

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



CP(2017)10

Report submitted by the authorities of Ukraine
on measures taken to comply with
Committee of the Parties Recommendation
CP(2014)18 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings

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Information about the implementation of GRETA recommendations

Definition of “trafficking in human beings”

1. GRETA invites the Ukrainian authorities to align the two definitions of THB in national law with a view to ensuring that they cover all the concepts in Article 4 of the Convention in a manner consistent with the principles of the Convention.

The Ministry of Social Policy has drafted the Law of Ukraine “On Amending Certain Legislative Acts of Ukraine to Strengthen Combatting Trafficking in Human Beings and Protection of Trafficking Victims” which contains a new redaction of the definition of THB. The proposed definition is fully in line with the Palermo Protocol and the Council of Europe Convention on Action Against Trafficking in Human Beings:

“trafficking in human beings is the recruitment, transportation, transfer, harbouring or receipt of a human being for the purpose of his/her exploitation by use of force, threat of use of force or other forms of coercion, kidnapping, fraud, deception, abuse of power or the person’s position of vulnerability, or by bribery, in the form of payments or benefits, to obtain the consent of a person who controls another person; exploitation includes, but is not limited to, exploitation of the prostitution of other persons, including disabled persons, or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

By the end of 2016, this draft law is planned to be submitted for consideration to the Cabinet of Ministers of Ukraine.

2. GRETA considers that spelling out the irrelevance of the consent of the victim to the intended exploitation could improve the implementation of the anti-trafficking provisions and provide victims with greater confidence in self-reporting.

Under article 149 of the Criminal Code of Ukraine, criminal responsibility is established for trafficking in human beings or other illegal agreement regarding a person. For example, part one of this article envisages criminal responsibility for trafficking in human beings or conducting other illegal agreement with a person as an object, as well as recruitment, transportation, harbouring, transfer or receipt of a person, committed for the purpose of exploitation by means of deceit, blackmail, or the use of his/her vulnerable condition

The main direct object of this crime is the honour and dignity of a person and—except for cases when the agreement with a person as an object is concluded with this person’s consent—the will of the person. Its additional optional object may be the life and health of the person and the established procedure for discharging duties by officials.

According to note 3 to the article, responsibility for the recruitment, transportation, harbouring transfer or receipt of a minor (up to 14 or 18 years of age) according to this article is fixed whether or not such actions were committed with use of deceit, blackmail, or the use of vulnerable condition of a minor, or use or threat of violence, through the abuse of authority or by a person upon whom the victim was dependent materially or otherwise.

Recruitment of a person should be understood as reaching an agreement by way of direct hiring, i.e., inviting and recruiting volunteers ostensibly for participation in a certain activity.

Comprehensive approach and co-ordination

3. While the Ministry of Social Policy has been designated as the national co-ordinating body on action against THB, GRETA considers that the establishment of the post of National Co-ordinator supported by a dedicated office can be instrumental for strengthening co-ordination.

The Ministry of Social Policy as the National Co-ordinator constantly works to strengthen the coordination of the activities of the authorities for combatting trafficking in human beings.

On 29 March 2016, the Ministry of Social Policy held a meeting of the Interdepartmental Council for Family, Gender Equality, Demographic Growth, Prevention of Family Violence and Combatting Trafficking in Human Beings which considered issues in the area of combatting trafficking in human beings with regard to the implementation of activities defined as a result of the meeting of the Interdepartmental Council.

The top officials of the Ministry of Social Policy, other central authorities, the Ukrainian Parliament Commissioner for Human Rights, the National Academy of Sciences and non-governmental organizations participated in the meeting. Based on the outcomes of professional discussion, the members of the Interdepartmental Council passed a resolution on 29 March 2016 aimed at further implementation of the recommendations of international expert commissions.

On orders of **oblast and Kyiv city state administrations**, oblast (as well as raion and city) coordination councils for family, gender equality, demographic growth, prevention of family violence and combatting trafficking in human beings have been set up and are now operating. Scheduled meetings to consider the abovementioned issues are held in each raion and oblast. The meetings of these councils consider ways to improve combatting trafficking in human beings, analyse and evaluate the efficiency of counter-trafficking measures, problems and solutions to them, etc.

The Ministry of Social Policy has set up a working group to consider problematic issues that arise in the course of implementation of state counter-trafficking policy and improving the legislative framework in this field. The members of this group were approved by Order No. 105 of the Ministry of Social Policy of 7 March 2013 (as amended).

Ten meetings of the interdepartmental working group attached to the Ministry of Social Policy have been held in 2016 with the following outcomes:

- approval of joint order No. 4/5 of the Ministry of Social Policy and the Ministry of Internal Affairs "On Approval of the Instruction for Collecting and Monitoring Statistical Information on Victims of Trafficking in Human Beings" of 11 January 2016;
- drafting the Law of Ukraine "On Amending Certain Legislative Acts of Ukraine on Strengthening Combatting Trafficking in Human Beings and Protection of Trafficking Victims";
- drafting the Agreement between the Government of Ukraine and the Government of the Republic of Moldova on cooperation for the protection and repatriation of victims of trafficking in human beings and trafficking in children, unaccompanied children and migrants in hardship;
- drafting the resolution of the Cabinet of Ministers of Ukraine "On Amending Paragraph 2 of the Procedure of Payment of One-Time Material Aid to Victims of Trafficking in Human Beings";
- monitoring mass media reports about trafficking cases and coordination of the response actions of the central authorities;
- large-scale information activities towards World Day against Trafficking in Persons on 30 July and EU Anti-Trafficking Day on 18 October (press conferences in Kyiv and Lviv, a press conference in the UKRINFORM Centre with the participation of MP I. Lutsenko; designs of posters and bill boards developed and distributed among the oblasts and cities of Ukraine; placement of social advertisements in all oblasts; approval of counter-trafficking videos which were distributed in oblasts; an agreement on year-long broadcasting of these videos by the Kyiv Television and Radio Broadcasting Company);
- enhanced coordination of the central and local executive authorities in combatting trafficking in human beings, including a letter sent by the Ministry of Social Policy to the oblast and Kyiv city state administrations with an example of how to correctly report a trafficking case to the territorial units of the National Police;
- development of criteria to evaluate the implementation of activities under the State Social Programme to Combat Trafficking in Human Beings until 2020.

4. GRETA also considers that the authorities should further develop co-ordination between public bodies and civil society actors engaged in anti-trafficking action, and increase the involvement of NGOs and trade unions in the planning and implementation of national policy, for example by encouraging the conclusion of Memoranda of Understanding.

Paragraph 3 of article 3 of the Law of Ukraine “On Combatting Trafficking in Human Beings” establishes that agents for combatting trafficking in human beings interact among themselves in the process of combatting trafficking in human beings during the implementation of the National Mechanism for Interaction of Agents for Combatting Trafficking in Human Beings and cooperate with civic associations and regional and international organizations.

Under article 5 of the Law of Ukraine “On Combatting Trafficking in Human Beings” and the resolution of the Cabinet of Ministers of Ukraine “On Approval of the National Mechanism for Interaction of Agents for Combatting Trafficking in Human Beings”, civic associations are full-fledged actors in the mechanism for interaction and participate in referring trafficking victims to local state administrations for the purpose of establishing victim status.

The Ministry of Social Policy of Ukraine signed the Agreement on Partnership and Cooperation for Combatting Trafficking in Human Beings with All-Ukrainian NGO Coalition for Combatting Trafficking in Human Beings on 16 April 2013.

The Ministry of Social Policy of Ukraine signed an Agreement on Cooperation with the NGO “La Strada – Ukraine” to protect the rights of children, prevent family violence and combat trafficking in human beings on 19 June 2015.

On 17 April 2015, the Ministry of Social Policy held a session of strategic planning of counter-trafficking activities with the participation of representatives of the central and local authorities, IOM, OSCE and NGOs. At the session, the strategy of activities of the Ministry of Social Policy for combatting trafficking in human beings was developed. It contains clear indicators and criteria for monitoring its implementation. Further activities will be carried out to meet the evaluation criteria with the involvement of international organizations and NGOs.

Representatives of the All-Ukrainian NGO Coalition for Combatting Trafficking in Human Beings and the NGO “La Strada – Ukraine” are members of the Interdepartmental Council for Family, Gender Equality, Demographic Growth, Prevention of Family Violence and Combatting Trafficking in Human Beings; the working group for drafting counter-trafficking legislation which is attached to the Ministry of Social Policy. Other NGOs (International Non-Governmental Organization “Campaign A21”, the Harmonized Society Foundation, etc.) are engaged as well. They directly participate in the development of state counter-trafficking policy.

Moreover, representatives of the Coalition’s NGOs are members of the respective oblast coordination councils, whose authority includes combatting trafficking in human beings, in all oblasts of Ukraine. In 90% of oblasts, cooperation among state authorities implementing counter-trafficking policy at the regional level and NGOs is fixed in the respective memoranda. Furthermore, there are joint memoranda on cooperation between NGOs and services for children’s affairs, employment centres, etc. in most oblasts.

5. GRETA invites the Ukrainian authorities to introduce a periodic independent evaluation of the national anti-trafficking programme as a tool for assessing the impact of the activities and for planning future policies and measures to combat THB, and to consider establishing an independent National Rapporteur or designate another existing independent mechanism for monitoring the anti-trafficking activities of State institutions (see Article 29, paragraph 4, of the Convention and paragraph 298 of the Explanatory Report).

Under article 26 of the Law of Ukraine “On Combatting Trafficking in Human Beings”, public control is carried out over the implementation of legislation in the field of combating trafficking in human beings. Paragraph 2 of this article states that non-governmental organizations have the right to conduct monitoring of the status of combating trafficking in human beings, including the implementation of the state programme.

Pursuant to article 26 of the Law of Ukraine “On Combatting Trafficking in Human Beings”, the Independent Monitoring Group to Combat Trafficking in Human Beings was set up on 10 December 2014. The group includes representatives of NGOs with many years of experience in monitoring state counter-trafficking policy: International Women’s Rights Centre “La Strada – Ukraine”, IO “School of Equal Opportunities”, NGO “Avest” (Vinnytsia), NGO “Development of Democracy”, the DUMA Centre for Legal and Political Research (Kharkiv), the Information and Counselling Women’s Centre, the All-Ukrainian Network Against Sexual Exploitation of Children, the Women’s Prospects Western Ukrainian Centre (Lviv), IO “Rozrada”, and Civic Movement “Faith. Hope. Love” (Odesa).

The monitoring group aims at monitoring the implementation of the State Programme to Combat Trafficking in Human Beings, victim status procedure, access to justice for trafficking victims, the efficiency of preventive activities and the fulfilment of Ukraine’s international commitments in combatting trafficking in human beings. Based on monitoring results, annual reports are drafted and then distributed among the public, politicians, and government officials for reaction to identified problems.

The New Social Programme to Combat Trafficking in Human Beings until 2020 was approved on 24 February 2016. The text of the State Programme contains a number of indicators used to monitor its implementation. Monitoring of the State Programme’s implementation takes place every six months and the National Co-ordinator reports monitoring results to the Government of Ukraine. Non-governmental organizations, including the All-Ukrainian NGO Coalition for Combatting Trafficking in Human Beings, also participate in the monitoring.

Furthermore, the Ministry of Social Policy has developed criteria for evaluating the implementation of activities under the State Social Programme to Combat Trafficking in Human Beings until 2020 at the 11 November 2016 meeting of the Interdepartmental Working Group to Combat Trafficking in Human Beings with the participation of representatives of the central authorities and international and non-governmental organizations.

Moreover, the implementation of the State Programme is one of the components of the Action Plan to implement the National Strategy for Human Rights approved by the President of Ukraine on 25 August 2015 (Decree No. 501/2015). The implementation of this Plan is monitored by the Government of Ukraine, while independent monitoring is conducted by the Office of the Ukrainian Parliament’s Commissioner for Human Rights (Ombudsman) in cooperation with non-governmental organizations.

Relevant activities to combat trafficking in human beings are subject to independent monitoring.

6. Further, GRETA urges the Ukrainian authorities to take further steps to ensure that national action to combat THB is comprehensive, and in particular to:

- *strengthen action to combat THB for the purpose of labour exploitation by involving labour inspectors, trade unions, employment agencies, businesses and civil society in a joint platform and improving the identification of and assistance to victims of THB for the purpose of labour exploitation;*

For the purpose of combatting trafficking in human beings and pursuant to the Law of Ukraine “On the Employment of the Population”, the State Employment Service of Ukraine enables unemployed citizens to exercise their constitutional right to social protection free of charge and provides assistance in job seeking. Citizens are provided with information about the situation on the labour market and hiring enterprises, the list of professions in demand, recommendations about job search and explanations of legislative provisions on the employment of the population and social security in case of unemployment.

In the first half of 2016, 497,700 persons, including 288,400 registered unemployed persons of whom one-fourth belong to socially vulnerable population groups, were employed on referral from the State Employment Service.

Moreover, the State Employment Service implements a series of activities to support entrepreneurial initiative among the unemployed (guidance of the unemployment towards entrepreneurial activity and self-employment, information and counselling services, vocational testing, and vocational training for the purpose of starting own business). In the first half of 2016, more than 3,500 persons opened own businesses thanks to unemployment aid.

In January-September 2016, the vocational orientation services of the State Employment Service reached over 2.2 million persons. More than 5.3 million vocational orientation services were provided to them, and over 972,300 unemployed persons received in excess of 4 million vocational orientation services.

The State Employment Service organizes vocational training for the unemployed on the premises of vocational technical schools and higher education institutions, enterprises, institutions and organizations on financing from the Fund of Mandatory State Social Insurance in Case of Unemployment. In January-September 2016, 142,600 unemployed persons completed this kind of vocational training.

In order to step up activities to identify victims trafficked for the purpose of labour exploitation, activities to check enterprises and institutions of various forms of ownership are included in the State Social Programme to Combat Trafficking in Human Beings until 2020 to minimize the use of labour/services of trafficking victims, trace financial flows at enterprises and combat trafficking in human beings for the purpose of labour exploitation, including the introduction of codes of ethics for minimizing the use the labour/services of trafficking victims, with the involvement of labour inspectors, trade unions, employment agencies, business structures and civil society.

The State Labour Inspection of Ukraine in cooperation with the State Employment Service carry out information and education activities aimed at preventing trafficking in human beings (workshops on foreign employment issues, prevention of irregular external labour migration, active explanatory work among entrepreneurs, the unemployed, and job seekers regarding the importance of legal employment, types of contracts, and their advantages and disadvantages). Information and counselling centres set up in the counselling centres of the employment service are active, and their working hours are published on the website of the Chief Directorate of the Employment Service and those of employment centres.

State labour inspectors conducted 434 workshops on the abovementioned topics jointly with the staff of employment centres in the first half of 2016.

- *pay increased attention to identifying foreign victims of trafficking in Ukraine, including among unaccompanied minors, irregular migrants and asylum seekers;*

Units for combatting trafficking in human beings in Ukraine's National Police constantly carry out activities to combat trafficking in human beings, identify trafficking victims, illegal migration, asylum seekers, minors separated from their families, and other vulnerable population groups. In 2015, 111 facts of trafficking in human beings (under article 149 of the Criminal Code) were entered into the Unified Register of Pretrial Investigations. Based on these, 47 persons were charged; pretrial investigation was completed in 90 cases; 102 persons were recognized as victims, including 62 women and six children. In the first nine months of 2016, 89 trafficking cases were entered into the Unified Register of Pretrial Investigations: 49 persons were charged; pretrial investigation was completed in 49 cases; 60 persons were recognized as victims, including 43 women and three children. No foreigners were identified among the abovementioned victims.

