RESEARCH GUIDE

WAR IN UKRAINE

"For predators and human traffickers, the war in Ukraine is not a tragedy, it's an opportunity – and women and children are the targets."

António Guterres, *Secretary-General of the UN*

MAJOR FORMS OF TRAFFICKING

- Forced Labor/ Forced Child Labor
- Child Soldiers
- Sexual Exploitation/Sex trafficking
- Illegal Adoption/Pregnancy Trafficking
- Organ Trafficking
- Forced Begging
- Forced Marriage

SPECIFIC TERMINOLOGY

Migrants – Migrants are people who move away from where they typically reside. Migrants move for a variety of reasons including, employment opportunities, to escape violent conflict, for environmental factors, educational purposes, or to reunite with family. This can include both moving within their own country (internal) or to another (external), which can be both temporary or permanent. There exists different types of human migration, external or internal which may be either forced or voluntary. The term 'migrant' has been traditionally used to refer to voluntary migration rather in contrast with forced migration to escape violence and/or persecution.

Refugees – Refugees are generally defined as people who have fled their country due to war, conflict, violence, or persecution, to seek safety in another country. Under the 1951 UN Convention relating to the status of refugees, a refugee is someone who is unwilling or unable to return to their home country out of well-founded fear of persecution. Being recognized as a refugee legally under this definition affords refugees certain protections and support in most countries.

Internally Displaced People – Internally displaced people have been forced to flee from their home due to violence and conflict or natural disasters, but remain within their country. As they are still within their native country, they remain under the protection of its government, even if that government is the reason for their displacement. They are not afforded many protections under international law, and are amongst the most vulnerable people in the world.

Asylum-Seekers – Asylum-Seekers are people who have left their country seeking international protection from conflict and/or persecution by applying, or preparing to apply, for asylum in another country. If the government considers that an asylum-seeker is at risk of persecution in their country of origin, they will granted 'refugee' status in that destination country. Asylum Seekers are those who have yet to be legally recognized as a refugee in the country they are seeking asylum in. They are waiting to receive a decision on their claim, a process which can take many years, as proving conflict and persecution to the level required is often difficult.

QUICK STATISTICS

Over **10 million Ukrainians have been displaced** since February 24, 2022

6.5 million are **internally displaced** within Ukraine

4.1 million have **crossed international borders** as refugees

186,000 **third-country nationals** (470,000 non-Ukrainians in Ukraine pre-war)

Reports of **over 500 unaccompanied children at border crossings**

statistics provided by UN and IOM

Returnees – Returnees are former refugees who have returned to their country of origin after being displaced either spontaneously or in an organized fashion but have not yet been fully (re)integrated.

Stateless People – Stateless people do not have the nationality of any country such that no state recognizes this person as a national according to the state's law. This may be due to incompatible legislation across countries, discrimination/denationalization, from birth, state succession, displacement and forced migration. stateless people often face significant challenges to accessing basic rights, including education, healthcare, employment, etc.

Roma Community – Romani people, or Roma, are a traditionally migratory ethnic group located principally in Europe, and have been historically oppressed in the region. In Ukraine, an estimated 10-15% of the Roma Community lack identification documents and are therefore prevented from accessing social assistance programs from the state, which increases their vulnerability to human trafficking.

CONTEXT

Ukraine had significant issues relating to human trafficking, even prior to the Russian invasion in February of 2022. Like other former Soviet Republics, Ukraine faced challenges in transition from a socialist to market economy. Much of the state and business sectors have remained under the control of corrupt politicians, facilitating the prevalence of human trafficking. Courts and law enforcement, including anti-trafficking officials, have been reportedly complicit in failure to arrest and properly prosecute perpetrators of human trafficking. They also lack proper training and education in preventing trafficking.

