

**2009 Trafficking in Persons Report**  
**Released by Secretary of State Hillary Clinton**  
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**Country Narratives - Ukraine (Tier 2 Watch List)**

Ukraine is a source, transit and, to a lesser extent, destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Forty-eight percent of the trafficking victims assisted by IOM and its local NGO partners in Ukraine in 2008 suffered sexual exploitation; three percent had been forced to beg; and 49 percent suffered other forms of forced labor. Ukrainian victims are trafficked to Russia, Poland, Turkey, Italy, Austria, Spain, Germany, Portugal, the Czech Republic, United Arab Emirates, United Kingdom, Israel, Greece, Lebanon, Benin, Tunisia, Cyprus, Bosnia and Herzegovina, Hungary, Slovakia, Syria, Switzerland, the United States, Canada and Belarus. Women were forced into the sex industry, or forced to work as housekeepers, in service industries, or in textile or light manufacturing. The majority of Ukrainian male labor trafficking victims were exploited in Russia but also in other countries, primarily as construction laborers, factory and agriculture workers, or sailors. There were three instances in which males were forced to take part in criminal activities, such as dismantling stolen cars for parts to be sold on the black market. Children were most often trafficked for sexual exploitation or forced begging. Ukraine continues to be a country of transit for trafficking victims from Central Asia and Russia. Victims were trafficked within Ukraine for the purpose of labor exploitation in the agriculture and service sectors, sexual exploitation, and begging. In 2008, IOM reported one male from Belarus was trafficked to Ukraine for the purpose of labor exploitation. Homeless children or children in orphanages are particularly vulnerable to trafficking in Ukraine.

The Government of Ukraine does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall efforts, the government did not show evidence of progress in punishing trafficking offenders, addressing the significant complicity of government officials, and providing sufficient protection for trafficking victims; therefore, Ukraine is placed on Tier 2 Watch List.

**Recommendations for Ukraine:** Seek sentences for convicted trafficking offenders that require them to serve appropriate jail time; take steps to curb trafficking complicity by government officials; continue trafficking-specific training for prosecutors and judges; increase funding for victim protection and assistance; develop formal systems to guide law enforcement in proactive identification of trafficking victims and referral of victims to available services; take steps to provide specialized protection and assistance to child trafficking victims; and consider awareness initiatives targeted at potential clients of the sex trade and labor trafficking beneficiaries to reduce the demand for human trafficking.

**Prosecution** The Government of Ukraine made progress in prosecuting labor trafficking cases during the reporting period, though these efforts were overshadowed by inadequate punishments imposed on both sex and labor trafficking offenders and a lack of effort to address official complicity in human trafficking. The government prohibits all forms of trafficking through Article 149 of its Criminal Code. Penalties prescribed range from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes. This year, the government prosecuted 80 trafficking cases, compared with 95 cases in 2007. The number of labor trafficking prosecutions increased from 23 in 2007 to 53 in 2008. The government reported 99 convictions in 2008 compared with 128 in 2007. The average prison term imposed on convicted trafficking offenders was six years; however, only 39 percent of convicted traffickers actually served time in jail. Two offenders who were convicted of the most serious category of trafficking crimes were sentenced only to pay fines. In 2008, the General Prosecutor's Office issued a report assessing human trafficking trial procedures and calling for prosecutors to give more serious attention to human trafficking cases. The Academy of Judges incorporated a human trafficking lecture into professional training for judges and the Ministry of Interior conducted ongoing training throughout Ukraine on trafficking awareness for police officers. Widespread trafficking-related corruption of law enforcement officials remained a serious impediment to more effective anti-trafficking efforts in Ukraine. NGOs reported that corruption was particularly a problem at times involving prosecutors or judges, though the government reported no investigations, prosecutions, or convictions of government officials complicit in trafficking.

**Protection** Ukraine's protection efforts remained heavily reliant on international donor funding during the reporting period. While one of the goals of the government's 2007-2010 national anti-trafficking plan was to provide assistance to trafficking victims, the government has not developed a mechanism for referral or sufficient funding for assistance. Through donor-sponsored programs and some government services, foreign and domestic victims of trafficking in Ukraine received shelter, medical, psychological, legal, and job placement assistance. The government placed child trafficking victims in temporary homeless shelters for children that do not offer specialized services for trafficking

victims. Local governments offered sporadic in-kind contributions toward protection of victims. The government does not have a formal system established to proactively identify trafficking victims. While the government has expressed a policy of encouraging victims to participate in investigations or prosecutions through a witness protection program, in practice the government rarely employed this program due to lack of funding or a lack of prosecutors' understanding of the program. In 2008, IOM, working with its local partners, registered 820 victims, including 32 victims of internal trafficking. IOM reported that 295 of these 820 victims participated in criminal proceedings. There were no reports of victims being punished for unlawful acts committed as a direct result of being trafficked, but there were reports that victims' rights were not fully respected during court trials. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

**Prevention** The government made modest progress in preventing trafficking in persons during the reporting period. In 2008, the government spent approximately \$34,431 for printing and distribution of anti-trafficking awareness materials targeting potential victims. The government also cooperated with local television channels to broadcast public service announcements and informational programs aimed at raising awareness of human trafficking. There were no specific campaigns targeted at potential clients of the sex trade or beneficiaries of forced labor. Inadequate funding, lack of performance indicators and other obstacles impeded implementation of the government's national anti-trafficking plan in 2008. The Kherson regional government provided some financial support to a local awareness campaign. Ministry of Interior police conducted two operations in 2008 aimed at identifying and preventing Ukrainians and foreigners participating in sex-tourism. Ukraine's National Academy of Defense cooperated with IOM to conduct five pre-departure counter trafficking training for Ukrainian troops being deployed for international peacekeeping duties in 2008.