In order to identify potential victims and trafficking victims among foreigners entering or leaving Ukraine, border guard units are supplied on an annual basis with updated risk profiles for combatting trafficking in human beings with the support of FRONTEX and pursuant to Order No. 126 of the Administration of the State Border Guard Service of Ukraine "On Organization of the Use of Risk Profiles" of 13 December 2013.

In 2015-2016, the agents of the National Mechanism for Interaction have not identified any foreign trafficking victims. Neither has the IOM Mission in Ukraine identified foreigners or stateless persons who became trafficking in human beings in the territory of Ukraine in 2015-2016.

In order to build the capacity of the staff of the State Migration Service to detect and identify trafficking victims, workshops are held in all oblasts during which special handbooks developed by the State Migration Service jointly with the U.S. Department of State and IOM are distributed.

- *address the particular vulnerability to trafficking of persons from groups affected by unfavourable social and economic conditions;*

In order to reduce citizens' vulnerability to trafficking in human beings, the Ministry of Social Policy carries out large-scale information campaign for the population.

Starting from 2 December 2014, the Ministry of Social Policy has carried out a national information campaign in cooperation with the IOM Mission in Ukraine. The art installation "Invisible" was set up as part of the campaign, and more than 120 figures with real stories of modern-time slavery were installed in cities across Ukraine to represent trafficking victims. The campaign was carried out in Kyiv, Ivano-Frankivsk, Lviv, Dnipropetrovsk, Odesa, Kharkiv, Poltava, Chernivtsi and Ternopil.

Towards World Day against Trafficking in Persons on 30 July 2015, a large-scale information campaign was carried out across Ukraine with the involvement of national, regional and local mass media.

Towards International Day for Abolition of Slavery on 2 December 2015, a car rally was held under the slogan "Only cars for spare parts!" in 17 oblasts of Ukraine (Sumy, Odesa, Zaporizhia, Kherson, Mykolaiv, Poltava, Kirovohrad, Zhytomyr, Vinnytsia, Khmelnytsky, Chernivtsi, Ivano-Frankivsk, Lviv, Rivne, Volyn, Zakarpattia and Ternopil). The car rally initiated by the All-Ukrainian NGO Coalition for Combatting Trafficking in Human Beings and supported by the IOM Mission in Ukraine. The goal was to draw the attention of the population to the issue of trafficking in human beings for the purpose of removal of organs.

On commission from the **the Ministry of Social Policy** and with the support of the IOM Mission in Ukraine, an information campaign to combat child begging was carried out in Odesa in 30 May until 2 September 2016.

Towards World Day against Trafficking in Persons on 30 July 2016, the Ministry of Social Policy carried out—in cooperation with the All-Ukrainian NGO Coalition for Combatting Trafficking in Human Beings and with the support of the IOM Mission in Ukraine—a large-scale information campaign "Joint efforts against trafficking in human beings in Ukraine" in 15 cities of Ukraine (Dnipro, Zhytomyr, Lutsk, Sumy, Rivne, Poltava, Zaporizhia, Kherson, Chernivtsi, Kropyvnytsky, Mykolaiv, Ternopil, Kharkiv, Cherkasy and Vinnytsia).

The following activities were carried out as part of this campaign:

A press conference on the All-Ukrainian Campaign scheduled to take place in the abovementioned cities was held on 29 July 2016.

On 30 July 2016, campaign participants distributed printed materials about the issue of trafficking in human beings in transportation hubs (railway stations, bus stations, airports, marine and river passenger terminals) and at border checkpoints through which people leave and return to Ukraine.

Towards World Day against Trafficking in Persons, photo exhibitions were opened, one in Kyiv on 28 July and one in Lviv on 30 July. The exhibitions were aimed at combatting trafficking in human beings and involved celebrities and journalists. A press conference was also held. The photo exhibitions were organized by the Ministry of Social Policy jointly with the NGO "Campaign A21" and in partnership with the OSCE Project Co-ordinator in Ukraine as part of the "Live free" information campaign.

On 29 July 2016, the NGO "Harmonized Society Foundation"—with the support of the Ministry of Social Policy and the OSCE Project Co-ordinator in Ukraine and in cooperation with the Service for Children and Family of the Kyiv City State Administration and the Kyiv City Centre of Social Services for Family, Children, and Youth—carried out the campaign and information performance "ATTENTION! Trafficking in human beings!" towards World Day against Trafficking in Persons.

Towards EU Anti-Trafficking Day, on 18 October, a press conference was held in the UKRINFORM Centre with the involvement of MP I. Lutsenko. Designs of posters and billboards were developed and distributed across oblasts and cities in Ukraine. Social advertisements were placed in all oblasts. Videos were distributed across oblasts, and an agreement was concluded with the KYIV Television and Radio Broadcasting Company about year-long broadcasting of these videos.

Ministry of Foreign Affairs. Ukraine's diplomatic and consular institutions abroad conduct monitoring of legislation in the countries of stay in the area of migration policy and employment.

Information and explanatory activities are carried out among Ukrainian citizens on a regular basis. Relevant information is disseminated via local Ukrainian-language mass media and is placed on bulletin boards in rooms for consular visits, and advice is given during personal reception of citizens and radio broadcasts featuring consular officials.

Ukrainian citizens receive explanations of their rights and advice regarding local legislation in such spheres as labour, labour safety, taxation, and credit financial relations.

Ministry of Education and Science. In order to increase awareness among children, young students and teachers about contemporary forms of trafficking in human beings, psychological services in education institutions have carried out the following: training "Prevention of trafficking in and exploitation of children" for students in the 9th through 11th grades; conversations with parents, lectures, educational classes with elements of training, watching and discussing the film *The Truth about Trafficking in Human Beings* and talks with students in the 10th through the 11th grade under the slogan "Trafficking in human beings is modern-time slavery".

General education institutions implement a programme of educational activities with students in the 7th through the 11th grades regarding combatting trafficking in human beings under the slogan "Personal dignity. Life safety. Civic position".

Preventive counter-trafficking activities are carried out in education institutions. Methodological recommendations on how to use education materials (the film *Destination Station LIFE* for children and youth aged 16-19, the trainer's handbook, the participant's handbook "How to increase awareness of trafficking in human beings").

General education institutions use the following methodological counter-trafficking materials in their activities with students:

- educational methodological handbook "Preventing trafficking in human beings";
- preventive education of school students: methodological guidelines for a supervising teacher;
- a system of organizing social-pedagogical activities to prevent trafficking in human beings in an education institution (methodological guidelines);
- combatting trafficking in human beings in Ukraine (a collection of legislative acts).

In cooperation with the IOM Mission in Ukraine, the National Co-ordinator distributed information materials for temporarily displaced persons about safe employment, including employment abroad, via employment centres, social protection services and NGOs (1,000 posters and 30,000 leaflets). In cooperation with the OSCE Project Co-ordinator in Ukraine, 1,000 stickers with rules of safe conduct for internally displaced persons were printed and distributed in busy places.

- *take steps to address internal trafficking.*

Units for combatting trafficking in human beings of Ukraine's National Police are focused on constant activities to detect and prevent internal trafficking. In particular, two cases of internal trafficking in human beings were detected and two persons were recognized as victims.

In 2016, the Ministry of Social Policy granted victim status and provided assistance to 19 persons who became victims of internal trafficking in human beings (inside Ukraine). From 2012 until 2016, the Ministry of Social Policy granted victim status to 56 victims of internal trafficking in human beings.

Pursuant to paragraph 2.10 of the State Social Programme to Combat Trafficking in Human Beings until 2020, the State Labour Service of Ukraine conducts checks of enterprises and institutions of various forms of ownership to minimize the use of labour or services of trafficking victims and to trace financial flows.

The Chief Directorate of the State Labour Service in Kharkiv Oblast conducted 612 checks regarding compliance with labour legislation, including 142 planned checks. Based on their results, 578 instructions to remove identified violations were issued; 248 protocols were drawn up and filed to court;

106 resolutions to impose fines were issued under article 265 of the Labour Code of Ukraine “Responsibility for violations of labour legislation” to the total amount of UAH529,208. Moreover, 444 proposals were submitted to impose disciplinary punishment on directors and 44 files with the results were submitted to law enforcement agencies.

In the first half of 2016, the officials of the **Directorate of the State Labour Service in Cherkasy Oblast** carried out 472 checks regarding compliance with labour legislation in enterprises and institutions of various forms of ownership (a total of 392 economic agents). Based on their results, 281 protocols on administrative offenses were drawn up and filed to court. Local courts considered 168 protocols and ruled to impose fines in 87 cases to the total amount of UAH45,400. Fifteen proposals to impose criminal punishment on directors were submitted to law enforcement agencies. The owners of enterprises were served with 129 notices of disciplinary action being launched against officials of these enterprises; 32 of these were approved. According to article 265 of the Labour Code of Ukraine, 139 resolutions were issued to impose fines in the amount of UAH422,300.

On the proposal of the initiative group to prepare and hold the constituent assembly with the participation of representatives of civil society institutes and based on the Statute of the **Chief Directorate of the State Labour Service in Kharkiv Oblast**, approved by Order No. 7 of the State Labour Service of Ukraine of 30 April 2015, a Public Council was set up and attached to the Directorate of the State Labour Service in order to develop and improve social partnership and mutual involvement in developing and adopting joint decisions. The Public Council includes representatives of the Association of Trade Unions in Kharkiv Oblast, the Association of Car Industry Workers of Ukraine, the Association of Agricultural Machine Building Industry Workers of Ukraine, and NGOs.

Moreover, the Ministry of Social Policy jointly with central and local authorities constantly carries out large-scale information and education campaigns for the population to combat trafficking in human beings, including internal trafficking.

In particular, to fulfil the State Social Programme to Combat Trafficking in Human Beings until 2020, the Ministry of Social Policy has started producing two social commercials to combat internal trafficking in human beings, particularly trafficking for the purpose of labour exploitation and involvement of children in begging. These commercials will be broadcast by all possible TV and radio channels (the soundtrack will be adapted for radio broadcasting) and distributed in all oblasts for use in information campaigns.

Training of relevant professionals

7. GRETA considers that the Ukrainian authorities should take further steps to provide periodic training on THB and the rights of victims to all relevant professionals (such as law enforcement officials, prosecutors, judges, labour inspectors, child protection specialists, social workers and medical professionals). Future training programmes should be designed with a view to improving the knowledge and skills of relevant professionals which enable them to identify victims of trafficking for different forms of exploitation, to assist and protect them, to facilitate compensation for victims, and to secure convictions of traffickers.

On 18-31 January 2016, in Kharkiv, a series of practical workshops (as part of interdisciplinary training) were conducted for members of the criminal justice system (units for combatting trafficking crimes and investigators) in Kharkiv in the framework of the project “Increasing Ukraine’s efforts to combat trafficking in human beings”.

On 25-27 April 2016, an introductory practical workshop of the training course “Combatting trafficking in human beings: An interactive training course for the law enforcement officers in Ukraine”, supported by the IOM Mission in Ukraine, was conducted in Lviv (for 25 investigators and 25 employees of units for combatting trafficking crimes in the structure of the National Police). The training course lasted five working weeks, from 26 April until 1 July 2016 (in off-work hours).

On 29-30 April 2016, a republican workshop entitled “Exchange of best practices in combatting trafficking in human beings” was held in Karaganda (Kazakhstan) with the support of the U.S. embassy and the OSCE Centre in Kazakhstan.

On 26-27 May 2016, the workshop “Improving mechanisms of combatting trafficking in human beings: special aspects of detecting and documenting trafficking crimes, interaction between the prosecutor’s office, pretrial investigation and operations departments in criminal proceedings in trafficking cases” was held in Kyiv with IOM support and with the participation of the Prosecutor General’s Office and the State Border Guard Service.

On 3 June 2016, a meeting of graduates of the International Law Enforcement Academy (Budapest) took place in Kyiv for the purpose of exchanging experience.

From 28 June until 1 July 2016, the final practical workshop of the training course “Combatting trafficking in human beings: An interactive training course for law enforcement officers in Ukraine” (for investigators and the staff of units for combatting trafficking crimes in the structure of the National Police) was conducted in Odesa with the support of the IOM Mission in Ukraine.

In August 2016, advanced courses for 200 employees of the territorial units for combatting trafficking crimes were organized on the premises of the National Academy of Internal Affairs (Kyiv). The courses are scheduled to last from 12 September until 24 December 2016 and are supported by the OSCE Project Co-ordinator in Ukraine.

In 2015-2016, the IOM Mission in Ukraine jointly with the Prosecutor General’s Office of Ukraine and the Ministry of Internal Affairs of Ukraine implemented the project “Combatting trafficking in human beings: An interactive training course for law enforcement officers in Ukraine”, including for representatives of oblast prosecutor’s offices.

On 13-14, 19-20 and 21-22 July, a series of practical workshops “Building the capacity of Ukraine’s law enforcement agencies to combat trafficking in human beings through strengthening their role in the National Mechanism for Interaction of Agents for Combatting Trafficking in Human Beings” was held in Kyiv. The target audience included prosecutors, judges, investigators and the staff of the structural units of the Luhansk, Kherson, Sumy, Dnipropetrovsk, Chernihiv, Donetsk, Zaporizhia, Kharkiv and Mykolaiv oblast state administrations who are responsible for the victim status determination procedure, as well as representatives of NGOs.

An electronic database of (special) courses introduced in higher education institutions and institutes for advanced teacher training is now available on the official website of the government-run Institute for Modernization of the Content of Education (Ministry of Education and Science) in the section “Activities. Protection of human rights” (<http://www.imzo.gov.ua/protidiya-torgivli-lyudmi/>).

The programme for the special course “Socio-pedagogical foundations for the prevention of violence and trafficking in human beings” and the methodological guidelines for the special course “Prevention of trafficking in human beings” (by O. Udalova) have been developed and published in the abovementioned section.

In particular, departments of education in the regions have taken steps to improve the training of teachers in the field of trafficking in human beings.

In Volyn Oblast, the handbooks “Methodological foundations for the organization of education activities to prevent trafficking in human beings” and “Psychological-pedagogical aspects of social work to combat trafficking in human beings” have been written.

In Zhytomyr Oblast, the employees of the Zhytomyr Oblast Centre of Practical Psychology and Social Work have conducted a series of lectures, workshops and training sessions for the staff of the oblast’s psychological service aimed at preventing violence and trafficking in human beings.

The Centre for Practical Psychology and Social Work in the Khmelnytsky Oblast Institute for Post-Graduate Teacher Training has developed and implemented programmes of psychological rehabilitation of child victims of trafficking. Methodological guidelines for the psychological service in carrying out educational and preventive activities to prevent trafficking in human beings have been developed.

The Academy of Continuous Education (run by the Kyiv Oblast Council) has organized advanced training courses for deputy principals for education activities and practical psychologists working in general and vocational technical schools, as well as advanced professional training courses. Thematic modules on the prevention of trafficking in human beings, exploitation and cruel treatment of children,

and child safety on the Internet have been included in the programmes of advanced training courses for teachers in Kyiv Oblasts (various specializations).

The Ivano-Frankivsk Oblast Institute for Post-Graduate Teacher Training has included a module on the prevention of trafficking in human beings in advanced training programmes for teachers.

The Vinnytsia Academy of Continuous Education has included a special course entitled "Combatting trafficking in human beings and prevention of violence among students" in thematic training plans for advanced training courses for various categories. Methodological guidelines for teachers entitled "Organization of information and education activities to combat trafficking in human beings in general education institutions" have been developed.

The Department for the Social Protection of the Population in the **Dnipropetrovsk Oblast State Administration** has developed a course of lectures on the prevention of trafficking in human beings and included it in the thematic training plans of advanced training courses for teachers.

