of the Child, *Consideration of Reports- Ukraine*, 26.

³⁵⁵⁸ ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, cover page, vi, 69.

³⁵⁵⁹ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

³⁵⁶⁰ U.S. Embassy- Kyiv official, E-mail communication to USDOL official, July 27, 2007.

³⁵⁶¹ USAID, *Ukraine - Data Sheet*, October 21, 2006; available from http://www.usaid.gov/policy/budget/cbj2006/ee/pdf/ua_121=0325.pdf.