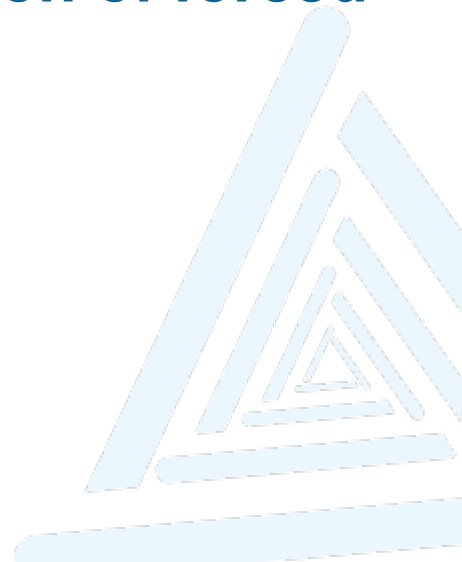


Ukraine without forced labour

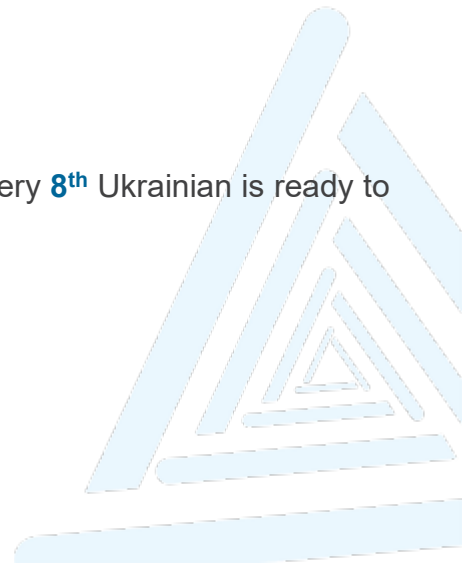
Guiding principles for employers on prevention of forced labour

Kyiv, 13 December 2022 p.



Statistics

- More than **300 thousand** Ukrainian citizens have been affected by human trafficking since 1991
- The number of forced migrants from Ukraine has reached **7,4 million** as of August 2022; the number of internally displaced persons was almost **6 million**
- **5 million** people have lost their jobs because of the war in Ukraine
- **56%** of Ukrainians are sure that they will never become human trafficking victims, however every **8th** Ukrainian is ready to cross the border illegally, work in closed space or give their passport away to the employer



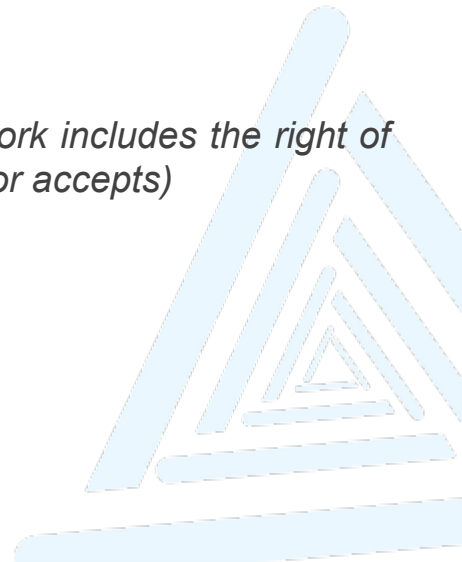
Preventing forced labour: the UN level

➤ **Universal Declaration of Human Rights**

adopted by the UN General Assembly on 10 December 1948 (*defines everyone's right to work, to free choice of employment, to just and favourable conditions of work*)

➤ **International Covenant on Economic, Social and Cultural Rights**

adopted by the UN General Assembly in 1966 (*proclaimed that the right to work includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts*)



Preventing forced labour: the UN level

- **Forced Labour Convention (No. 29)** (*ratified on 10.08.1956*)
- **Abolition of Forced Labour Convention (No. 105)** (*ratified on 5.10.2000*)
- **Worst Forms of Child Labour Convention (No. 182)** (*ratified on 5.10.2000*)
- **Labour Inspection Convention (No. 81)** (*ratified on 08.09.2004*)
- **Labour Inspection (Agriculture) Convention (No. 129)** (*ratified on 08.09.2004*)
- **Private Employment Agencies Convention (No. 181)**
- **Migration for Employment Convention (No. 97)** (*revised in 1949*)
- **Migrant Workers (Supplementary Provisions) Convention (No. 143)**
- **ILO Declaration on Fundamental Principles and Rights at Work (1988)**