In January-June 2016, training of specialists from services for children's affairs, centres of social services for family, children and youth, and directorates of social protection of the population was conducted on the premises of the Retraining Centre for Government Officials in **Kirovohrad** oblast. The training was focused on the organization of assistance to trafficking victims and the methodology of its provision.

The lectures "Psychological safety in the information space", "Preventive activities of the staff of the psychological service to prevent trafficking in human beings and exploitation of children", "Ways of preventing child bullying", "Trafficking in human beings and forced labour in modern society: legal aspects and prevention" have been included in the training and methodological plans of advanced training courses for teachers and administrators in Mykolaiv Oblast.

The staff of the laboratory of practical psychology, social work and inclusive education in the Mykolaiv Oblast Institute of Post-Graduate Teacher Training offer counselling for the staff of the oblast's psychological service about conducting the video lecture series "Destination station – life!" for children and youth aged 16-19, "Dangerous game" and "Crime can be prevented" and distribute the following materials among the staff of the psychological service: the education and methodological handbooks *Socio-Pedagogical and Psychological Work with the Children of Migrant Workers*, *Socio-Pedagogical Foundations of the Protection of Children's Rights* and *Preventive Counter-Trafficking Activities in Education Institutions*; methodological guidelines for using educational materials (a trainer's handbook, a handbook of the participant of the training "How to increase awareness of trafficking in human beings") and "Methodological guidelines for conducting a lesson on preventing trafficking in human beings in general education institutions".

The **Rivne** Oblast Institute for Post-Graduate Teacher Training has included the following lectures in the training plans of advanced teacher training courses: "Preparing teachers for activities to prevent trafficking in human beings" and "Innovative technology for preventing trafficking in human beings in the system of a general education institution".

The special training course "Socio-pedagogical foundations for preventing trafficking in human beings and exploitation of children (12 hours) has been developed for the participants of advanced training courses for deputy principals for educational activities.

In Ternopil Oblast, an advanced teacher training course now includes a special course on preventing trafficking in human beings.

Ten methodology specialists from the Kharkiv Oblast psychological service have received certificates of completion of counter-trafficking training.

In May 2016, the special course "Trafficking in human beings: how it can be prevented" was conducted for Chernihiv oblast teachers in the Chernihiv Oblast Institute for Post-Graduate Teacher Training.

The **Cherkasy** Oblast Institute for Post-Graduate Teacher Training has included a special course about the prevention of trafficking in human beings in the programme of advanced teacher training.

Special courses on the prevention of trafficking in human beings have been included in the training programme for 2016 in the **Chernivtsi** Regional Centre for retraining and advanced training of the employees of local self-government bodies, state enterprises, institutions and organizations, as well as in the training programme of the Institute for Post-Graduate Teacher Training run by the Chernivtsi Oblast State Administration.

In 2016, the Kharkiv Oblast Centre of Practical Psychology and Healthy Lifestyle approved seven correctional and development programmes for practical psychologists and social educators.

The Centre for Practical Psychology and Social Work in the Khmelnytsky Oblast Institute for Post-Graduate Teacher Training has written and published methodological guidelines for educational and preventive counter-trafficking activities to be carried out by the psychological service.

The following thematic modules for the prevention of trafficking in, exploitation of and cruel treatment of children and for child safety on the Internet have been included in the programmes of advanced training courses for teachers in Kyiv Oblast (various specializations): "Social prevention of trafficking in human beings: organization of activities and methodology", "Trafficking in human beings: the situation at the international and national level", "Legislative framework for protecting human rights and preventing trafficking in human beings", "Forming gender culture among students", and "Carrying out socio-pedagogical activities and providing socio-legal protection of children in difficult life circumstances".

In all 25 regions of Ukraine, projects are being run to implement the national mechanism for interaction of agents for combatting trafficking in human beings with the support of the IOM Mission in Ukraine and the OSCE Project Co-ordinator in Ukraine. In the framework of projects, authorized representatives of local government bodies who are responsible for granting victim status and fulfilment of victim rehabilitation plans have completed specialized training in victim identification and assistance provision. Moreover, multidisciplinary training sessions have been conducted for representatives of relevant executive bodies that are agents of the National Mechanism for Interaction at the local level.

One of the ways to ensure constant training of the front-line staff of local self-government bodies is to make changes to the programmes of advanced training to include information about preventing trafficking in human beings. Such changes have been implemented in Dnipropetrovsk, Zhytomyr and Mykolaiv oblasts and in Kyiv.

On 8 April 2015, in cooperation with the OSCE Project Co-ordinator in Ukraine, a training workshop was conducted for the OSCE Special Monitoring Mission working in the area of the anti-terrorist operation. The workshop was focused on identification of trafficking cases.

On 19 June 2015, in cooperation with the OSCE, a counter-trafficking round table was held for representatives of foreign consular institutions in Ukraine.

On 30-31 May 2016, a two-day training workshop was conducted for the officials of the Ministry of Foreign Affairs who are preparing to head Ukraine's consular institutions abroad. The workshop was jointly initiated by the Ministry of Social Policy and the Ministry of Foreign Affairs and was supported by the IOM Mission in Ukraine.

On 24-25 June 2015, a working workshop on the prevention of trafficking in human beings, supported by the OSCE and entitled "Analysis of the efficiency of implementation of the national mechanism for interaction of agents for combatting trafficking in human beings in Ukraine" was held for representatives of the local units of the Ministry of Internal Affairs, the State Migration Service, and social protection, education and healthcare agencies (a total of 170 participants).

On 2-3 September 2015, marketing and sales training for internally displaced persons and trafficking victims participating in IOM's micro-enterprise and self-employment programmes was conducted in the Social Partnership Centre in Vinnytsia.

On 2-4 September 2015, the Centre for Advanced Administrator Training, run by the Ministry of Social Policy, conducted training for officials from local state administrations responsible for the victim status determination procedure (a total of 23 participants from different oblasts of Ukraine).

On 7 September 2015, an information session on combatting trafficking in human beings was held for 20 officers who have participated in the anti-terrorist operation and will be sent to provide assistance in military conflicts abroad as part of the UN peacekeeping force. The session was hosted by the Training and Research Centre for International Peacekeeping Activities, a structural unit of the Ivan Cherniakhivsky National Defence Institute run by the Ministry of Defence of Ukraine.

On 10-11 September 2015, representatives of the territorial units for combatting trafficking in human beings in the structure of the Ministry of Internal Affairs paid a visit, with IOM's support, to the Academy of the State Border Guard Service of Ukraine to exchange experience in criminal analysis and risk analysis acquired by the directorates for combatting trafficking crimes in the Ministry of Internal Affairs.

On 15-16 October 2015, towards World Day against Trafficking in Persons (18 October), a workshop on strengthening combatting trafficking in human beings through cooperation between law enforcement agencies and social service providers was conducted in Kyiv.

On 18 November 2015, towards European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse, a counter-trafficking workshop was conducted for the heads of services for children's affairs.

On 13-15 April 2016, 25 representatives of oblast and Kyiv city state administrations—specialists responsible for the victim determination procedure—took training in the advanced administrator training Centre run by the Ministry of Social Policy. The training was focused on identification of trafficking victims and organization of assistance to them.

On 14-16 September 2015, 25 representatives of oblast and Kyiv city state administrations—specialists responsible for the victim determination procedure—took training in the advanced administrator training Centre run by the Ministry of Social Policy. The training was focused on the rehabilitation and reintegration of trafficking victims.

More than **14,700 persons** completed relevant training in 2015-2016.

Moreover, the Ministry of Social Policy in cooperation with the IOM Mission in Ukraine is developing and implementing an interactive educational module about detecting and referring trafficking victims for the agents of the National Mechanism for Interaction.

Data collection and research

8. For the purpose of preparing, monitoring and evaluating anti-trafficking policies, GRETA urges the Ukrainian authorities to develop and maintain a comprehensive and coherent statistical system on trafficking in human beings by compiling reliable statistical information from all main actors, including NGOs involved in victim identification and assistance, and allowing disaggregation (concerning sex, age, type of exploitation, country of origin and/or destination, etc.). This should be accompanied by all the necessary measures to respect the right of data subjects to personal data protection.

For the purpose of effective monitoring of the situation with trafficking in human beings and rapid exchange of statistical information, joint Order 4/5 of the Ministry of Social Policy and the Ministry of Internal Affairs was signed on 11 January 2016. This order approves the Instruction for collecting and monitoring statistical information on trafficking victims. This Instructions defines the procedure of collecting and monitoring statistical information regarding the detection and referral of trafficking victims by the structural units of local state administrations which are responsible for the victim status determination procedure, services for children's affairs, centres of social services for family, children and youth, and units for combatting trafficking crimes in the National Police as part of the criminal police. According to this Instruction, information about trafficking cases, statistical data on trafficking victims with a breakdown by sex, age, type of exploitation, country of origin and/or destination country, etc. is exchanged on a quarterly basis. Special attention is paid to ensuring the confidentiality and non-disclosure of the personal data of trafficking victims.

9. GRETA considers that the Ukrainian authorities should conduct and support research on THB-related issues as an important source of information for the evaluation of current programmes and for planning future policy measures. Areas where more research is needed in order to shed light on the extent and new trends of human trafficking in Ukraine and inform policy makers include trafficking for the purpose of labour exploitation, trafficking of foreign nationals to Ukraine for different types of exploitation, trafficking for the purpose of removal of organs and trafficking within Ukraine.

In 2015, the Ministry of Social Policy, the Ministry of Education and Science, and the State Penitentiary Service supported the IOM Mission in Ukraine in conducting the survey "Awareness of the risks of trafficking in human beings among vulnerable children and youth in Ukraine". Its outcomes were published in 2016.

The Ministry of Social Policy in cooperation with the NGO "La Strada – Ukraine" conducted a survey about the risks of trafficking among internally displaced persons in Ukraine in connection with the anti-terrorist operation. The survey was conducted in 29 December 2015 through 12 January 2015 in 16 oblasts of Ukraine (Donetsk, Dnipropetrovsk, Zakarpattia, Zaporizhia, Kyiv, Kirovohrad, Lviv, Odesa,

Poltava, Rivne, Sumy, Kharkiv, Kherson, Cherkasy, and Chernihiv oblasts and the city of Kyiv). Approximately 1,000 respondents were surveyed.

The Ministry of Social Policy with the support of the IOM Mission in Ukraine and GfK Ukraine conducted a survey about the risks of irregular migration and trafficking in human beings in Ukraine. The results were published on 30 July 2015 towards World Day against Trafficking in Persons. The sample of the survey, which was conducted in February-March, was 2,087 respondents and was representative of the population aged 15+ by region, type of settlement, age, and sex.

Moreover, a representative survey of the population was conducted in February-March 2015 in cooperation with IOM (2,087 respondents, representative of the population aged 15+ by region, type of settlement, age, and sex). The survey showed that the proportion of persons unofficially working abroad rose from 28% in 2011 to nearly 41% of all Ukrainians employed abroad at the moment of survey. The results also demonstrated that 8% of Ukrainians, i.e., three million people, were planning to find a job abroad in the near future.

Monitoring of potential new trends in trafficking in human beings, especially in the context of the armed conflict, is carried out by collecting information from regional structural units about the implementation of the objective and activities of the current State Social Programme to Combat Trafficking in Human Beings until 2020.

Moreover, the Ministry of Social Policy in cooperation with the State Institute for Family and Youth Policy, run by the Ministry of Youth and Sports, drafts the annual State Report on the implementation on state counter-trafficking policy.

On 17 April 2015, the Ministry of Social Policy conducted a strategic planning session to plan counter-trafficking activities. The session involved representatives of central and local authorities, IOM, OSCE, and NGOs. A strategy of counter-trafficking activities was worked out at this session by the Ministry of Social Policy; it included clear indicators and criteria for monitoring its implementation.

In 2015-2016, the Ministry of Social Policy made monitoring visits to Odesa, Mykolaiv, Kherson, Chernivtsi, Khmelnytsky, Vinnytsia, Lviv, Ternopil, Zhytomyr, Rivne, Volyn, Dnipropetrovsk, Cherkasy and Poltava oblasts with the participation of representatives of the central executive authorities and with the support of the OSCE Project Co-ordinator in Ukraine and the IOM Mission in Ukraine.

The results of surveys and monitoring will be used in the future to plan activities to prevent trafficking in human beings and to improve the identification of trafficking victims.

International co-operation

10. GRETA considers that the Ukrainian authorities should enhance international co-operation in the non-criminal field with a view to preventing THB and providing assistance to Ukrainian and foreign victims of trafficking.

The Ministry of Social Policy implemented, jointly with the Ministry of Foreign Affairs, the training of officials in Ukraine's consular institutions and diplomatic missions who are going on a long-term business trip abroad.

For example, on 31 May 2016, training in the trafficking victim identification and assistance provision was conducted for the diplomatic and consular staff. Participants included invited international experts, in particular representatives of Slovakia, Poland and France. All training participants were provided with methodological materials about trafficking victim identification and assistance provision.

Furthermore, the Ministry of Social Policy developed, jointly with the Ministry of Foreign Affairs and the IOM Mission in Ukraine, counter-trafficking leaflets to be distributed in Ukraine's consular institutions and diplomatic missions abroad.

The Ministry of Social Policy has established cooperation with representatives of the Ministry of Labour and Social Protection of the Republic of Moldova with regard to combatting trafficking in human beings.

As of 30 November 2016, Ukraine had 17 readmission agreements regarding illegally staying persons with Georgia, Uzbekistan, Turkmenistan, Vietnam, the EU, Hungary, Poland, Slovakia, Moldova, Lithuania, Latvia, Bulgaria, Switzerland, Turkey, the Russian Federation, Denmark and Norway.

Ukraine proposed holding negotiations in Kyiv to discuss the provisions of draft implementation protocols received in 2008-2010 from Estonia, Malta, and Portugal at any time as suggested by the relevant competent bodies in the EU states and acceptable to both parties.

Efforts are made to improve the readmission space, especially with the countries that are potential suppliers of illegal migrants (Bangladesh, India, Iran, Iraq, Sri Lanka, China, and Afghanistan). In this connection, an updated readmission agreement and a draft executive protocol were drafted and sent via diplomatic channels to the competent authorities in these countries back in 2008. Action is being taken to resolve the issue of launching dialogue in this area with the abovementioned countries.

Further efforts are made to conclude readmission agreements with the CIS countries (Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, and Belarus) and Lebanon, one of the countries of risk migration.

Drafts of implementation protocols received from Belarus and Lebanon are being processed.

Ukraine's diplomatic and consular institutions abroad cooperate with international and non-governmental organizations on a permanent basis to combat trafficking in human beings.

For example, the embassy of Ukraine in Estonia has established contacts with the NGO "Living for Tomorrow" which provides free counselling to prevent trafficking in human beings and offers assistance to trafficking victims.

The embassy of Ukraine in Malaysia cooperates with the IOM missions in Kuala Lumpur.

The embassy of Ukraine in Poland is in constant working contact with NGOs which are involved in cooperation in Poland and provide free assistance to Ukrainian citizens with the following:

- combatting trafficking in human beings – La Strada Foundation for combatting trafficking in human beings and slavery;
- providing assistance to trafficking victims and illegal migrants – IOM, Warsaw;
- protection of the rights of migrant workers – Association for Legal Intervention, Warsaw;
- protection of the rights of migrants – Salvation Foundation, Warsaw.

The embassy of Ukraine in Azerbaijan has working contacts with the specialized unit of Azerbaijan's Ministry of Foreign Affairs for combatting trafficking in human beings, the IOM Mission in Azerbaijan, and NGOs working to protect and provide assistance to trafficking victims, in particular the Clean World Women's Rights organization (Baku) and the Mother Teresa community (Baku). This cooperation enables trafficking victims and persons left without means of existence to receive temporary shelter, food, medical aid, psychological rehabilitation, free legal assistance, etc.

