

# UKRAINE

## MINIMAL ADVANCEMENT – Efforts Made but Continued Law that Delayed Advancement

In 2023, Ukraine made minimal advancement in efforts to eliminate the worst forms of child labor. Despite the ongoing aggression and territorial incursions made by Russia against Ukraine, the Ukrainian government continued to make efforts to address child labor and exploitation. The government adopted the National Action Plan for Countering Human Trafficking (2023–2025), which aims to improve anti-human trafficking efforts, including by monitoring institutionalized Ukrainian children evacuated abroad for human trafficking indicators. The Office of the Prosecutor General established a specialized unit consisting of five prosecutors focused exclusively on prosecuting human trafficking-related cases, including child trafficking. However, despite new initiatives to address child labor, Ukraine is assessed as having made only minimal advancement because it failed to remedy Order No. 303 of 2022, which prohibits labor inspectors from conducting routine or targeted inspections while martial law is in force. The State Labor Service is also only able to conduct unannounced inspections if they met three specific criteria: (1) informal employment, (2) legality of employment contracts suspension and termination, and (3) observance of wartime labor regulations surrounding schedules, paid leave, and other contractual issues. These limitations on inspections may leave potential violations of child labor laws and other labor abuses undetected in workplaces. Further, Ukrainian laws do not meet international standards for the prohibition of commercialized sexual exploitation because they do not criminalize the users of commercial sex involving children. In addition, the government does not have a coordinating mechanisms or policies to address all forms of child labor, including in hazardous work in mining, agriculture, and street work. The government does not have the opportunity to carry out law enforcement, coordinate efforts, and implement its policies and social programs to address child labor in the Russia-occupied territories.

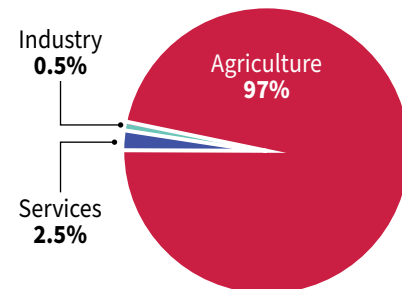


## PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

### Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	9.7% (385,204)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	97.2%
Combining Work and School	7 to 14	12.0%

### Working Children by Sector, Ages 5-14



Children in Ukraine are subjected to the worst forms of child labor, including in commercial sexual exploitation, production of pornography, and forced begging. In addition, children are recruited by non-state armed groups for use in armed conflict. Children, especially in Russia-occupied areas, also perform dangerous tasks in mining.

### Overview of Children’s Work by Sector and Activity



#### Agriculture

Farming and raising livestock.



#### Industry

Construction and mining,<sup>†</sup> including extracting and transporting coal and amber.



#### Services

Street work, including street trade, washing cars, and begging.



#### Categorical Worst Forms of Child Labor<sup>‡</sup>

Commercial sexual exploitation, sometimes as a result of human trafficking. Use in the production of pornography. Recruitment of children by non-state armed groups for use in armed conflict. Forced begging.

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

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



## **SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR**

The suggested government actions below would close gaps USDOL has identified in Ukraine’s implementation of its international commitments to eliminate the worst forms of child labor.

### **Legal Framework**

Raise the minimum age for work from age 16 to 17 to align with the compulsory education age.

Prohibit all children under age 16 from working in hazardous occupations during vocational training.

Criminally prohibit and penalize the use of a child for commercial sex, and the use, procuring, or offering of children in pornographic performances.

### **Enforcement**

Resume routine and targeted labor inspections.

Authorize the State Labor Service to enforce the collection of delinquent penalties to ensure that all penalties imposed are collected.

Hold perpetrators of the worst forms of child labor, including child soldiering, accountable. Ensure that former child soldiers are not penalized for crimes they were forced to commit.

### **Coordination**

Establish a coordinating mechanism with sufficient scope to address all forms of child labor, including hazardous work in mining, agriculture, street work, and other forms of informal work, sectors in which child labor is known to occur.

### **Government Policies**

Adopt a policy that addresses all forms of child labor, including hazardous work in mining, agriculture, street work, and other forms of informal work, sectors in which child labor is known to occur.

### **Social Programs**

Collect and publish data on the extent and nature of child labor, including the activities carried out by children working in mining, agriculture, and street work, to inform policies and programs.

Institute a rehabilitation and reintegration program for children engaged in armed conflict.

