

Countering human
trafficking together!





COUNTER-TRAFFICKING NGO COALITION

Issue 11

Monitoring bulletin

Human trafficking in Ukraine
in the context of the full-scale invasion of the
Russian Federation

Trafficking in human-beings has long been an urgent problem for Ukraine. Even before the beginning of the russian military aggression, the state ranked 49th out of 167 countries in the world in the prevalence of modern slavery. Unfortunately, during the war, the amount of population at-risk of human trafficking and exploitation increased significantly — almost every Ukrainian family somehow faced its devastating impact and became more vulnerable due to the loss of loved ones, relatives, acquaintances, as well as home, savings, work, a sense of security and deterioration of well-being, mental and physical health, in a weakened economy, which creates a favorable environment for traffickers.

For entities that implement counter-trafficking measures, working in such conditions has become a real challenge, which has set the task to develop effective mechanisms to counteract the spread of this crime.

We hope that the analysis of the situation, forecasts of the human trafficking new trends development and practical recommendations for solving these problems will lead to the adoption of necessary legislative changes, contribute to strengthening control in counter-trafficking and improve the access of victims to assistance and protection.

The Coalition was founded in 2011 and has 22 member organizations.



List of abbreviations

IDP — Internally Displaced Person

PGO — Prosecutor General's Office of Ukraine

NPU Main Directorate — Main Directorate of the
National Police

USRCD— Unified State Register of Court Decisions

EU — European Union

LU — Law of Ukraine

MOH — Ministry of Health

IOM — International Organization for
Migration

NMI — National Mechanism for Interaction

NP— National Police of Ukraine

NHSU — National Health Service of Ukraine

NSS — National Social Service of Ukraine

NGO — Non-governmental Organization

RSA — Regional State Administration

LGB — Local Government Body

UN — United Nations

HTV — Human Trafficking Victim

DLC— Difficult Life Circumstances

TOT — Temporarily Occupied Territories

TRC — Territorial Recruitment Center



TRENDS IN HUMAN TRAFFICKING

THE MAIN FACTORS OF WAR IMPACT ON HUMAN TRAFFICKING

The full-scale invasion of Ukraine by the Russian Federation has led to a number of factors that may negatively impact the situation of human trafficking:

- Increasing the overall vulnerability of the population
- Mass displacement of the population both within and outside the country
- Uncontrolled situation in the temporarily occupied territories
- Evacuation of children in institutional facilities and deportation of children from temporarily occupied territories to the Russian Federation
- Difficult economic, political and humanitarian situation in the country (relocation and/or closure of enterprises, social and medical institutions, destroyed or damaged civilian infrastructure, heavy burden on social services, military operations on the territory of Ukraine, etc.)
- Loss of established connections and divorced families
- Deterioration in the mental health of population (confusion, fear, panic moods)
- New fraudulent schemes and exploitative practices, the activation of traffickers, for whom a difficult situation is a breeding ground

“ Natalia Kulikova

Chernihiv Public Committee for the Protection of Human Rights, NGO

At the beginning of a full-scale invasion, during the evacuation people did not think about options for where to go, what documents to take, where to live. No one was prepared for this situation. There was little information, people did not perceive it, were stressed and panicked. Facts of children evacuation with stranger adults were recorded, who were simply given children and documents for them and asked to take them to a safe place. Such factors as the loss of loved ones, income, housing, jobs, humanitarian disaster, daily shelling have affected people's ability to make informed decisions and not agree to any risky proposals.

Although we do not currently see any sufficiently significant changes in trends, it is not excluded that in the long term some of the listed factors may lead to a significant aggravation of the problem due to their possible further strengthening.

DYNAMICS OF HUMAN TRAFFICKING CASES

485 VICTIMS
OF HUMAN TRAFFICKING
APPLIED FOR ASSISTANCE
TO NGO COALITION MEMBERS
IN 2022-2023

ONLY ABOUT **40%**
OF THEM GOT INTO A SITUATION OF
HUMAN TRAFFICKING DURING THE WAR

In total, during 2022-2023, 485 victims of human trafficking both inside and outside of the country applied for assistance to NGO Coalition members, who suffered from human trafficking both inside and outside the country. However, only 187 of them got into this situation after February 24, 2022, the rest of the cases are not directly related to the war and happened even before the start of a full-scale invasion.

In time terms, the impact of the war on the dynamics of Ukrainian citizens' entry into situations of human trafficking and exploitation was heterogeneous. Despite expectations of an increase in the number of cases of cross-border human trafficking due to the massive flow of Ukrainian refugees to the EU countries, there is no reason to unequivocally state the existence of such a trend. But we have a more complex and dynamic picture, which is constantly changing with the appearance of certain factors related to the course of the war. Based on the coalition data, we can conditionally distinguish three periods in which the situation either worsened or faded.

February-April 2022. The first cases of human trafficking and exploitation were recorded on February 24, 2022. The panic caused by the full-scale invasion caused an uncontrolled wave of migration of women and children. It is reported that recruiters were already waiting for them at border crossing points, railway and bus stations, who, under the guise of assistance, dragged Ukrainian citizens into the situation of human trafficking. Thus, during the first months of the war, at least 15 women who went abroad in connection with military operations were subjected to labor and sexual exploitation, mainly in private farms and hotels. Since the second half of May, this trend has become less pronounced, gradually being replaced by cases of human trafficking related to labor migration. Also, from the first days of the war, victims of exploitation were citizens of Ukraine who did not have time to leave the occupied territories.

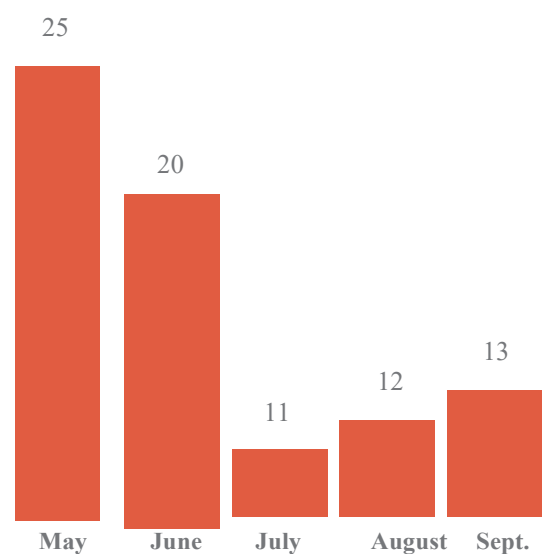
May-September 2022. The peak of cases of human trafficking is observed in May 2022. This period accounted for more than 40% of the losses recorded by the Coalition over the past two years. The analysis of the exploitation main areas gives grounds to link this trend with the beginning of the agricultural and construction work season and the relative increase in the mental health of Ukrainian citizens after the start of a full-scale invasion, who began to search more actively for sources of income. Overall, the situation is similar to that of previous years, with the exception that mainly women continue to be exploited abroad, while account for more than three quarters of human trafficking victims within the country, which is due to the ban on traveling abroad and the extension of the terms of general mobilization, trying to avoid which some men look for opportunities for informal employment.

October 2022-December 2023. Since October 2022, we have been recording a gradual shift in the trend towards internal human trafficking. This situation may indicate the programs effectiveness to protect Ukrainian citizens abroad, who are either less likely to be victims of cross-border human trafficking, or receive additional assistance as victims of state institutions and organizations in host countries. However, due to the lack of a system for exchanging information with the subjects of the National Mechanism for Interaction (NMI) in Europe, we do not

have

reliable data on this issue. At the same time, as a result of the counteroffensive operation, the number of IDPs vulnerable to human trafficking who were able to leave the active combat zone has significantly increased.

Human trafficking cases in May-September 2022



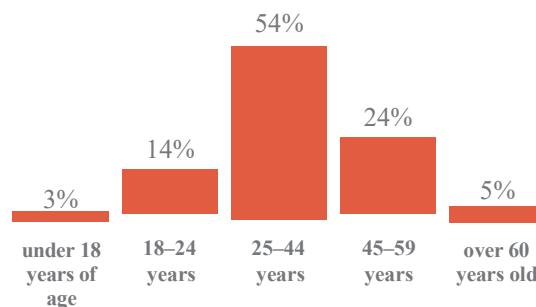
70% OF HUMAN TRAFFICKING
IN OCTOBER 2022-DECEMBER 2023
HAVE BEEN SUBJECTED TO SOME
FORM OF EXPLOITATION WITHIN

AGE OF VICTIMS

The distribution of human trafficking victims by age does not show any noticeable changes due to a full-scale military invasion. Despite the fact that a significant increase in the number of human trafficking cases among minors was expected, especially children without supervision, children separated from their parents, and minor citizens of Ukraine evacuated abroad as part of boarding schools, we do not yet observe such a trend. The coalition representatives noted a large number of situations that created high risks of human trafficking among minors, but during 2022-2023, specialists of the coalition organizations worked

only with six minors who were subjected to some form of exploitation after the start of a full-scale invasion, and only three cases are directly related to it: two cases of children exploitation aged 13 and 14 years and a case of boarding school minor pupil labor exploitation evacuated to Austria. According to the IOM Ukraine, the number of requests from minor victims for assistance in 2023 also remains at the level of 2%¹. At the same time, it should be taken into account that minors have much less opportunities to submit such appeals, and this increases the latency of the human trafficking crime among this category. In general, labor exploitation cases of working-age persons still predominate.

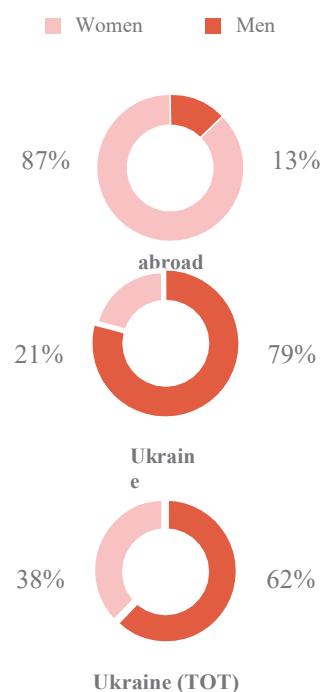
Age of human trafficking victims after February 24, 2022



SEX OF VICTIMS

Even before 2022, there was a trend to gradually decrease the proportion of men among human trafficking victims, and in 2022-2023, the ratio of victims by gender was almost equal. At the same time, when considering cases of internal and cross-border human trade separately, we can notice a certain disparity, which is caused by a number of factors associated with the beginning of a large - scale invasion. in Ukraine, the ban on men aged 18 to 60 years to travel abroad continues to apply, which probably affects their number among victims of exploitation as a result of illegal labor migration. at the same time, within the country, due to the extension of the terms of general mobilization, part of the men tend to consider only the possibilities of nonofficial employment, which does not require an ordered certificate of military registration. In addition, there is reason to believe that the number of requests from men affected by human trafficking in Ukraine does not fully reflect the real scale of the situation, since the reasons that push them to risky behavior, at the same time, become an obstacle to appeal for help to NGOs and government institutions, in whose field of vision they try to stay out of sight for as long as possible.

Sex of human trafficking victims after February 24, 2022



Nina Pakhomiuk

Volyn Prospects, NGO

With the beginning of a full-scale invasion, the risk of human trafficking within Ukraine increases for certain groups of men, as they are dismissed from official work in order not to fall into the field of view of TRC. In fact, this is a new risk group that emerged during wartime.

¹ Human trafficking: the IOM Representative Office in Ukraine data (January — September 2023). URL: https://www.stoptrafficking.org/themes/single_front-page/mom/statistics-ptl.pdf

RISK GROUPS

As a result of the full-scale military invasion, there is a significant increase in people who are at high-risk groups of falling into situations of human trafficking and exploitation, which, in particular, include labor migrants, unemployed people, IDPs, people with disabilities, single elderly people, single mothers, Ukrainian citizens who remained in the temporarily occupied territories, etc. In addition, as a result of the war, new categories were added to the risk group, namely: refugees, elderly children, men of military age who move in an attempt to avoid mobilization. At the same time, it should be noted that, despite expert forecasts, the coalition recorded an equal number of human trafficking cases among these categories during 2022-2023.

Main risk groups¹ in 2022-2023

Unemployed	45%
Labor migrants	31%
IDPs	26%
Low-income	23%
Rural population	10%
Persons from dysfunctional families	10%

At the same time, we are witnessing a significant increase in vulnerability of IDPs to human trafficking. If in the pre-war years the share of IDPs who applied for assistance from the Coalition NGO members did not exceed 6%, now it is already 26%.

Although the problem of getting into situations of human trafficking and exploitation of IDPs has existed since 2014, but with the beginning of the full-scale Russian military aggression, the number of IDPs, of which about 1.5 million were counted in previous years, has at least tripled, which has led to an even greater aggravation of the problems associated with mass internal displacement:

- ▶ The burden on state structures and non-governmental associations that ensure the integration of IDPs into host communities has increased significantly;
- ▶ The difficult financial situation and the constant increase in rental prices force IDPs to resort to risky strategies for finding sources of income;
- ▶ The physical and mental health status of many IDPs who evacuated from the temporarily occupied territories after February 24 is much worse compared to those who moved earlier, as the conditions of occupation after a full-scale invasion are much tougher than in 2014-2021;
- ▶ Financial, humanitarian and psychological support from the government, volunteers and international organizations at the first stage of integration and the benevolent attitude in host communities make IDPs more trusting to all offers of assistance, which is often used by exploiters and recruiters. At the same time, IDP units that have been in the temporarily occupied territories for a long time and have been constantly threatened and harassed have an illusory sense of security due to the absence of a threat from the occupation authorities and the Russian military;
- ▶ Often, IDPs do not have housing, work, and sometimes even personal belongings, do not know where to apply for official registration, employment, obtaining the appropriate status, and in general, according to the observations of NGO specialists, they do not make sufficient efforts for independent integration, so they can molest the proposals of recruiters, who in this case apply the «all inclusive» scheme, offering not only work, but also food, accommodation and assistance in obtaining documents, according to which a person fully transfers control over his life to the exploiter.

The efforts of the government, as well as representatives of public, charitable and international organizations to promote and support IDPs at the initial stage are highly appreciated, but measures to ensure sustainable integration of IDPs in general should be considered insufficient. In addition, starting from March 1, 2024, the government plans to cancel social payments to most categories of IDPs, which may also additionally affect their vulnerability to human trafficking and exploitation.

¹ The list of the main vulnerable groups at risk of falling into the human trafficking trap is presented in accordance with: Ministry of Social Policy of Ukraine. Human trafficking. Basic concepts and types of operation. URL: <https://www.msp.gov.ua/news/16080.html>

RECOMMENDATIONS

- ▶ Develop and implement effective programs for providing assistance and integration in territorial communities that will help increase the economic capacity of IDPs, their employment, and so on.
- ▶ Implement proactive measures to identify human trafficking and exploitation victims among IDPs.