The embassy of Ukraine in Belgium engages, on a regular basis, in interaction and information exchange with the agencies of accredited countries to combat trafficking in human beings.

The following entities operate in Belgium:

- Foreigners Department (Migration Service), the main state agency responsible for the entire complex of migration issues, including border control;
- Federal Agency for Refugees and the Office of the Commissioner General for Refugees and Stateless Persons whose main lines of activity include the integration of refugees and the implementation of programmes for the voluntary return of such persons to their countries of origin;
- Centre for Equal Opportunities and Combat against Racism, an independent state agencies focused to the protection of migrant rights;
- missions of IOM, the Red Cross, UNHCR and Caritas which implement various assistance programmes for affected migrants.

The following agencies operate in Luxembourg: Migration Directory of the Ministry of Internal Affairs and the missions of Caritas and the Red Cross.

The consulate general of Ukraine in Barcelona is engaged in day-to-day interaction and information exchange with the competent agencies of the consular district to combat trafficking in human beings, particularly with the IOM Mission in Spain, the regional branches of the Foreigners Office (Migration Service), the National Police, and such NGOs as the Red Cross and Caritas, which implement various assistance programmes for affected migrants.

In the course of 2016, the embassy of Ukraine in Lebanon facilitated the return of two female citizens of Ukraine whose rights were grossly violated by the administration of an entertainment establishment.

In cooperation with the La Strada foundation and Polish law enforcement bodies, return assistance was provided to a female citizen of Ukraine who had been recognized as a trafficking victims. She was provided with the necessary psychological and reintegration assistance.

On 25 January 2016, the embassy of Ukraine in Cyprus sent a female citizen of Ukraine, a trafficking victim, back to Ukraine.

In the first half of 2016, the embassy of Ukraine in Turkey processed the issue of returning to Ukraine a female Ukrainian citizen who had become of a victim of actions with signs of trafficking in human beings.

The embassy of Ukraine in Azerbaijan completed the identification of a man who had been in “labour slavery” in Azerbaijan for nearly 20 years and confirmed his Ukrainian citizenship. Investigative activities are completed. The case is being prepared to be filed to court. A course of physical and psychological rehabilitation is completed. The transportation of the man in question is being readied, and contact with his relatives in Ukraine has been established.

In **Luhansk Oblast**, 13 international cooperation agreements, including six with regions of the Russian Federation, have been signed and are valid now. These agreements establish cooperation, including for the purpose of combatting trafficking in human beings. Joint activities (conferences, round tables, meetings of working groups, etc.) were carried out with regard to these issues jointly with international partners.

Measures to raise awareness

11. GRETA considers that the Ukrainian authorities should continue their efforts to prevent THB and design future awareness-raising measures in the light of the assessment of previous measures, focusing on the needs identified. Awareness raising should target vulnerable groups and inform the general public of new trends in THB, such as trafficking for the purpose of labour exploitation, removal of organs and trafficking within Ukraine, and should engage all relevant professionals.

The Ministry of Social Policy constantly carries out—in cooperation with the central and local authorities and international and non-governmental organizations—large-scale information and education campaigns to increase awareness of trafficking in human beings among citizens.

A series of information campaigns across the territory of Ukraine were carried out in 2014-2016:

- a national information campaign that included the setting up of the art installation “Invisible” and more than 120 figures with real stories of modern-time slavery that represent trafficking victims. The campaign was carried out in Kyiv, Ivano-Frankivsk, Lviv, Dnipropetrovsk, Odesa, Kharkiv, Poltava, Chernivtsi and Ternopil.
- Towards World Day against Trafficking in Persons on 30 July 2015, a large-scale information campaign was carried out across Ukraine with the involvement of national, regional and local mass media.
- Towards International Day for Abolition of Slavery on 2 December 2015, a car rally was held under the slogan “Only cars for spare parts!” in 17 oblasts of Ukraine (Sumy, Odesa, Zaporizhia, Kherson, Mykolaiv, Poltava, Kirovohrad, Zhytomyr, Vinnytsia, Khmelnytsky, Chernivtsi, Ivano-Frankivsk, Lviv, Rivne, Volyn, Zakarpattia, and Ternopil).
- An information campaign to combat child begging was carried out in Odesa in 30 May until 2 September 2016.

- Towards World Day against Trafficking in Persons on 30 July 2016, a large-scale information campaign “Joint efforts against trafficking in human beings in Ukraine” was carried out in 15 cities of Ukraine (Dnipro, Zhytomyr, Lutsk, Sumy, Rivne, Poltava, Zaporizhia, Kherson, Chernivtsi, Kropyvnytsky, Mykolaiv, Ternopil, Kharkiv, Cherkasy and Vinnytsia). A press conference was held on 29 July 2016. On 30 July 2016, campaign participants distributed printed materials about the issue of trafficking in human beings at transportation hubs (railway stations, bus stations, airports, marine and river passenger terminals) and at border checkpoints through which people leave and return to Ukraine.
- Photo exhibitions were opened, one in Kyiv on 28 July and one in Lviv on 30 July. The exhibitions were aimed at combatting trafficking in human beings and involved celebrities and journalists. A press conference was also held within the information campaign “Live free”.
- A campaign and information performance “ATTENTION! Trafficking in human beings!” were held on 29 July 2016 in Kyiv towards World Day against Trafficking in Persons.
- Towards EU Anti-Trafficking Day, on 18 October, a press conference was held in the UKRINFORM Centre with the involvement of MP I. Lutsenko.
- Designs of posters and billboards were developed and distributed among oblasts and cities in Ukraine. Social advertisements were placed in all oblasts (194 billboards and 188 city light boxes in 11 oblasts). Videos were distributed across oblasts, and an agreement was concluded with the KYIV Television and Radio Broadcasting Company about year-long broadcasting of these videos.
- the issues of trafficking in human beings are constantly covered by local television channels.

The main ways of informing citizens about the risks of trafficking and ways of receiving assistance are as follows: campaigns with subsequent distribution of information materials, distribution of information materials in places with a high concentration of people who may be in the risk group (train stations, bus stations, airports and border checkpoints), information materials (posters, banners, city light boxes, etc.), social commercials on local television and radio channels, information talks with school students, workshops conducted by employment centres, and social network activity.

Campaigns at train stations, bus stations, and border checkpoints were carried out in Volyn, Dnipropetrovsk, Rivne, Kherson, and Kharkiv oblasts. Information booklets, flyers, and other handouts were distributed in these campaigns. For example, 1,215 copies of five different booklets, flyers, posters, and other printed matter were distributed in Kherson Oblast among unemployed young people and family members affected by unfavourable conditions.

In Poltava Oblast, the region-wide campaign “People are not commodities” was carried out in 2015. Volunteers distributed 1,000 copies of counter-trafficking booklets. In September 2016, the oblast hosted the regional explanatory campaign “Stop slavery” in which 1,000 of the booklets “Travel safely” and “Say no to slavery” were printed and distributed. The charitable organization “Light of hope” installed 50 city light boxes and distributed around 1,000 copies of posters, booklets, and brochures with information about combatting trafficking in human beings and information to support trafficking victims. In Dnipropetrovsk Oblast, materials were printed for 400 police patrols and for 10 city and raion libraries (printed by Dnipropetrovsk Oblast NGO “Promin”). In Poltava Oblast, a car rally was also held to mark International Day for Abolition of Slavery. Its participants stopped by education institutions to distribute information materials. In Cherkasy Oblast, the Directorate for Family, Youth and Sports distributed 2,000 copies of the booklet “Trafficking in human beings is a modern problem” and 1,500 copies of the flyer “Rules of safe travel” in 2016. Centres of social services for family, children and youth distributed 1,194 copies of a social advertisement aimed at combatting trafficking in human beings. Cherkasy charitable organization “From heart to heart” distributed 10,000 copies of booklets, 1,000 copies of guidelines, and 1,000 copies of posters for self-identification of trafficking victims. In vocational technical schools, 2,412 copies of information materials (the booklets “Your safe road to your goal”, “Suitcase” and “Planning to move abroad? Take care of your rights and safety!” and the comic book “On edge”), silicone bracelets and book covers were distributed among students.

One of the common ways of informing people about the risks of trafficking in human beings is lectures, information talks and video lectures in schools. This approach was used in Ivano-Frankivsk, Luhansk, Mykolaiv and Poltava oblasts and in the city of Kyiv.

In Luhansk, Poltava, Ternopil, Kharkiv and Chernihiv oblasts and in the city of Kyiv, employment centres conducted workshops for the unemployed on the following topics: “Preventing illegal labour migration, trafficking in human beings, and exploitation of child labour” and “Preventing external illegal labour migration and trafficking in human beings”.

In particular, employment centres in Poltava Oblast conducted 474 specialized information workshops involving 6,221 unemployed persons in 2016. In Ternopil Oblast, 1,045 unemployed persons participated in similar workshops. In Kharkiv Oblast, more than 1,700 workshops focusing on legal employment were conducted involving over 20,000 persons of whom nearly a third were young people aged under 35. Also, 121 group activities were carried out involving 2,025 unemployed young people, children, youth, their family members affected by unfavourable conditions and students. Explanatory activities with the abovementioned category covered 186 persons of whom 173 received individual services.

All oblasts broadcast social commercials on local television and radio channels and placed information notices in social networks.

To fulfil the State Social Programme to Combat Trafficking in Human Beings until 2020, the Ministry of Education and Science of Ukraine issued Order No. 405 on 8 April 2016 approving the Action Plan of the Ministry of Education and Science to combat trafficking in human beings until 2020.

Pursuant to paragraph 2.1 of this Plan, the Ministry of Education and Science distributed copies of the booklet “Planning to move abroad? Take care of your rights and safety” produced with the support of the IOM Mission in Ukraine among graduates of vocational technical education institutions.

Methodological guidelines “People in the hands of traffickers: methodological guidelines for masters of vocational training for educational lessons on the topic ‘Combatting trafficking in human beings’” and the booklet “Advice to those dreaming of finding a job abroad” were produced and distributed in general education and vocational technical education institutions in Kirovohrad Oblast.

Methodological offices in education institutions in Khmelnytsky Oblast have created methodological toolkits for preventing trafficking in human beings. Presentations of mass media publications on the topic “Forewarned is forearmed” were held in school libraries in Khmelnytsky, Shepetivka, and Kamianets-Podilsky.

Maibuttia, the electronic newspaper of the Department of Education and Science in the Khmelnytsky Oblast State Administration and the Khmelnytsky Oblast Institute for Post-Graduate Teacher Training, periodically publishes articles on combatting trafficking in human beings.

In the first half of 2016, the following information materials were distributed among the staff of the psychological service in Kharkiv and the raions of Kharkiv Oblast:

- “For young people for their own protection”
- “High pressure or how to say ‘no’”
- “Trafficking in human beings is closer than it may seem”
- “Don’t be indifferent and protect your child”
- “If you are leaving the country”.

In order to increase awareness among students about the risks of online interaction and about safe conduct on the Internet, the rubric “Safe Internet” has been created on the website of the Kyiv Oblast Council for Children and an electronic version of a textbook on human rights for Internet users has been published there.

Using the materials of the handbook, the leaders of student self-government bodies in non-school education institutions organized thematic talks “The dangers of the virtual world”, “Dangerous situations and ways to avoid them”, and “Human rights and fundamental freedoms offline and online”.

The Kyiv oblast congress of leaders of students self-government, held in March 2016, organized the vocational orientation quest “Conscious choice today is guaranteed success tomorrow”.

The leaders of the Vasylykiv city student parliament conducted thematic events for high-school students “The ABC of safe employment abroad” and “Leaving abroad: pros and cons” as part of the vocational orientation period in March 2016.

The leaders of the Stavyshe raion association of children's organizations held a talk show entitled “Slavery exists in the 3rd millennium..” for students attending the Stavyshe Raion Child and Youth Creativity Centre.

The association of student self-government in Boryspil organized a debate on the topic “Easy money or voluntary slavery” in April 2016.

The leaders of the Spivdruzhnist student association in Tarashcha Raion held a dispute on the topic “How nice are earnings abroad?” and organized a student performance entitled “Choose your future in Ukraine” for the purpose of vocational orientation.

In order to increase public awareness about modern forms of trafficking in human beings and to facilitate employment, the State Employment Service conducts relevant information activities. Visitors of basic employment centres across Ukraine have free access to information, reference, and explanatory materials on employment abroad, prevention of illegal labour migration and exploitation of child labour, legal advice in the area of labour migration, and the contact information of organizations providing assistance to migrant workers, including trafficking victims. The bodies of the State Employment Service carry out preventive information and counselling activities on illegal labour migration, combatting trafficking in human beings, and legal employment. Employment centres have carried out a total of 18,700 such group information activities in 2016.

Moreover, the Ministry of Social Policy as the National Co-ordinator for combatting trafficking in human beings has started developing and implementing the Strategy of information policy for combatting trafficking in human beings for the next five years.

Measures to discourage demand

12. GRETA invites the Ukrainian authorities to consider establishing as a criminal offence the use of services which are the object of exploitation as defined in Article 4 of the Convention, with the knowledge that the person is a victim of trafficking in human beings.

Article 149 of the Criminal Code of Ukraine establishes punishment for an offense under part one of this article in the form of deprivation of liberty for a term of three to eight years and for an offense under parts two and three, for a term of over 10 years.

Criminal offenses defined by article 149 of the Criminal Code of Ukraine (Trafficking in human beings or other illegal agreement regarding a person) are classified as grave offenses and special grave offenses, according to the provisions of article 12 of the Criminal Code.

Part one of article 396 establishes punishment for unpromised concealment of a grave or special grave criminal offense.

The object of this criminal offense is the interests of justice in what regards ensuring timely crime detection, stopping, and solving.

The objective part of the crime lies in unpromised concealment of a grave or special grave criminal offense.

The subjective part of the crime is characterized by direct intent. The person does not necessarily have to know that he/she is concealing precisely a grave or special grave criminal offense—the person should be aware of the factual circumstances of the committed action which is classified as a grave or special grave criminal offense under the law.

13. Further, GRETA urges the Ukrainian authorities, in the light of the recent trends of trafficking of foreigners to Ukraine and trafficking within the country, to enhance their efforts to discourage demand for the services of trafficked persons, for all forms of exploitation, in partnership with NGOs, trade unions, international organisations and the private sector.

The Ministry of Social Policy constantly takes action to discourage demand for the services of victims of all forms of exploitation: research is being conducted in this area (see point 9), and best practices and strategies are being studied through round tables and international conferences involving experts from different countries.

The mass media are also actively involved in covering trafficking issues, and information and education campaigns are carried out (see points 6 and 11) with the participation of representatives of the state authorities and international and non-governmental organizations.

The Ministry of Education and Science jointly with the Ministry of Social Policy implement education programmes for boys and girls during their studies in education institutions (see points 6 and 7).

The educational counter-trafficking programme "Personal dignity. Life safety. Civic position" is implemented for the students in the 7th through the 11th grades in schools and vocational technical institutions in all oblasts of Ukraine.

The State Committee for Television and Radio Broadcasting of Ukraine: the priority directions for covering counter-trafficking issues in information programmes and individual spots of thematic programmes of Ukraine's National Television and Radio Broadcasting Company and its central and regional branches are as follows:

- national and local activities to combat trafficking in human beings
- legal employment, prevention of trafficking cases, and social protection of internally displaced persons from the eastern regions of Ukraine and the Autonomous Republic of Crimea
- combatting illegal migration
- legal employment and prevention of trafficking in human beings among students
- determination of the trafficking victims status
- social programmes offered by employment centres and aimed at employment of women affected by unfavourable social conditions
- social rehabilitation of victims of violence and trafficking in human beings
- warnings for those leaving abroad
- explanations of the risks of trafficking in human beings
- activities to detect and prevent trafficking in women and children
- broadcasting of a social commercial for preventing trafficking in human beings.

The National Police of Ukraine constantly informs the population of Ukraine about specific cases of trafficking in human beings by broadcasting videos and publishing articles in the mass media. Moreover, in order to carry out preventing activities to combat trafficking in human beings, preventive talks with the most vulnerable population groups (prostitutes, migrant workers, and the homeless) are held.

The Department for Combatting Trafficking Crimes in the National Police and its regional units take action to discourage demand for the services of trafficking victims, including sexual services, by solving crimes in this area. From the beginning of 2016, data on 195 criminal offenses under article 303 (Pimping or engaging person in employment prostitution) of the Criminal Code of Ukraine were entered into the Unified Register of Pre-trial Investigations. Persons were charged in 117 of these cases, and pre-trial investigation was completed in 100 criminal cases, which were filed to court with indictments.

Under article 302 (Creating or running brothels and trading in prostitution) of the Criminal Code of Ukraine, 277 criminal offenses were documented, and persons were charged in 174 of these cases. Pre-trial investigation was completed in 170 cases, which were filed to court with indictments.

Under article 149 (Trafficking in human beings and other illegal agreement regarding a human being) of the Criminal Code of Ukraine, 85 criminal offenses were documented, and persons were charged in 49 of these cases. Pre-trial investigation was completed in 49 cases, which were filed to court with indictments.

Social, economic and other initiatives for groups vulnerable to THB

14. GRETA urges the Ukrainian authorities to strengthen prevention of THB through social and economic empowerment measures for groups vulnerable to THB. Such measures should be based on the identified root causes of THB (economic and social conditions, poverty, inadequate education, absence of employment opportunities) and should aim to decrease and ultimately eliminate these causes.

Pursuant to the Law of Ukraine “On the Employment of the Population”, the State Employment Service of Ukraine enables, free of charge, citizens to exercise their constitutional right to social protection and provides assistance with job search. Citizens are provided with information about the situation on the labour market and enterprises that are in need of workers, as well as a list of in-demand professions, recommendations for employment search, and explanations of legislation on employment and social security in case of unemployment (see point 6).

Moreover, the State Employment Service offers an opportunity of temporary employment to both unemployed and employed persons. In the first eight months of 2016, 171,100 unemployed persons participated in public works and other temporary works.

In order to accelerate employment of the jobless population, the State Employment Service is improving and expanding the forms and methods of information and counselling services regarding assistance provision to solve employment issues. As of today, the service provides job seekers with information about the supply and demand of labour force and with barrier-free access to all sources of information. Touchscreens allowing access to a database of vacancies and computers with free Internet connection are installed in all employment centres for the purpose of job search.

The Law of Ukraine “On Ensuring the Rights and Freedoms of Internally Displaced Persons” was adopted on 20 October 2014. Under this law, Ukraine takes every possible effort stipulated by the Constitution, the laws of Ukraine, and international treaties to prevent the emergence of preconditions for forced internal displacement of persons, to protect and ensure the rights and freedoms of internally displaced persons, and to create conditions for voluntary return of such persons to abandoned places of residence or for integration in their new place of residence in Ukraine.

Regulation No. 1094 of the Cabinet of Ministers of Ukraine of 16 December 2015 approved the Comprehensive State Programme to support the social adaptation and reintegration of Ukrainian citizens displaced from the temporarily occupied territory of Ukraine and the area of the anti-terrorist operation to other regions of Ukraine until 2017. This programme is aimed at solving the main problems faced by internally displaced persons in Ukraine and reducing the level of social strain among them and in society in general. The programme is also called to facilitate the integration and social adaptation of such persons in their new places of residence; help create proper conditions for their life, activity, rights and fulfilment; ensure social, medical, psychological, and financial support; create preconditions to compensate the material and moral damages they have suffered; create favourable conditions for their voluntary return to previous places of residence (on the condition that military action effectively ceases in the territories in which state bodies do not temporarily exercise their authority).

The Ministry of Education and Science of Ukraine works to increase the quality of education and align it with the challenges of the 21st century and the needs of Ukrainian children.

On 6 October 2016, the Law of Ukraine “On Education” was passed in the first reading. The law stipulates three forms of education: formal (official), informal (education outside the official system, such as training, circles, and courses) and self-education.

The old paradigm in which, following the post-Soviet tradition, the content of education was defined by the Ministry is to be replaced with the modern European model in which the Government (Ministry) approves education standards, while education institutions develop education programmes that should guarantee the fulfilment of education standards. In cases when a document on completed education is to be issued by the state, education programmes will have to be accredited.

The Agency for Education Quality Assurance, an independent body to be created on the foundation of the State Inspection for Education Institutions, will handle the accreditation of education institutions (except for higher education institutions). Its regional units will carry out professional inspections of education institutions, while local self-government bodies will no longer have this right.

The draft law is currently at the stage of elaboration and preparation for the second reading.

The Ministry and local self-government bodies constantly make sure that school-age children are covered by the school system in Ukraine. As of 1 September 2015, there were 3,968,182 children aged 6-18 in Ukraine of whom 3,902,456 (98.3%) studied in education institutions to obtain complete general secondary education. This high value of the indicator helps reduce the risks of students becoming trafficking victims.

15. GRETA also urges the Ukrainian authorities to continue their efforts to ensure the registration of all children at birth as a preventive measure against trafficking.

According to Ukraine's legislation, the parents must register the birth of a child immediately, but no later than one month after the child is born, in a state agency for registering civil status acts. In case of death of the parents and impossibility to register the birth of a child for other reasons, state registration is accomplished on an application from relatives, other persons or an authorized representative of a healthcare institution in which the child was born or in which the child is presently kept. These norms are envisaged by article 144 of the Family Code of Ukraine.

Thus, legislation enables both parents and, if they cannot apply, any other person to register the birth of a child provided they present documents confirming the fact of birth.

Article 13 of the Law of Ukraine "On State Registration of Civil Status Acts" establishes that the grounds for state registration of the birth of a child are birth-confirming documents as established by the central executive authority responsible for making state healthcare policy. If a child is born outside of a healthcare institution, the birth-confirming document is issued by the healthcare institution which examined the mother and the newly born child. If they have not been examined by any healthcare institution, the birth-confirming document is issued by a medical counselling commission following the procedure established by the Cabinet of Ministers of Ukraine.

In the absence of a birth-confirming document from a healthcare institution or a medical counselling commission, a court ruling on establishing the fact of birth serves as grounds for state registration.

Much attention is paid to guaranteeing rights in the area of state registration of civil status acts, including state registration of birth, for Ukrainian citizens residing in the temporarily occupied territory of Ukraine or persons displaced from this territory.

For example, the Ministry of Justice of Ukraine amended normative legal acts regulating the procedure of state registration to enable citizens living in or displaced from such territories to apply for state registration of civil status acts, including birth registration, to any state registration office located in the territory controlled by Ukraine.

At the same time, in order to simplify court proceedings in cases when citizens request that a court establish the fact of birth in the territory temporarily not controlled by Ukraine, the Ministry of Justice of Ukraine has drafted the Law of Ukraine "On Amending the Civil Procedure Code of Ukraine with Regard to Establishing the Fact of Birth or Death in the Temporarily Occupied Territory of Ukraine", which was passed by the Verkhovna Rada of Ukraine on 4 February 2016 and entered into force on 21 February 2016.

This law envisages, in particular, that applications to establish the fact of birth in the temporarily occupied territory of Ukraine may be submitted to any court outside such territory regardless of the applicant's place of residence, that the application should be considered immediately after its receipt by the court, that the applicant should be issued a copy of the court decision immediately after it is announced, and that the decision should be immediately enforced.

As of 1 October 2016, Ukraine's bodies of state registration of civil status acts registered 6,958 facts of birth in the temporarily occupied territory of Ukraine based on such court decisions.

Moreover, in order to create favourable conditions aimed at simplifying access to administrative services of birth registration and pursuant to Order No. 1593/5 of the Ministry of Justice of Ukraine of 26 August 2015 “On Some Issues in the Organization of the Operation of Units for State Registration of Civil Status Acts Regarding State Registration of the Birth of a Child”, the staff members of the units for state registration of civil status acts accept documents necessary for state registration of the birth of a child and issue birth certificates directly in the healthcare institution which has performed delivery while the mother of the child stays there. As a result, 72,865 birth certificates have been issued since the introduction of this service in maternity houses.

The Ministry of Social Policy is implementing—in cooperation with the International Charitable Organization “Roma Women’s Fund ‘Chiricli’” and with the support of the Renaissance Foundation—the project “Support for a network of Roma medical-social mediators” aimed at protecting the rights of the Roma population.

Ukraine has an active system of Roma social-medical mediators between government structures and Roma communities. Today, mediators play a huge role in Roma communities. Among other things, they help pregnant women get registered in prenatal clinics and obtain documents about the birth of their children. Some Roma women do not have passports or registration at a permanent place of residence, which causes many problems with obtaining a birth certificate. Roma mediators are indispensable assistants to social and medical services and to Roma communities.

Border measures to prevent THB and measures to enable legal migration

16. While welcoming the measures taken by the Ukrainian authorities to prevent THB at the borders, GRETA considers that the Ukrainian authorities should make further efforts to improve the detection of THB cases in the context of border control, in particular of possible foreign victims entering Ukraine. For this purpose, the competent authorities should consider drawing up a list of indicators to facilitate detection of potential victims of THB among foreign nationals coming to Ukraine and unaccompanied minors and introduce a checklist to identify potential THB-related risks during the visa application process.

The Ministry of Internal Affairs of Ukraine constantly works to increase control over the issuance of entry visas for Ukraine and the conduction of professional interviews during visa processing.

In order to optimize visa issuance, Ukraine’s diplomatic missions and consular institutions abroad received, in September 2016, a detailed list of questions for interviews with visa applicants and for verifying their planned purpose of stay in Ukraine. The list was developed by the Ministry of Foreign Affairs.

In view of the above, systemic work to conduct professional interviews during visa processing will make it possible to detect potential trafficking victims among foreign citizens applying for a visa.

In order to detect potential and actual trafficking victims from among foreigners and Ukrainian citizens entering or leaving Ukraine via border checkpoints, updated risk profiles for combatting trafficking in human beings are sent on an annual basis to Ukrainian border guard units with the support of FRONTEX and pursuant to the order of the Administration of the State Border Guard Service of 13 December 2013 “On Organizing the Application of Risk Profiles”.

Preventive explanatory activities are carried out with risk categories, including during border control. Information about the activities of relevant non-governmental and international organizations in the region is provided, and assistance in returning victims to their home countries is extended.

As a result of the activities of Ukrainian border guard units, 20 potential victims of trafficking in human beings were prevented from being moved out of Ukraine in 2016. According to the State Border Guard Service, pretrial investigation bodies opened 15 criminal proceedings under article 149 of the Criminal Code of Ukraine, and 57 instructions to carry out investigative activities were received from law enforcement agencies and fulfilled. Thirteen persons involved in trafficking in human beings (including one citizen of the Russian Federation) were detected and detained. The operation of 11 channels of

trafficking in human beings was discontinued. Based on materials from the State Border Guard Service, courts delivered two guilty verdicts regarding the organizers of trafficking channels.

Identification of victims of trafficking in human beings

17. While welcoming the adoption of a formalised procedure for the identification of victims of THB, GRETA urges the Ukrainian authorities to take further steps to ensure that all victims of trafficking are properly identified and can benefit from all the assistance and protection measures provided for under the Convention, and in particular to:

- *ensure that all professionals who are likely to come into contact with potential victims of THB, including staff of the structural units of local state administrations, are fully aware of the victim identification and status procedure and receive periodic training to enable them to identify victims of THB;*

Representatives of local self-government bodies have received training in various training sessions and workshops. Training workshops on the topic “Interaction of agents for combatting trafficking in human beings to provide assistance and protection to trafficking victims” were conducted in all oblasts jointly with international and non-governmental organizations. The workshops were held in Dnipropetrovsk Oblast (104 participants), Zhytomyr Oblast (500 persons took training within a project to implement the mechanism for interaction), Zakarpattia Oblast 92 participants), Ivano-Frankivsk Oblast (1 participant), Kirovohrad Oblast (1 participant), Poltava Oblast (16 participants), Rivne Oblast (16 participants), Ternopil Oblast (18 participants), Cherkasy Oblast (21 participants), and the city of Kyiv (10 participants).

Moreover, training sessions on the following topics were conducted in a number of oblasts: “Identification of trafficking victims and organization of assistance provision to them” (Ivano-Frankivsk, Luhansk, and Kherson oblasts), “Rehabilitation and integration of trafficking victims” (Kherson Oblast), “Evaluating the needs and drawing up a rehabilitation plan for trafficking victims” (25 participants in Poltava Oblast, 22 participants in Cherkasy Oblast, and the city of Kyiv), and “Implementation of state family policy. Prevention of trafficking in human beings” (Poltava Oblast, 25 participants). Workshops on the following topics were also conducted: “Early detection of families, children and youth affected by unfavourable conditions and needing external assistance” and “Social work with families/persons in hardship who have become victims of trafficking in human beings” (Ivano-Frankivsk Oblast). A total of 500 representatives of local self-government bodies were involved in training in Zhytomyr Oblast, 157 in Ternopil Oblast, 104 in Dnipropetrovsk Oblast, and 16 in Donetsk Oblast.

One way to ensure the constant training of the front-line staff of local self-government bodies is to make changes to advanced training programmes by adding information about combatting trafficking in human beings. Such changes have been made in Dnipropetrovsk, Zhytomyr, and Mykolaiv Oblast and in the city of Kyiv. In particular, efforts are being made in Cherkasy Oblast to create multidisciplinary teams to combat trafficking in human beings in 20 raions of the oblast. These teams will include representatives of raion departments for education, family, youth and sports, healthcare, and social protection of the population; services for children’s affairs; centres of social services for family, children, and youth; the National Police, and the migration service.

Projects are being realized in all 25 oblasts of Ukraine to implement the National Mechanism for Interaction of Agents for Combatting Trafficking in Human Beings with the support of the IOM Mission in Ukraine and the OSCE Project Co-ordinator in Ukraine. In the framework of these projects, authorized representatives of local government bodies who are responsible for the trafficking victim status determination procedure and the implementation of rehabilitation plans have received specialized training in trafficking victim identification and assistance provision. Moreover, multidisciplinary training was conducted for representatives of the relevant authorities that are agents of the National Mechanism for Interaction at the local level. Training participants are acquainted with legislation on combatting trafficking in human beings, the principles for the operation of the National Mechanism for Interaction, and the methods for identifying trafficking victims and providing assistance to them. More than 14,700 persons have completed training in this area in 2015-2016.

- *provide frontline staff with operational indicators, guidance and toolkits to be used in the identification process and train them to use these tools in order to ensure that they adopt a proactive and harmonised approach to detecting and identifying victims of trafficking; the indicators should be regularly updated in order to reflect the changing nature of human trafficking and types of exploitation;*

According to the State Social Programme for Combatting Trafficking in Human Beings until 2020, approved by Resolution No. 111 of the Cabinet of Ministers of Ukraine of 24 February 2016, a list of indicators is to be developed and approved to facilitate the detection of trafficking victims, including stateless persons and internally displaced persons.

The Ministry of Social Policy has drafted, in cooperation with the All-Ukrainian NGO Coalition for Combatting Trafficking in Human Beings, the Methodological Guidelines for applying criteria/indicators to detect trafficking victims, including children, stateless persons, and internally displaced persons.

These methodological guidelines establish a mechanism of detection (identification) of victims of trafficking in human beings using defined criteria/indicators and may be used in the activities of the structural units of oblast state administrations responsible for the victim status determination procedure, services for children's affairs, and centres of social services for family, children and youth in line with their legislatively fixed authority. These criteria/indicators are based on a scholarly-practical approach and take into account the provisions of international and national legislation for combatting trafficking in human beings and the outcomes of sociological studies and observations made while working with trafficking victims.

- *review the application of the Victim Status Procedure in order to reduce reliance on the victims themselves applying for identification;*

According to the Procedure for Determining Trafficking Victim Status, approved by Regulation No. 417 of the Cabinet of Ministers of Ukraine of 23 May 2012, the trafficking victim or his/her legal representative should submit an application to a local state administration in order to have trafficking victim determined.

Under parts one and two of article 32 of the Constitution of Ukraine, no one is to be subjected to interference in his/her private life and family matters, except when such interference is stipulated by the Constitution of Ukraine; the collection, storage, use, and dissemination of confidential information about a person without his or her consent is not permitted, except for the cases determined by law and only in the interests of national security, economic welfare, and human rights. These constitutional provisions are matched by the provisions of Ukraine's legislation which stipulate that the collection, storage, use, and dissemination of confidential information about a natural person without his/her consent is not permitted, except for the cases determined by law and only in the interests of national security, economic welfare, and human rights.

Under the Laws of Ukraine "On Information" and "On the Protection of Personal Data", the collection of information about a person is not permitted without his/her personal consent, except for the cases determined by law. That is why the consent of the trafficking victim or his/her legal representative, reflected in a victim status application, is needed to establish trafficking victim status.

- *enhance the role of labour inspectors and other relevant professionals in the detection of THB for labour exploitation in Ukraine; (Ministry of Social Policy, State Labour Inspection)*

The State Labour Inspection and its territorial and its territorial units actively explain to entrepreneurs, the unemployed, and job seekers the importance of legal employment, social protection in the case of "official employment", the types of agreements, and their advantages and disadvantages.

In the framework of monitoring and prevention of the economic exploitation of children and works that endanger their life and health, the territorial bodies of the State Labour Service inform the service's central apparatus on a monthly basis about compliance with labour legislation regarding minors.

As of 1 October 2016, the territorial bodies of the State Labour Service carried out 2,959 checks to study compliance with labour legislation regarding minors.

It was detected that 122 employers used child's labour. Of the total number of checked economic agents, 20 are agricultural companies, 28 are engaged in commerce, 40 are in the services sector, and 34 perform other types of activities.

Checked employers employed 283 underage workers, including 58 aged 14-15 and 225 aged 16-18. The first workplace was given to 130 minors.

The checks revealed a number of violations of labour legislation with regard to minors, including the following:

- 5 children worked in harmful or dangerous conditions
- 5 children worked extra hours
- 21 children worked without paperwork documenting employment
- 23 children worked without a written labour agreement (hired on the basis of the employer's orders).

Illegal wages were paid to eight minors.

Violations of labour legislation with regard to mandatory annual medical examinations and a medical examination at the time of hiring were made regarding 47 minors.

Violations of children's labour rights were made by a total of 57 employers with regard to 86 minors.

Based on the results of the checks, 37 administrative charge sheets against employers were drawn up and filed to court; the materials of 10 checks were sent to law enforcement agencies for appropriate reaction; 62 instructions to eliminate violations of labour legislation were issued; 30 submissions were made to subject the guilty to disciplinary action over violations of labour legislation regarding minors. Decisions were made to impose fines totalling UAH682,950 for violations of labour legislation.

- *improve the identification of victims of THB among unaccompanied foreign minors and take steps to address the problem of disappearance of unaccompanied foreign children by providing suitable safe accommodation and assigning adequately trained legal guardians;*

The Ministry of Social Policy has drafted the Law of Ukraine "On Amending Certain Legislative Acts of Ukraine to Strengthen Combatting Trafficking in Human Beings and Victim Protection" which will improve the victim status determination procedure by expanding the authority of local self-government bodies.

After this Law is passed, relevant subordinate legislation will be amended, including the resolutions of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Determining Trafficking Victim Status" and "On Approval of the Procedure for Interaction of Agents for Combatting Trafficking in Human Beings".

- *provide periodic training and guidance on the identification and protection of victims of THB to all persons involved in safeguarding children's rights;*

Under articles 21 and 22 of the Law of Ukraine "On Education" and the regulation on the psychological service in Ukraine's education system, approved by Order No. 616 of the Ministry of Education and Science of 2 July 2009, a psychological service has been created and currently operates to maintain mental health and to carry out regular social-pedagogical attendance.

As of June 2016, the psychological service in the system of education had 22,616 employees, including 14,780 practical psychologists in education institutions, 7,054 social pedagogues, and 782 employees in raion (city) and oblast centres of the psychological service and methodology specialists in methodological offices at the respective level.

In the past years, there is a positive trend towards a greater number of positions for psychological service employees in preschool education institutions of the combined and compensating type and special schools (boarding schools) in line with standard numbers of employees. For example, preschool education institutions of the compensating, combined, and boarding school type and child development centres have 73.88% of the necessary number of practical psychologists, and 52.68% of social pedagogues (76.14% and 60.1%, respectively, in cities and 32.83% and 32.89% in the countryside). Boarding schools for children in need of physical and mental development correction and social assistance, sanatorium schools, and schools of social rehabilitation have 96.35% of the necessary number of practical psychologists and 61.63% of social pedagogues.

There are positive trends in the supply of psychological service employees for vocational technical schools: 80.1% of the need in practical psychologists in cities and 62.4% in the countryside; 53.5% of the need in social pedagogues in cities and 32.1% in the countryside.

The war in eastern Ukraine has become a traumatic factor for many persons, including children, above all, those of them who were or still are in the area of military action.

As they fulfilled their professional duties in 2015-2016, practical psychologists and social pedagogues have worked to solve pressing issues in modern education, such as psychological guidance of pedagogical innovations, work with gifted children, protection of the mental health of the participants in the education process, prevention of unlawful conduct and violence against children, enhancing the psychological culture of students, parents, teachers, and principals of education institutions, as well as assistance to those affected by military action, etc.

In 2015-2016, 3,014,130 applications were received by the employees of the psychological service, i.e., an average of 13.8 applications per one employee per month.

The National Trainer Network (NTN), the National Mediator Network (NMN), and the specialists of the NGO "La Strada-Ukraine" carried out 2,341 activities in January-June 2016 for 66,075 participants (24,831 specialists and 41,244 members of the risk group: students in general education schools, vocational technical schools, and higher education institutions; parents of students; clients of employment centres, etc.)

The NGO "La Strada-Ukraine" has on its staff 55 trainers from 21 oblasts of Ukraine and the city of Kyiv. The NMN includes 75 mediators from 11 oblasts of Ukraine and the city of Kyiv.

The work of trainers and mediators is focused mainly on education institutions (82%) and other institutions (18%).

Activities were carried out based on following topics: prevention of trafficking in human beings (38%), adaptation of the participants of the teaching and studying process in an education institutions to the conditions of conflict in Ukraine (19%), peaceful conflict resolution (12%), counteracting violence (9%), rules of safe conduct (9%), children's rights (5%), safe use of information and communications technology, including the Internet (3%), gender culture (3%), and prevention of commercial sexual exploitation of children (2%).

A series of activities were carried out to increase the qualifications level of specialists: 1) the All-Ukrainian Training and Methodology Workshop "Trafficking in human beings: modern challenges and ways of counteraction" was conducted for the trainers in the National Trainer Network of the Centre "La Strada-Ukraine" on 18-19 February 2016; 2) the All-Ukrainian conference "Mediation—a step towards reconciliation. Experience and prospects of implementing mediation practices in education institutions and communities" was held on 23-24 February 2016; 3) the All-Ukrainian Training and Methodology Workshop "Improving living conditions for internally displaced persons and communities affected by the conflict in eastern Ukraine: human rights and non-discrimination" was conducted on 10-11 March 2016; 4) All-Ukrainian training workshop "Social-pedagogical and psychological activities with children and families affected by the armed conflict, including victims of violence and abuse" was conducted on 22-24 March 2016.

- *improve the identification of victims of trafficking among asylum seekers, including through the provision of training and clear, binding procedures to be followed by State Migration Service officials.*

Specialists in the territorial units of the State Migration Service of Ukraine constantly take training in detecting potential trafficking victims among asylum seekers and illegal migrants and in the special aspects of detection, documenting and ensuring the legal stay of foreigners and stateless persons who are trafficking victims, which is organized by the IOM Mission in Ukraine on commission of the Ministry of Social Policy.

In 2013, the State Migration Service issued—with the support of the IOM Mission in Ukraine—a handbook for its employees that covers the special aspects of detection, documenting, and ensuring the legal stay of foreigners and stateless persons who are trafficking victims. This handbook is used to train the employees of the migration service.

Assistance to victims

18. GRETA urges the Ukrainian authorities to take further measures to provide victims and potential victims of THB with adequate assistance and protection, and in particular to:

- *ensure that all assistance measures provided for in law are guaranteed in practice and that all victims of THB, including children, have effective access to it;*

From 2012 until 1 December 2016, the Ministry of Social Policy has established trafficking victim status for 265 citizens, including 115 women, 117 men, and 33 children (11 boys and 22 girls). Of this number, 259 persons are Ukrainian citizens, and six are foreigners.

The six foreigners who have been awarded trafficking victim status have been provided with the necessary assistance with medical examination and treatment, their residence permits have been extended, they have been placed in language courses, and psychological assistance has been provided to them.

Ukraine has active centres of social services for family, children and youth which are tasked with evaluating the needs of trafficking victims and developing rehabilitation plans for them:

- directions of rehabilitation activities
- activities in line with the direction of activities
- responsible persons who fulfil tasks
- the results of undertaken measures
- coordination and monitoring the implementation of rehabilitation plans.

In 2015-2016, trafficking victims were provided services in centres of socio-psychological assistance (in Volyn, Dnipropetrovsk, Zhytomyr, Zakarpattia, Zaporizhia, Ivano-Frankivsk, Kirovohrad, Lviv, Luhansk, Mykolaiv, Odesa, Rivne, Sumy, Ternopil, Khmelnytsky, Cherkasy, Chernivtsi, and Chernihiv oblasts and the city of Kyiv).

In order to prevent child neglect and child homelessness, prevent children from violating laws and take the necessary measures to provide social protection and social, legal and medical assistance to children in difficult circumstances, services for children's affairs made 13,434 raids in the first half of 2016 and detected 5,574 children (28,565 raids in 2015 and 10,090 children detected).

In 2015, services for children's affairs examined 51,398 families, initiated action for violating children's rights in 7,813 cases (14,300 in 2011) and warned 24,530 parents (33,243 in 2011, 14,170 in the first half of 2016). In light of these indicators, there is a pressing issue of galvanizing activities to detect problems in families before they assume dangerous proportions and to provide timely assistance to resolve these problems.

In order to ensure effective rehabilitation activities, eight shelters and 75 centres of socio-psychological rehabilitation of children operate in Ukraine, and 5,762 children have received comprehensive assistance there in 2016 (9,003 in 2015 and 9,051 in 2014).

Child victims of trafficking receive education services according to current legislation.

All oblasts in which trafficking victims have been identified and which have applied to the relevant authorities for social assistance and rehabilitation plans have received developed rehabilitation plans. Thus, one rehabilitation plan was drawn up in Volyn Oblast in 2015 (completed in 2016) and two in 2016 (yet to be completed). In Dnipropetrovsk Oblast, three persons have been awarded trafficking victim status in 2016 and provided with appropriate assistance. Two more persons are waiting for a decision on their trafficking victim status. Rehabilitation plans will be developed for them, and the necessary assistance will be provided. In Donetsk Oblast, all persons who have been awarded trafficking victim status receive rehabilitation and reintegration services. In Zhytomyr Oblast, social services have been provided to nine families with children and individual trafficking victims in 2016. In the course of 2016, specialists in centres of social services for family, children and youth in the oblast have provided social services to 14 persons who have trafficking victim status, including eight women, two men and four children. In Ivano-Frankivsk Oblast, the Centre of Social Services for Family, Children, and Youth has evaluated the needs and drawn up rehabilitation plans for six persons who have been received trafficking victim status. In Kyiv, two trafficking victims have received social services, but they refused to have rehabilitation plans drawn up for them.

In Luhansk Oblast, none of the five persons who have received trafficking victim status has applied for a rehabilitation plan. In Mykolaiv Oblast, three rehabilitation plans have been drawn up and one person has received trafficking victim status. In Poltava Oblast, social services have been provided to five persons.

In Ternopil Oblast, all 14 trafficking victims have received rehabilitation plans after they were awarded trafficking victim status.

In Kharkiv Oblast, the Department monitors the implementation of the abovementioned plans on a quarterly basis by receiving reports from the centres of social services for family, children, and youth.

The Cherkasy City Centre of Social Services for Family, Children and Youth has provided social guidance to a family one of whose members is a victim of trafficking in human beings.

- *allocate the necessary human and financial resources, as appropriate, to all providers of assistance to victims of THB, including when such assistance is delegated to NGOs as service providers;*

According to the official description of the State Social Programme to Combat Trafficking in human beings until 2020, the following amounts of financing are envisaged: a total of UAH38,250,100, including UAH1,844,000 from the state budget, UAH1,096,100 from the local budget, and UAH35,310,000 from other sources.

On 16 November, the Government of Ukraine approved the Resolution of the Cabinet of Ministers of Ukraine “On Amending paragraph 2 of the Procedure of Paying One-Time Financial Benefit to Trafficking Victims” which is aimed at strengthening social protection and meeting the basic needs of trafficking victims, as well as at implementing the recommendations of international experts who periodically monitor the implementation of state policy in this sphere. This Government resolution **increased the amount of one-time financial benefit paid to trafficking victims to a sum three times the minimum subsistence income for the respective category of citizens.**

A significant amount of financing from local budgets is spent on institutions which, under the Law of Ukraine “On Combatting Trafficking in Human Beings”, provide assistance to trafficking victims (centres of social services for family, children and youth; centres of socio-psychological assistance; territorial centres of social services; centres of socio-psychological rehabilitation of children and shelters for children).

In 2015, UAH9,071,343,580 was spent from the budget to finance shelters for children, and UAH8,092,131,370 was allocated in 2016.

In 2015, UAH166,169,387.03 of budget money was spent to finance centres of socio-psychological rehabilitation of children (UAH110,415,881.67 in 2016).

In 2015, UAH297,602,400 of budget money was spent on the maintenance of the centres of social services for family, children and youth and on the implementation of their programmes and activities (UAH322,395,000 was allocated in 2016).

In 2015, the total expenditures on the centres of socio-psychological assistance from local budgets amounted to UAH12,738,000, and UAH14,020,000 was allocated in 2016.

In 2015, UAH2,025,878,500 was spent from local budgets to finance territorial centres of social services, and the budget of UAH2,081,022,800 was approved by local councils in 2016.

- *guarantee the quality of the services delivered by all service providers, for instance by establishing a set of mandatory quality standards and an effective supervision of their observance.*

Pursuant to Order No. 458 of the Ministry of Social Policy of 30 July 2013 “On Approval of Standards for Providing Social Services to Trafficking Victims” (registered in the Ministry of Justice on 5 August 2013 under No. 1327/23859), the following standards for providing social services to trafficking victims have been approved: the standard for providing preventive counter-trafficking social services, the standard for providing social integration and reintegration services to trafficking victims, the standard for providing social services of social integration and reintegration of child victims of trafficking.

All oblasts work to maintain the appropriate quality of services for trafficking victims. To this end, the respective departments in oblasts are guided by the standards approved pursuant to the abovementioned order of the Ministry of Social Policy.

