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

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The outbreak of an armed conflict raises significant concerns about human trafficking within conflict-affected countries, and about human trafficking and migrant smuggling affecting people fleeing the conflict. In the weeks since the beginning of the war in Ukraine, reports and stories have emerged of potential abusive and exploitative situations in Ukraine and among those fleeing to neighboring countries. This brief overview sets out the key findings of research in order to understand and prevent these risks.

⇒ THE CONFLICT MAKES PEOPLE VULNERABLE TO TRAFFICKING INSIDE UKRAINE

According to extensive research conducted by UNODC and published in 2018, inside a conflict-affected country, the vulnerabilities of girls, boys, women and men to trafficking arise from the conflict itself, due to lack of opportunities for income generation, interruption in the provision of essential services such as healthcare and education, issues with rule of law, and the risk of exploitation in armed combat. People living within conflict zones may adopt negative coping strategies to gain access to food and other supplies, or for their own safety and security.¹ The Ukrainian population prior to the outbreak of the war was 44 million people.² UN agencies estimate that 12 million people are currently in need of humanitarian aid,³ and 6.5 million people are internally displaced.⁴ Ensuring sustainable provision of humanitarian aid and access to essential services makes people more resilient to trafficking and exploitation.

⇒ LEGAL PATHWAYS TO EUROPEAN COUNTRIES PREVENT MIGRANT SMUGGLING

The activation of the 2001 European Union (EU) Temporary Protection Directive,⁵ agreed upon by

the Council of the EU on 3 March 2022 and applying to all Ukrainian nationals arriving in the EU, together with visa-free entry for Ukrainians to other European countries, significantly reduces the need for those fleeing the war to resort to migrant smugglers. The “Dublin Regulation” of the EU, requiring asylum applicants to apply for international protection in the first EU country of arrival, does not apply to temporary protection of Ukrainians, and therefore it is also unlikely that smuggling of migrants will be perpetrated in the context of Ukrainians moving within the EU (“secondary movements”). The legal framework for Ukrainian refugees arriving in the EU is therefore distinct in very significant ways from the framework that applies to refugees, asylum applicants and migrants from other non-EU countries. Legal entry and legal status are an important factor of resilience to trafficking in persons.

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

People are fleeing Ukraine in order to seek international protection in neighbouring countries and further afield. As of 22 March 2022, 3.6 million people have fled Ukraine: 2.1 million arrived in Poland (of whom over 100,000 are non-Ukrainians), 555,000 in Romania, 371,000 in Republic of Moldova, 324,000 in Hungary, 257,000 in Slovakia, and 252,000 in the Russia Federation.⁶ These people are still vulnerable to different forms of trafficking due to the displacement context and attendant vulnerabilities during the journey and upon arrival in a country of destination.

Girls, boys, women and men are fleeing Ukraine, with different vulnerabilities and protection

¹ UNODC (2018). Trafficking in Persons in the Context of Armed Conflict: www.unodc.org/documents/data-and-analysis/glotip/2018/GloTIP2018_BOOKLET_2_Conflict.pdf; UNODC (2018). Countering Trafficking in Persons in Conflict Situations: Thematic Paper: www.unodc.org/documents/human-trafficking/2018/1708776_ebookCountering_Trafficking_in_Persons_in_Conflict_Situations.pdf.

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

³ Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET) on 21 March 2022):

<https://reliefweb.int/report/ukraine/ukraine-humanitarian-impact-situation-report-300-pm-eet-21-march-2022>

⁴ Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET) on 21 March 2022):

<https://reliefweb.int/report/ukraine/ukraine-humanitarian-impact-situation-report-300-pm-eet-21-march-2022>

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

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

needs. Around half of those fleeing are adult women, 40 per cent are children and 10 per cent are adult men. Although no confirmed figures are available, it is estimated that thousands of children are travelling unaccompanied by their parents or guardians, placing them at a heightened risk of trafficking and other abuses.⁷

In these settings, criminal networks operating between Ukraine and countries in Europe and Central Asia may take advantage of people separated from their support networks and with an acute need to identify alternative methods of income generation. UNODC research has found that economic need is one of the most often identified vulnerability factors for trafficking in persons.⁸

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

Because the visa-free and temporary protection provisions do not apply to all non-Ukrainian, non-EU citizens who were residing in Ukraine at the outbreak of the war (with the exception of recognized refugees and long-term permanent residents), this group (including citizens of India, Russia, Uzbekistan, Bangladesh, Democratic Republic of Congo, Nigeria and Zimbabwe, among others⁹) may need migrant smuggling in order to leave Ukraine, and are more vulnerable to trafficking in persons in this context. In Poland, for example, non-Ukrainian people fleeing Ukraine who do not have an entry visa can stay regularly only for up to 15 days.¹⁰ While there are no official statistics available on the number of foreign residents in Ukraine, UN sources report that as of the beginning of 2022, 470,000 non-Ukrainians were resident in the country.¹¹

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

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

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

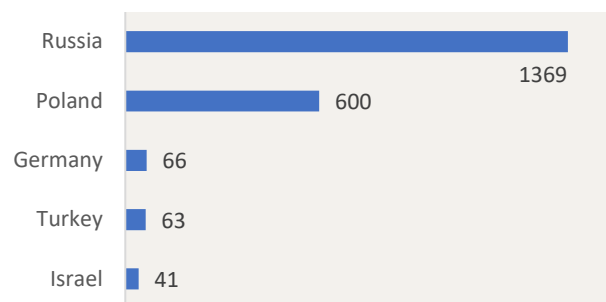
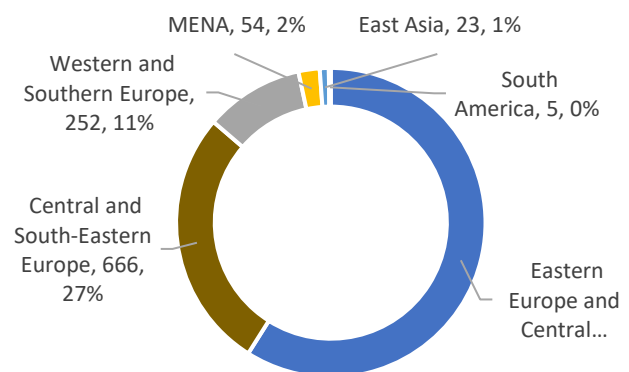


Figure 2: Regions of destination for Ukrainian victims of trafficking 2017 – 2020 (total: 2,437) *



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

⁷ See: UNICEF (19.03.2022). “Children fleeing war in Ukraine at heightened risk of trafficking and exploitation”:

www.unicef.org/press-releases/children-fleeing-war-ukraine-heightened-risk-trafficking-and-exploitation.

⁸ UNODC (2020). *Global Report on Trafficking in Persons*.

⁹ Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET) on 21 March 2022):

<https://reliefweb.int/report/ukraine/ukraine-humanitarian-impact-situation-report-300-pm-eet-21-march-2022>.