GEOGRAPHY OF HUMAN TRAFFICKING

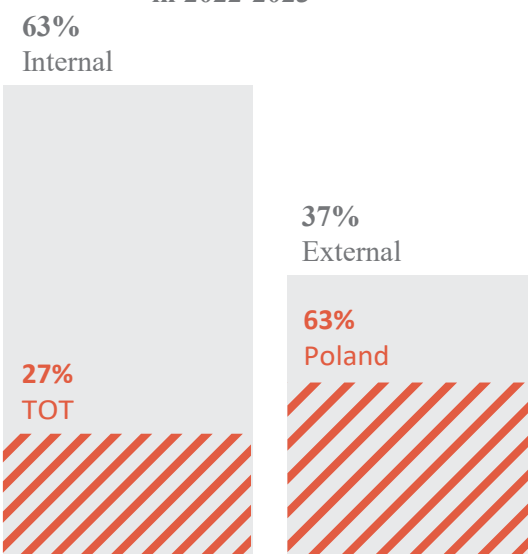
In 2022-2023, there are certain changes in the human trafficking geography. After February 24, 2022, the coalition did not record any human trafficking and exploitation cases on the territory of the aggressor country due to the inability to cross the border from Ukraine. At the same time, this does not exclude the possibility that Ukrainian citizens may be on its territory in a situation of human trafficking, which they got into as a result of or even before the start of a full-scale invasion.

The percentage of cross-border and internal human trafficking has also changed significantly. If earlier cases of internal human trafficking accounted for no more than a third of the total number, then in 2022-2023 we see the opposite picture. At the same time, the number of cases has increased both in the temporarily occupied territories and in the territory under control of Ukraine.

With regard to cross-border human trafficking,

The first place among the destination countries is still occupied by Poland, where more than half of the Ukrainian citizens exploitation cases are recorded, although, according to the Office of the United Nations High Commissioner for Refugees, the largest number of Ukrainian refugees is located in Germany.

Internal and external human trafficking in 2022-2023



Human trafficking cases in 2022-2023



¹ The UN Refugee Agency. Ukraine Refugee Situation. URL: <https://data.unhcr.org/en/situations/ukraine>

INTERNAL HUMAN TRAFFICKING

The war has significantly increased the vulnerability of Ukrainian citizens to internal human trafficking. The general deterioration of the families financial situation, rapid inflation, the closure and relocation of many enterprises, the high level of competition in the labor market, which for a significant number of citizens is combined with the loss of housing, property and stay in conditions of internal displacement, which automatically involve high costs for housing development and the restoration of living conditions - all this creates extremely high risks of human trafficking within the country.

In 2022-2023, the share of internal human trafficking cases almost doubled compared to previous periods. The reason for this was not only the problem aggravation of exploitation in the TOT, but also an increase in the number of forced labor cases in the territories controlled by Ukraine. And this trend is getting stronger and stronger.

The coalition conducts active preventive activities to inform the population about the risks of human trafficking and illegal employment. In particular, the organizations joined Born free and Take a closer look! Illusions are different, the All - Ukrainian information campaigns and carried out a number of measures aimed at preventing human trafficking among at-risk groups. The government's activities in this area are also highly appreciated. According to various estimates, in 2022-2023

up to 28 million people were covered by anti-trafficking campaigns¹. However, the coalition believes that territorial communities can and should play the greatest role in countering human trafficking.

“ Maria Bondarenko

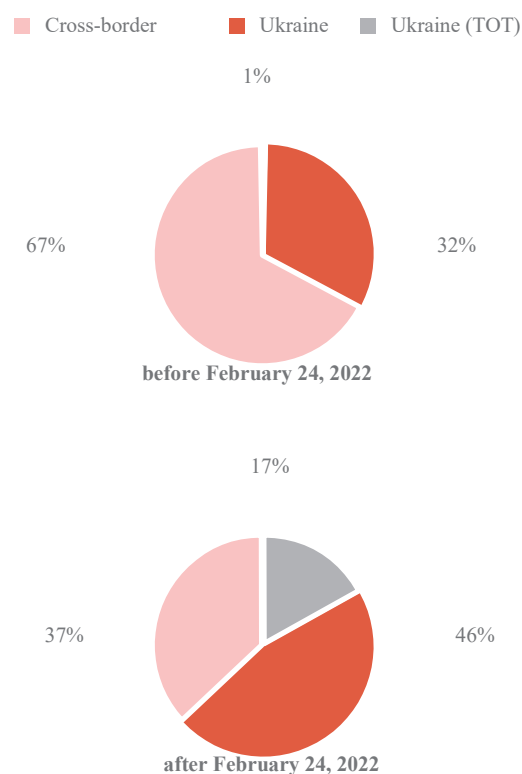
Light of Hope, Charity Organization

Local self-government bodies have unique opportunities to «equip» territorial communities' residents with information about modern slavery, teach them to recognize signs of human trafficking, and provide information about subjects that help victims. They can also encourage the population to realize their capabilities in this struggle, which should become common for all, as well as to make this struggle a priority task for the territorial community development. For this purpose, it is necessary to adopt local anti-trafficking programs, with the help of awareness-raising activities to form a negative attitude towards this phenomenon as a gross violation of human rights, and guarantee assistance to the community residents affected by human trafficking.

it should be taken into account that the likely further deterioration of the socio-economic situation in the country may lead to increased, on the one hand, vulnerability of citizens, and, on the other, motivation of employers to resort to exploitative practices, while the conditions offered by recruiters are becoming less attractive. Thus, in 2022–2023, the median salary offered to victims was about UAH 18,000 and 20,000, respectively, which barely exceeds the median salary in the country as a whole. A significant number of victims who were subjected to exploitation had relevant work experience and even their own tools. The Coalition also recorded cases where former colleagues and employers, whom the victims had no reason to distrust, acted as recruiters and exploiters.

¹ US State Department. Office to Monitor and Combat Trafficking in Persons Human trafficking report 2023: Ukraine. URL: https://ua.usembassy.gov/wp-content/uploads/sites/151/2023_TIPR_UKR.pdf. P. 10

Internal and external human trafficking before and after 24 February 2022



Although the main form of internal human trafficking remains labor exploitation, as a result of the full-scale invasion, the number of cases of Ukrainian citizens involvement in armed conflicts in the temporarily occupied territories has significantly increased, which has become the second most common form of exploitation in Ukraine. Compared to previous periods, the sexual exploitation cases share and use in the porn business has also increased. During 2022-2023, two cases of vulnerable citizens of Ukraine involvement in begging, in particular those with limited mobility, were recorded.

Labor exploitation accounts for more than 81% of the total number of human trafficking cases in the territory

controlled by Ukraine. The most common areas of forced labor involvement are agriculture and construction work. At the same time, situations were recorded in which recruiters tried to inspire the confidence of potential victims by speculating on the topic of war, for example, offering work on dismantling rubble and restoring houses after shelling, improving housing conditions in dormitories for internally displaced persons, etc. In personal contact, recruiters sometimes used attributes of well-known international organizations and charitable foundations.

The Coalition recorded a small number of exploitation cases at industrial enterprises. Certain concerns about the increase in the exploitation risks at such facilities were caused by the termination of state control planned and unscheduled measures of working conditions for the period of martial law, but in June 2023, the possibility of conducting unscheduled inspections was restored, and for 2024, the State Labor Service of Ukraine approved a plan of state control measures, which provides for inspections of 19,359 subjects¹.

At least 14 people suffered from forced labor in Ukraine during 2022-2023 in medical, rehabilitation and religious centers. At the same time, recruitment was carried out in the form of job offers with the possibility of living on the territory of the institution. The victims were subjected to labor exploitation lasting from two to fifteen months. Most of them were released in the course of operational actions by the National Police, as they could not leave these institutions on their own, as they were subject to strict restrictions on freedom of movement.

main forms of internal exploitation in 2022-2023

Labor	98
involvement in armed conflicts	23
sex	8
involvement in the porn	7
involvement in begging	2
involvement in criminal activities	1

The man was looking for a job near the bus station and met two recruiters who talked about a rehabilitation center that provides free housing, food and employment. It turned out that in this center people were kept behind a high fence, not allowed out and forced to pray, the recalcitrant were humiliated and intimidated. He was ordered to work as a janitor; the work was hard, he had to look for clothes and food in the garbage. Two months later, the man managed to escape.

At the railway station in Mykolaiv, two recruiters approached the man and told him about the job in Dnipro. They said that they provide accommodation and food for free and bought a ticket to Dnipro. Already in Dnipro, men found the victim and took him to a rehabilitation center, where he was forced to stay for more than a year, working in construction and occasionally receiving UAH 100. The man was fed porridge only once a day and forced to pray. In case of refusal, they were severely beaten. He was released by the police.

¹ State Labor Service of Ukraine. On approval of the Annual Plan for State Supervision (Control) of the State Labor Service of Ukraine for 2024. URL: <https://dsp.gov.ua/wp-content/uploads/2023/01/nakaz-vid-30.11.2023-214.pdf>, <https://dsp.gov.ua/wp-content/uploads/2023/01/richnyj-plan-2024-na-sajt.xlsx>

The problem of Ukrainian citizens exploitation in closed institutions under the guise of guardianship and care or rehabilitation services provision is not new, but the war increased the vulnerability of individuals to fall into similar situations due to the loss of housing and property as a result of military operations. In particular, four IDPs were subjected to this form of exploitation.

Of particular concern are long-term exploitation cases of vulnerable persons by the heads of State Social Institutions. Thus, in 2023, a person with a disability was freed from the situation of human trafficking, who for 18 years was exploited in the form of forced labor due to their and other wards being leased to third parties by the institution's management. Full control over the wards and the relatively tolerant attitude of society towards such practices due to the problem of persons stigmatization who are in social and medical institutions allows exploiters to obtain illegal profits from the use of slave labor for many years, hiding under the concept of occupational therapy.

RECOMMENDATIONS

- ▶ Strengthen special actions of labor inspectors to monitor high-risk sectors (such as construction and agriculture) and places where human trafficking has previously been detected.
- ▶ Ensure the possibility of receiving anonymous reports on legislation violations in the field of labor and social-labor relations and conducting unscheduled inspections in case there are grounds to suspect cases of exploitation and the use of forced labor.
- ▶ Ensure the inevitability of criminal liability for all persons involved in human trafficking and exploitation in social and medical institutions, with the appointment of the maximum sentence under Part 2 of Article 149 of the Criminal Code.
- ▶ Ensure regular state and independent inspections of guardianship institutions, social and medical institutions, residential institutions, state and private rehabilitation centers in order to identify possible violations and cases of human trafficking.

EXPLOITATION OF UKRAINIAN CITIZENS AT TOT

Since the beginning of the war, the number of exploitation cases at TOT is expected to increase. Despite the significant efforts of the state and volunteers, the real situation does not make it possible to guarantee the safety of Ukrainian citizens who, as a result of a full-scale invasion, found themselves in the territories controlled by the Russian military. In 2022-2023, the Coalition worked with 32 exploitation victims in the temporarily occupied territories. Despite the relatively small number of those who applied for assistance, their testimony suggests the impressive scale and brutality of this phenomenon.

Involvement in the exploitation and control over the victims was carried out by:

- ▶ use of physical violence, torture, and severe beatings;
- ▶ threats of weapons to victims and their families;
- ▶ illegal detention;
- ▶ deprivation of water and food;
- ▶ abduction.

Citizens of Ukraine were used for the purpose of:

- ▶ construction of fortifications;
- ▶ disposal of corpses;

- ▶ maintenance of transport;
- ▶ provision of medical services;
- ▶ provision household needs for the personnel of the occupation army.

There are also reports of sexual exploitation cases of Ukrainian citizens in TOT.

The main categories of Ukrainian citizens who are at high risk of exploitation in the temporarily occupied territories are:

- ▶ persons with certain professional skills (doctors, car mechanics);
- ▶ civil servants and officials who openly refuse to cooperate with the occupation authorities;
- ▶ citizens with a clear pro-Ukrainian position;
- ▶ participants of the anti-terrorist operation and persons who served in the army.

The last exploitation case in TOT, with which the Coalition representatives worked, dates back to November 2022. After the end of the first Ukrainian counteroffensive, public organizations almost lost the ability to identify victims in the territories that have not yet been liberated. the Russian authorities do not allow representatives of international, non-governmental and volunteer organizations to enter the occupied territories and do not take any measures to stop the criminal actions of their army.

The current situation does not allow the Ukrainian authorities to solve the problem of exploitation in TOT due to the absence of any levers of influence on the aggressor state, which is interested in continuing exploitative practices as a means of countering disloyal and ensuring the occupation forces.

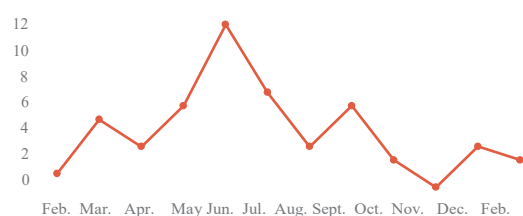
RECOMMENDATIONS

- ▶ Create secure communication channels with Ukrainian citizens who are in the temporarily occupied territories to receive messages about persons who are likely to be in a situation of human trafficking and exploitation.
- ▶ Systematically record human trafficking and exploitation crimes committed by the occupation authorities and the Russian military in the temporarily occupied territories of Ukraine and prepare and publish quarterly reports to draw international attention to the problem of exploitation of Ukrainian citizens in the temporarily occupied territories.

CROSS-BORDER HUMAN TRAFFICKING

It was predicted that a full-scale military invasion would lead to a significant increase in cases of Ukrainian citizens falling into situations of human trafficking and exploitation in EU countries. However, despite the massive flow of refugees in the first months of the war, the Coalition did not record an increase in their number in 2022-2023. Thus, representatives of public organizations provided assistance to only 70 Ukrainian citizens who suffered from human trafficking abroad after February 24, 2022. It can be assumed that the decrease in the number of applications may be due to the fact that opportunities are open for Ukrainian citizens to receive appropriate assistance in host countries, or they simply do not want or have the opportunity to return to the country.

Cases of human trafficking abroad in the first year of a full-scale war



According to the Coalition, the number of people trafficked abroad is gradually decreasing, which may indicate the effectiveness of programs to protect and support Ukrainian refugees, which reduce their level of vulnerability to human trafficking.

Ukraine due to the continuation of hostilities on its territory. But, unfortunately, our data on cross-border human trafficking in wartime are very limited, as there is no established mechanism for data exchange with anti-trafficking entities in European countries. According to Diane Schmitt, EU Anti-Trafficking Coordinator, she also does not yet have information about a significant increase in the number of Ukrainian citizens affected by human trafficking in Europe.

However, the Coalition representatives had to deal with several very disturbing cases of Labor and sexual exploitation of Ukrainian refugees. It is known from their testimony that the recruiters began to act from the first days of the war. They sent refugees to hostels and hotels, where on the second day they were forced to work hard for their stay in the institution, restricted their freedom of movement, deprived of food for refusing to do work, and confiscated their documents. Several Ukrainian women from among the first refugees were subjected to labor exploitation at private and farm households, where they were lured with the promise of shelter. One of them was released by the police, the rest fled. It is also possible that some are still in a situation of human trafficking, as the duration of exploitation often exceeds two years.

The woman left Ukraine on February 24, 2022. In Poland, she got on a bus to Vilnius. There, a stranger offered her a job and took her to a farm, where he forced her to work 16-hour days, humiliated and used physical violence. The woman was released by the police on March 10, 2022, and then spent 4 months in the social institutions of Vilnius as an asylum seeker.

When the war broke out, the woman crossed the border and got into a car with strangers who promised good living conditions and security, but took her to a farm. The passport was taken away by force, and she was placed in the basement. The woman was forced to sort out onions and other vegetables. Two weeks later, she ran away from the farm at night. For two weeks, an old Polish woman looked after her. When the woman got better, she was taken to the border, which she crossed on foot and without documents.

Some refugees found themselves in a human trafficking situation later. While still in Ukraine, they accepted the offers of old acquaintances who, having already lived abroad for some time, persistently offered help with accommodation if they agreed to leave Ukraine. A case of recruitment by a foreigner through Internet correspondence is also known: two young women who left Ukraine and found themselves in the country of destination were involved in labor exploitation and debt bondage.

After the start of a full-scale invasion, the woman received a call from an old friend who left for Poland for permanent residence in 2014, and offered housing and a good well-paid job. The woman agreed. Throughout the entire journey to Poland, a friend kept in touch with the beneficiary and met her by car after crossing the border. As it turned out, she met not only the beneficiary — there were four women like her who were also trying to find shelter abroad. The women were promised that there would be work on packaging humanitarian aid for Ukraine, and the salary would be approximately UAH 20,000 per month and would depend on the amount of packaged aid. Also, the women were promised an 8-hour working day, accommodation in a hostel and provision of food and medicines. But they were subjected to labor exploitation for 3 months, in refrigeration shops, packing meat products, as a result of which one of the women lost a kidney.

However, according to the Coalition, the majority of Ukrainian citizens who suffered from human trafficking abroad after February 24, 2022 belong to the category of labor migrants who went to Europe for employment. Mainly, they were subjected to labor exploitation. Sometimes it was combined with sexual. Most labor migrants were recruited through advertisements on the Internet, in particular posted on Facebook, and on specialized job search sites olx.ua and jobs.ua.

The main exploitation field of Ukrainians who fell into the situation of human trafficking in 2022–2023 was agriculture. The number of exploitation cases at construction sites has significantly decreased,

which is obviously related to the ban on men traveling abroad. The victims were offered an eight-hour work day, free accommodation and decent wages. Instead, they worked for 12-16 hours, did not receive any money for their work, lived in unsuitable conditions and could not physically leave the place of exploitation due to restrictions on movement freedom, constant control and lack of documents, which the exploiters seized immediately, allegedly to formalize labor relations. Also, victims were often asked to give up their mobile phones so that they would not interfere with their work. For eleven people, the exploitation entailed serious health consequences, up to the onset of disability, and therefore they were released from their places of exploitation as no longer able to perform work.

A total of 70 human trafficking victims abroad, with whom the Coalition worked in 2022-2023, managed to release themselves from human trafficking due to a significant deterioration of their health or serious industrial injuries, which made their further exploitation impossible. Another common reason

why exploiters released their victims was the lack of need for further exploitation, for example, in connection with the end of a construction site or the agricultural work season. Almost 40% of the victims managed to release themselves from human trafficking; sometimes escape was associated with very serious risks to life due to tight controls on freedom of movement. Only 8 people were released thanks to the actions of the police

The analysis of cases shows that law enforcement and regulatory authorities in the EU countries do not make enough efforts to identify the facts of slave labor and violations of labor legislation. Thus, exploitation at food industry enterprises, in particular confectionery factories and meat processing plants, where victims were forcibly kept on the enterprise territory in conditions unsuitable for normal life, where they did not have any opportunities to maintain personal hygiene, working in workshops for up to twenty hours a day without any officially issued documents, including sanitary books. Every year, the Coalition records several such cases, but in none of them were the victims released as a result of working conditions scheduled or unscheduled inspections.

The problem of ensuring the Ukrainian children rights protection who ended up abroad as a result of the war requires special attention. Already in March 2022, the government introduced the procedure for the evacuation of Ukrainian children who were in institutional facilities located in the war zone. Quickly carried out, but not always properly organized evacuation measures cause serious concern of many experts. Representatives of the Coalition are aware of cases when minors were not applied for the consular register, a complete package of documents was not provided for each child, they were transferred from one foster family to another, etc. Certain problems arose due to inconsistency with the legislation of the host countries. The Coalition expresses its concern about the risks of falling into human trafficking and exploitation of minor citizens of Ukraine who are abroad.

Forms of human trafficking abroad in 2022-2023

Labor exploitation	66
Sexual exploitation	6



At least one such case is known, when a minor victim was subjected to labor exploitation for a certain period of time in one of the hotels in Austria, where inmates of a residential institution were accommodated after evacuation. When she turned 18, the girl returned to Ukraine on her own.

Currently, only the government of Ukraine, consular offices and social services of host countries can be relied on to identify and remove minors from the situation of human trafficking and exploitation abroad.

RECOMMENDATIONS

- ▶ Establish cooperation with the subjects of the national cooperation mechanism in the main host countries of the European Union with the aim of exchanging data on citizens of Ukraine who have suffered from human trafficking and exploitation abroad.
- ▶ Organize the activities and popularization of hotlines for receiving messages about Ukrainian citizens who are missing abroad, and taking urgent measures to search for such persons if there are grounds to believe that they are in a situation of human trafficking or exploitation.
- ▶ Create a register of institutions, organizations and private individuals that offer assistance to citizens of Ukraine fleeing the war, including housing, transportation, and employment, with mandatory verification of the condition's safety of such assistance and the absence of risks of being involved in exploitation and human trafficking.
- ▶ Strengthen cooperation between the Cyber Police Department and the Migration Police Department of the National Police of Ukraine to stop the recruitment of Ukrainian citizens into human trafficking using the Internet, in particular with regard to identifying potential recruitment channels, checking and removing dangerous offers from the network, and prosecuting persons involved in the recruitment of Ukrainian citizens in human trafficking through the Internet.
- ▶ Strengthen the cooperation of the Migration Police Department of the National Police of Ukraine and law enforcement and control bodies in the main countries of Ukrainian citizens exploitation in order to identify cases of human trafficking and exploitation in high-risk sectors, and conduct joint special operations to stop the activities of persons involved in human trafficking.
- ▶ Conclude intergovernmental agreements on measures to counter human trafficking in the context of a full-scale military invasion of Ukraine.
- ▶ Strengthen state control over the conditions of children evacuated abroad stay, in institutional facilities, foster families, family-type orphanages in order to identify cases of child trafficking and exploitation of minors and ensure respect for their rights, as well as to bring to strict responsibility all persons involved in the exploitation of children.



ASSISTANCE TO HUMAN TRAFFICKING VICTIMS

IDENTIFYING AND ESTABLISHING VoT STATUS

Identification of human trafficking victims remains a major problem. As before, in the vast majority of cases detection became possible due to the self-identification of the victims or the response of various anti-trafficking entities to their requests for one or another type of assistance. The share of those detected using proactive methods is insignificant and amounts to 15%, although it has somewhat increased compared to previous years.

Another problem is that the vast majority of victims (85%) do not want to apply for the status establishment, because they do not want to go through the bureaucratic procedure, are wary of the possible disclosure of confidential information, or do not see any significant advantages in the event of establishing such a status, and the opportunity to receive a one-time material assistance, the size of which in modern conditions does not allow covering even all basic needs, is not an additional incentive.

85% OF HUMAN TRAFFICKING VICTIMS DON'T WANT TO APPLY FOR STATUS ESTABLISHMENT

“ **Natalia Kulikova**

Chernihiv Public Committee for the Protection of Human Rights, NGO

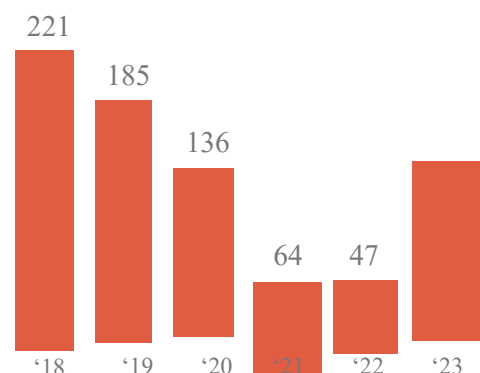
Most of the questions arise due to the fear of confidentiality loss, disbelief in the receiving assistance possibility, because at the community level there are big problems with the provision of all assistance guaranteed types and their quality. Unfortunately, in most cases, assistance to VoT differs from assistance to persons in DLC only by the possibility of receiving a one-time material payment, which today does not even cover all the basic needs of a person.

In 2022, local state administrations received a record low number of applications for establishing VoT status, although 2.5 times more applications were submitted in 2023. Accordingly, the number of officially established VoT statuses has also increased, exceeding the indicator of the previous period for the first time, starting in 2018.

It should also be noted that the share of refusals to establish status is gradually decreasing every year. For example, 11.3% of applicants were denied status in 2022, and 10.6% in 2023. At the same time, if previously the Coalition often recorded the practice of illegal refusals to persons who were identified as victims of human trafficking by representatives

of NGOs and MOMs, in 2022-2023 no such cases were detected at all. Only one person from among the beneficiaries of the Coalition was refused status due to the provision of an incomplete package of documents.

Number of people, who were established VoT status (according to the Ministry of Social Policy and NSSU)



¹ 2018-2021: State Statistics Service. The number of persons who have established the status of a human trafficking victim. URL: <https://sdg.ukrstat.gov.ua/uk/16-2-7/>. 2022-2023: National Social Service Service of Ukraine. The number of persons who have established the status of a human trafficking victim by the National Social Service. URL: <https://nssu.gov.ua/protidiya-torgivli-lyudmi/kilkist-osib-yakim-nacsocsluzhboyu-vstanovleno-status-osobi-yaka-postrazhdala-vid-torgivli-lyudmi>

GUARANTEED TYPES OF ASSISTANCE TO VOT

Although rehabilitation services are of the greatest value to victims, unfortunately, in practice, establishing a status is not an absolute guarantee of obtaining them, and its absence, in turn, does not exclude such a possibility. So, in 2022-2023, almost a quarter of the victims with whom the coalition organizations worked received one or another type of VoT guaranteed assistance from state institutions, without having the appropriate status. At the same time, none of the victims with officially established VoT status referred to NGOs by other entities was provided with the full range of necessary services. As before, many types of guaranteed VoT assistance continue to be provided by non-governmental and international organizations.

Social support

Social support is one of the most requested types of assistance among victims of human trafficking. This is caused not only by the difficult psycho-emotional state of the VoT, but also by the complexity and imperfection of the NMI itself. During the war an additional problem was the state institutions specialist's high workload, related to the provision of assistance to the military and other categories affected by military operations. Thanks to the Coalition's activities, it is currently possible to ensure almost one hundred percent satisfaction of the VoT needs in social support. In some regions, this service is provided exclusively by representatives of non-governmental organizations. It should be noted that recently, other non-governmental organizations and territorial communities have partially joined the provision of social support.



Employment, retraining and improving economic capacity

The traditional urgent needs of the affected persons, who mostly fall into situations of human trafficking and exploitation due to lack of work, are retraining, employment and improving their economic capacity. So, in 2022-2023, 83% of the victims needed such assistance, and the Coalition organizations worked with them. However, meeting these needs through the State Employment Center has always been problematic. In the conditions of war, when the labor market is gradually shrinking, enterprises stop working, and accordingly the number of vacancies is decreasing, the situation with the provision of such assistance has become even more complicated. As before, this problem was solved by including the victims in the MOM program for increasing economic capacity, in the framework of which they received training on the organization of self-employment and received the necessary tools and equipment.



Legal assistance

Such assistance is also necessary for most victims and the range of their needs is very wide — from the restoration of documents to legal support in the process of criminal proceedings. In 2022-2023, 75% of the victims with whom the Coalition worked needed legal assistance.

However, less than half of the VoT received it from state institutions. A particularly difficult situation usually arises with the provision of secondary legal aid, but in August 2023, amendments to the Law of Ukraine On free legal aid finally entered into force, according to which victims of human trafficking were included in the list of subjects entitled to free secondary legal aid, but it is still too early to draw conclusions about how it will work.

Psychological assistance

Psychological rehabilitation is an extremely important component of comprehensive VoT assistance, especially in times of war, when the tragic experience of being in exploitation is superimposed on stress as a result of shelling, fear of loss or loss of relatives, friends, acquaintances, and other troubles related to hostilities on the territory of Ukraine. However, it is becoming increasingly difficult to use such assistance in government structures. if there were still not enough relevant specialists in many communities before, then in connection with the war, they become even less due to the relocation of social facilities, mass dismissals of specialists due to moving to another safer place or leaving the country,

an unsatisfactory level of remuneration, that is only slightly higher than the minimum in state social services, etc. At the same time, during the war, the number of people who are in difficult life conditions due to the loss of housing, physical health, sources of income, internal displacement, and so on is increasing. As a result, the burden on state social services is constantly increasing. Problems related to the insufficient level of specialists' competence to work with human trafficking victims, the lack of specialized psychological and psychotherapeutic assistance, and assistance in overcoming addiction in communities also remain relevant. It is not surprising that under such circumstances, only 20% of the VoT who needed it received psychological assistance from state structures, while more than a third of them did not receive it in full.



medical assistance

The need for medical assistance is one of the most common among victims of human trafficking, because very often exploitation entails severe health consequences. In 2022–2023, it was needed by 64% of victims with whom Coalition organizations worked. It should be noted that there were many problems with the VoT medical assistance before, in particular, this is due to the fact that such persons receive services on a general basis, without taking into account their special needs and possible circumstances (lack of documents, registration, signed declaration with a family physician, applying to a medical institution outside the place of residence, etc.). At the same time, there are no instructions on the mechanisms of providing assistance to the public health service from NHSU, MOH of Ukraine, the Ministry of Social Affairs and Health.

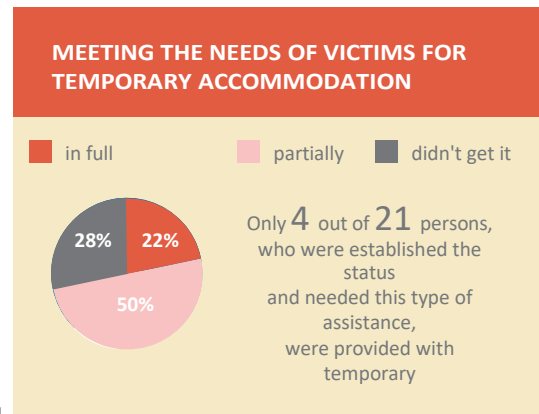


Temporary accommodation

Providing accommodation services to victims of human trafficking has remained a challenge for many years. Despite the fact that this issue is constantly raised by entities that carry out measures in the field of countering human trafficking, and the creation of institutions for the temporary stay

of VoT is included in targeted and comprehensive social programs, in most regions there are still no conditions for providing VoT with this type of guaranteed assistance. In 2022–2023, the situation was complicated by the fact that with the beginning of a full-scale invasion, shelters for the homeless, centers for social and psychological assistance, and shelters for victims of domestic violence, where, due to the lack of specialized institutions, victims of human trafficking were traditionally accommodated were overcrowded. As a result, state institutions did not provide temporary accommodation services to seventeen persons who were established the VoT status.

At the same time, in 2022–2023, state institutions provided temporary shelter to 92 victims of human trafficking, who were not established the VoT status, namely in the Volyn, Zakarpattia, Kirovohrad, and Kharkiv Oblasts.



RECOMMENDATIONS

- ▶ Conduct regular regional monitoring in order to assess the state of the VoT rehabilitation plans implementation and to take measures in order to ensure opportunities to meet the VoT needs in full, including through the introduction of the social ordering mechanism.
- ▶ Make changes to the regulatory framework on the assistance provision to VoT, in particular to define a detailed list of free services available to victims of human trafficking during the period of validity of the VoT status, and provide for liability for refusal to provide such services free of charge.

ACCESS TO JUSTICE

The Coalition's work practice shows that victims usually take part in criminal proceedings if they were released as a result of operational and investigative actions of law enforcement agencies, and the share of those who report to the police on their own is insignificant. However, in the last two years, there has been a significant increase in the number of victims who, in the process

of providing assistance by Coalition representatives, expressed a desire to cooperate with the investigation and submitted applications for committing a crime against them to the police. During the years 2022–2023, 92 persons submitted relevant applications, which is 19% of the victims' total number with whom NGOs Coalition members worked.

Another positive trend that the coalition should notice is a significant increase in the number of criminal proceedings opened on the facts of human trafficking for the purpose of labor exploitation. If previously law enforcement agencies mostly worked with cases of human trafficking related to sexual exploitation, and in cases of other types of exploitation, due to the difficulty of proving them and collecting the evidence base, criminal proceedings were opened reluctantly or applicants were refused altogether, now a different picture is observed: 53 statements from victims were registered for labor exploitation, 9 — involvement in armed conflicts, 2 — forced begging, 6 — sexual exploitation, and 9 — involvement in the porn business.



Compared to previous years, the share of criminal proceedings opened based on the facts of various types of exploitation abroad also increased, which, in particular, may indicate the strengthening of international cooperation in the field of countering human trafficking. So, in 2022-2023, 31 statements were registered from human trafficking victims in other countries (Poland, France, Germany, Czech Republic, Italy, Romania, Turkey), which is 34%.

However, it should be noted that crime detection rates have recently fallen sharply. Thus, according to the General Prosecutor's Office of Ukraine¹, the number of criminal offenses registered in 2022-2023 decreased by 36% compared to the same previous period. This state of affairs may have been due to the war, but, most likely, only partially, because the indicators began to fall even before the start of the full-scale invasion.

The situation with pre-trial investigation is no better. Thus, only 21 of the 92 criminal proceedings opened based on the victims statements, with which Coalition organizations worked in 2022-2023, were sent to court, the rest of the proceedings are at the stage of pre-trial investigation. Unfortunately, this is a typical practice in human trafficking investigations, sometimes even taking years.

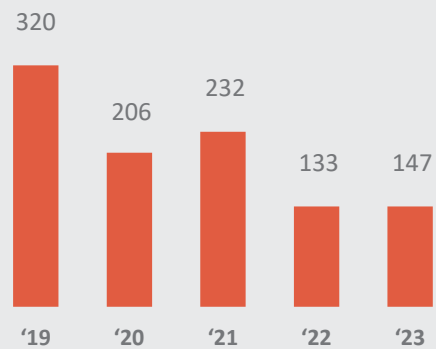
According to the PGO official statistics on the results of the pre-trial investigation, the common situation is also observed - in almost half of the criminal proceedings opened in 2022-2023, the investigation has not been completed, only 43% of criminal proceedings have been sent to court, and 10% have been closed.

the coalition investigated the state of judicial practice by legal analysis of 46 sentences issued by the courts of Ukraine, which were included in the Unified State Register of court decisions² during this period of time and not prohibited for publication.

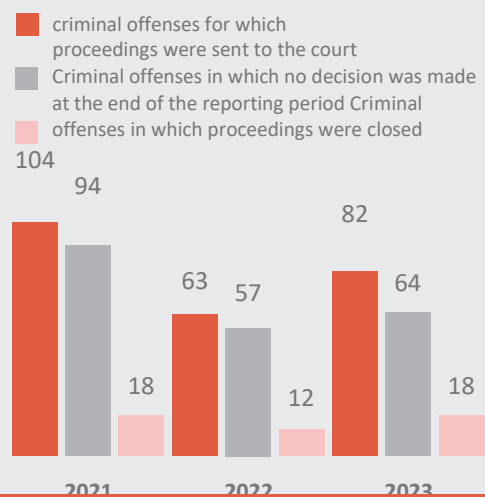
The analysis shows that in 2022-2023, more than 60% of sentences were issued in criminal proceedings submitted to the court in previous years. The full-scale invasion had a significant and negative impact on the judicial system, leading to delays in court proceedings. A total of 53 people were convicted. It should be noted that in 2023, almost twice as many persons guilty of crimes related to human trafficking were convicted than in 2022.

85% of those convicted committed criminal offenses qualified under Part 2, Part 3 of Art. 149 of the Criminal Code, that is, grave and extremely grave crimes. However, the courts continued the practice of assigning too lenient sentences, which

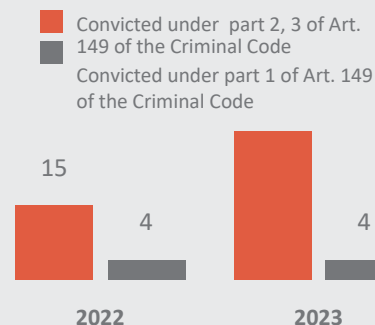
CRIMINAL OFFENSES REGISTERED UNDER ARTICLE 149 OF THE CRIMINAL CODE (PGO STATISTICAL DATA)



RESULTS OF THE PRE-TRIAL INVESTIGATION (PGO STATISTICAL DATA)



QUALIFICATION OF CRIMES (USRCD DATA)



¹ Prosecutor General's Office. About registered criminal offenses and the results of their pre-trial investigation. URL: <https://gp.gov.ua/ua/posts/pro-zareystrovani-kriminalni-pravoporushennya-ta-rezultati-yih-dosudovogo-rozsliduvannya-2>

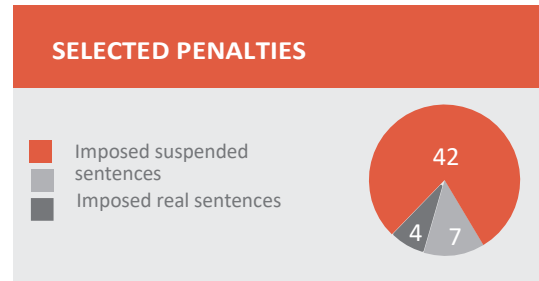
² The Unified State Register of Court Decisions: URL: <https://reyestr.court.gov.ua>

has been observed for many years. In general, the punishment was imposed within the lower limit established by the sanction of Part 2 of Art. 149, i.e. 5 years of imprisonment, even in case of the crime qualification under Part 3. Only three persons were sentenced to longer terms, namely one - up to 5 years and 6 months, one - 6 years and 6 months, and one - up to 10 years of imprisonment. Another person convicted under Part 2 of Art. 149 of the Criminal Code, a sentence of 4 years was imposed, that is, less than the established lower limit.

