
REGIONAL LAYER OF COUNTERING HUMAN TRAFFICKING EXPERIENCE IN UKRAINE

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While there are analyses and reports outlining developments in countering human trafficking at the national level, the regional level remains largely unexplored. This article broadens the analytic lens to examine progress and difficulties in execution of the State Program against human trafficking in Ukraine at the regional level. Presented findings and implications are drawn upon the nation-wide survey and regional monitoring visits conducted with participation of the author.

Ukraine remains a large country of origin for men, women and children subjected to sex and labor exploitation; and is increasingly recognized as a country of transit and destination for victims of human trafficking from Moldova, Central Asia (Kyrgyzstan, Uzbekistan, Kazakhstan) and Russian Federation. The International Organization for Migration in Ukraine estimates that as many as “117 000 Ukrainians (or 0.2% of population) had been enslaved abroad since 1991”¹. With the majority of victims coming from small villages and towns, the importance of prevention and reintegration initiatives pursued at the local level should not be underestimated, and the means of improving and sustaining capacity of local actors to counter-act human trafficking at the local level should be further studied. In theory, the effectiveness of interventions and programs at the local level depends on the involvement of and leadership exercised by local stakeholders, and their involvement in its turn is usually measured by the size of financial allocations made towards the program and/ or actions². In absence of the comprehensive cross-country study on the issue of regional counter-trafficking interventions and in order to investigate factors affecting effectiveness of such interventions in Ukraine, the author analyses allocations made towards counter-trafficking in regions³, refers to results of the national survey, and elaborates on the outcomes of five regional monitoring visits conducted by experts of International Organization for Migration and the Ministry of Family, Youth and Sports of Ukraine.

2010 national survey was held among regional Departments of Family, Youth and Sports (hereinafter referred to as DFYS), the main coordinators of counter-trafficking actions at the local level, with a purpose to determine the state of realization of the State Program against human trafficking till 2010 (hereinafter referred to

¹ International Organization for Migration. “117,000 Ukrainians have been enslaved abroad, Research says” February 2008. http://www.iom.org.ua/index.php?page=nes&id=39&type=pres_releas (accessed May 2011)

² Lerato Kgamphe. Using Government Budgets as a Monitoring Tool (New Tactics Project, 2004).

³ An administrative unit in Ukraine. There are 24 oblasts, two cities with a special status (Kyiv and Sevastopol) and the Autonomous Republic of Crimea, which constitute 27 regions of Ukraine.

as the State Program) in regions. Until December 2010, the counter-trafficking actions in Ukraine had been coordinated by the central executive body - the Ministry of Family, Youth and Sports of Ukraine, the main executor of the State Program. The State Program represented the third national counter-trafficking action plan for 2006-2010 and aimed at engaging all stakeholder efforts under one umbrella program.

Although Ukraine was numerously criticized for lack of government initiative in the development of legal counter-trafficking framework, the year 2010 signified several important developments. Ukraine ratified the Council of Europe Convention on Actions against Trafficking in Human Beings, public and NGO actors worked out and started piloting the National Referral Mechanism, a multi-agency working group acted under coordination of the Ministry of Family, Youth and Sports of Ukraine to develop the comprehensive Law On Combating Trafficking in Human Beings in Ukraine and the new State Program against human trafficking for 2011-2015.

Although the new State Program and the supporting Action Plan were drafted, the adoption of it failed due to announced Administrative Reform⁴ and liquidation of the Ministry of Family, Youth and Sports. The situation worsened even more by the fact that coordination role regarding the counter-trafficking policy had not been officially given to any of national executive bodies.

While awaiting adoption of the new State Program for 2011-20, this article outlines some results obtained under the previous State Program of 2006-2010, as well as investigates obstacles and drivers of counter-trafficking interventions in regional layer.

The State Program recognized human trafficking prevention, victim protection and assistance, and international cooperation as the priority dimensions for the state counter-trafficking policy in Ukraine. In 2006-2010 implementation of the Program was undertaken by ten central executive bodies, 25 state administrations in regions and two city administrations (in Kyiv and Sevastopol), international organizations like International Organization for Migration in Ukraine, OSCE, La-Strada, and a network of national NGOs.

While unemployment is considered one of the factors forcing human trafficking, local NGOs actively cooperate with regional Employment Centers to improve consultation services to unemployed, develop business and professional trainings. Several regional monitoring missions praised cooperation between the Employment Centers and the NGOs as the most fruitful civil society-public sector counter-trafficking liaison. Annually the State Employment Service delivers vocational trainings to about 200,000 of unemployed. In 2010 its web-portal www.dcz.go.ua became the second most visited among all government portals in Ukraine.