Continue efforts and expand existing programs to ensure that all Ukrainian children, including those with disabilities, children from Roma or other minority groups, and homeless and orphaned children, especially those living in state-run institutions, are protected from human trafficking and labor exploitation.

Continue efforts to ensure that all Ukrainian children, including those with special needs and those living in conflict zones, have access to education, whether virtual or in person, that meets their educational needs.

Develop programs to ensure that all Roma children are registered at birth and are able to access education.

Ensure that there are sufficient resources and trained personnel in the Centers for Social Services for Family, Youth, and Children to assist child victims of commercial sexual exploitation in all state-run facilities that serve children in need.

Institute programs to address all forms of child labor, including hazardous work in mining, agriculture, street work, and other forms of informal work.



## CHILDREN AT HIGHER RISK

Children in Ukraine face increased social, economic, and political challenges, which can make them more vulnerable to exploitation because of Russia’s full-scale invasion of Ukraine launched in February 2022. The increased vulnerability is most pronounced in the country’s Russia-occupied areas and areas of active conflict. Out of Ukraine’s 7.5 million children, 4.8 million have been forced to flee, with 2 million having fled abroad and 2.8 million displaced internally. Refugee and internally displaced children (particularly unaccompanied children), and children in Russia-occupied territory are especially vulnerable to exploitation in the worst forms of child labor. In addition, children with disabilities, children from Roma or other minority groups, children forcibly transferred to Russia, and homeless and orphaned children, especially those living in state-run institutions, are at risk of human trafficking, including sexual and labor trafficking. Russian occupying authorities and proxy groups backed by Russia continued to recruit children, train them in weapons use, and organize them into reserve militia battalions at militant-run camps and at school programs located in territory occupied or controlled by Russia, and in some cases, continued to illegally transfer them out of Ukraine to camps in Russia. It is impossible to monitor these camps or ensure that the children in them are not exploited now or in the future. In addition, Russian armed forces continued to use Ukrainian children as human shields in active conflict.



## BARRIERS TO EDUCATION ACCESS

Education continued to be disrupted for more than 6.7 million Ukrainian children, particularly for those in the active conflict areas, due to the extensive damage and destruction of schools as a result of Russia’s ongoing full-scale invasion of Ukraine. The Ukrainian government continued to provide distance and in-person learning, with half of the children in Ukraine attending in-person classes and the other half attending either a combination of in-person and online classes or only online classes, providing for over 95 percent of children in Ukraine attending school. A lack of electricity and internet due to Russia’s deliberate targeting of electricity and telecommunications infrastructure has further disrupted access to education. Some children with special needs, children from poor families, and displaced children could not follow online classes because they lacked computer equipment or internet access. Additionally, some Roma children lack birth registration, impeding their access to education. In Russia-occupied areas, occupying authorities imposed the Russian curriculum and language of instruction in schools, to include military training and war propaganda, and prevented Ukrainian children from receiving education in their native language. Ukrainian refugee children residing in several host countries in Europe had low enrollment rates in local education systems due to language barriers, difficulty accessing schools, and expectations of returning to Ukraine. While these children are likely attending school via the Ukrainian online learning platform, there is no available data to confirm their attendance.













## LEGAL FRAMEWORK FOR CHILD LABOR

Ukraine has ratified all key international conventions concerning child labor. However, Ukraine’s laws do not meet international standards on the minimum age for hazardous work because children between the ages of 14 and 16 are not forbidden from engaging in hazardous work as part of a vocational training program, nor on the prohibition of commercial sexual exploitation of children because no law criminalizes the users (clients) of commercial sex involving children.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, <b>16 Years</b>		Article 150 of the Criminal Code; Article 188 of the Labor Code; Article 21 of the Law on the Protection of Childhood
Minimum Age for Hazardous Work, <b>18 Years</b>		Article 150 of the Criminal Code; Article 190 of the Labor Code; Article 21 of the Law on the Protection of Childhood; Ministry of Health Order No. 46