The share of those sentenced to real terms of imprisonment, as before, remained insignificant and is only 13% (seven out of 53 people), the rest were released from serving the sentence, with the appointment of probationary period from 1 to 3 years. The practice of imposing punishment in the form of fines, which is not at all provided for by the sanctions of Art. 149 of the Criminal Code. In 2022–2023, this measure of punishment was chosen in relation to four persons found guilty under part 2 of Art. 149 of the Criminal Code: fines in the amount of 7,000 tax-free minimum incomes (UAH 119,000) were imposed on two persons,

one - 3,001 tax-free minimum incomes (UAH 51,017) and one — 17,647 tax-free minimum incomes (UAH 299,999). As before, the courts almost did not apply such a measure of punishment as confiscation of property, which is provided for by the sanctions of Art. 149 of the Criminal Code. In 2022-2023, such a court decision was made against only five people.

This practice of prosecuting criminal offenses related to human trafficking is of great concern, because it does not contribute to adequate punishment of criminals and deprives victims of any incentive to seek justice. According to the Coalition, this state of affairs requires the earliest possible adoption of measures to strengthen the criminal liability of persons involved in human trafficking. However, unfortunately, the corresponding draft law No. 5134 dated 21.02.2021, which could change the situation for the better, is still on the sidelines of the Verkhovna Rada without consideration. In particular, the draft law provides for an increase in the minimum term of imprisonment from 5 to 6 years, which makes it possible to exclude the grounds for releasing the guilty from serving a sentence with a probationary period, and to add human trafficking to the list of criminal offenses, the commission of which makes it impossible for the court to impose a lesser sentence than is provided by the sanctions Art. 149 of the Criminal Code.



RECOMMENDATIONS

- ▶ Ensure an appropriate response to the facts of human trafficking and increase the level of detection and disclosure of crimes related to human trafficking, in particular by conducting inspections of facilities where such crimes can potentially be committed (abroad employment agencies, modeling agencies, etc.).
- ▶ Develop international cooperation in the field of countering human trafficking, in particular by concluding interstate agreements.
- ▶ Conduct specialized training of employees of the National Police on the detection and investigation of crimes related to human trafficking and various types of exploitation.
- ▶ Take measures to ensure adequate punishment of persons guilty of crimes related to human trafficking and stop the judicial practice of releasing such persons from serving actual terms of imprisonment, in particular by making appropriate amendments to Articles 69, 75 and 149 of the Criminal Code.
- ▶ Apply as widely as possible a preventive measure such as detention to ensure the safety of witnesses and victims against persons suspected/accused of committing crimes related to human trafficking.
- ▶ Ensure the qualifications improvement of judges and prosecutors involved in countering human trafficking, in particular with the aim of preventing manifestations of too loyal attitude towards human traffickers and assigning them punishment, in accordance with the gravity of the crime committed.

COUNTER-TRAFFICKING NGO COALITION

SPRING OF HOPE OF UKRAINE, NGO	48 Stetsenko St., Vinnytsia, Oblast Vinnytsia	+38 (068) 425 00 70 main@springofhope.org.ua
VELES+, NGO	9 Shota Rustaveli St., Lutsk, Volyn Oblast	+38 (095) 523 37 53valchuk2679@gmail.com
VOLYN PERSPECTIVES, NGO	9 Shota Rustaveli St., Lutsk, Volyn Oblast	+38 (050) 690 48 29vperspectives@gmail.com
PROMIN DNIPRO, NGO	22 Starokozatska St., office 3, Dnipro, Dnipropetrovsk Oblast	+38 (096) 130 18 79promindnipro@gmail.com
ALLIANCE FOR CIVIL RIGHTS, NGO	9 Parkova St., Kramatorsk, Donetsk Oblast	+38 (050) 979 58 16 alliancedon.evs@gmail.com
WOMEN'S INFORMATION AND CONSULTATION CENTER, NGO	28 Aviatsiina St., Ozerne Settlement, Zhytomyr Raion, Zhytomyr Oblast	+38 (096) 456 55 56 wicc.ngo.zt@gmail.com
VESTA, THE TRANSCARPATHIAN WOMEN'S PUBLIC ORGANIZATION	31 L. Tolstoi St., Uzhhorod, Zakarpattia Oblast	+38 (050) 693 95 13 vestainna@gmail.com
EGIDA-ZAPORIZHZHIA HUMAN RIGHTS ORGANISATION	84 Ukraine Independence St., Zaporizhzhia, Zaporizhzhia Oblast	+38 (097) 435 17 64 egidazp@ukr.net
CARITAS CHARITABLE FOUNDATION OF IVANO-FRANKIVSK UGCC, CO	102 Krykhivetska St., Ivano- Frankivsk, Ivano-Frankivsk Oblast	+38 (050) 949 11 13 caritas-ivano-frankivsk@ukr.net
ECO LEAGE CENTRE, NGO	12 Shatila St., apt. 4, Kropyvnytskyi, Kirovohrad Oblast	+38 (050) 704 41 99 ekoliga.cent@gmail.com
REGIONAL WOMEN'S INFORMATION CENTER, NGO	24 Velyka Perspektyvna St., Kropyvnytskyi, Kirovohrad Oblast	+38 (0522) 22 65 79 vgz@library.kr.ua
WOMEN'S PERSPECTIVES CENTER, NGO	36 Chervona Kalyna Ave, office 315, Lviv, Lviv Oblast	+38 (067) 674 07 70 women@women.lviv.ua
LIUBYSTOK, MYKOLAIV LOCAL CHARITABLE FOUNDATION, CO	49 Velika Morska St., office 32, Mykolaiv, Mykolaiv Oblast	+38 (066) 711 30 50 liubystok.mk@gmail.com
THE PUBLIC MOVEMENT Faith, Hope, Love, NGO	60 Preobrazhenska St., Odesa, Odesa Oblast	+38 (048) 777 25 17 semikop@te.net.ua
LIGHT OF HOPE, CO	17-a Shemet Brothers St., Poltava, Poltava Oblast	+38 (050) 060 60 81 office@lightofhope.com.ua
CHAIKA, CENTER FOR SUPPORTING CIVIC INITIATIVES, NGO	Str. 19 Danylo Halytskyi St., office 215, Rivne, Rivne Oblast	+38 (096) 126 52 58 centerchaika@gmail.com
TMGK VIDRODZHENNIA NATSII, NGO	1 T. Shevchenko Blvd, Ternopil, Ternopil Oblast	+38 (0352) 52 39 52 tmgkv@ukr.net
CLEAR PAPER, NGO	38 Derzhavinska St., Kharkiv City, Kharkiv Oblast	+38 (096) 663 56 81 clearpaperngo@gmail.com
WAY TO LIFE, NGO	127-A Haharin Ave, office 319, Kharkiv, Kharkiv Oblast	+38 (050) 576 90 81 sharun1979yana@gmail.com
SUCCESSFUL WOMAN, KHERSON REGIONAL CENTER, NGO	27 Yevropeiska St., Kherson, Kherson Oblast	+38 (099) 349 36 47 alytyvnenko.sw@gmail.com
100% LIFE CHERKASY, CO	12/1 Riepin St., Cherkasy, Cherkasy Oblast	+38 (093) 081 43 12 100lifecherkasy@gmail.com
CHERNIHIV PUBLIC COMMITTEE OF HUMAN RIGHTS PROTECTION, NGO	57 Honcha St., Chernihiv, Chernihiv Oblast	+38 (063) 049 72 56 chpchrp@gmail.com

**The bulletin was prepared by Counter-Trafficking NGO Coalition, Public Union
Natalia Kulikova, Head of Coalition**

Please contact us for cooperation with the Coalition and obtaining previous issues of the monitoring
bulletin at following e-mails

ukrngo.coalitioncthb@gmail.com

**Public Control Over the Implementation of the Anti-trafficking Policy
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