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CONFLICT IN UKRAINE: KEY EVIDENCE ON RISKS OF TRAFFICKING IN PERSONS AND SMUGGLING OF MIGRANTS

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The outbreak of an armed conflict raises serious concerns about human trafficking inside the affected country; and about human trafficking and migrant smuggling of people fleeing the conflict. In the six months since the war broke out in Ukraine, reports have emerged of potential abusive and exploitative situations inside Ukraine, and among those fleeing to neighbouring countries.

This brief overview sets out key research findings, in order to better understand and prevent these risks. The paper has been updated in August 2022 from the original version, to take account of findings that have emerged since March 2022.

⇒ THE CONFLICT MAKES PEOPLE VULNERABLE TO TRAFFICKING INSIDE UKRAINE

According to extensive research published by UNODC in 2018, inside a conflict-affected country, the vulnerabilities to trafficking of girls, boys, women and men arise from the impacts of armed conflict: lack of opportunities for income generation; interruption in the provision of essential services, such as healthcare and education; issues with rule of law; and internal

displacement; as well as the risk of exploitation in armed conflict. People living in conflict zones may adopt negative coping strategies to gain access to food and other supplies, or for their own safety and security.¹

The Ukrainian population prior to the outbreak of the war was 44 million people.² UN agencies (as of 17 August 2022) estimate that 17.7 million people are currently in need of humanitarian aid and protection assistance, including at least 2.1 million children; and 6.6 million people are internally displaced.³

The number of civilian casualties since the outbreak of the war (up to 14 August 2022) is 13,212, including 5,514 people killed (at least 2,125 men, 1,451 women, 147 girls, and 170 boys), and 7,698 injured (at least 1,560 men, 1,149 women, 164 girls, and 231 boys), according to the Office of the United Nations High Commissioner for Human Rights (OHCHR).⁴

Inside Ukraine, people are at risk of sex trafficking, labour trafficking, illegal adoption and exploitation in armed conflict, particularly children, minorities, survivors of sexual and gender-based violence, and elderly and disabled people.⁵ Ensuring sustainable provision of

¹ UNODC (2018). *Trafficking in Persons in the Context of Armed Conflict*: www.unodc.org/documents/data-and-analysis/glotip/2018/GloTIP2018_BOOKLET_2_Conflict.pdf; UNODC (2018). *Countering Trafficking in Persons in Conflict Situations: Thematic Paper*:

www.unodc.org/documents/human-trafficking/2018/1708776_ebookCountering_Trafficking_in_Persons_in_Conflict_Situations.pdf.

On the Ukraine war as a driver of human trafficking, see: Cockbain, E. & Sidebottom, A (29 April 2022). *The war in Ukraine and associated risks of human trafficking and exploitation Insights from an evidence-gathering roundtable*:

www.antislaverycommissioner.co.uk/media/1801/ucl-iasc-2022-roundtable-report-the-war-in-ukraine-human-trafficking-and-exploitation.pdf.

On trafficking in persons, armed conflict and displacement, see: UN Special Rapporteur on Trafficking in Persons (3 August 2021). *Report of the Special Rapporteur on trafficking in persons, especially women and children Siobhán Mullally*: A/76/263:

<https://reliefweb.int/report/world/report-special-rapporteur-trafficking-persons-especially-women-and-children-siobh-n>.

On violence against women and girls, including trafficking in persons, in the context of forced displacement and refugee

flows, see: UN Special Rapporteur on Violence against Women (19 April 2016). *Report of the Special Rapporteur on violence against women, its causes and consequences*: A/HRC/32/42. See also: Healy, Claire (2019). *The Strength to Carry On: Resilience and Vulnerability to Trafficking and Other Abuses among People Travelling along Migration Routes to Europe*; International Centre for Migration Policy Development (ICMPD) (2015). *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons*.

² World Bank Population data: <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=UA>.

³ UN Office for the Coordination of Humanitarian Affairs (OCHA). Ukraine: Situation Report - Last updated: 17 August 2022: <https://reports.unocha.org/en/country/ukraine>.

⁴ OHCHR (15 August 2022). Ukraine Civilian Casualty Update: <https://ukraine.un.org/en/194961-ukraine-civilian-casualties-14-august-2022>.

⁵ Cockbain, E. & Sidebottom, A. (29 April 2022). *The war in Ukraine and associated risks of human trafficking and exploitation Insights from an evidence-gathering roundtable*:

www.antislaverycommissioner.co.uk/media/1801/ucl-iasc-2022-roundtable-report-the-war-in-ukraine-human-trafficking-and-exploitation.pdf; UNHCR (April 2022).

humanitarian aid and access to essential services makes people more resilient to trafficking and exploitation in a conflict context.

⇒ LEGAL PATHWAYS TO EUROPEAN COUNTRIES PREVENT MIGRANT SMUGGLING

People are fleeing Ukraine to seek international protection in neighbouring countries and further afield. As of 23 August 2022, 6.9 million people have fled Ukraine and been registered in European countries, including 2.2 million in the Russian Federation, 1.3 million in Poland, 971,000 in Germany, 413,000 in Czech Republic, 160,000 in Italy, 145,000 in Türkiye, and 133,000 in Spain.⁶ The United Kingdom is among the few European countries requiring entry visas from Ukrainians, and as of 16 August 2022, a total of 206,000 applications had been made to the UK's Ukraine Visa Scheme, with a total of 177,000 visas issued, and a total of 115,200 visa holders who arrived in the UK.⁷

Around half of those fleeing are adult women, 40 per cent are children and 10 per cent are adult men. Over 13,000 unaccompanied and separated children from Ukraine were registered in the European Union (EU) as of 6 May 2022, a subgroup of whom were orphaned due to the war, or were already orphans in institutional care.⁸ The refugee movement has resulted in widespread family separation. According to UNHCR research in Ukraine's bordering countries, among over 23,000 refugees from Ukraine, 80 per cent had to separate from at least one immediate family

member in order to flee.⁹ Inter-Country Adoptions from Ukraine are currently prohibited.

The activation of the 2001 European Union (EU) Temporary Protection Directive,¹⁰ agreed upon by the Council of the EU on 4 March 2022 and applying to all Ukrainian nationals arriving in the EU, together with visa-free entry for Ukrainians to other European countries, significantly reduces the need for those fleeing the war to resort to migrant smugglers. As of 21 August 2022, over 4.1 million people who fled Ukraine have been registered for temporary protection or similar national protection schemes in Europe, comprising at least 95% Ukrainians, as well as non-Ukrainians from outside the EU (especially Moroccans, Russians and Nigerians). Just 24,500 Ukrainians have applied for international protection through the regular asylum systems.¹¹

The "Dublin Regulation" of the EU, requiring asylum applicants to apply for international protection in the first EU country of arrival, does not apply to temporary protection of Ukrainians, and therefore it is also unlikely that smuggling of migrants is being perpetrated in the context of Ukrainians moving within the EU, from border countries to other EU Member States ("secondary movements").

The legal framework for refugees from Ukraine arriving in the EU is therefore distinct in very significant ways from the framework that applies to refugees, asylum applicants and migrants from other non-EU countries. Legal entry and legal

"Ukraine crisis creates new trafficking risks": www.unhcr.org/news/stories/2022/4/62569be24/ukraine-crisis-creates-new-trafficking-risks.html; IOM (16 March 2022). "IOM Warns of Increased Risk of Trafficking in Persons for People Fleeing Ukraine":

www.iom.int/news/iom-warns-increased-risk-trafficking-persons-people-fleeing-ukraine.

⁶ UNHCR Operational data portal on the situation in Ukraine <https://data2.unhcr.org/en/situations/ukraine>.

⁷ UK Home Office (16 August 2022): www.gov.uk/government/publications/ukraine-family-scheme-application-data/ukraine-family-scheme-and-ukraine-sponsorship-scheme-homes-for-ukraine-visa-data--2.

⁸ EU Solidarity Platform (under the lead of the EU Anti-Trafficking Coordinator) (6 May 2022). *A Common Anti-Trafficking Plan to address the risks of trafficking in human beings and support potential victims among those fleeing*

the war in Ukraine: https://ec.europa.eu/home-affairs/system/files/2022-05/Anti-Trafficking%20Plan_en.pdf.

⁹ UNHCR (August 2022). Ukraine situation: Regional protection profiling and monitoring factsheet. <https://data.unhcr.org/en/documents/details/95010>.

¹⁰ The activation of article 5 of Council Directive 2001/55/EC of 20 July 2001, introducing temporary protection for Ukrainians arriving in EU countries.

¹¹ European Union Agency for Asylum (EUAA, 24 August 2022). Analysis on Asylum and Temporary Protection in the EU+ in the Context of the Ukraine Crisis Week 33 (15-21 August 2022):

https://euaa.europa.eu/sites/default/files/publications/2022-08/2022_08_Ukraine_Asylum_TPD_Issue_21_EN_Public_1.pdf.

status are an important factor of resilience to trafficking in persons.

⇒ **BUT SOME PEOPLE FLEEING THE COUNTRY MAY STILL BE AT RISK OF TRAFFICKING IN PERSONS**

People fleeing Ukraine are vulnerable to different forms of trafficking due to the displacement context and attendant vulnerabilities during the journey and upon arrival in a country of destination. According to the EU's Common Anti-Trafficking Plan to respond to the crisis, launched on 6 May 2022, investigations have been initiated in a number of EU countries on potential cases, and the threat of trafficking in persons is considered "high and imminent."¹²

The risks of trafficking in persons are higher for certain groups: unaccompanied and separated children and children travelling with adults whose relationship with the children cannot be verified; people who are unable to access temporary protection, because they are not eligible, or due to lack of information or incorrect information; non-Ukrainians, including undocumented and stateless people; Ukrainian Roma people; LGBTQI+ people; elderly people; and mentally and physically disabled people.¹³

Risk factors include the large numbers of unregistered volunteers offering help, and in some cases also accommodation, to people who are fleeing, a small minority of whom may intend to traffic refugees, combined with refugees' determination to travel onwards as quickly as possible.¹⁴

The fact that Ukrainians can travel through Europe regularly, quickly, safely and cheaply, and access employment and social services, is a major source of resilience to trafficking in persons.¹⁵ However, criminal networks operating between Ukraine and countries in Europe and Central Asia may take advantage of people separated from their support networks and with an acute need to identify alternative methods of income generation. UNODC research has found that economic need is one of the most often identified vulnerability factors for trafficking in persons.¹⁶

The forms of trafficking that refugees from Ukraine are at risk of include sexual exploitation, forced labour, illegal adoption and surrogacy, forced begging and forced criminality.¹⁷ There is particular concern around the risks of online sexual exploitation and abuse, as many Ukrainians use social media (particularly Facebook, Telegram and Viber) to seek support, and sex traffickers carry out recruitment of victims and advertise exploitative services online. The Organization for Security and Co-operation in

¹² EU Solidarity Platform (under the lead of the EU Anti-Trafficking Coordinator) (6 May 2022). *A Common Anti-Trafficking Plan to address the risks of trafficking in human beings and support potential victims among those fleeing the war in Ukraine*: https://ec.europa.eu/home-affairs/system/files/2022-05/Anti-Trafficking%20Plan_en.pdf.

¹³ Hoff, Suzanne & Eefje de Volder (May 2022). *Preventing human trafficking of refugees from Ukraine: A rapid assessment of risks and gaps in the anti-trafficking response*. La Strada International & Freedom Fund: https://freedomfund.org/wp-content/uploads/UkraineAntiTraffickingReport_2022_05_10.pdf; Europol (March 2022). *Early Warning Notification: War in Ukraine – refugees arriving to the EU from Ukraine at risk of exploitation as part of THB*. Ref No. 2022-340: www.europol.europa.eu/cms/sites/default/files/documents/Early_Warning_Notification__War_in_Ukraine_%E2%80%93_refugees_arriving_to_the_EU_from_Ukraine_at_risk_of_exploitation_as_part_of_THB.pdf; UNICEF (19 March 2022): www.unicef.org/press-releases/children-fleeing-war-ukraine-heightened-risk-trafficking-and-exploitation; IOM (16 March 2022). *IOM Warns of Increased Risk of*

Trafficking in Persons for People Fleeing Ukraine: www.iom.int/news/iom-warns-increased-risk-trafficking-persons-people-fleeing-ukraine.

¹⁴ UNHCR (13 April 2022). "Ukraine crisis creates new trafficking risks": www.unhcr.org/news/stories/2022/4/62569be24/ukraine-crisis-creates-new-trafficking-risks.html.

¹⁵ Cockbain, E. & Sidebottom, A (29 April 2022). *The war in Ukraine and associated risks of human trafficking and exploitation Insights from an evidence-gathering roundtable*:

www.antislaverycommissioner.co.uk/media/1801/ucl-iasc-2022-roundtable-report-the-war-in-ukraine-human-trafficking-and-exploitation.pdf;

¹⁶ UNODC (2020). *Global Report on Trafficking in Persons*. Vienna: UNODC.

¹⁷ Europol (March 2022). *Early Warning Notification: War in Ukraine – refugees arriving to the EU from Ukraine at risk of exploitation as part of THB*. Ref No. 2022-340:

www.europol.europa.eu/cms/sites/default/files/documents/Early_Warning_Notification__War_in_Ukraine_%E2%80%93_refugees_arriving_to_the_EU_from_Ukraine_at_risk_of_exploitation_as_part_of_THB.pdf.

Europe (OSCE) cites Thomson Reuters data indicating “huge spikes in online searches – across multiple languages and countries - for explicit content and sexual services from Ukrainian women and girls.”¹⁸

In a case covered by the media in July 2022, the Ukrainian authorities investigated a suspected case of trafficking for sexual exploitation of at least ten Ukrainian women to Türkiye. The police intercepted a 21-year-old Ukrainian woman who was allegedly being trafficked for sexual exploitation in prostitution in Türkiye, via Hungary and Austria. According to a Ukrainian prosecutor, cited in a media article: “Her vulnerable condition was clear: absence of money, a child to support, overall financial difficulties because of the war.” The investigation led to the arrest of a suspected trafficking organizer in Kyiv, Ukraine. The 30-year-old man allegedly led a group of men who moderated targeted Telegram channels entitled: Meetings; Meet your future husband; and Escort service; in order to recruit victims.¹⁹

In recent months, many people have moved on from the countries bordering Ukraine to other parts of Europe. If Ukrainians or others are trafficked *en route*, it is difficult for final destination countries to follow up on abuses perpetrated in origin or transit countries.

Among 5,105 people interviewed after crossing from Ukraine into Poland during the period 28

February to 4 May 2022, 48% intended to stay in Poland, while 17% intended to travel onward to Germany, with others intending to travel on to Spain, Denmark and France.²⁰

Meanwhile, the displacement situation is highly dynamic. As of 23 August 2022, over 4.98 million people have crossed Ukraine’s western borders back into the country, for reasons including joining family, accessing economic opportunities, perception of safety in specific areas and for temporary trips.²¹

⇒ AND NON-UKRAINIANS FLEEING THE COUNTRY MAY NEED TO RESORT TO MIGRANT SMUGGLING

The visa-free and temporary protection provisions do not apply to all non-Ukrainian, non-EU citizens who were residing in Ukraine at the outbreak of the war, with the exception of recognized refugees and long-term permanent residents. This means that this group (including citizens of India, Russia, Uzbekistan, Bangladesh, Democratic Republic of Congo, Nigeria and Zimbabwe, among others²²) may need migrant smuggling in order to leave Ukraine and enter another country irregularly, and are more vulnerable to trafficking in persons in this context.

Over 302,500 non-Ukrainians have fled Ukraine since the outbreak of the war.²³ In Poland, for

¹⁸ Organization for Security and Co-operation in Europe (OSCE) (22 April 2022). *Recommendations on enhancing efforts to identify and mitigate risks of trafficking in human beings online as a result of the humanitarian crisis in Ukraine*:

www.osce.org/files/f/documents/4/c/516423_0.pdf.

On internet-based trafficking, see also Chapter 5 of UNODC *Global Report on Trafficking in Persons 2020*:

www.unodc.org/documents/data-and-analysis/tip/2021/GLOTIP_2020_Chapter5.pdf.

¹⁹ Tondo, Lorenzo (7 July 2022). “Ukraine prosecutors uncover sex trafficking ring preying on women fleeing country”. *The Guardian*:

<https://www.theguardian.com/global-development/2022/jul/07/ukraine-prosecutors-uncover-sex-trafficking-ring-preying-on-women-fleeing-country>.

²⁰ UNHCR & REACH (4 May 2022). *Refugee Arrivals from Ukraine into Poland*: www.impact-repository.org/document/impact/76a4deb4/REACH-Poland-Refugee-Border-Monitoring-Update-2022-05-04-1.pdf.

²¹ REACH & UNHCR (28 April 2022).

https://reliefweb.int/sites/reliefweb.int/files/resources/REACH-UNHCR_Situation_Overview_Refugee_movement-back-to-Ukraine_28Apr2022.pdf; UNHCR Regional Bureau for Europe (12 July 2022). *Lives on Hold: Profiles and Intentions of Refugees from Ukraine*.

<https://data.unhcr.org/en/documents/details/94176>; UNHCR Operational data portal on the situation in Ukraine <https://data2.unhcr.org/en/situations/ukraine>.

²² UN OCHA. *Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET) on 21 March 2022)*: <https://reliefweb.int/report/ukraine/ukraine-humanitarian-impact-situation-report-300-pm-eet-21-march-2022>.

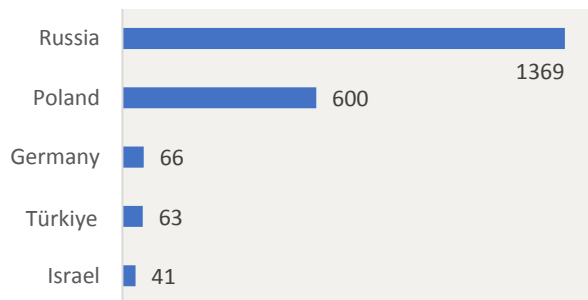
²³ IOM Ukraine (15 August 2022). *Ukraine Response Operational Update*: www.iom.int/sites/g/files/tmzbd1486/files/situation_reports/file/ukraine-response-situation-report-15-august-2022.pdf.

example, non-Ukrainian people fleeing Ukraine who do not have an entry visa can stay regularly for up to 15 days.²⁴ While there are no official statistics available on the number of foreign residents in Ukraine, UN sources report that as of the beginning of 2022, 470,000 non-Ukrainians were resident in the country.²⁵

⇒ **PRIOR TO THE CONFLICT, UKRAINIANS WERE IDENTIFIED AS TRAFFICKED TO MANY DIFFERENT COUNTRIES**

Traffickers have recruited and exploited victims in Ukraine, and Ukrainians have been recorded as trafficked both domestically and internationally for many years. The UNODC Global Database on Trafficking in Persons provides evidence of Ukrainian victims being trafficked to many different countries (29 countries reported Ukrainian victims in 2018). While most Ukrainian victims were identified in neighbouring countries like the Russian Federation and Poland, others were detected in the Middle East and South Asia.

Figure 1: Top 5 countries where Ukrainian victims of trafficking were identified 2017 – 2020 (total: 2,437)

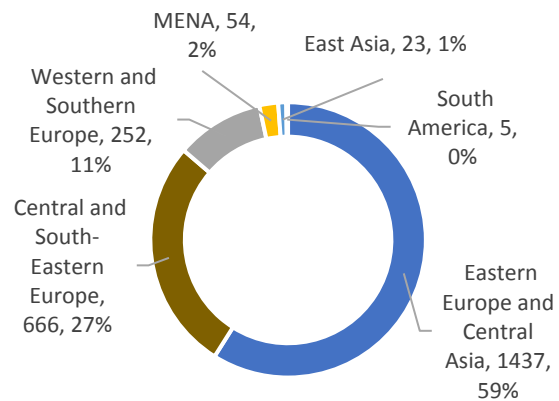


²⁴ See: www.gov.pl/web/nigeria-en/information-on-the-refugee-situation-at-the-polish-ukrainian-border.

²⁵ UN OCHA. Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET) on 21 March 2022): <https://reliefweb.int/report/ukraine/ukraine-humanitarian-impact-situation-report-300-pm-eet-21-march-2022>

²⁶ UNODC (2020). *Global Report on Trafficking in Persons: Court Case Summaries*.

Figure 2: Regions of destination for Ukrainian victims of trafficking 2017 – 2020 (total: 2,437) *



*Data for 2020 are still partial; figures below five are presented as five for privacy reasons.

Many detected Ukrainian victims were trafficked by domestic traffickers with lower levels of organisation, while others were trafficked by complex networks of individuals spanning multiple nationalities, linking several of the countries in the region.²⁶ Some court case proceedings make explicit mention of transnational organized criminal group structures with significant victim counts, perpetrating multiple forms of exploitation.²⁷

While many victims were recruited in Ukraine and exploited abroad, other victims were trafficked domestically, for a range of forms of exploitation, but predominantly for the purpose of forced labour.²⁸ Many were recruited by traffickers and exploited in agriculture, stone processing, construction or similar physically demanding labour sectors.

²⁷ UNODC (2020). *Global Report on Trafficking in Persons: Court Case Summaries*. Vienna: UNODC.

²⁸ UNODC (2020). *Global Report on Trafficking in Persons: Country Profiles: Ukraine*; UNODC (2020). *Global Report on Trafficking in Persons: Court Case Summaries*. Vienna: UNODC.

While efforts to find a resolution to the war are ongoing, concerted and evidence-based measures by the international community, as well as by state and non-state organizations, can ensure that vulnerabilities to trafficking in Ukraine are alleviated, by ensuring access to safety and essential services. For people fleeing Ukraine and seeking safety in neighbouring countries and further afield, legal entry and legal status, as well as access to essential services, employment and education, are crucial in preventing both migrant smuggling and human trafficking.

