

Approved:
President of the
International Charitable Foundation
“Caritas Ukraine”
T. Stavnychy

« _ » _____ 2024

ANTI-HUMAN-TRAFFICKING POLICY

1. Purpose

- 1.1. The International Charitable Foundation “Caritas Ukraine” (hereinafter - **Caritas Ukraine**), which in its structure unites national offices in Kyiv city and Lviv city and a network of regional (diocesan) organizations located in different regions of Ukraine (hereinafter - **Member Organizations of the Caritas Ukraine Network**), carries out its activities in a manner free from human trafficking¹ and exploitation, maintaining a decent and safe working environment.
- 1.2. The Anti-human-trafficking Policy (hereinafter referred to as the **Policy**) has been developed and approved to define the guidelines for combating trafficking in human beings in the Caritas Ukraine Network.
- 1.3. The terms used in this Policy shall have the meaning set forth in the Law of Ukraine “On Combating Trafficking in Human Beings” and the Glossary (Annex 1).
- 1.4. The Policy has been developed in accordance with the Charter of Caritas Ukraine, policies and procedures of the Safeguarding system in the Caritas Ukraine Network, other internal documents, current legislation of Ukraine, as well as international legal acts in the field of combating trafficking in human beings and exploitation².
- 1.5. Caritas Ukraine recognizes that trafficking in human beings includes various forms (labor exploitation and child labor, sexual exploitation, involvement in war (involvement in military conflict), involvement in criminal activities, forced begging, etc.) Issues related to combating exploitation (including sexual exploitation) are regulated by the Safeguarding Policy. The standards for the safeguarding and protection of children and vulnerable adults in the Caritas Ukraine network are defined by the Policy and Procedures for the Protection of Children and Vulnerable Adults.

2. Scope of application

- 2.1. The Policy applies directly to:
 - all Caritas Ukraine Personnel (all employees, management, board members, interns, volunteers, students on internship);
 - Affiliates who are in any way involved in the implementation of programs, projects and activities of the Member Organizations of the Caritas Ukraine network (partner organizations and their staff, project donors, consultants, contractors and/or any other third parties, including foreign ones).
 - Beneficiaries (individuals, groups or organizations that receive charitable assistance, including the corresponding benefit, directly or indirectly, within the framework of projects, programs or activities of the Member Organizations of the Caritas Ukraine network).

¹Trafficking in human beings is the execution of an illegal transaction involving a human being, as well as the recruitment, transfer, harboring, transfer or receipt of a human being committed for the purpose of exploitation, including sexual exploitation, with the use of deception, fraud, blackmail, or the vulnerable state of a person, or with the use or threat of violence, abuse of office or material or other dependence on another person, which are recognized as a crime under the Criminal Code of Ukraine.

²UN Convention on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949); Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000); Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; ILO Forced or Compulsory Labor Convention No. 29 (1930); ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor No. 182 (1999); Council of Europe Convention on Action against Trafficking in Human Beings (2005); Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, etc.

- 2.2. The Policy applies anywhere and at any time, including working and non-working hours (including vacations), at the workplace and outside it, in Ukraine and abroad.
- 2.3. Charitable Member Organizations of the Caritas Ukraine Network approve their own policies on combating trafficking in human beings, which must be consistent with this Policy. In the absence of their own policies on combating trafficking in human beings, when implementing programs and projects jointly with Caritas Ukraine, the Member Organizations of the Caritas Ukraine Network undertake and guarantee to comply with this Policy.
- 2.4. If the agreement with a donor organization provides for higher standards for combating human trafficking, the Personnel involved in the implementation of such a project/program must comply with the conditions specified in the relevant agreement.