Moreover, regular evaluation of the staff is performed in Volyn Oblast. Noteworthy, in addition to providing services according to the standards set by the Ministry of Social Policy, the services provided to trafficking victims in Zhytomyr Oblast are analysed and the results are submitted to the Directorate for Family, Youth and Sports in the Zhytomyr Oblast State Administration on a quarterly basis in order to check the quality and make any corrections that may be necessary. Moreover, the quality and timeliness of service provision are monitored in Luhansk Oblast, in addition to activities that meet the standards.

Recovery and reflection period

19. GRETA urges the Ukrainian authorities to ensure that the recovery and reflection period, as provided for in Article 13 of the Convention, is specifically defined in law and that all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention are made available during this period to persons for whom there are reasonable grounds to believe are victims of THB. It should be made clear that the recovery and reflection period should last at least 30 days and should not be conditional upon submitting an application for victim status or any other additional requirement.

The Ministry of Social Policy has drafted the Law of Ukraine “On Amending Certain Legislative Acts of Ukraine to Strengthen Combatting Trafficking in Human Beings and Protection of Victims”.

The draft Law will amend the following current laws in the area of combatting trafficking in human beings: the Law of Ukraine “On Combatting Trafficking in Human Beings”, the Law of Ukraine “On Local State Administrations”, the Law of Ukraine “On Local Self-Government in Ukraine”, the Law of Ukraine “On the Employment of the Population”, the Law of Ukraine “On the Council of Ministers of the Autonomous Republic of Crimea”, the Law of Ukraine “On the Legal Status of Foreigners and Stateless Persons”, and the Law of Ukraine “On the Freedom of Movement and Free Choice of the Place of Residence in Ukraine”.

The passage of the draft law will permit improving state counter-trafficking policy, in particular by granting local self-government bodies the authority to implement this policy.

In particular, the draft law envisages a recovery and reflection period during which a person who considers himself or herself a victim of trafficking in human beings has the right to make a deliberate decision on cooperation with law enforcement agencies within 30 days.

Moreover, the draft law envisages the following:

- expanding the list of agents of the National Mechanism for Interaction of Agents for Combatting Trafficking in Human Beings
- the central executive authorities will take measures to safeguard women, girls, men, and boys with disabilities against sexual abuse and exploitation;
- the Council of Ministers of the Autonomous Republic of Crimea and local self-government bodies will be given authority to combat trafficking in human beings
- the trafficking victim status determination procedure will be improved
- the network of institutions providing assistance to trafficking victims will be expanded
- the authority of local self-government bodies to combat trafficking in human beings will be expanded.

Residence permits

20. GRETA urges the Ukrainian authorities to ensure that victims of trafficking can benefit from the right to obtain a renewable residence permit, including when they are unable to cooperate with the authorities but need to remain in the country owing to their personal situation.

According to the Law of Ukraine “On Combatting Trafficking in Human Beings”, a foreigner or a stateless person who has received the status of a victim of trafficking in human beings in the territory of Ukraine has also the right to permanent residence in the territory of Ukraine according to the procedure established by law.

Under paragraph 8 of part two of article 4 of the Law of Ukraine “On Immigration”, persons who have lived uninterruptedly in the territory of Ukraine for three years since the time they received trafficking victim status have the right to obtain an immigration permit, within an immigration quota.

Regulation No. 195-r of the Cabinet of Ministers of Ukraine of 25 February 2015 established the immigration quota regarding four persons who were nearing three-year-long residence since the granting of trafficking victim status: one in Kyiv Oblast (from 20 September 2015), one in Mykolaiv Oblast (from 7 September 2015), and two in Odesa Oblast (from 7 October 2015).

In the course of 2016, 101 persons, all citizens of Ukraine, have received trafficking victim status, and no applications for such status have been received from foreigners or stateless persons.

Compensation and legal redress

21. GRETA urges the Ukrainian authorities to adopt measures to facilitate access to compensation for victims of trafficking, and in particular to:

- *ensure that victims of trafficking are systematically informed in a language that they can understand of the right to seek compensation and the procedures to be followed;*

Ministry of Justice:

Under article 26 of the Constitution of Ukraine, foreigners and stateless persons staying in Ukraine on legal grounds enjoy the same rights and freedoms and bear the same duties as citizens of Ukraine, except as restricted by the Constitution, laws, or international treaties of Ukraine.

Under article 57 of the Constitution of Ukraine, everyone is guaranteed the right to know his rights and duties.

Laws and other legal normative acts that define the rights and duties of citizens must be communicated to the population according to the procedure established by law. Normative legal acts not communicated to the population are invalid.

Under article 55 of the Criminal Procedure Code, a victim in criminal proceedings may be a natural person who has sustained moral, physical or material damage as a result of a criminal offence, as well as a legal person that has sustained material damage.

The rights and duties of a victim accrue at the time of filing an application for bringing him or her into proceedings as a victim. A victim is delivered a leaflet advising on his or her procedural rights and duties by the person who accepted the application that a criminal offence has been committed.

Article 56 of the Criminal Procedure Code defines the rights of the victims, in particular: throughout the entire criminal proceedings, a victim has the right to be advised in his or her rights and duties as set forth in the Criminal Procedure Code; have an authorized representative and at any time during criminal proceedings waive his or her services; give explanations, testimonies in his or her native language or any other language in which he or she is fluent, benefit from free translator's services at the State's expense if he or she has no knowledge of the State language or the language in which the criminal proceedings is conducted; compensation of the damage caused by criminal offence, as prescribed by law.

Moreover, in cases when it is necessary to translate explanations, testimonies or documents in the course of criminal proceedings, parties to criminal proceedings or investigating judge or court commit an appropriate translator (translator into sign language), under article 68 of the Criminal Procedure Code.

National Police of Ukraine:

Under article 19 of the Criminal Procedure Code and article 17 of the Law of Ukraine "On the Foundations of State Language Policy", trafficking victims have the right to legal assistance in any language acceptable to them. All officers of the National Police must follow these articles and fulfil them in their practice.

Ministry of Social Policy:

All persons applying to local state administrations for trafficking victim status are informed about their rights, including the right to compensation.

Moreover, pursuant to joint Order No. 4/5 of the Ministry of Social Policy and the Ministry of Internal Affairs of 11 January 2016 "On Approval of the Instruction for Collecting and Monitoring Statistical Information about Victims of Trafficking in Human Beings", in cases when a trafficking victim is detected by social services, services for children's affairs, or police bodies, the victim is mandatorily given a leaflet with a list of the rights of victims, including the right to compensation for sustained moral and material damages.

- *enable victims of trafficking to exercise their right to compensation by ensuring their effective access to both primary and secondary legal aid, building the capacity of legal practitioners to support victims to claim compensation and including compensation into existing training programmes for law enforcement officials and the judiciary.*

Ministry of Justice:

Under article 8 of the Law of Ukraine "On Free Legal Assistance", the right to free primary legal assistance under the Constitution of Ukraine and this law is enjoyed by all persons in the jurisdiction of Ukraine (including trafficking victims, victims of crimes against sexual freedom and sexual privacy, etc.).

The agents providing free primary legal assistance in Ukraine are executive authorities, local self-government bodies, and private-law natural and legal persons.

Under paragraph 7 of the Regulation on centres for free secondary legal assistance, approved by Order No. 967/5 of the Ministry of Justice of 2 July 2012 (as amended by Order No. 1487/5 of 24 May 2016), one of the main tasks of these centres is to ensure the provision of free primary legal assistance.

In order to optimize the system of territorial bodies of the Ministry of Justice and expand citizens' access to free legal assistance and electronic services administered by the Ministry of Justice, the Cabinet of Ministers of Ukraine adopted Regulation No. 99 "On Reforming the Territorial Bodies of the Ministry of Justice and Developing a System of Free Legal Assistance" on 11 February 2016. This resolution envisaged the creation of legal assistance bureaus.

In particular, starting from 1 September 2016, more than 400 legal assistance bureaus created in each raion and oblast-level city in Ukraine began to operate as structural units of the local centres for free secondary legal assistance. Their main tasks are legal education in territorial communities, provision of free primary legal assistance and ensuring citizens' access to free secondary legal assistance and to the electronic services administered by the Ministry of Justice.

From 1 September until 11 October 2016, more than 35,810 persons applied to legal assistance bureaus of whom 34,862 received legal counselling on questions they raised and 287 were referred to other institutions (organizations) to receive free legal assistance on the issues they raised.

In order to ensure the provision of qualified primary legal assistance to such vulnerable categories as victims of trafficking in human beings, crimes against sexual freedom and sexual privacy, conflicts, gender-based violence, etc., the Coordination Centre is making efforts aimed at establishing cooperation with non-governmental organizations ("La Strada-Ukraine", United Nations Population Fund in Ukraine, etc.)

At the same time, in order to expand the list of categories of individuals who have the right to free secondary legal assistance as defined by the Law of Ukraine "On Free Legal Assistance", the Coordination Centre has drafted the Law of Ukraine "On Amending Certain Legislative Acts of Ukraine to Simplify Access to Free Legal Assistance and Enhance the Quality of Its Provision". The draft law envisages, among other things, the addition of the following vulnerable categories to the list of individuals who have the right to free secondary legal assistance: internally displaced persons, persons whose average monthly income does not exceed twice the subsistence income established by law for persons in the main social and demographic groups of the population, etc.

Today, the Coordination Centre is working to draft amendments to the Law of Ukraine "On Free Legal Assistance", including for the purpose of expanding the list of individuals who have the right to free secondary legal assistance as defined by the law.

National Police of Ukraine:

Under article 45 of the Criminal Procedure Code of Ukraine, defence counsel is obliged to participate in inquiry, pre-trial investigation, and the trial of a criminal case in the court of the first instance. This issue is included in the advance training course scheduled to be conducted from 12 September until 24 December 2016 in Kyiv for units for combatting trafficking in human beings. The course is supported by the OSCE Project Co-ordinator in Ukraine.

22. Further, bearing in mind that a very limited number of victims of trafficking are awarded compensation from the perpetrators, GRETA urges the Ukrainian authorities to set up a State compensation scheme accessible to victims of THB, regardless of their citizenship and residence status.

Under article 127 of the Criminal Procedure Code of Ukraine, the suspect, accused, as well as upon his or her consent, any other physical or legal person, has the right at any stage of criminal proceedings, to repair the damage caused to the victim, the territorial community, the state as a result of criminal offense.

The damage caused by criminal offense or other socially dangerous act may be recovered by a court decision made as a result of hearing a civil action in criminal proceedings.

Damage caused to the victim by a criminal offense is repaired to him or her from the State Budget of Ukraine as prescribed by law.

Efforts are being made to work out a respective state mechanism, in particular to fulfil the Action Plan to implement the National Strategy for Human Rights until 2020 approved by Regulation No. 1393-r of the Cabinet of Ministers of Ukraine of 23 November 2015.

According to the **State Court Administration**, UAH40,000 was paid as material and moral compensation to trafficking victims in the first half of 2016 (article 149 of the Criminal Code of Ukraine).

Repatriation and return of victims

23. GRETA urges the Ukrainian authorities to take further steps to ensure that the return of victims of trafficking is conducted with due regard for their rights, safety and dignity and the status of related legal proceedings; this implies risk assessment before a person is sent back to his/her country, protection from retaliation and re-trafficking and, in the case of children, fully respecting the principle of the best interests of the child.

Under articles 5 and 18 of the Law of Ukraine “On Combatting Trafficking in Human Beings”, Ukrainian diplomatic institutions abroad take measures to provide assistance and protection to trafficking victims. In particular, when necessary, they issue the documents required for the return to Ukraine to citizens of Ukraine, provide the necessary consultative and legal assistance, and take the necessary actions for their return to Ukraine. In the event when Ukrainian citizens-victims of trafficking have no financial means to return to Ukraine, Ukrainian diplomatic missions and consular institutions abroad support the return of such persons to Ukraine.

Under article 19 of the Law of Ukraine “On Combatting Trafficking in Human Beings”, upon completing a rehabilitation course, the foreigner or stateless person who is a victim of trafficking in human beings may be repatriated. When necessary, the territorial bodies of the State Migration Service send a request to such person’s country of origin to confirm his/her citizenship or his/her right for permanent residence in its territory at the time of entry to Ukraine.

The return to Ukraine of children who are citizens of Ukraine and are deprived of parental care, including child victims of trafficking in human beings, is carried out in accordance with Regulation No. 569 of the Cabinet of Ministers of Ukraine of 23 April 2003.

Orphaned children and children deprived of parental care who are citizens of Ukraine and are outside of Ukraine for various reasons (in what follows, children) are to be returned to Ukraine if there are no grounds for their adoption or placement under care (guardianship) abroad.

Children born and abandoned in maternity houses abroad are returned to Ukraine if there are grounds for their acquisition of Ukrainian citizenship by birth.

The return of a child to Ukraine is financed from the state budget within expenses allocated for the executive authorities for the respective year.

In the event when an international agreement of Ukraine establishes a different procedure of returning children to Ukraine, the norms of this agreement apply.

The actions of the executive authorities to ensure the return of orphaned children and children deprived of parental care to Ukraine are as follows.

Ukraine’s diplomatic institution abroad:

- 1) registers, according to an established procedure, the birth of a child if his/her birth was not registered earlier;
- 2) takes measures to identify parents and other relatives of the child and their place of stay;
- 3) issues the respective document for the child’s return to Ukraine;
- 4) informs the Ministry of Foreign Affairs about the child abroad that is to be returned to Ukraine;
- 5) issues a reference which indicates the child’s country of stay, his/her first name, patronymic, and surname, the year of birth, information about parents and other relatives, the physical condition of the child, etc.

6) via the Ministry of Foreign Affairs, informs the Council of Ministers of the Autonomous Republic of Crimea or a local state administration about the time and place of arrival in Ukraine of a child aged 14-18.

Ministry of Foreign Affairs:

- 1) upon receipt of information from Ukraine's diplomatic institution abroad about a child abroad that is to be returned to Ukraine, the ministry informs the Ministry of Internal Affairs, the Ministry of Social Policy, and, when necessary, other competent executive authorities in order to identify parents, other relatives, or their places of residence prior to departure abroad, if such departure took place;
- 2) within three days, transfers information about this child received from the Ministry of Internal Affairs to Ukraine's diplomatic institution in the country where the child is staying;
- 3) participates in the transfer of information about the time and place of arrival in Ukraine of a child aged 14-18 to the Council of Ministers of the Autonomous Republic of Crimea or a local state administration.

Ministry of Internal Affairs:

- 1) establishes the place of residence of the parents or other relatives of the child;
- 2) ascertains the authority that issued the permission for the child's departure abroad and, in the absence of such permission, establishes the child's last place of residence in Ukraine (if the child resided in Ukraine prior to his/her departure abroad);
- 3) informs the Ministry of Foreign Affairs and the Ministry of Social Policy about the results of the checks within 10 days;
- 4) in the event when the place of residence of the parents or other relatives of the child or the place of his/her residence prior to departure abroad is ascertained or the authority that issued the permission for the child's departure abroad is established, the Ministry of Internal Affairs informs, based on the place of residence of the parents or other relatives of the child or the child's place of permanent residence prior to departure abroad, the Council of Ministers of the Autonomous Republic of Crimea, an oblast state administration, or the Kyiv or Sevastopol city state administration.
- 5) in the event when the child did not reside in Ukraine prior to his/her departure abroad or the place of residence in Ukraine of his/her parents (other relatives) has not been established, the Ministry of Internal Affairs sends this information to the Ministry of Social Policy.