**Legal Framework for Child Labor (Cont.)**

Child Labor Laws and Regulations	Meets International Standards	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children		Article 150-1 of the Criminal Code; Order of the Ministry of Health No. 46 on the approval of the list of heavy work and work with dangerous and harmful working conditions, in which the employment of minors is prohibited; Article 190 of the Labor Code
Prohibition of Slavery, Debt Bondage, and Forced Labor		Article 149 of the Criminal Code; Articles 21 and 35 of the Law on the Protection of Childhood; Article 43 of the Constitution of Ukraine; Article 1 of the Law on Employment
Prohibition of Child Trafficking		Article 149 of the Criminal Code; Article 32 of the Law on the Protection of Childhood
Prohibition of Commercial Sexual Exploitation of Children		Articles 149 and 301–303 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood; Articles 1, 6, and 7 of the Law on the Protection of Public Morality
Prohibition of Using Children in Illicit Activities		Articles 304 and 307 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood
Minimum Age for Voluntary State Military Recruitment, <b>17 Years</b>		Articles 15 and 20 of the Law on Military Duty and Military Service
Prohibition of Compulsory Recruitment of Children by (State) Military		Article 15 of the Law on Military Duty and Military Service; Decree No. 447 on Measures to Enhance the Defense Capacity of the State
Prohibition of Military Recruitment by Non-state Armed Groups		Article 149 of the Criminal Code; Article 30 of the Law on the Protection of Childhood
Compulsory Education Age, <b>17 Years</b> <sup>‡</sup>		Articles 3, 12, and 20 of the Law on General Secondary Education; Article 53 of the Constitution
Free Public Education		Article 53 of the Constitution of Ukraine; Article 2 of the Law on General Secondary Education

<sup>‡</sup> Age calculated based on available information

In 2023, the government adopted the Law On Amendments to Certain Legislative Acts of Ukraine on Simplifying Access to Free Legal Aid. This law guarantees equal access for all children to free legal aid necessary to ensure the protection of their rights. It also expands the right to free secondary legal services to all human trafficking victims, including representation of victims' interests in courts, other state bodies, and local government.

As the minimum age for work of age 16 is lower than the compulsory education age of 17, children may be encouraged to leave school before the completion of compulsory education. Furthermore, the Ministry of Health Order No. 46 does not prohibit children between the ages of 14 and 16 from engaging in hazardous work as part of a vocational training program, which is not in compliance with international standards. Although the law specifies that children in these training programs may be onsite for no more than 4 hours and must remain in strict compliance with applicable safety norms and rules and regulations on labor protection, this is not in compliance with international standards. Ukraine does not sufficiently prohibit the commercial sexual exploitation of children because no law criminalizes the users (clients) of commercial sex involving children.



## ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Ukraine took actions to address child labor. However, a lack of authority to conduct routine and targeted labor inspections during martial law in Ukraine hindered enforcement efforts.

### Agencies Responsible for Child Labor Law Enforcement

**State Labor Service (SLS):** Operates under the executive branch and enforces labor laws, including laws on child labor, by conducting inspections. Regional offices of SLS share information about child labor cases with regional offices of the National Police of Ukraine, regional employment centers, the Department of Child Affairs, trade union leaders, regional social services organizations, and centers dedicated to social protection. In 2023, SLS resumed limited unannounced inspections under conditions of martial law and also held 2,052 labor law-related consultations and 1,342 seminars, meetings, and round tables on topics that included the prevention of informal child labor and child exploitation.

**Office of the Prosecutor General (OPG):** Investigates and prosecutes cases related to the worst forms of child labor. Oversees a department and regional offices for the Protection of Interests of Children that focus on the worst forms of child labor. The regional offices conduct pre-trial investigations and investigations of criminal offenses, file appeals of court decisions related to children’s issues, provide legal representation to children, and support the execution of court decisions related to child protection. Operates specialized centers for child survivors and witnesses in Mykolayiv and Vinnytsya oblasts. In 2023, OPG established a specialized unit consisting of five prosecutors focused exclusively on prosecuting human trafficking-related cases, including child trafficking, and conducted regular online trainings, provided guidance, and analyzed pre-trial investigations to strengthen the regional prosecutor offices’ capacity to prosecute such cases.

### Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	<b>Yes</b>	Has a Complaint Mechanism	<b>Yes</b>
Able to Assess Civil Penalties	<b>Yes</b>	Imposed Penalties for Child Labor Violations	<b>Yes</b>
Routinely Conducted Worksite Inspections	<b>No</b>	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	<b>Yes</b>
Unannounced Inspections Permitted	<b>Yes</b>	Imposed Penalties for Worst Forms of Child Labor Crimes	<b>Yes</b>

From June to November 2023, **803** labor inspectors conducted **80** unannounced worksite inspections, finding **3** child labor violations. From January through November 2023, the government also conducted **67** investigations into suspected cases of the worst forms of child labor, initiated **33** prosecutions, indicted **3** persons, and convicted **2** perpetrators.