3. Prohibition of trafficking in human beings

- 3.1. Caritas Ukraine adheres to the principle of zero tolerance for trafficking in human beings and prohibits the use of any form of trafficking in human beings or forced labor in the work of the network, including by Affiliates.
- 3.2. The Personnel of Member Organizations of the Caritas Ukraine Network and Affiliates are prohibited:
- participate/co-operate in activities related to trafficking in human beings, as well as benefit from such activities, including with the consent of the affected person(s);
 - offer to exchange or exchange money, work, goods or services for sex, sexual favors or other forms of degrading behavior or exploitation, even if such acts are recognized as legal in the jurisdiction in which they occur;
 - have any sexual relations between those who provide charitable and humanitarian assistance and protection and a person who receives such assistance and protection, which involves improper use of rank or position;
 - use forced labor of any kind on any grounds;
 - violate the terms of payment of wages (non-payment, withholding, etc.);
 - use deception or fraud in the course of employment;
 - charge a fee for employment;
 - destroy, conceal, confiscate an employee's identity documents or deny access to such documents;
 - apply inappropriate working conditions for employees and volunteers;
 - provide or equip housing for employees that does not meet legal standards, sanitary and technical requirements for living;
 - forcibly restrain or control another person, restrict freedom of movement and communication, or use threats or blackmail;
 - violate the requirements for sending an employee to perform work abroad in the case of cross-border employment, including in terms of issuing a written confirmation of employment, as well as paying transportation costs for the employee's return to the state of residence.
- 3.3. Caritas Ukraine categorically does not use child labor and prohibits the involvement of children in any form of child labor, including participation in hard work and work in harmful or hazardous working conditions, as well as in underground work and work beyond the reduced working hours established by law.

4. Non-discrimination principle

- 4.1. The provisions of this Policy shall be applied without discrimination on any grounds, such as gender, race, skin color, language, religion, political or other beliefs, national or social origin, membership in a national minority, property, birth or other status, etc.

5. Commitments

- 5.1. Personnel and Affiliates acting on behalf of and/or in the interests of Caritas Ukraine are obliged to take all necessary measures to prevent and combat all forms of trafficking in human beings, in particular:
- 1) familiarize themselves with the provisions of this Policy, undergo mandatory training on Safeguarding and sign a statement of familiarization with the policies and procedures of the Safeguarding system in the Caritas Ukraine network in accordance with the Safeguarding Policy;
 - 2) refrain from using official powers or any opportunities arising from their position to exploit, abuse or coerce other persons, which would involve obtaining undue advantage for themselves or others;
 - 3) avoid any relationships and situations that may involve abuse related to trafficking in human beings or raise suspicion;
 - 4) work or cooperate in a way that prevents cases of trafficking in human beings as much as possible;
 - 5) report any possible violations of this Policy;
 - 6) promote the principle of zero tolerance to trafficking in human beings outside the workplace.

6. Measures to prevent and combat trafficking in human beings

- 6.1. In order to prevent and combat trafficking in human beings, the Caritas Ukraine network takes the following measures:
- 1) mandatory familiarization of the Personnel and Affiliates with the policies and procedures of the Safeguarding System of Caritas Ukraine (to facilitate familiarization and awareness of all interested parties, the documents of the safeguarding system are placed in open public access on the website of Caritas Ukraine);
 - 2) establishing safe working conditions in accordance with the requirements of the applicable labor legislation;
 - 3) increasing personnel awareness of recognizing signs of trafficking in human beings, including through systematic training on the Safeguarding system;
 - 4) conducting a systematic internal audit to check financial activities and compliance with approved policies and procedures in the Caritas Ukraine network;
 - 5) restriction and strict control of access to confidential information;
 - 6) mandatory due diligence in the course of employment and procurement procedures, including in terms of legal proceedings, as well as for cooperation with terrorist organizations in accordance with the Policy and Procedures for Checking for Cooperation with Terrorist Organizations;
 - 7) inclusion in all agreements/contracts/memorandums concluded by Caritas Ukraine with Affiliates of a clause on compliance with the requirements of the Safeguarding System, including the requirements of this Policy.

7. Reporting on trafficking in human beings

- 7.1. A person who learns or suspects that the Personnel, Affiliates or beneficiaries are involved in trafficking in human beings must report them within 24 hours from the moment they learn or should have learned about such abuses through the established feedback channels:

- ✓ by e-mail: feedback@caritas.ua;
- ✓ via the online form on the Caritas Ukraine website;
- ✓ by calling the Caritas Ukraine hotline;
- ✓ personally to the Person Responsible for the implementation of the Safeguarding system.