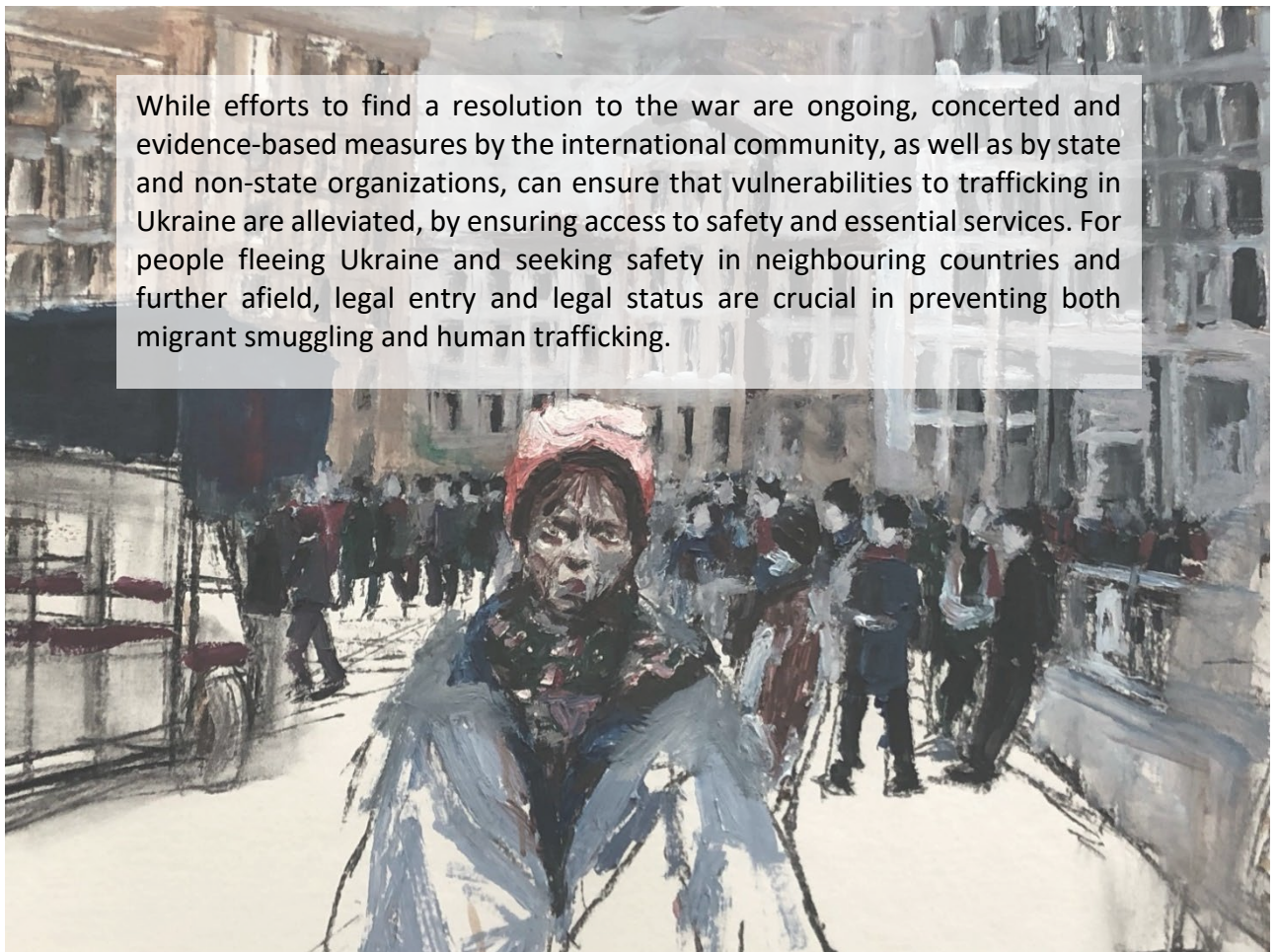
¹⁰ See: www.gov.pl/web/nigeria-en/information-on-the-refugee-situation-at-the-polish-ukrainian-border.

¹¹ Ukraine: Humanitarian Impact Situation Report (As of 3:00 p.m. (EET) on 21 March 2022):

<https://reliefweb.int/report/ukraine/ukraine-humanitarian-impact-situation-report-300-pm-eet-21-march-2022>

Many detected Ukrainian victims were trafficked by domestic traffickers with lower levels of organisation, while others were trafficked by complex networks of individuals spanning multiple nationalities, linking several of the countries in the region.¹² Some court case proceedings make explicit mention of transnational organized criminal group structures with significant victim counts, perpetrating multiple forms of exploitation.¹³

While many victims were recruited in Ukraine and exploited abroad, other victims were trafficked domestically, for a range of forms of exploitation, but predominantly for the purpose of forced labour.¹⁴ Many were recruited by traffickers and exploited in agriculture, stone processing, construction or similar physically demanding labour sectors.



¹² UNODC (2020). *Global Report on Trafficking in Persons: Court Case Summaries*.

¹³ UNODC (2020). *Global Report on Trafficking in Persons: Court Case Summaries*.

¹⁴ UNODC (2020). *Global Report on Trafficking in Persons: Country Profiles: Ukraine*; UNODC (2020). *Global Report on Trafficking in Persons: Court Case Summaries*.