Both domestic and foreign victims, as well as some foreign nationals, are exploited within Ukraine. Ukrainians are additionally exploited by traffickers abroad, particularly in other parts of Europe, Russia, Central and Eastern Asia, and the Middle East. The most prevalent forms of trafficking include sex trafficking, forced labor, labor exploitation, and commercial sexual exploitation. Forced labor occurs in a variety of industries including construction, manufacturing, agriculture, criminal activity, and street begging. Prior to the current conflict in Ukraine, around 104,000 children in Ukraine were living in state-run orphanages, where officials have been reportedly complicit or willfully negligent in human trafficking of children.

Human trafficking-related issues have also been exacerbated by the COVID-19 pandemic, which opened a supply for commercial sexual exploitation. Earlier conflict with Russia in eastern Ukraine and Crimea had led to the displacement of over 1.4 million people. In areas affected by the previous conflict, unemployment, aid restrictions, and barriers to obtaining and renewing documentation caused a series of vulnerabilities.

Although conflict between Ukraine and its neighboring country, Russia, has been ongoing since 2014, a full-scale military conflict between the two states began on February 24, 2022. The current conflict has displaced over 10 million people, leading to increased vulnerability.

As shown on the map, over 4 million refugees have been displaced across international borders; while 6.5 million are internally displaced. Both categories of refugees are at-risk of trafficking and exploitation. Although Poland has received the most internationally displaced persons, Moldova received a higher ratio of displaced persons in comparison to its population, necessitating further aid. The majority of refugees are women and children, since men between the ages of 18 and 60 years old face mandatory conscription and are prevented from leaving the country.

There is a direct relationship between conflict and human trafficking. This appears in the trafficking of people into and within areas of conflict, as well as the trafficking of those displaced as by conflict. Due to political and economic instability, the lack of social services and protections, and mass uprooting of communities and networks, there is a significantly heightened risk of human trafficking during conflict. Such risks are even more prevalent for already vulnerable groups. In the context of Ukraine this includes the Roma Community and foreign nationals who are often people of color. Many reports and clips of African students and professionals facing racial discrimination at borders have been released. Refugees of war are also at increased vulnerability to human trafficking due to a lack of social networks, access to basic resources and employment, discrimination by local populations, and challenges to gaining legal status in a host country.

Reports from aid workers, human rights experts, and UN officials suggest that the ongoing conflict in Ukraine is already resulting in a human trafficking crisis. During times of peace, human trafficking was already a major issue within Ukraine and in neighboring countries where the majority of refugees have fled, including Poland, Romania, Moldova, and Hungary. Border crossings and refugee shelters are hotbeds for human trafficking networks, where people fleeing the conflict are desperate for transportation, better shelter, work, and basic necessities such as food and clothing. There have been numerous reports of suspicious individuals approaching refugees and offering to meet their needs.

Hundreds of unaccompanied children have been reported in camps and at border crossings, and disappearances of refugees continue to raise suspicions of trafficking. An additional cause for concern are mostly well meaning citizens in the intake countries, volunteering their homes for shelter. Governments in Poland and the United Kingdom offer compensation to those who open space in their residences to refugees, but few mechanisms exist to ensure volunteers are acting in good faith. Alarms have also been raised with respect to volunteer aid workers, as many locations do not require strong background checks. A lack of coordination in many of these high-risk areas continues to facilitate the goals of human traffickers and maintain systems of exploitation targeting victims of the current conflict.
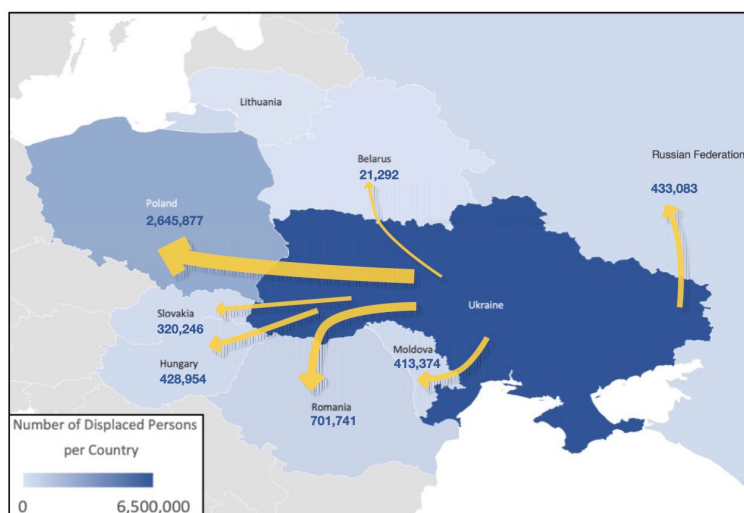
2021 TIP REPORT

