Information on the situation with prostitution and violence against women and girls in Ukraine

Input prepared by NGO Democracy Development Center[1], Charitable Foundation All-Ukrainian League[2], Legalife Resistanta Initiative[3], National Council of Women of Ukraine[4].

The information presented in this input has been collected through personal conversations and observations over the last years in cooperation with different women's groups and initiatives, including women in prostitution, and from news.

1. **Provide examples of the hidden forms of prostitution, and explain to what extent they are recognized and dealt with as such?**

Ukrainian girls (in Ukraine and abroad) are recruited for allegedly "normal online communication", setting such payment conditions that it is impossible to receive money, if the girl does not undress and does not perform other actions of a sexual nature at the request of users. It is not considered prostitution, but based on the Ukrainian criminal legislation for the girl there is a risk of criminal responsibility for manufacturing and distributing pornography[5] (users do not face any risks).

Young and inexperienced girls are lured into long-term relationships with much older men, for money, gifts and other benefits. Not considered prostitution.

Female military personnel can be resettled in uninhabited areas, with "guards" and the possibility of visits only by the commander, who demands sexual relations in exchange for food, the opportunity to leave the area, or other benefits. Not considered prostitution.

Women (including in prostitution) in the occupied territories engage in sexual contacts with the occupiers for food, safety, sometimes with the desire to protect children from rape. Not considered prostitution legally, but the public considers this to be prostitution and sees these women as Russian collaborators and has very negative attitudes towards them.

2. **Describe the profile of women and girls affected by prostitution in your country, and provide disaggregated data, where possible.**

There is no data on how many women there are in prostitution in Ukraine currently. The data from HIV-servicing organizations (which are the only ones to have any funding for working with women in prostitution) does not include minors and is no longer available online. The pre-invasion numbers (as collected by HIV servicing organizations) were around 100 thousand women – and

[1] http://ddc.org.ua/
[2] https://www.legalife.com.ua/contact-us/
[3] https://www.facebook.com/groups/resistanta/?locale=uk_UA
[4] http://nrzhu.org.ua/
[5] Criminal Code of Ukraine, Article 301. https://protocol.ua/ua/kriminalniy_kodeks_ukraini_stattya_301/

women in prostitution themselves believe this number to be actually higher as it does not include women who engage in prostitution from time to time, or if they have a job and streetwalk to supplement it, or if they believe it to be a temporary practice for them or if they are not engaged by HIV-servicing organizations.
There are reasons to believe there are more women engaged in prostitution and survival sex than before the invasion. There are also reports of Ukrainian women and children that were deported to Russia being forced into prostitution.
The ones who are vulnerable and are being specifically targeted:

- young girls, teenagers who are war refugees, IDPs, moving unaccompanied by relatives, who do not have financial or other family support
- young girls, teenagers, women who have experienced various forms of violence, including domestic violence, sexual violence, CRSV
- women with young children or dependents who have financial difficulties
- women and girls who lost their homes, loved ones, suffered psychological trauma.

3. Describe the profile of those who solicit women in prostitution and whether such relations are regulated, and provide supporting data, where possible.
young women approaching with girls online
men aged 25-30 (including foreigners)
women 35-50 years old
distant relatives who recruit relatives to repay the "debt"
recruiters from brothels
More information: Telegram channel of the Department of Migration Police of Ukraine[6]
There is no data or information about the consumers of prostitution in Ukraine. Pre-invasion, there was anecdotal data that a lot of young men from Western Europe and Turkey were coming to Ukraine for sex tourism.

4. What forms of violence are prostituted women and girls subjected to (physical, psychological, sexual, economic, administrative, or other)?
Psychological, economic, less often - sexual and physical violence.

5. Who is responsible for the perpetration of violence against women and girls in prostitution?
Women in prostitution say they are more afraid of police officers than of their clients.
We have seen no information about any cases where a person that inflicted violence on women in prostitution was held responsible in any way.

[6] https://t.me/mipol_npu

6. Describe the linkages, if any, between prostitution and the violation of the human rights of women and girls.

Prostitution is a violation of the right to respect for honor and dignity
Prostitution is about violation of the right to physical integrity and privacy

7. What links are there between pornography and/or other forms of sexual exploitation and prostitution?

Through pornography, through blackmail or psychological pressure, deception and manipulation, girls and women are forced or drawn into prostitution
Pornography normalizes sexualized violence.
Candid photos or videos are used to blackmail women and girls into prostitution.

8. How is the issue of consent dealt with? Is it possible to speak about meaningful consent for prostituted women and girls?

Consent is presumed, especially if there was no physical resistance, shouting and injuries.
Consent is presumed even in the case of exploitation by occupiers or armed forces.
Lack of consent is understood as active and long-term resistance, but if it ceases (even due to the woman's exhaustion), she is considered to have given consent.

9. How effective have legislative frameworks and policies been in preventing and responding to violence against women and girls in prostitution?

The policy is ineffective because it is aimed at intimidation and warnings, which vulnerable groups of women and girls are often forced to ignore in order to survive.
The information about risks is insufficient.
There are no assistance programs, only harm-reduction assistance.
Women in prostitution are not considered as entitled to state assistance (there is administrative responsibility for prostitution).
There are no measures aimed at combating the root causes of prostitution (demand).

10. What measures are in place to collect and analyse data at the national level with a view to better understanding the impact that prostitution has on the rights of women and girls?

No data are collected at the national level.
There is a survey, by a Ukrainian sex-workers organization (*sic*), about the access to HIV services in the context of the all-out war, which shows that

women in prostitution have poor access to HIV services (which worsened after the invasion began) and face stigma and discrimination[7].

11. What measures are in place to assist and support women and girls who wish to leave prostitution?

There are no such measures at the state level, as is the understanding that such a group needs support.

Some civil society organizations work with such groups of women, but these are not measures aimed at ending prostitution.

Some organizations that work with victims of trafficking sometimes include women exiting prostitution.

The Ukrainian office of HealthRight International within their program for street children helped several women to exit prostitution but this is not a regular practice.

12. What are the obstacles faced by organizations and frontline service providers in their mission to support victims and survivors of prostitution?

Women in prostitution are not recognized at the state level as a vulnerable group, actions against them are not recognized as exploitation and are not punished.

Women in prostitution distrust public services and law enforcement agencies.

Lack of quality exit and support programs, absence of experts who could help them get out of prostitution.

13. What are some of the lessons learned about what works and what does not when it comes to stemming any negative human rights consequences from the prostitution of women and girls?

Measures must be directed at the cause (demand, men's behavior, lack of support to vulnerable groups) and not at the consequences.

Criminal liability is required for using prostitution (buying prostitution)

14. Are frontline organizations and survivors' organisations sufficiently included in policymaking at the national and international level?

No.

We observe:

Lack of cooperation on the part of some ministries (in particular, the Ministry of Health) in combating sexual exploitation.

Women's organizations are not engaged in the discussions of the state response to pornography and prostitution.

Lack of a transparent mechanism for the development and adoption of state policy in this area.

[7] https://legalifeukraine.com/uk/publication-uk/50-z-tyh-seks-praczivnycz-yaki-zaznaly-nasylstva-ne-otrymaly-dopomogy-cherez-stygmu-ta-dyskryminacziyu-33793/

The opposition of certain parties and the beneficiaries of the sex-exploitation business to counter-demand measures.
And have little to no resource to impact this situation more than through awareness-raising.

15. What recommendations do you have to prevent and end violence associated with the prostitution for women and girls?
Criminal liability should be introduced not only for mediation (pimping) but also necessarily for consumers of prostitution.
Recognition of persons in prostitution as victims of sexual exploitation
Development and implementation of exit programs.
The training programs against trafficking should be for people who are conducting border control, and be done by people who know how trafficking work in cooperation with the survivors who understand how it happens. Also, governmental anti-trafficking programs should be done only in cooperation with NGOs – to be more effective.
Proper research of the situation of women in prostitution in Ukraine need to be conducted.
The definition of conflict-related sexual violence in the international legislation on war crimes should include not only 'forced prostitution' but also 'prostitution in the occupied areas' and 'prostitution in the conflict zone'.