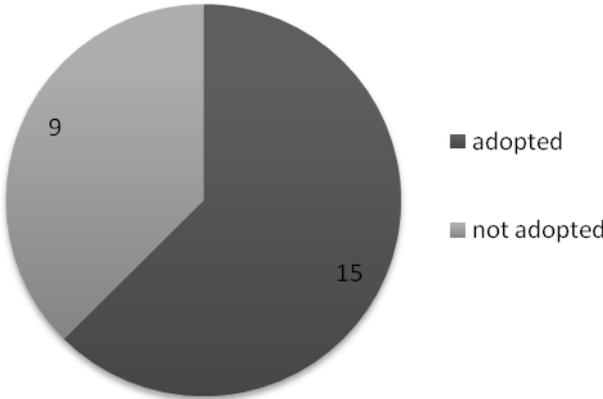
One of the important dimensions of counter-trafficking in Ukraine is state licensing control of employment abroad and marriage agencies because breaking licensing regulations creates pre-conditions for human trafficking. In 2007-2010 more than 850 of licensing controls were executed across Ukraine with over 160

⁴ The Order of the President of Ukraine on the Optimization of central executive bodies <http://www.president.gov.ua/documents/12584.html> (accessed May 2011)

licenses been withdrawn. With high number of detected human trafficking offenses (up to 376 detected in 2006) the prosecution rate in 2006-2007 averaged to 22%.

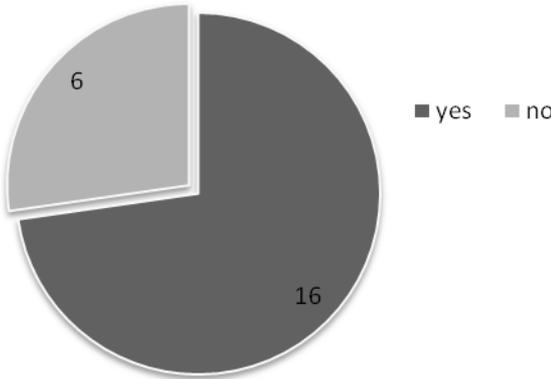
The national survey conducted in 2010, revealed that Regional Programs against human trafficking were adopted in 15 surveyed regions (54%). In the rest of the regions they were substituted by the regional action plans or counter-trafficking actions were embedded into other regional programs (Graph 1).

Graph 1. Regional Programs against human trafficking



Counter-trafficking Advisors worked along 16 regional administrations and all of them acted on a part time unpaid basis (Graph 2).

Graph 2. Availability of Counter-trafficking Advisors at regional level

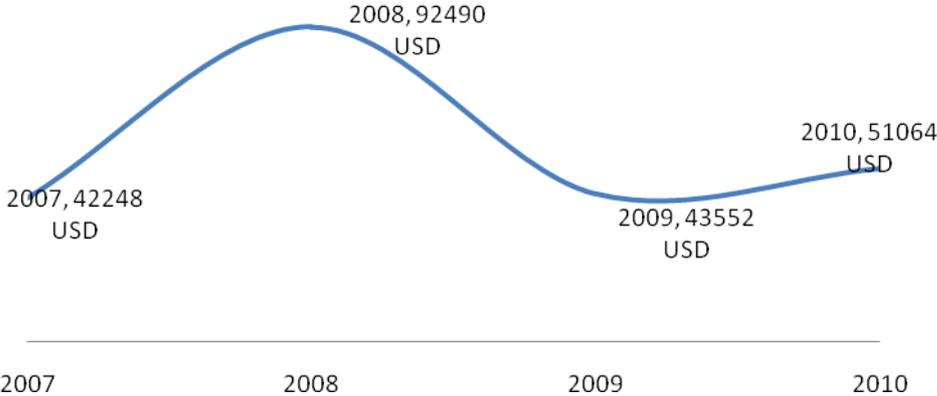


About 40% of survey respondents referred to insufficient budgeting as the main problem in implementation of counter-trafficking actions at the regional level. 25% stated that understaffing of the area is the main problem. The respondents from Kyiv City administration (the capital) reported the combination of insufficient financial resources and understaffing as factors impeding effectiveness. It was observed during the regional monitoring of 2008-2010, that in some regions one specialist of the DFYS was set for four dimensions: Family, Youth, Countering domestic violence and Countering human trafficking. In many regional administrations DFYSs were equipped with 3-4 specialists and had to oversee up to eight different programs.

Among improvements occurred during realization of the State Program, incorporation of the counter-trafficking layer in the Regional Action Plans and professional development of staff of crisis centers, centers of social services and regional DFYSs were mentioned in 18% of responses; 25% of respondents referred to personnel capacity building, and 12% of responses referred to establishment of cooperation with local NGOs as the main accomplishment.