Ministry of Social Policy:

- 1) raises before the Ministry of Healthcare and the Ministry of Education and Science the issue of placing the child born and abandoned in a maternity house abroad in an appropriate institution of social protection;
- 2) upon the receipt of information from the Council of the Ministers of the Autonomous Republic of Crimea or a local state administration about the placement of the child born and abandoned in a maternity house abroad, immediately sends this information to the Ministry of Foreign Affairs.

Council of the Ministers of the Autonomous Republic of Crimea, a local state administration:

- 1) upon receipt of relevant information from the Ministry of Internal Affairs, ensures the return of the child to his/her parents, placement of the child under care (guardianship) or in an appropriate institution of social protection (depending on the age and physical condition of the child);
- 2) jointly with the Ministry of Healthcare and the Ministry of Education and Science, determines the host institution for a child born and abandoned in a maternity house abroad and informs the Ministry of Social Policy within 10 days;

A child is placed in an institution of social protection on the basis of documents received from Ukraine's diplomatic institution abroad.

The institution of social protection issues other documents that may be necessary.

- 3) an authorized representative meets the child in the territory of Ukraine.

Children under 14 and children with physical or mental disabilities are returned to Ukraine in the company of an authorized representative of the local state administration.

In accordance with the Cooperation Agreement between the CIS states on the return of minors to the states of their permanent residence, the competent authorities of the Parties provide, on the basis of an inquiry, assistance to each other in finding and returning minors left without care to the states of their permanent residence.

Substantive criminal law

24. GRETA urges the Ukrainian authorities to adopt such legislative and other measures as may be necessary to ensure that a legal person can be held liable for a criminal offence established in accordance with the Convention, as required under Article 22 of the Convention.

Ministry of Justice:

Under article 18 of the Criminal Code of Ukraine, a criminal offender means a sane person who has committed a criminal offense at the age when criminal liability may arise under this Code.

A special criminal offender means a sane person who has committed a criminal offense at the age when criminal liability may arise, if that offense may only be committed by a certain person.

Officials are persons who perform, permanently, temporarily or by special authorization, the functions of representatives of the authorities of local self-government and permanently or temporarily hold, in state authorities, local self-government bodies, enterprises, institutions or organizations, positions that involve organizational-directive or administrative-management functions or perform such functions on special authorization granted by a competent state authority, local self-government body, a central state administration authority with special status, competent body or official in an enterprise, institution or organization, or by court or law.

Recognized as officials are also officials of foreign states (persons who hold positions in a legislative, executive, or judicial body of a foreign state, including members of the jury and other persons performing state functions for a foreign state, in particular for a state agency or a state-run enterprise), foreign arbitrator, persons authorized to resolve civil, commercial or labour disputes in foreign states according to a procedure alternative to court procedure, officials of international organizations (employees of an international organization or any other persons authorized by such an organization to act on its behalf), as well as members of international parliamentary assemblies in which Ukraine participates and judges and officials of international courts.

Section XIV¹ of the Criminal Code establishes criminal action against legal persons.

Under the Law of Ukraine "On Liability of Legal Persons for Corruption Offenses" and article 96-3 of the Criminal Code of Ukraine, criminal action may be brought against legal persons.

At present, efforts are being made to amend article 96-3 of the Criminal Code by adding the following grounds for bringing criminal action against a legal person; the commission of the crime of trafficking in human beings or other illegal agreement regarding a person by an individual authorized by a legal person on its behalf and in its interests.

Non-punishment of victims of trafficking in human beings

25. GRETA considers that the Ukrainian authorities should take further steps to ensure compliance with Article 26 of the Convention through the adoption of a provision on non-punishment of victims of THB for their involvement in unlawful activities, to the extent that they were compelled to do so, or by issuing guidance to public prosecutors and migration officials on this issue. While the identification procedure is on-going, possible victims of THB should not be punished for immigration-related violations.

Ministry of Justice

Under article 2 of the Criminal Code, commission by a person of a socially dangerous act that has such elements of crime as created by the Criminal Code gives grounds for criminal liability.

A person is deemed innocent of a crime and may not be criminally punished until his/her guilt is legally proven and found by a lawful sentence.

Guilt means a mental stance of a person in regard to the performed act or omission under this Code and to the consequences thereof, as expressed in the form of intent or recklessness (article 23 of the Criminal Code).

Article 332 of the Criminal Code defines illegal movement of persons across the state border of Ukraine.

The social danger of this crime lies in negative consequences of political, economic, and social nature which ensue as a result of uncontrolled migration. Such activity complicates criminal prosecution of the perpetrators and the inability to secure the inviolability of the state border undermines the international image of Ukraine.

The direct object of this crime is the established procedure of crossing the state border of Ukraine. Additional objects may be the life and health of persons, their freedom, and the authority of the state.

Objectively, this crime is characterized by the commission of the following: 1) illegal movement of persons across the state border of Ukraine; 2) organization of illegal movement of persons across the state border of Ukraine; 3) management of illegal movement of persons across the state border of Ukraine; 4) facilitation of illegal movement of persons across the state border of Ukraine with advice, directions, provision of means, or removal of obstacles.

Administrative punishment is established for the immediate act of crossing of the state border by a person under article 204¹ of the Code of Ukraine on Administrative Offenses.

Violation by officials of enterprises, institutions and organizations, irrespective of their ownership forms, including foreign economic entities operating in the territory of Ukraine, of the established procedures of job placement of foreigners and stateless persons, admission for education, provision of habitation, and other violations, if they in any way help foreigners and stateless persons evade departure from Ukraine after expiry of their period of stay or if they are aimed at their illegal registration or illegal execution of residence documents, entails imposing a fine amounting to 50 to 200 untaxed minimal personal incomes, under article 204 of the Code of Ukraine on Administrative Offenses.

Providing foreigners and stateless persons with habitation, means of transport, facilitating their illegal registration, execution of documents for residence or education, job placement, as well as providing other services contrary to the established rules of stay of foreigners and stateless persons in Ukraine and rules of transit via Ukraine, if these actions are not connected directly with illegal forwarding of persons across the Ukrainian state border, entail administrative sanctions under article 206 of the Code of Ukraine on Administrative Offenses.

Article 206¹ of the Code of Ukraine on Administrative Offenses recognizes the following as administrative offenses: 1) transportation of foreigners and stateless persons by drivers contrary to the established rules of stay of foreigners and stateless persons in Ukraine and rules of transit via Ukraine, if these actions are not connected directly with illegal forwarding of persons across the Ukrainian state border; 2) equipment of vehicles by their owners or drivers with special concealed or disguised recesses used for transporting illegal migrants; 3) transportation of foreigners and stateless persons in special concealed recesses made by the owners or drivers of vehicles for transporting people.

Investigation, prosecution and procedural law

26. *While acknowledging the pertinence of mitigating circumstances, GRETA stresses the importance of sensitising judges to the grave violations of human rights which result from THB and the need to provide redress and protection for victims of THB.*

An analysis of sentences in proceedings opened under article 149 (Trafficking in human beings or other illegal agreement regarding a person) of the Criminal Code of Ukraine shows that the judicial bodies of Ukraine **sentenced 252 persons**, including **119** to prison terms, for trafficking in human beings from 2012 until the first half of 2016.

In 2015, **32 persons** were sentenced for trafficking in human beings of whom **12** received prison terms.

The results obtained by the National Police units for combatting trafficking crimes over the past three years point to a certain increase in the number of criminal cases filed to court: **83** in 2013, **85** in 2014, and **90** in 2015.

In the first 10 months of 2016, units of the National Police entered data on **96** criminal offenses under article 149 (Trafficking in human beings or other illegal agreement regarding a person) of the Criminal Code of Ukraine into the Unified Register of Pre-trial Investigations, and the preventive measure of placement under custody was applied to **14** persons.

Pre-trial investigation has been completed and a decision has been made to file the case to court with an indictment in **53** criminal proceedings.

A total of **64** victims of trafficking in human beings (**47** women and **17** men), including **3** minors, have been identified.

Jointly with other authorities and with the support of the OSCE Project Co-ordinator in Ukraine and the IOM Mission in Ukraine, the Ministry of Social Policy constantly works to train and enhance the qualifications of judges who hear cases connected to trafficking in human beings.

A number of workshops have been conducted in 2016 for law employment officers, prosecutors, and judges on issues in investigating cases of trafficking in human beings and prosecuting the guilty.

On **13-14, 19-20, and 21-22 July 2016** in Kyiv, the Ministry of Social Policy in cooperation with the National Police of Ukraine and the IOM Mission in Ukraine conducted practical workshops "Capacity building for law enforcement agencies in Ukraine to combat trafficking in human beings through strengthening their role in the National Mechanism for Interaction of Agents for Combatting Trafficking in Human Beings" for prosecutors, judges, investigators, and representatives of the structural units of the Luhansk, Kherson, Sumy, Dnipropetrovsk, Chernihiv, Donetsk, Zaporizhia, Kharkiv, and Mykolaiv oblast state administrations responsible for the trafficking victim status determination procedure, as well as for representatives of non-governmental organizations

The above training was focused on mechanisms of working with victims, including such issues as victim identification and assistance within the National Referral Mechanism (NRM) under the Law of Ukraine "On Combatting Trafficking in Human Beings" and in accordance with the best practice of pretrial investigation and court hearing, as well as cooperation between NRM partners.

27. *GRETA urges the Ukrainian authorities to develop the training and specialisation of investigators, prosecutors and judges with a view to ensuring that human trafficking offences are effectively investigated and prosecuted, leading to proportionate and dissuasive sanctions.*

National Police of Ukraine:

Investigators, prosecutors, and judges constantly enhance their qualifications and take specialized training in the area of investigating trafficking crimes.

In particular, the Chief Directorates of the National Police in Kyiv, oblasts, and the Autonomous Republic of Crimea and the city of Sevastopol have issued orders assigning the investigation of trafficking crimes to 82 practical investigators, while theoretical training is enhanced with such activities as the project

“Strengthening Ukraine’s efforts to combat trafficking in human beings” which was implemented with the support of the IOM Mission in Ukraine on 18-31 January 2016 in Kharkiv.

Prosecutor General’s Office:

Considering the leading role of prosecutors in criminal proceedings and in order to ensure high-quality professional approach to procedural management in these proceedings, the Prosecutor General’s Office suggested in March 2015 that prosecutors in the regions assign this area of specialization to specific prosecutors in the distribution of office duties.

Higher Specialized Court of Ukraine:

Under the Law of Ukraine “On the Judicial System and the Status of Judges”, the National School of Judges of Ukraine conducts periodic training of judges to enhance the level of their qualifications. The introduction of judges’ specialization in specific cases is in the competence of the meeting of judges in the respective court.

Jointly with the **Prosecutor General’s Office of Ukraine, the National Academy of Prosecution of Ukraine** has organized the conduction of extended distance-learning training for prosecutors and law enforcement officers “Combatting trafficking in human beings: an interactive study course for law enforcement officers”.

A number of workshops have been conducted in 2016 for law enforcement officers, prosecutors, and judges on issues in investigating trafficking cases and prosecuting the guilty, including the following:

On 26-27 May 2016 in Kyiv and on **6-7 September 2016** in Mariupol, at the request of the prosecutor’s offices of the Kyiv and Donetsk oblasts, the Ministry of Social Policy conducted, with the support of the IOM Mission in Ukraine, two training sessions for prosecutors on combatting trafficking in human beings “Improving the mechanisms of combatting trafficking in human beings: special aspects of detecting and documenting trafficking crimes, interaction between the bodies of prosecution, pretrial investigation, and operational units in criminal proceedings in trafficking cases”.

The training covered issues connected with modern trends in combatting trafficking in human beings, the mechanisms of detecting victims and documenting trafficking crimes, as well as strengthening cooperation between the staff of operational units, investigators, and prosecutors in detecting investigating trafficking crimes and referring victims for assistance within the National Referral Mechanism.

The first training involved 36 participants and the second one, 41.

Furthermore, jointly with representatives of the Prosecutor General’s Office, the Chief Investigation Directorate, the Department for Combatting Trafficking Crimes of the National Police, and the State Border Guard Service of Ukraine, distance-learning training was conducted in **April-May 2016** on an online platform involving operational officers, investigators, prosecutors, and border guards from all regions of Ukraine (a total of 105 participants).

Within the framework of cooperation with the OSCE Project Co-ordinator in Ukraine, the following has been done in the first nine months of 2016:

- a thematic plan for retraining of the staff of units for combatting trafficking in human beings in the National Police has been developed, as well as the respective learning materials for these units;
- a 98-hour-long training course to enhance the qualifications of the staff of units for combatting trafficking in human beings in the National Police has been started;
- a thematic studying plan and respective materials for enhancing the qualifications of district police officers have been developed;
- 98-hour-long training to enhance the qualifications of 1,900 district police officers who have successfully passed re-attestation (in the city of Kyiv and in Kyiv, Odesa, Mykolaiv, Volyn, Rivne and Khmelnytsky oblasts) has been completed;
- qualifications-enhancing training for district police officers in nine more cities of Ukraine (Chernihiv, Kherson, Sumy, Zhytomyr, Poltava, Vinnytsia, and Kharkiv) has been launched;

- based on the results of an assessment of the need for in-depth training, training materials have been developed and two-week (98-hour-long) training to enhance the qualifications of more than 3,700 patrol police officers has been launched in 11 cities of Ukraine (Kyiv, Odesa, Kherson, Sumy, Kharkiv, Ivano-Frankivsk, Lviv, Dnipro, Kryvyi Rih and Mariupol);
- on 26 September, four-month-long training of the first group of 140 newly hired district police officers in Kyiv Oblast was launched;
- the training of 2,800 patrol police officers in 10 cities of Ukraine focused on combatting trafficking in human beings and family violence was completed.

In the framework of cooperation with the IOM Mission in Ukraine, 392 representatives of the law enforcement agencies and social protection bodies were trained in the first half of 2016 in the detection and investigation of trafficking crimes and cooperation to provide assistance to trafficking victims.

Protection of victims and witnesses

28. GRETA urges the Ukrainian authorities to make full use of the measures available to protect victims and witnesses of THB, including children, and to take additional measures to ensure that victims of trafficking are adequately informed of their rights and existing remedies and assisted during pre-trial and court proceedings.

Ministry of Social Policy:

All persons who apply for trafficking victim status to local state administration are informed of their rights.

Moreover, under joint order No. 4/5 of the Ministry of Social Policy and the Ministry of Internal Affairs of 11 January 2016 "On Approval of the Instruction for Collecting and Monitoring Statistical Information on Victims of Trafficking in Human Beings", in the event when social services, services for children's affairs, or police units detect a trafficking victim, the victim is necessarily given a leaflet listing the rights of trafficking victims to receive assistance.

National Police of Ukraine:

Under paragraph 2 of part 2 of article 55 of the Criminal Procedure Code of Ukraine, a victim is given a leaflet advising on his/her procedural rights and duties by the person who accepted the application that a criminal offence has been committed. Moreover, under paragraph 5 of part 1 of article 56 of the Criminal Procedure Code of Ukraine, in the presence of legitimate grounds, a victim has the right to ensuring security in respect of himself/herself, his close relatives or family members, property and home.

Under paragraph 2 of part 1 of article 66 of the Criminal Procedure Code of Ukraine, a witness has the right to benefit from legal assistance to be provided by a lawyer when giving evidence and participating in other procedural actions. Paragraph 8 of part 1 of article 66 of the Criminal Procedure Code of Ukraine also stipulates that a witness has the right to request that protection be ensured as prescribed by law.

Prosecutor General's Office:

Ensuring the security of persons participating in criminal proceedings is envisaged by the Criminal Procedure Code of Ukraine and the Law of Ukraine "On Ensuring the Security of Persons Participating in Criminal Proceedings". Their norms are applied in the framework of criminal proceedings in the presence of legitimate grounds.