- 7.2. Reports on trafficking in human beings submitted through the channels specified in clause 7.1. of the Policy, the feedback channels will be considered in accordance with the Procedure for handling sensitive appeals and providing feedback.
- 7.3. Caritas Ukraine conducts investigations into violations of this Policy in accordance with the approved the Procedure for Investigating Violations of the Safeguarding System.
- 7.4. Any person who reports a fact or suspicion of trafficking in human beings must act in good faith and have reasonable grounds to believe that the information provided is accurate.
- 7.5. In all cases of receipt of a report of trafficking in human beings from third parties who are not members of the Personnel and Affiliates of Caritas Ukraine, the referral procedure is applied in accordance with Standard operating procedures for beneficiary redirection.
- 7.6. In all cases of confirmation of the fact of trafficking in human beings, Caritas Ukraine is obliged to take decisive and timely measures of operational response to stop illegal actions/inaction and apply measures of influence/responsibility (e.g. suspension from duties, disciplinary liability).

8. Protection of whistleblowers

- 8.1. Caritas Ukraine prohibits the use of reprisals against any person who has reported a suspicion of trafficking in human beings. Discrimination, harassment or persecution of a person who has reported a suspicion of trafficking in human beings in accordance with this Policy is strictly prohibited. Any person who has reported a suspicion of trafficking in human beings and has been subjected to reprisals, discrimination, harassment or persecution must report a violation of the Safeguarding System through the feedback channels in accordance with clause 7.1 of this Policy.

9. Responsibility

- 9.1. All persons working in the Caritas Ukraine Network, especially managers, are responsible for protecting the work environment from trafficking in human beings. In case of violations of the requirements of this Policy, the Personnel shall be liable in accordance with the Charter, policies and procedures of the Safeguarding System, internal documents of Caritas Ukraine and the norms of the current legislation of Ukraine.
- 9.2. Proven deliberate and intentional violation of the provisions of this Policy by the Personnel of Caritas Ukraine is grounds for disciplinary liability provided for by the Labor Code of Ukraine and the Internal Labor Regulations of Caritas Ukraine.
- 9.3. Losses and damages caused to Caritas Ukraine as a result of trafficking in human beings, as well as other possible violations of this Policy, shall be reimbursed by the person who committed the relevant violation in accordance with the procedure established by law.
- 9.4. The Personnel and Affiliates of the Member Organizations of Caritas Ukraine Network may be held criminally liable for committing crimes that contain elements of trafficking in human beings in accordance with the procedure established by the Criminal Code of Ukraine.

- 9.5. Compliance with this Policy and, in particular, the application of measures to prevent and combat trafficking in human beings shall be monitored by:
- heads of relevant structural units and the President - in relation to employees working in the Member Organizations of the Caritas Ukraine Network on the terms of a regular employment contract, volunteers, interns and students undergoing internships;
 - General Meeting - for members of management bodies

10. Data protection and confidentiality

- 10.1. Caritas Ukraine is obliged to apply the highest level of protection when processing personal data. The information received in the report of suspected or actual corruption and/or fraud, as well as during the consideration of sensitive appeals and investigations, must be processed in accordance with the requirements of the current legislation of Ukraine and the Policy of Confidentiality and Protection of Personal Data of Beneficiaries.

11. Final provisions

- 11.1. This Policy is an updated version of the Anti-human-trafficking Policy, approved on 29 June 2020.
- 11.2. All amendments and additions to this Policy shall be made by setting it out in a new version. Upon approval of the new version of the Policy, the previous one shall cease to be valid.
- 11.3. Upon approval, this Policy shall be made available for review by all persons who are members of the Personnel as of the date of approval.
- 11.4. The Policy is inextricably linked to other policies of Caritas Ukraine, in particular the Policies and Procedures of the Caritas Ukraine Safeguarding System.
- 11.5. This Policy shall come into force on the first day of the month following the month in which it was approved.

Glossary

Trafficking in human beings	conducting an illegal transaction involving a human being, as well as recruitment, transportation, harboring, transfer or receipt of a human being committed for the purpose of exploitation, including sexual exploitation, with the use of deception, fraud, blackmail, vulnerable state of a person or with the use or threat of violence, abuse of office or material or other dependence on another person, which are recognized as a crime under the Criminal Code of Ukraine (Article 1 of the Law of Ukraine “On Combating Trafficking in Human Beings”).
Combating trafficking in human beings	system of measures aimed at overcoming trafficking in human beings by preventing and combating it and providing assistance and protection to victims of trafficking.
Prevention of trafficking in human beings	system of measures aimed at identifying and eliminating the causes and conditions that lead to trafficking in human beings.
Fighting human trafficking	system of measures taken within the framework of combating trafficking in human beings aimed at detecting the crime of trafficking in human beings, including uncompleted crimes, identifying victims, identifying individuals/legal entities that are traffickers and bringing them to justice.
Identification of a person who has suffered from trafficking in human beings (victims of trafficking)	finding out information that gives grounds to believe that a certain individual has suffered from trafficking in human beings.
Country of origin	the country of which the individual is a citizen or the country of residence or stay for a stateless person.
Country of destination of trafficking in human beings	the country where the victim was exploited.
Affected person	any individual who has been trafficked and recognized as such in accordance with the provisions of this Law.
Traffickers	individual or legal entity that participates, is an accomplice or organizer of trafficking in human beings. These are criminals who are well aware of the psychology of people, particularly adolescents. They can easily build an emotional connection with a potential victim and then begin to manipulate, blackmail, or coerce them in other effective ways. Criminals find an individual approach, luring teenagers through social networks, chat rooms, including hidden chats in online games, clubs, and places.
Victimization	process or end result of becoming a victim of a criminal offense. It is a complex process that may consist of several stages: 1) the interaction between the perpetrator and the victim in the process of committing the crime, as well as the

consequences of this interaction or the crime itself; 2) the victim's reaction to the crime, including possible changes in self-perception, as well as formal measures that the victim can take to respond to the crime; 3) the victim's subsequent interactions with other people.

Enlisting	persuasion, inducement of a person to engage in certain activities, reaching an agreement through direct recruitment, invitation and recruitment of volunteers.
Movement	change in a person's place of residence by means of transportation or other movement either across the state border of Ukraine or within the territory of Ukraine. If such actions are related to the illegal movement of a person across the state border of Ukraine, they require additional qualification under Article 332 of the Criminal Code of Ukraine.
Harboring	placement or arrangement of a person in certain premises, vehicles or in secluded areas, with concealment of data on his or her whereabouts, provision of forged documents, plastic surgery to change his or her appearance, etc. Harboring with forged documents requires additional qualification under Articles 357 or 358 of the Criminal Code of Ukraine.
Transferring and receiving a person	actions related to the transfer from one person (group of persons) to another person (group of persons) of actual control over a person's place of residence, over his or her freedom of movement, or deprivation of the possibility of free movement.
Coercion	unlawful mental influence on the victim's consciousness aimed at bringing him or her to a state in which he or she is internally ready to obey the perpetrator's demands, which limits the victim's ability to act of his or her own free will.
Abduction	seizure of a person and his/her illegal transfer from one place where he/she was of his/her own free will to another place that he/she cannot leave and does not want to stay. Such actions are covered by Article 149 of the CC and do not require additional qualification under Article 146 of the CC.
Deception	communication to the victim of knowingly false information about the terms of employment, types of future activities or concealment of important information, information, the communication of which would be of significant importance for the person's behavior and would affect his or her decision to agree to certain conditions (for example, a promise to facilitate employment as waiters, governesses with further sale in the field of sexual services).
Blackmail	threat to disclose compromising or other information (both real and fictitious) that the victim wishes to keep secret, as well as intimidation by causing any other harm to the victim or his or her family.
Exploitation of the victim's material or other dependence	use of existing conditions and circumstances in which the victim, when choosing a course of action, is forced to focus on the interests of the perpetrator on whom he or she is financially or otherwise dependent. Material dependence occurs when the victim is dependent on the perpetrator, lives in his or her living space, and when the perpetrator's actions may otherwise cause a significant deterioration in the victim's financial situation (for example, debt relations). Other dependence

includes service, family, emotional dependence, and other types of obligations that force the victim to focus on the perpetrator's interests.

Exploitation of a vulnerable state	guilty person who, by committing actions aimed at trafficking in human beings, deliberately takes advantage of the victim's condition caused by physical or mental properties or external circumstances, which deprives or limits their ability to realize or control their actions (inaction), make independent decisions of their own free will, resist violent or other illegal actions, as well as a combination of difficult personal, family or other circumstances.
Bribery of a third party in control of the victim to obtain consent to his or her exploitation by	provision of funds, property, benefits, privileges, services or intangible assets to a third party who, due to certain circumstances (arising from both legal and illegal grounds), controls the victim in order to obtain the consent of this third party to exploit the person(s) under its control.
Exploitation of a person	all forms of sexual exploitation, use in the pornography business, forced labor or forced services, slavery or practices similar to slavery, servitude, involvement in debt bondage, removal of organs, conducting experiments on a person without his or her consent, adoption for profit, forced pregnancy or forced termination of pregnancy, forced marriage, forced involvement in begging, involvement in criminal activity, use in armed conflicts, etc. (para. 1 of the note to Article 149 of the CC).
Sexual exploitation	type of exploitation of a person in the field of prostitution, which should be understood as the provision of sexual services for money or other material reward, or in related areas (in the field of lewd acts with children, provision of one-time sexual services, cohabitation for the purpose of systematic sexual satisfaction, etc.), regardless of whether this type of activity is permitted in a particular country or its individual localities.
Porn business	partially or fully permitted or prohibited in a particular country type of business related to prostitution, brothels, production, sale and distribution of pornographic items, etc. Use in the pornography business means the use of a person as a pimp, brothel keeper, actor in the production of pornographic films, extra in the production of pornographic magazines, etc.
Forced labor	labor to which a person is forced by violence or any other illegal means. Such labor can be either paid or unpaid.
Forced provision of services	type of forced labor when it is carried out in the service sector
Slavery	state or position of a person in respect of whom the attributes of property rights or some of them are exercised. Slavery-like practices include serfdom; a situation where a woman is inherited by another person after the death of her husband; any institution or custom whereby a child is handed over by one or both of his parents or guardian to another person, for or without remuneration, for the purpose of exploiting the child or his labor, etc.
Servitude	situation of a person created as a result of institutions or customs similar to

slavery.

Debt bondage	state or position of a person arising from the pledge by the debtor to secure a debt of personal labor or labor of a person dependent on him/her, if the value of the work performed is not credited to the repayment of the debt or if the duration of this work is not limited and its nature is uncertain.
Organ removal	process of surgical or other intervention in the human body and deprivation of an organ (a part of the body that has a certain structure and special purpose).
Conducting experiments on humans	conducting medical, biological, psychological or other experiments, attempts to recreate something new for the purpose of testing it, which are carried out without the free consent of the person and full objective awareness of the patient about his or her health status, the purpose of the experiments, the forecast of possible consequences and the risk to life and health.
Adoption for profit	obtaining any material benefit or avoiding material costs due to the adoptive parent's adoption of a person into their family as a son or daughter.
Forced pregnancy or forced termination of pregnancy	encroachment on a woman's will, which manifests itself in her forced insemination (including artificial insemination) or in forced abortion - an operation of artificial termination of pregnancy.
Forced marriage	coercion of a person (against his/her will) to enter into marriage or to prolong a previously concluded marriage, as well as coercion to enter into cohabitation without marriage or to prolong such cohabitation.
Forced involvement in begging	involvement of a person in systematic solicitation of money or other material assets from third parties against his or her will.
Involvement in criminal activity	mental or physical influence on a person aimed at involving him or her in one or more crimes.
Use in armed conflicts	use of a person to perform combat missions related to the overthrow of state power or violation of the sovereignty or territorial integrity of states.

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