Despite of 1 469 700 UAH (about 182 500 USD⁵) pledged towards the State Program from the national budget, the Program was financed by 42% of what was initially budgeted. The regional budgeting of the Program was the highest in 2008 (up to 17 800 USD) and the lowest in 2009 crisis year (between 0 and 6000 USD across regions). Graph 3 shows regional budgets allocated by local governments across Ukraine in different years of the State Program implementation.

Graph 3. Regional Budget allocations. Totals, USD



The largest portion of funds allocated at the regional level (sometimes up to 100%) was utilized to support the Centres for Social and Psychological Assistance – state run crisis centres with a mandate to assist individuals and families in difficult life situations including victims of human trafficking.

⁵ 1 USD = 8 UAH as of May 2011.

There is currently a network of over 20 state run crisis centers, and yet the system of victim reintegration in Ukraine remains largely owned by international and national NGOs. Capacity of the centers to assist victims of human trafficking is underutilized due to several factors. There are difficulties with accepting minor victims and women with children; the centres cannot accept ill individuals or those without a medical certificate and non-residents. These factors in fact inhibit work with victims of trafficking requiring immediate shelter or other types of assistance. Despite these existing obstacles regional multi-agency monitoring missions proved evident that victims were assisted in some crisis centres and were not accepted by others. The facts of victim acceptance and assistance at the centres are much more contingent upon the social will of the centres' personnel to assist this vulnerable audience rather than on other factors like centres' capacity, victim profile etc.

Starting from 2000, the network of Ukrainian NGOs along the International Organization for Migration had delivered a comprehensive direct assistance to over 7 500 victims of human trafficking, which on one hand is an impressive number of people to assist, but on the other hand represents under 7% of the estimated number of trafficked victims from Ukraine, out of estimated 117 000 victims. Given that many international donors phase out their support in Ukraine, the unassisted victim caseload definitely calls for cooperation and national ownership over the area of victim assistance and reintegration. In many regions of Ukraine, the centers have agreements with medical facilities, employment centers, legal agencies on victim referral and provision of services to victims.

The 2010 Trafficking in Persons Report⁶ states that the government agencies had undertaken "modest but important steps to improve protection for trafficking victims." Such examples include assistance delivered by the state run crisis centers in Khmelnytskyi, Chernivtsi, Donetsk, Zaporizhzhia. The number of trafficking victims annually assisted by each of the centers amounts to about ten individuals, nevertheless it is a considerable number given the fact that several years ago all victims had been assisted and reintegrated exceptionally by specialized NGOs.

Regardless the insignificant finances allocated towards regional counter-trafficking actions in Ukraine, regional actors managed to show some significant improvements. Further developments were mostly suppressed by the lack of leadership and significant understaffing of the counter-trafficking dimension. Rather than on the scale of allocated funds, much if the success of their counter-trafficking actions seems rely on social will of local government bodies as well as inter-agency cooperation.

ՍՎԻՏԼԱՆԱ ԲԱՑՅՈՒԿՈՎԱ – Մարդկանց առևտրին հակազդելու փորձն Ուկրաինայում՝ տարածաշրջանային կտրվածքով – Եթե ազգային մակարդակում առկա են մարդկանց առևտրին հակազդելու մասին վերլուծական և հաշվետու փաստաթղթեր, ապա տարածաշրջանային մակարդակը մնում է չուսումնասիրված: Այս հոդվածի նպատակն է լրացնելու այդ բացը՝ տարածաշրջանային մակարդակում մինչև 2010 թվականը Ուկրաինայում պետական

⁶ US Department of State. "Trafficking in Persons Report". <http://www.state.gov/g/tip/rls/tiprpt/2010/index.htm> (accessed May 2011)

ժրագրի իրագործման ընթացքում ձեռք բերված առաջընթացի և դժվարությունների ուսումնասիրության միջոցով: Հոդվածում ներկայացվող արդյունքները և եզրահանգումները հիմնվում են հեղինակի մասնակցությամբ իրականացված ազգային հարցման և տարածաշրջանային մոնիթորինգային առաքելությունների տվյալների վրա:

СВИТЛАНА БАЦЮКОВА – *Опыт противодействия торговле людьми в Украине в региональном разрезе.* – Многие аналитические и отчётные документы дают представление о том, как официальные структуры противодействуют торговле людьми на национальном уровне. Однако региональный уровень остаётся неисследованным. Статья дополняет аналитические исследования, показывая, как до 2010 года на региональном уровне реализовывалась украинская государственная программа противодействия торговле людьми. Итоговые выводы основаны на данных национального опроса и региональных мониторинговых миссий, осуществлённых с участием автора.