Preventing forced labour: the national level

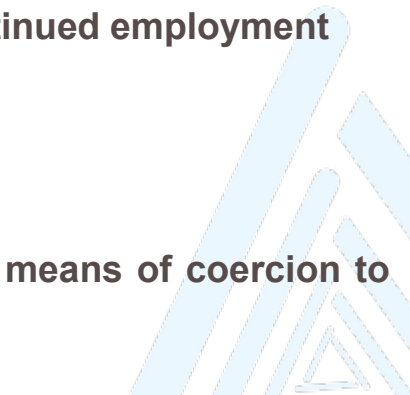
- Constitution of Ukraine
- Code of Labour Laws of Ukraine
- Law of Ukraine “On Combating Human Trafficking” (No. 3739-YI of 20.09.2011)
- Law of Ukraine “On Social Services”
- Decree of the President of Ukraine No. 722/2019 of 30.09.2019 “On the Sustainable Development Goals of Ukraine for the period until 2030”
- Decree of the President of Ukraine No. 306/2020 of 05.08.2020 “On the National Coordinator on Combating Human Trafficking”
- Decree of the President of Ukraine No. 119/2021 of 24.03.2021 “On the National Strategy on Human Rights”
- Criminal Code of Ukraine (Article 149 “Human trafficking or other unlawful agreement concerning a person”)
- Executive Order of the Cabinet of Ministers of Ukraine No. 756-p of 23 June 2021 “On approval of the Action Plan on implementation of the National Strategy on Human Rights for 2021-2023”

Preventing forced labour: international initiatives

- **Guidelines for Multinational Enterprises** (revised in 1997) *approved by the Organization for Economic Cooperation and Development (OECD) in 1986*
- **UN Global Compact** *(officially took effect in 2000)*
- **Guiding Principles on Business and Human Rights** *(approved by the UN Human Rights Council in 2011)*

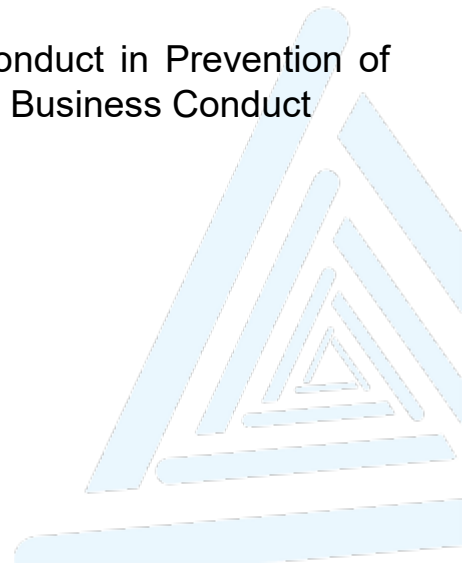


Guiding Principles

- **Freedom of employment**
 - **Freedom to terminate employment**
 - **Prevention of a threat of violence, harassment and intimidation**
 - **Prohibition of coercion in wage payment**
 - **Prohibition of disciplinary measures against a worker as a ground for continued employment**
 - **Prevention of overtime work as a means of coercion to work**
 - **Prevention of child labour**
 - **Guaranteed freedom of movement**
 - **Prevention of the use of skills development and vocational training as a means of coercion to work**
 - **Prevention of prisoners' work for commercial purposes**
- 

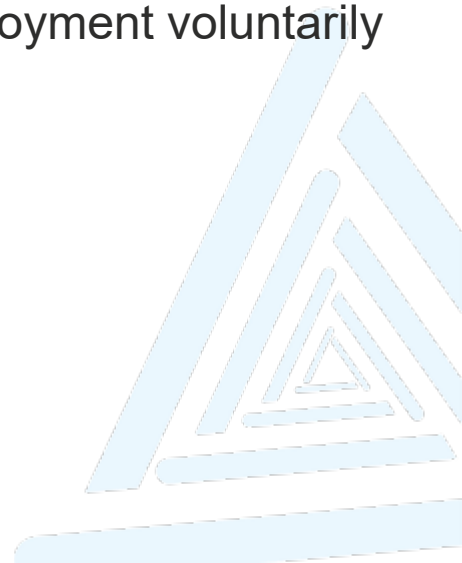
Using the guidelines

- **The project is implemented with support from the International Labour Organization's Project funded by the European Union "Towards safe, healthy and declared work in Ukraine"**
- **The goal of the project** is to promote responsible business without forced labour in Ukraine, based on the documents and guidance developed by the ILO
- **The goal of the initiative** is to create the Code of Responsible Business Conduct in Prevention of Forced Labour and Human Trafficking as part of the General Rules of Responsible Business Conduct



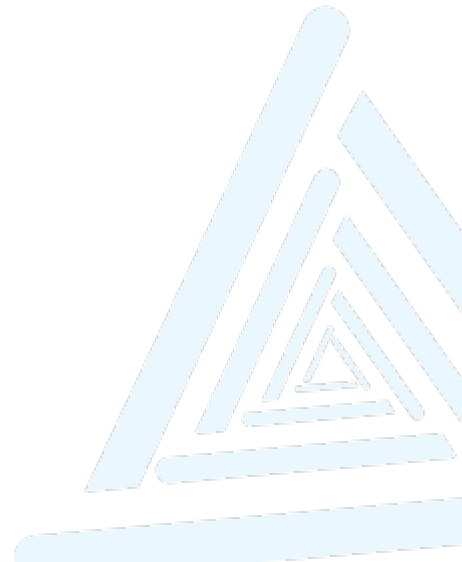
Freedom of employment

All workers shall have the right to enter into and leave employment voluntarily and freely, without the threat of a penalty



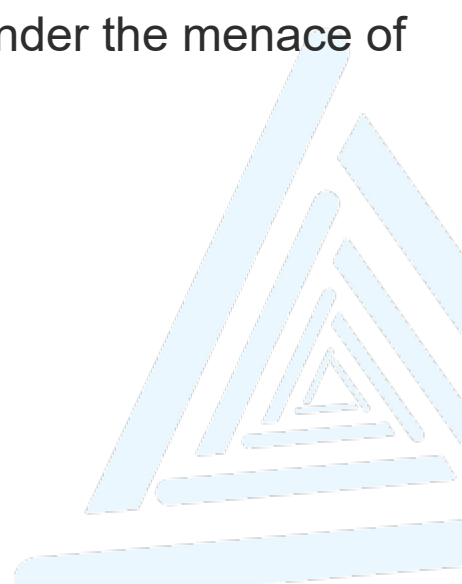
Freedom to terminate employment

Workers shall have the freedom to terminate employment in accordance with law without penalty



Prevention of a threat of violence, harassment and intimidation

Employers shall not exact work or service from any person under the menace of any penalty





Prohibition of coercion in wage payment

- Workers shall not be forced to work using wage payment as a means of coercion
- In-kind payments are permitted only if authorized by law or a collective agreement
- Workers shall be informed of the conditions and extent of wage deductions





Prohibition of disciplinary measures against a worker as a ground for continued employment

- Any disciplinary measures used by the employer shall not include sanctions that result in an obligation to work



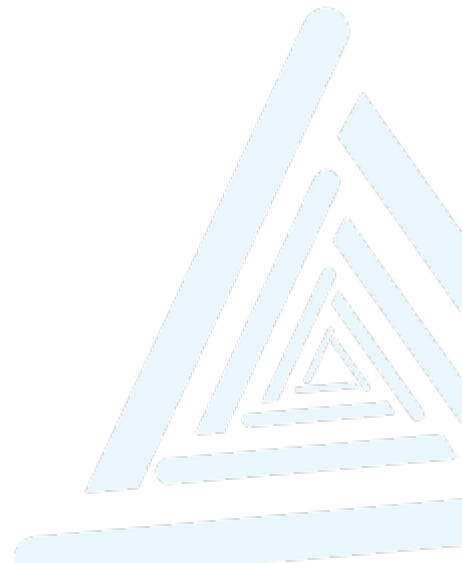
Prevention of overtime work as a means of coercion to work

- Workers shall not be forced to work overtime above the limits permitted in national law and collective agreements under the menace of a penalty



Guaranteed freedom of movement

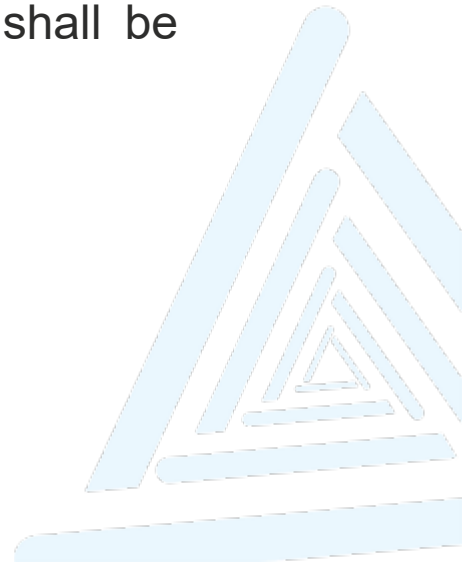
- Coercion shall not be used to physically confine workers to the workplace or related premises





Prevention of the use of skills development and vocational training as a means of coercion to work

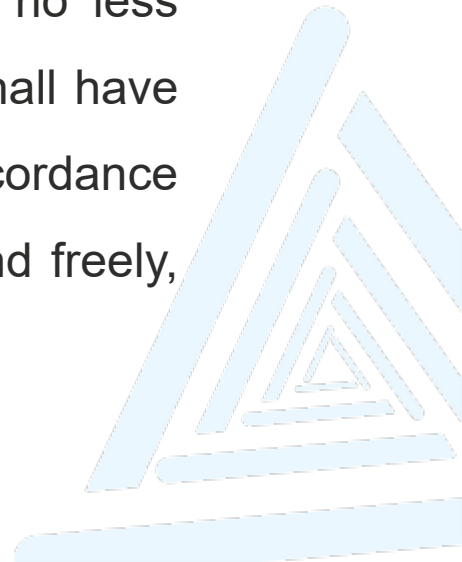
- Skills development, retraining and training of workers shall be voluntary at the employer's consent or instruction





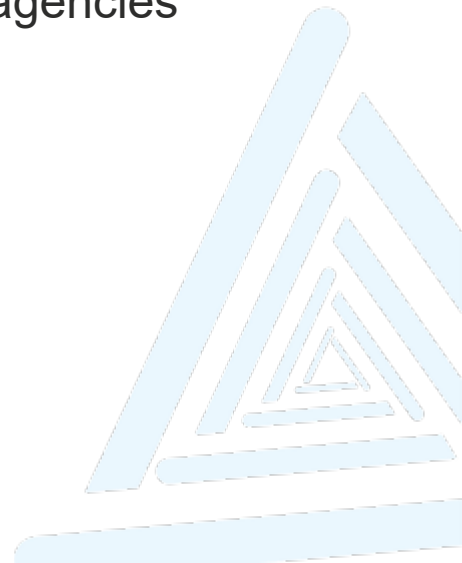
Prevention of discriminatory treatment of migrant workers

- Migrant workers shall benefit from conditions of work no less favourable than those available to local workers, and shall have the right to enter into and terminate employment in accordance with national law or collective agreement voluntarily and freely, without the threat of a penalty



Responsible activity of private employment agencies

- Employers shall engage only those private employment agencies that are properly licensed by the competent authority



Prevention of the worst forms of child labour

- Employers shall take all possible measures to prevent and eliminate the engagement of children in the worst forms of child labour
- Employers shall take all possible measures so that private employment agencies do not engage children in the worst forms of child labour





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UKRAINE WITHOUT FORCED LABOUR!