The Trafficking in Persons Report, or TIP Report, is an annual report issued by the U.S. State Department's Office to Monitor and Combat Trafficking in Persons. It ranks governments based on their perceived efforts to acknowledge and combat human trafficking.

Tier 1: Countries and territories whose governments fully comply with the Act's minimum standards.

Tier 2: Countries and territories whose governments do not fully comply with the Act's minimum standards but are making significant efforts to bring themselves into compliance with those standards.

Tier 2 Watch List: Countries and territories whose governments do not fully comply with the Act's minimum standards but are making significant efforts to bring themselves into compliance with those standards, and:

he estimated number of victims of severe forms of trafficking is very significant or is significantly increasing and the country is not taking proportional concrete actions; or

There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year.

Tier 3: Countries and territories whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.

Ukraine is classified as Tier 2 as of the most recent Trafficking in Persons Report released by the U.S. State Department in 2021. Among the top countries where Ukrainians have fled, Poland, Moldova, Hungary, and the Slovak Republic (Slovakia) all received Tier 2. Romania was listed as a Tier 2 Watchlist. Finally, Russia ranked as a Tier 3 in 2021, as it does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so.

KEY ORGANIZATIONS

Council of Europe Convention on Action against Trafficking in Human Beings by the Parties

Organization for Security and Co-operation in Europe (OSCE)

Anti-Slavery International

Ukrainian Women's Fund

the Inter-Agency Coordination Group againts Trafficking in Persons

Feminoteka in Poland

Hungarian Baptist Aid in Hungary

eLiberare in Romania

Bulgarian Fund for Women

La Strada International

Hope for Justice

Children on the edge

ANTI-TRAFFICKING LEGISLATION

All 15 Eurasian countries, including Ukraine, have ratified the Palermo Protocol, otherwise known as the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Ukraine has also ratified several conventions on forced labor, Child labor, employment policy as well as the Convention of the Rights of the Child.

Although Ukraine has ratified international agreements, the national legislation, policies, and practices do not fully meet the minimum standards for the elimination of trafficking. This is due to inadequate law enforcement and court reviews of cases which may be influenced by corruption.

MEASURES IMPLEMENTED BY SURROUNDING COUNTRIES

In light of the invasion of Ukraine by the Russian Federation, all Member States of the European Union, except Denmark which has set its own protection initiatives, agreed on and the Temporary Protection Directive (TPD), which was agreed on and came into force on the 4th of March 2022. As part of this, all individuals that were residing in Ukraine prior to the 24th, February 2022, regardless of nationality, can enter the EU. This includes all individuals fleeing the war, such as Ukrainian nationals and their families, stateless persons, refugees, permanent and legal residents not able to return safely to their country of origin. They do not require travel and medical documents, with customs and veterinary controls relaxed. As part of the TPD, people fleeing the war are eligible for a residence permit, access to healthcare, education, housing, child protection, and access to the labor market as well as the freedom to move to other member states of the EU. Importantly, all individuals fleeing this war may apply for asylum in a country of the EU in addition to the support and protections of the TPD.

The UK Home Office has implemented the Ukraine family scheme for Ukraine citizens and residents with British family members, as well as the Ukraine sponsorship scheme (Homes for Ukraine). Under this scheme, permanent or settled UK residents may sponsor and accommodate Ukrainian nationals and their family members for up to 6 months after a security check for both the Ukrainian nationals and their UK sponsors. In addition, temporary visa concessions, extensions and new asylum seeking policies have been announced by the Home Office. Ukrainian nationals fleeing war can stay in the UK for three years under these new measures where they are eligible to access to healthcare, education, housing, employment opportunities as well as welfare benefit payments, such as Universal Credit, and public services, such as free transport across UK rail services.

For country specific regulations, please click here.

USEFUL LINKS

- The European Commission's guide in English, Ukrainian and Russian
- The Organization for Security and Co-operation in Europe's recommendations on anti-trafficking prevention methods
- Anti-Slavery International's resources on the situation in Ukraine
- United Nations University Report: Fighting Human Trafficking in Conflict
- Updates on displacement data by the UNHCR
- The International Labor Organization's page on Ukraine
- Freedom Fund's Ukraine Crisis Anti-Trafficking Response resources page

HELPLINES

Poland – La Strada Poland Helpline: (+48) 22 628 99 99
Hungary – National Hotline: (+36) 06 80 / 20 55 20
Moldova – La Strada Moldova[KA1] [KA2] : (+373) 0800 77 777
Romania – Hotline against Trafficking: (+40) 0800 800 678
Slovakia – Slovak Crisis Centre DOTYK: (+421) 903 704 78
United Kingdom – Modern Slavery Helpline: (+44) 08000 121 700

MORE INFORMATION

For more resources, please visit Human Trafficking Search's page focused on Ukraine:
https://humantraffickingsearch.org/ukraine-human-trafficking/

For more resources on all forms of human trafficking and modern slavery, please visit Human Trafficking Search.org and select or enter in specific search terms in the Global Database.
https://humantraffickingsearch.org/traffickingresources/

- Migrants www.nationalgeographic.org/activity/introduction-human-migration/
- UN Migrant definition https://humantraffickingsearch.org/wp-content/uploads/2022/04/Emergency-handbook.pdf
- International legal definition of refugee, https://www.unhcr.org/what-is-a-refugee.html
- Internally displaced people definition: https://www.unhcr.org/internally-displaced-people.html
- Asylum seekers: https://www.unhcr.org/uk/frequently-asked-questions.html?query=what%20is%20a%20migrant
- Returnees: https://emergency.unhcr.org/entry/55600/unhcrs-mandate-for-refugees-stateless-persons-and-idps
- Statelessness: https://www.unhcr.org/uk/ending-statelessness.html
- Roma Community: https://theconversation.com/explainer-who-are-the-roma-19402.
- Council on Foreign Relations: https://www.cfr.org/global-conflict-tracker/conflict/conflict-ukraine
- BBC: How many Ukrainians have fled their homes and where have they gone?
- Internally-displaced Persons: https://humantraffickingsearch.org/wp-content/uploads/2022/04/IOM-IDP-Estimates-UKR-16MAR2022_Round-1-full-report_v2.pdf
- BBC: How the sex trade preys on Ukraine's refugees
- Global Initiative Against Transnational Organized Crime
- BBC: Treatment of African nationals in Ukraine
- The Exodus Road Ukraine Crisis: How Refugees Are Vulnerable to Human Trafficking
- Huffington Post Inside The Human Trafficking Tragedy Unfolding On Ukraine's Border
- UPI Experts say desperate refugees are finding new danger after leaving Ukraine
- MSN With mostly women and children fleeing Ukraine, European authorities fear a surge in human trafficking
- https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVIII-12-a&chapter=18
- https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Treaty=CRC&Lang=en
- 2021 Trafficking in Persons report
- Dean, L., 2020. Diffusing Human Trafficking Policy in Eurasia. Policy Press.
- https://www.internal-displacement.org/expert-opinion/conflict-in-ukraine-what-do-we-know-about-the-internal-displacement-situation-so-far
- https://ecre.org/ukraine-displacement-as-the-number-of-refugees-and-idps-pass-11-million-concerns-grow-over-vulnerable-groups-eu-allocates-17-billion-euro-in-support-civil-society-struggle-to-keep-up-with-ukrainian/
- Data collection on trafficking in human beings in the EU
- https://ecre.org/wp-content/uploads/2022/03/Information-Sheet-–-Access-to-territory-asylum-procedures-and-reception-conditions-for-Ukrainian-nationals-in-European-countries.pdf