

Ukraine

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working:	Unavailable
Minimum age of work:	16 ⁴³²³
Age to which education is compulsory:	15 ⁴³²⁴
Free public education:	Yes ⁴³²⁵
Gross primary enrollment rate in 2004:	95% ⁴³²⁶
Net primary enrollment rate in 2004:	82% ⁴³²⁷
Percent of children 5-14 attending school:	Unavailable
Percent of primary school entrants likely to reach grade 5:	Unavailable
Ratified Convention 138:	5/3/1979 ⁴³²⁸
Ratified Convention 182:	12/14/2000 ⁴³²⁹
ILO-IPEC participating country:	Yes ⁴³³⁰

Incidence and Nature of Child Labor

Children in Ukraine are found working in agriculture, trade, services, manufacturing, and construction. Child laborers typically begin working at 12.⁴³³¹ Children in rural areas were approximately twice as likely to work as those in urban areas.⁴³³² Child begging is also present in Ukraine.⁴³³³

Ukraine is a source country for child pornography available on the Internet, and the commercial sexual exploitation of children is a problem.⁴³³⁴ The country is a source country for trafficking

⁴³²³ U.S. Department of State, "Ukraine," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78846.htm>. See also U.S. Embassy- Kyiv, *reporting*, December 13, 2006.

⁴³²⁴ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 5. See also ECPAT International, *CSEC Database- Ukraine*, [accessed October 21, 2006]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/Countries.asp?arrCountryID=&CountryProfile=facts&CSEC=&Implement=&Nationalplans=&orgWorkCSEC=&DisplayBy=&GetCategoryName=&GetCountryID=182&Submit=Show.

⁴³²⁵ *Constitution of Ukraine*, Fifth Session of the Verkhovna Rada of Ukraine (June 28, 1996); available from <http://www.rada.kiev.ua/const/conengl.htm>. See also U.S. Department of State, "Country Reports- 2006: Ukraine," Section 5.

⁴³²⁶ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007.

⁴³²⁷ Ibid.

⁴³²⁸ ILO, *List of Ratifications of International Labour Conventions, C138 Minimum Age Convention, 1973*, [accessed October 19, 2006]; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConvYear.cfm?hdroff=1&Lang=EN&conv=C138>.

⁴³²⁹ ILO, *List of Ratifications of International Labour Conventions, C182 Worst Forms of Child Labour Convention, 1999*, [accessed October 19, 2006]; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConvYear.cfm?hdroff=1&Lang=EN&conv=C182>.

⁴³³⁰ ILO-IPEC, *IPEC Action Against Child Labor: Highlights 2006*, October 2006; available from http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20061019_Implementationreport_eng_Web.pdf.

⁴³³¹ PROTECT CEE, *Ukraine Country Profile*, [online] 2005 [cited October 19 2006], 5; available from http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/2005_fs_ukraine.pdf.

⁴³³² Ibid.

⁴³³³ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 6d.

⁴³³⁴ Ibid., Sections 5 and 6d. See also ECPAT International, *CSEC Database- Ukraine*.

children.⁴³³⁵ Children have been trafficked for sexual exploitation and forced labor.⁴³³⁶ Internal trafficking of children is a large problem in Ukraine.⁴³³⁷ Most trafficked girls are subject to commercial sexual exploitation, while boys are trafficked for labor or to sell drugs.⁴³³⁸ Debt bondage (forcing the child to pay off debt incurred as a result of the trafficking) is a common occurrence in trafficking situations involving Ukrainian children.⁴³³⁹

Street children, victims of domestic violence, orphans, residents of boarding schools, and children with absent parents (often due to migration in search of work or incarceration) are the groups most vulnerable to exploitation in the worst forms of child labor, including commercial sexual exploitation.⁴³⁴⁰

Child Labor Laws and Enforcement

The minimum age for employment is 16 years.⁴³⁴¹ With government permission and the consent of a parent, 15-year-old children may work in certain non-hazardous industries. With the permission of a parent, 14-year-old children may work in agriculture and the social sector (orphanages, hospitals, elder care, etc.) on a short-term basis if it does not interfere with their education.⁴³⁴² The employment of an underage child is prohibited by law and is punishable by up to 6 months of imprisonment or judicial restraint for up to 3 years. The sentence is increased to 2 to 5 years of imprisonment if multiple children are involved, if considerable damage is done to the health of the child, or if the child was involved in hazardous work.⁴³⁴³

Forced labor of children is forbidden by law.⁴³⁴⁴ The minimum age for military conscription is 18, and age 17 for voluntary recruitment.⁴³⁴⁵ Pimping or managing a brothel that employs minors is illegal and punishable by 2 to 7 years of imprisonment. Involvement of a child in

⁴³³⁵ U.S. Department of State, "Ukraine (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/>. See also U.S. Department of State, "Country Reports- 2006: Ukraine," Section 5.

⁴³³⁶ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 6d. See also PROTECT CEE, *Ukraine Country Profile*, 7.

⁴³³⁷ ILO-IPEC, *Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Ukraine, 2003*, Geneva, 2004, 2.

⁴³³⁸ PROTECT CEE, *Ukraine Country Profile*, 7. See also ILO-IPEC, *Rapid Assessment Ukraine*, 1.

⁴³³⁹ ILO-IPEC, *Rapid Assessment Ukraine*, 2.

⁴³⁴⁰ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography- Ukraine*, April 6, 2006, 7. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, project document, Geneva, September 19, 2006, 19. See also PROTECT CEE, *Ukraine Country Profile*.

⁴³⁴¹ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 6d.

⁴³⁴² ILO-IPEC, *Trafficking and other Worst Forms of Child Labour In Central and Eastern Europe (Phase II)*, project document, 34. See also U.S. Department of State, "Country Reports- 2006: Ukraine," Section 6d. See also U.S. Embassy- Kyiv, *reporting, December 13, 2006*.

⁴³⁴³ U.S. Embassy- Kyiv, *reporting, December 13, 2006*.

⁴³⁴⁴ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 6c.

⁴³⁴⁵ Coalition to Stop the Use of Child Soldiers, "Ukraine," in *Child Soldiers Global Report- 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=935.

prostitution is prohibited and offenders can be punished by 3 to 5 years of imprisonment.⁴³⁴⁶ Importation, sale, distribution, or manufacture of child pornography is punishable by 6 months to 3 years of imprisonment. The sentence is increased to 5 years if the material is on film or video media. If there are repeated child pornography violations or if the act was committed by a group of persons and involved compelling the minor to participate, the sentence is increased to 3 to 7 years of imprisonment.⁴³⁴⁷ Trafficking of minors 14 to 18 is prohibited by law and is punishable by 5 to 12 years of imprisonment.⁴³⁴⁸ If the child is under 14, the punishment is 8 to 15 years of imprisonment.⁴³⁴⁹

The State Labor Inspectorate and the State Department of Surveillance over Labor Legislation Observance in the Ministry of Labor and Social Policy (MOLSP) are responsible for enforcing child labor policies and laws in the formal sector.⁴³⁵⁰ There were 708 labor inspectors in Ukraine in 2006.⁴³⁵¹ The Labor Inspectorate does not have the authority to inspect informal workplaces.⁴³⁵² In addition to the Labor Inspectorate, the Ministry of Emergencies and the Ministry of Health also conduct inspections.⁴³⁵³

The Ministry of the Interior's (MOI) Anti-trafficking Department is responsible for the enforcement of anti-trafficking laws. It has a staff of approximately 600 officers and branch offices in all 27 regional directorates.⁴³⁵⁴ In 2005, 446 trafficking victims, 39 percent of whom were children, were returned to Ukraine.⁴³⁵⁵ In 2005, the police conducted 2,000 raids to investigate suspected instances of child exploitation and trafficking, including checks at 600 photographic and video studios, 2,500 nightclubs, 300 massage parlors, 270 modeling agencies, 420 hotels and campsites, and 1,100 Internet cafes.⁴³⁵⁶ The MOLSP revoked the licenses of a limited number of employment agencies suspected of involvement in trafficking; however, the MOI reported that MOLSP's enforcement was not uniformly effective.⁴³⁵⁷ In 2005, the most recent date for which such information is available, there were 415 criminal prosecutions for

⁴³⁴⁶ Interpol, *Legislation of Interpol Member States on Sexual Offences Against Children*, October 21, 2006; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/default.asp>.

⁴³⁴⁷ Ibid.

⁴³⁴⁸ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 5. See also ILO-IPEC, *Rapid Assessment Ukraine*, 10.

⁴³⁴⁹ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 5.

⁴³⁵⁰ U.S. Department of State, "Ukraine," in *Country Reports on Human Rights Practices- 2005*, Washington, DC, March 8, 2006, Section 6d; available from <http://www.state.gov/drl/rls/hrrpt/2005/61682.htm>. See also U.S. Embassy- Kyiv, *reporting, December 13, 2006*.

⁴³⁵¹ State Labor Inspectorate- Ukraine official, Interview with USDOL official, March 30, 2006. See also Ministry of Labor and Social Policy- Ukraine official, Interview with USDOL official, March 30, 2006.

⁴³⁵² Ministry of Labor and Social Policy- Ukraine official, interview, March 30, 2006. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour In Central and Eastern Europe (Phase II), project document*, 35. See also U.S. Department of State, "Country Reports- 2006: Ukraine," Section 6d.

⁴³⁵³ Ministry of Labor and Social Policy- Ukraine official, interview, March 30, 2006.

⁴³⁵⁴ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2006: Ukraine."

⁴³⁵⁵ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography- Ukraine*, 6.

⁴³⁵⁶ Ibid., 7.

⁴³⁵⁷ U.S. Department of State, "Trafficking in Persons Report- 2006: Ukraine." See also U.S. Department of State, "Country Reports- 2006: Ukraine," Section 5.

trafficking, an increase of 54.3 percent over 2004. In 2005, the most recent year when such information was available, 115 persons were convicted of trafficking.⁴³⁵⁸ The U.S. Department of State reports that corruption among police and in the courts hampered the enforcement of anti-trafficking laws.⁴³⁵⁹

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

On May 11, 2006, the government approved the State Program to Combat Child Homelessness and Neglect for 2006-2010. The document identifies child labor as a factor related to child homelessness. The program aims to identify and support at-risk families.⁴³⁶⁰ The Government of Ukraine has a National Action Plan for 2006 to 2016 on the implementation of the UN Convention on the Rights of the Child, with separate chapters on the worst forms of child labor, child trafficking, and sexual exploitation.⁴³⁶¹

The Department of Juvenile Affairs in the Ministry of Family, Youth, and Sport (MOFYS) and the Criminal Police on Juvenile Affairs in the MOI have the responsibility of identifying working children in the informal sector.⁴³⁶² The Ministry of Health is responsible for providing physical and psychological rehabilitation to child victims of commercial sexual exploitation.⁴³⁶³ Children found to be involved in prostitution are often put in boarding schools. Although the boarding schools provide education, room, and board, conditions are usually poor.⁴³⁶⁴

In cooperation with the IOM and with funding from the European Commission, the government supports shelters for victims in seven cities.⁴³⁶⁵ The government assisted potential trafficking victims through its overseas embassies.⁴³⁶⁶ The government and NGOs cooperated on awareness-raising campaigns.⁴³⁶⁷ A trafficking awareness-raising campaign for teachers and students was managed by the Ministry for Education and Science.⁴³⁶⁸ The government conducted anti-trafficking trainings for investigators, prosecutors, and judges in conjunction with

⁴³⁵⁸ U.S. Department of State, "Trafficking in Persons Report- 2006: Ukraine."

⁴³⁵⁹ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2006: Ukraine."

⁴³⁶⁰ ILO-IPEC, *National Programme for the Prevention and Elimination of the Worst Forms of Child Labour in Ukraine*, technical progress report, Geneva, August 31, 2006.

⁴³⁶¹ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography- Ukraine*, 37. See also Ministry of Family Youth and Sport- Ukraine official, Interview with USDOL official, March 29 2006.

⁴³⁶² U.S. Department of State, "Country Reports- 2006: Ukraine," Section 6d.

⁴³⁶³ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography- Ukraine*, 26.

⁴³⁶⁴ ECPAT International, *CSEC Database- Ukraine*.

⁴³⁶⁵ U.S. Department of State, "Country Reports- 2006: Ukraine," Section 5.

⁴³⁶⁶ Ibid.

⁴³⁶⁷ Ibid. See also Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography- Ukraine*, 39.

⁴³⁶⁸ U.S. Department of State, "Trafficking in Persons Report- 2006: Ukraine."

international organizations.⁴³⁶⁹ The government and NGOs continue to screen and refer victims found at the airport in Kyiv and the port of Odessa.⁴³⁷⁰

The Government of the Ukraine cooperated with ILO-IPEC on a USD 1.1 million USDOL-funded project which ended in August 2006. It improved Ukraine's policy and legal framework for addressing child labor, raised awareness, conducted research on child labor issues, established a child labor monitoring system, and withdrew 1,617 children and prevented 354 children from the worst forms of child labor.⁴³⁷¹ The government participated in a 3-year USD 1.5 million USDOL-funded ILO-IPEC regional project to combat the trafficking of children for labor and sexual exploitation that ended in January 2007.⁴³⁷² The project withdrew 195 children and prevented 666 children from exploitive labor in Ukraine.⁴³⁷³ Beginning in September 2006, the government supported a USD 3.5 million USDOL-funded project to combat child trafficking and other worst forms of child labor. It operates in Albania, Bulgaria, the UN-administered Province of Kosovo, Moldova, Romania, and Ukraine. The project aims to withdraw 1,350 and prevent 3,150 children from exploitive labor throughout all of the participating countries.⁴³⁷⁴ In 2006, USAID funded a USD 1.2 million project through the IOM to raise awareness of trafficking in persons among children and young women 12 to 25 years, to provide support to local and national government, and to assist approximately 700 trafficking victims.⁴³⁷⁵ ILO-IPEC has worked to support community-based centers to assist children from at-risk families, street children and orphans. It also assisted with a program to provide support to children leaving state boarding schools, a group especially vulnerable to trafficking, and train them for life outside of the institution.⁴³⁷⁶

⁴³⁶⁹ Ibid.

⁴³⁷⁰ Ibid.

⁴³⁷¹ ILO-IPEC, *National Program for the Prevention and Elimination of the Worst Forms of Child Labor in Ukraine*, final technical progress report, Geneva, August 31, 2006, 1, 58.

⁴³⁷² ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans & Ukraine*, technical progress report, Geneva, August 31, 2006.

⁴³⁷³ ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans & Ukraine*, final technical progress report, 2007, 64.

⁴³⁷⁴ ILO-IPEC, *Trafficking and other Worst Forms of Child Labour In Central and Eastern Europe (Phase II)*, project document, cover page, vi, 69.

⁴³⁷⁵ USAID, *Ukraine - Data Sheet*, October 21, 2006; available from http://www.usaid.gov/policy/budget/cbj2006/ee/pdf/ua_121=0325.pdf.

⁴³⁷⁶ U.S. Embassy- Kyiv, Email Communication to USDOL official, July 27, 2007.