In early 2022, Ukraine issued Order No. 303, which prohibits labor inspectors from conducting routine or targeted inspections while martial law is in force. In addition, while the SLS resumed unannounced labor inspections in 2023, it was only able to conduct inspections if they met three specific criteria: (1) informal employment, (2) legality of employment contracts suspension and termination, and (3) observance of wartime labor regulations surrounding schedules, paid leave, and other contractual issues. These limitations on inspections may leave potential violations of child labor laws and other labor abuses undetected in workplaces.



## COORDINATION, POLICIES, AND PROGRAMS

<p><b>Key Mechanism to Coordinate Government Efforts on Child Labor</b></p> <p>Ukraine established a mechanism to coordinate its efforts to address child labor. However, this mechanism does not address all worst forms of child labor in the country, including hazardous work in mining and agriculture, street work, and other forms of informal work.</p>	<p><b>Inter-Ministerial Counter-Trafficking Coordination Council:</b> Led by the Ministry of Social Policy (MSP), which serves as the National Coordinator for Counter-Trafficking Policy and includes representatives from government entities, regional governments, NGOs, and international organizations. In 2023, MSP continued to lead efforts in addressing human trafficking, including organizing capacity-building activities for ministry and local government officials, as well as civil society members, on identification and protection of human trafficking victims during war.</p>
<p><b>Key Policies Related to Child Labor</b></p> <p>Ukraine established policies related to child labor. However, these policies do not cover all forms of child labor including hazardous work in mining, agriculture, street work, informal work, and other sectors in which child labor is known to occur.</p> <p><i>† Policy was approved during the reporting period.</i></p>	<p><b>Resolution on the Social Protection of Children and Urgent Measures to Protect the Rights of the Child:</b> Directs the government to develop additional programs and social services to protect children against abuse, including the worst forms of child labor. Includes a provision on measures that address the participation of children in armed conflict. In 2023, the government adopted Resolution No. 339, which provides for the establishment of a Unified Register of Persons, including children, who have been deported or forcibly displaced due to the armed aggression of Russia against Ukraine.</p> <p><b>Ukraine’s National Strategy on Human Rights (2021–2023):</b> Focused on 27 areas related to human rights, including children’s rights. In 2023, during a discussion forum with over 300 participants from the government, civil society, and community leaders, the government presented the key accomplishments over the past year and recommendations for policymakers to support the human rights agenda in Ukraine.</p> <p><b>National Action Plan for Countering Human Trafficking (2023–2025):</b><i>†</i> Adopted in June 2023, guides the work of the National Coordinator on Countering Human Trafficking and enhances mechanisms for preventing human trafficking, building institutional capacities and collaboration of the National Referral Mechanism stakeholders, strengthening the identification of individuals involved in trafficking-related crimes, and ensuring comprehensive protection and assistance to all human trafficking victims, including children.</p>
<p><b>Key Social Programs to Address Child Labor</b></p> <p>Ukraine funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate because they do not address the problem in all sectors where child labor has been identified, including in hazardous work in mining, agriculture, street work, and other forms of informal work.</p> <p><i>† Program is funded by the Government of Ukraine.</i></p>	<p><b>Centers and Shelters for Socio-Psychological Rehabilitation of Children:</b><i>†</i> Serve children in need, including child survivors of human trafficking, through a network of centers and shelters that operate across Ukraine. Children are provided with individual social, psychological, medical, and other types of assistance. Government officials report that there is a lack of resources and specialized personnel to assist child survivors of sexual exploitation through these centers. In 2023, 12 child victims received services at these centers and shelters. In addition, the government allowed centers for domestic and gender-based violence, run by local governments and NGOs, to also provide assistance to trafficking victims, expanding overall capacity to assist these victims.</p> <p><b>Programs Administered by the National Social Service:</b><i>†</i> The National Social Service, a central executive agency which reports to MSP, implements state policy in the field of social protection and protection of children’s rights, and performs state control of social support and observance of children’s rights. In coordination with local authorities, operates active centers for social services for family, youth, and children around Ukraine, and provides social services for vulnerable children and families, including survivors of human trafficking.</p>

For information about USDOL’s projects to address child labor around the world, visit [dol.gov/ILABprojects](https://dol.gov/ILABprojects)  
 For references, please visit [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports)