

In 2018, Ukraine made a moderate advancement in efforts to eliminate the worst forms of child labor. Ukraine officially ended the moratorium on labor inspections in February 2018. In addition, Ukraine doubled the number of labor inspectors, trained new inspectors, and established an Inter-Ministerial Counter-Trafficking Coordination Council. However, children in Ukraine engage in the worst forms of child labor, including in the production of pornography. Children also perform dangerous tasks in mining. National policies related to child labor continue to lack sufficient funding for adequate implementation.



Furthermore, Russian aggression in the east of the country continued, which negatively impacted the government's ability to address the worst forms of child labor by limiting the budget available for social services and other domestic policy priorities, and increased the vulnerability to exploitation of children living in Russian-controlled geographical areas.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ukraine engage in the worst forms of child labor in the production of pornography. Children also perform dangerous tasks in mining. (1-4) Table 1 provides key indicators on children's work and education in Ukraine.

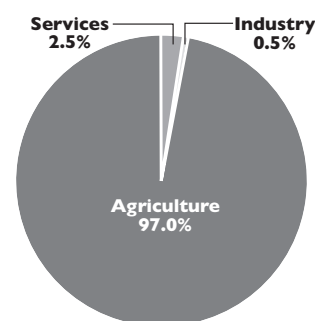
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	9.7 (385,204)
Attending School (%)	5 to 14	97.2
Combining Work and School (%)	7 to 14	12.0
Primary Completion Rate (%)		103.4

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey, 2015. (6)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1-4,7)
Industry	Construction, activities unknown (3,8,9) Mining,† including loading, transporting, and sorting coal, and extracting amber (2,7,10,11)
Services	Street work, including distributing advertising leaflets, sales activities in kiosks, washing cars, and begging (1-4,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,12,13) Use in the production of pornography (1,7) Recruitment of children by non-state armed groups for use in armed conflict (14,15) Forced begging, sometimes as a result of human trafficking (7,8-18)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In 2018, the conflict with Russian-led forces in the east of the country continued. The government's continued policy focus on national security, as well as budget cuts associated with the conflict, negatively affected its

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ability to address the worst forms of child labor. (4,7) Russian aggression in eastern Ukraine has created more than 1.8 million IDPs, including more than 190,000 children. (19,20) The inability of many IDP families to access adequate shelter and available social benefits puts children at increased risk of exploitation in the worst forms of child labor. (21) In particular, the Ministry of Social Policy (MSP) noted an increased vulnerability to both domestic and international human trafficking among the IDP community. (12) There have been reports of kidnapping of girls from conflict-affected areas for commercial sexual exploitation and labor exploitation. (8,18,22) Displaced individuals from the Roma community, an estimated 10 percent of whom lack identity documentation, have experienced difficulty registering as IDPs. This prevents Roma IDPs from accessing assistance and puts Roma children at even greater risk of exploitation. (23-26) An estimated 10,000 Roma people have been displaced by the conflict. (27)

Children from Ukraine are trafficked both internationally and domestically for commercial sexual exploitation and forced begging. (16,18) Children with disabilities and homeless, orphaned, and poor children, especially those living in state-run institutions, are at high risk of being trafficked and targeted by recruiters for child pornography. (1,16,17,28,29) Ukraine is a destination and transit country for refugees from Afghanistan, Somalia, and Syria. Refugees lack access to state-run children’s shelters, have no formal means of acquiring food and other assistance from the government, and experience heightened vulnerability to child trafficking. (29)




During the reporting period, children continued to take part in armed combat as part of the Russia-led forces in the areas of Donetsk and Luhansk. (4) Recruitment of children by militant groups took place primarily in Russian-controlled territory and areas where the government was unable to enforce national prohibitions against the use of children in armed conflict. (4,7)

Although Ukraine’s Constitution and Law on General Secondary Education guarantee free universal education, due to discrimination by school administrators, Roma children have been denied access to education, placed in segregated schools exclusively for Roma children, or erroneously placed in special education schools. (26,30,31) A source reported that the municipal governments in Ukraine were ineffective in compelling school administrators to enroll Roma children who were unfairly denied access to school. (23)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Ukraine has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention		Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The government’s laws and regulations are in line with relevant international standards (Table 4).

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 188 of the Labor Code; Article 150 of the Criminal Code; and Article 21 of the Law on the Protection of Childhood (32-34)
Minimum Age for Hazardous Work	Yes	18	Article 190 of the Labor Code; Article 21 of the Law on the Protection of Childhood (33,34)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Order of the Ministry of Health No. 46 on the approval of the list of heavy work and work with dangerous and harmful working conditions, in which the employment of minors is prohibited; Article 150-1 of the Criminal Code (32,35)
Prohibition of Forced Labor	Yes		Article 43 of the Constitution of Ukraine; Article 1 of the Law on Employment; and Articles 149, 172, and 173 of the Criminal Code (32,36,37)
Prohibition of Child Trafficking	Yes		Article 149 of the Criminal Code; Article 32 of the Law on the Protection of Childhood (32,34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 301–303 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood; the Law on Amendments to Certain Legislative Acts of Ukraine on Combating the Distribution of Child Pornography; and Articles 1, 6, and 7 of the Law on the Protection of Public Morality (32,34,38,39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 304 and 307 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood (32,34)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Articles 15 and 20 of the Law on Military Duty and Military Service (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 15 of the Law on Military Duty and Military Service; Decree No. 447 on Measures to Improve the Defense Capabilities of the State (40,41)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 30 of the Law on the Protection of Childhood (34)
Compulsory Education Age	Yes	17‡	Articles 12 and 20 of the Law on General Secondary Education (42)
Free Public Education	Yes		Article 53 of the Constitution of Ukraine; Article 2 of the Law on General Secondary Education (36,42)

‡ Age calculated based on available information (42)

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (32-34,42) Furthermore, the Order of the Ministry of Health Number 46 permits children to engage in hazardous work at age 14 as part of a vocational training program for four hours a day, with safety standards in place, which is not in compliance with international standards. (9,47)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the State Labor Service that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Labor Service (SLS) within the Ministry of Social Policy (MSP)	Enforces labor laws, including laws on child labor, by conducting inspections. (48)
Department on Adoption and Children's Rights Protection within the MSP	Identifies children involved in the worst forms of child labor, most of whom are in the informal sector. (9)
National Police	Enforces criminal laws against the worst forms of child labor, including child trafficking. (48)
State Migration Service	Assists refugees and migrants in need in the country, including victims of human trafficking. (9)
State Border Guards Services	Protects the country's borders and identify cases of human trafficking. (49)

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**Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)**

Organization/Agency	Role
Office of the Ombudsman for Children's Rights	Monitors protection of the rights of children and fulfillment of international obligations to protect children's rights, including by preventing child labor. Coordinates the development of laws on child protection. (50) Informs the public of children's rights. (50)
National Referral Mechanism (NRM)	Identifies victims of human trafficking, including children, and refers victims to appropriate government agencies for assistance and services. Led by the MSP. (8)

### Labor Law Enforcement

In 2018, labor law enforcement agencies in Ukraine took actions to combat child labor (Table 6). However, gaps exist within the operations of the State Labor Service (SLS) that may hinder adequate labor law enforcement, including the collection of penalties imposed.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$15 million (7)	\$21 million (4)
Number of Labor Inspectors	648 (7)	1,257 (4)
Inspectorate Authorized to Assess Penalties	Yes (7)	Yes (4)
Initial Training for New Labor Inspectors	Yes (7)	Yes (4)
Training on New Laws Related to Child Labor	Yes (7)	Yes (4)
Refresher Courses Provided	Unknown	Yes (4)
Number of Labor Inspections Conducted	2,726 (7)	15,890 (4)
Number Conducted at Worksite	2,726 (7)	15,514 (4)
Number of Child Labor Violations Found	99 (7)	142 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	102 (7)	140 (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	8 (4)
Routine Inspections Conducted	Yes (7)	Yes (4)
Routine Inspections Targeted	Yes (7)	Yes (4)
Unannounced Inspections Permitted	No (51)	Yes (4)
Unannounced Inspections Conducted	No (7)	Yes (4)
Complaint Mechanism Exists	Yes (7)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (4)

Under Decree of the Cabinet of Minister No. 1104, the moratorium on inspections that had been in place since 2014 was removed in February 2018 for the SLS, among several other bodies, enabling labor inspections to begin again inspecting for child labor violations. The moratorium, however, remained in place for criminal law enforcement agencies, except when credible information of trafficking in persons existed. (12,46)

### Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Ukraine took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for judges.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (17)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (4)
Refresher Courses Provided	Yes (17)	Yes (4)
Number of Investigations	116 (7)	Unknown (4)
Number of Violations Found	4 (17)	210 (4)
Number of Prosecutions Initiated	3 (7)	276 (4)
Number of Convictions	Unknown (7)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (4)

Concerns have been raised that the existing curriculum for judicial training on human trafficking does not provide sufficient information about child trafficking victims who may have been forced to commit crimes while being trafficked. (9)

Children who were discovered to be in dangerous situations during the course of criminal investigations were referred to the MSP Shelters and Centers for Socio-Psychological Rehabilitation of Children. (17)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Inter-Ministerial Counter-Trafficking Coordination Council*	Serves as national coordinator on anti-human trafficking issues. Led by MSP, it met in 2018 and held discussions on countering trafficking for labor exploitation and human trafficking awareness raising within educational institutions. (12)
Interagency Council on Family, Gender Equality, Demographic Development, Prevention of Violence in the Family, and Counter-Trafficking Issues	Coordinates efforts to address the worst forms of child labor, including the trafficking of children. Chaired by MSP, comprises representatives from the Ministries of Justice, Education, Security, Health, and Foreign Affairs, and from international and local NGOs. (9,54) Based on available information, this Council was active during the reporting period. (26)
Interagency Working Group to Protect the Rights of Civilians, Including Women and Children, During the Anti-Terrorist Operation in the Eastern Regions of Ukraine	Protects IDPs and other civilians from the negative consequences of the ongoing military operations in Ukraine, including the increased rates of domestic and international human trafficking. Established by MSP, members include representatives from the Secretariat of the <i>Verkhovna Rada</i> Commissioner for Human Rights, the Authorized Representative of the President of Ukraine for Children's Rights, and other government agencies and NGOs. (21) Based on available information, this Working Group was active during the reporting period. (26)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In October 2018, the Resolution of the Cabinet of Ministers No. 800 entered into force, establishing a framework for stronger cooperation between the central government, local bodies, and institutions to provide social protection to children subjected to cruel treatment in any form of slavery, human trafficking, forced or compulsory labor, recruitment for use in armed conflicts, prostitution, movie production, and pornography and/or other activities of pornographic nature. (4)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including coverage of the worst forms of child labor other than child trafficking.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan Countering Human Trafficking (2016–2020)	Guides the work of the National Coordinator on Countering Human Trafficking through specific actions and timetables for preventing, protecting and prosecuting human trafficking crimes. (12, 18) In 2018, MSP trained local social service departments on their responsibilities under this National Action Plan. Implementation focused on state child advocacy and labor officials as key actors to identify victims of trafficking. (12)
National Action Plan for Implementation of UN CRC (2017–2021)	Identifies priorities in the area of child protection, including improving measures to address the worst forms of child labor and increasing coordination between government agencies and NGOs. (2,4,55,56) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

Although the Government of Ukraine has adopted a National Action Plan Countering Human Trafficking and a National Action Plan for Implementation of UN CRC, research found no evidence of a policy on other worst forms of child labor.

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### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem, especially the worst forms of child labor.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Shelters and Centers for Socio-Psychological Rehabilitation of Children†	MSP-operated program to provide protection in 8 short-term shelters and 72 long-term rehabilitation centers for children in need, including street children. Short-term shelters provide accommodation for up to 90 days, and rehabilitation centers offer accommodation for up to 12 months. (8,18,9,21,28) Provide regular social, medical, psychological, and other types of services for non-residents. (8,18) The shelters continued to provide services in 2018. (12) Although MSP provides services for children in shelters and socio-psychological rehabilitation centers, the current availability of shelters and trained personnel is insufficient to fully address the extent of the child labor problem. (13)
Centers for Social Services for Family, Youth, and Children†	Government-run program to provide services for victims of human trafficking and other populations in need. (18,9) These centers were active and provided services during the reporting period. (26)
Multiplication of the Anti-Trafficking National Referral Mechanism in Ukraine†	Joint program by MSP and OSCE to train officials in several regions of Ukraine to identify and provide services to human trafficking victims. Involves collaborative work among local agencies and non-governmental partners. (28) In 2018, the government in cooperation with IOM trained 26 Ukrainian diplomats to help ensure that diplomats are not engaged in or facilitating human trafficking. The diplomats were also trained on victim identification as well as transnational and national referral mechanisms with all related expenses fully covered through the state budget. (12)
Countering Trafficking in Persons Project (2004–2018)	USAID-funded project implemented by IOM; aims to reduce human trafficking by building the capacity of Ukrainian institutions to address the problem by strengthening the national referral mechanism and increasing government funding for counter-trafficking efforts. (58) In 2018, the project was extended through January 1, 2023, and created an online counter-trafficking course. (26,59,60)

† Program is funded by the Government of Ukraine.

Ukraine has a variety of service providers for victims of human trafficking; however, the MSP must confer the official status of “victim of trafficking” on child trafficking victims to allow them access to available government services. (8,18,28) Research found that delays in this practice often result from insufficient documentation of the crime to the MSP by local administrations. (8,18,28)

The Centers for Social Services for Family, Youth, and Children have historically experienced a large turnover of staff due to an excessive workload and low pay. (13) In addition, the centers remain understaffed after budget cuts enacted in 2014 resulted in the layoff of 12,000 social workers. (61) Likewise, high turnover in the regions where local agencies are responsible for identifying human trafficking victims under the National Referral Mechanism (NRM) has hampered service provision to victims. (28)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Ukraine (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Prohibit all children under age 16 from working in hazardous occupations during vocational training.	2011 – 2018
Enforcement	Ensure that judges are sufficiently trained on human trafficking, particularly where child trafficking victims have been forced to commit crimes while being trafficked.	2013 – 2018
	Track and publish data on the number of investigation, convictions, and penalties imposed for criminal violations of child labor laws.	2014 – 2018
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as a National Action Plan on Child Labor.	2018

**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Develop programs to facilitate access to education for Roma children and ensure that municipal governments hold schools accountable for discrimination against Roma children.	2010 – 2018
	Ensure that all children who are victims of human trafficking are able to access government services available for victims including by assisting victims in obtaining necessary identity documentation.	2013 – 2018
	Ensure there are sufficient resources for Centers for Social Services for Family, Youth, and Children for child victims of human trafficking.	2013 – 2018

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