



Subgroup on tackling undeclared work among displaced persons/refugees from Ukraine

Output paper

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1.0 Introduction

Between 24 February and 20 September 2022, **7.4 million** individuals from Ukraine were recorded across Europe, according to the United Nations High Commissioner for Refugees (UNHCR) data. Unlike the inflow of refugees in 2015 into the European Union (EU), the profile of the current refugees is primarily female, often with children and/or with elderly parents. Due to the legal restrictions imposed by martial law in Ukraine, men aged 18 to 60 years old are in principle not allowed to leave the country.

Millions of Ukrainians choose the EU as a short-term or a long-term shelter while the war is ongoing. Most arrive in Poland, Germany and Czechia. Displaced persons need a residence, medical care, temporary financial assistance, education and childcare for children. Importantly, Ukrainians must be informed about the rights and conditions applying to their stay, including access to the EU labour market.

There is a 90-day visa-free regime between Ukraine and the EU for Ukrainian citizens with a biometric passport. Even in the absence of a biometric passport, entry into the EU is still allowed for humanitarian reasons.

The EU has already provided more than **EUR 20 billion in funds** to support Member States hosting refugees to meet the urgent needs for housing, education, and healthcare. The [Cohesion's Action for Refugees in Europe](#) (CARE) and [Recovery Assistance for Cohesion and the Territories of Europe](#) (REACT-EU) programmes allow faster access to financial resources that may be spent on infrastructure, accommodation, equipment and services in employment, education, social inclusion, healthcare and childcare for people fleeing the Russian invasion of Ukraine.

For all fleeing the war, the **labour market** is a strong factor in their economic and social integration, thus it is crucial to adopt appropriate policies not only to provide employment, but also to prevent vulnerable refugees fleeing the war, from taking up undeclared work¹ and/or being exposed to labour exploitation². There is ample scientific evidence suggesting that accepting migrants and refugees can also boost the economy of the host country³.

During its March 2022 plenary meeting, the European Platform tackling undeclared work proactively decided to set up a **subgroup on tackling undeclared work among displaced persons/refugees⁴ from Ukraine** (the “subgroup”). The main objective of the subgroup is to protect the displaced persons and refugees from Ukraine from undeclared work or exploitation. It has discussed and investigated how the enforcement authorities and other relevant organisations and institutions can address the

¹ Input paper defines **undeclared work** as ‘any paid activities that are lawful as regards their nature but not declared to public authorities, taking into account differences in the regulatory systems of Member States’ (European Commission, 2007).

² **Labour exploitation** denotes work situations that ‘deviate significantly from standard working conditions as defined by legislation or other binding legal regulations, concerning in particular remuneration, working hours, leave entitlements, health and safety standards and decent treatment’ (European Union Agency for Fundamental Rights, 2019).

³ OECD. (2013). The fiscal impact of immigration in OECD countries. In International Migration Outlook 2013. OECD Publishing.

Taylor, J. E., Filipskib, M. J., Allousha, M., Gupta, A., Rojas Valdesa, R. I., & Gonzalez-Estrada, E. (2016). Economic impact of refugees. PNAS, 113(27), 7449–7453. ECONOMIC SCIENCES. Legrain, P. (2016). Refugees Work: A humanitarian investment that yields economic dividends. OPEN and Tent. Khoudour, D., & Andersson, L. (2017). Assessing the contribution of refugees to the development of their host countries (Vol. DEV/DOC).

⁴ In this document, ‘displaced persons’ and ‘refugees’ are used in most cases as synonymous, even though the respective Directive uses the term ‘displaced person’.

vulnerabilities and risks linked to undeclared work and labour exploitation faced by displaced persons/refugees on the European labour market.

A dedicated preparatory webinar was held in early April to facilitate the exchange of information between the enforcement authorities.

The first meeting of the subgroup was held on 19 May 2022 in Warsaw (Poland). This meeting was dedicated to a discussion on the ongoing refugee crisis in the EU, through learning about the profile of Ukrainian refugees, their flows, the challenges that the EU labour market faces and tackling undeclared work. At the meeting, subgroup members and participants engaged in a mutual exchange of information available as of mid-May and discussed the policy solutions at the national and the EU level.

The meeting consisted of an introductory session devoted to the discussion of the input paper, followed by two presentations on the Commission initiatives and existing information about the displaced persons and Ukrainian refugees, as well as the national measures and the role of enforcement authorities.

The second meeting of the subgroup was held online on 12 September 2022. It examined existing information about displaced persons from Ukraine, updated demographic data, and European initiatives and national practices.

This output paper summarises the presentations and discussions of the two subgroup meetings held in May 2022⁵ and September 2022⁶. It provides evidence on how enforcement authorities and other relevant organisations can address the vulnerabilities and risks linked to undeclared work and labour exploitation faced by refugees on the European labour market.

2.0 Existing information about Ukrainian refugees

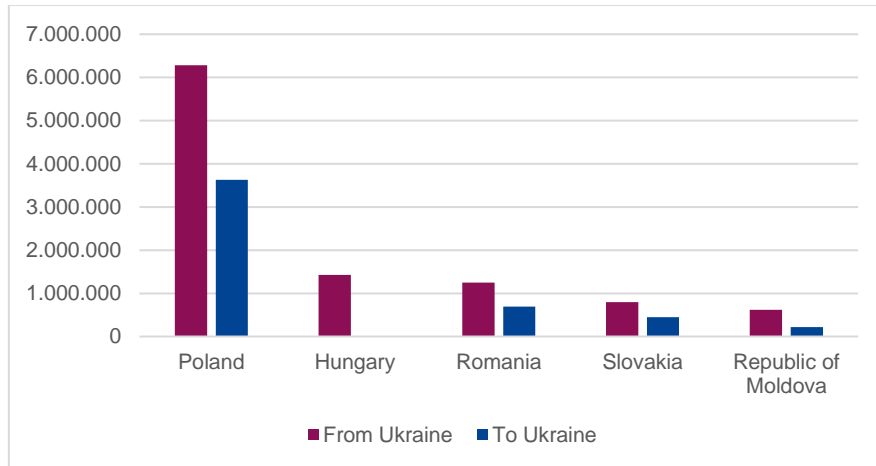
As the Russian invasion of Ukraine started from the east and the north, Ukrainians could escape only to the neighbouring countries from the west: Poland, Slovakia, Hungary, Romania, and Moldova. These countries simplified border control procedures to ensure smooth border traffic. As many people left homes without passports, it was not obligatory to present an international passport at the border crossing. Intensive border movement has created pressure on hosting countries. For example, Poland engaged the maximum number of officers and used the full infrastructure at border crossings, created additional lines of control and developed solutions for dealing with unaccompanied minors and children from foster and adoptive homes. It also enabled the entry of non-Ukrainian third-country nationals evacuating from Ukraine and established the so-called III line of border control determining the citizenship and identity of undocumented foreigners who evacuated due to the war in Ukraine. Finally, they intensified the Border Guard activities in the border protection and involved the Polish Army, the Police, Fire Brigade, and medical services.

⁵ Nezhyvenko, Oksana (2022). Subgroup on tackling undeclared work among displaced persons/refugees from Ukraine. Input paper for the meeting on 19 May 2022 (unpublished).

⁶ Nezhyvenko, Oksana (2022). Subgroup on tackling undeclared work among displaced persons/refugees from Ukraine. Input paper for the meeting on 12 September 2022 (unpublished).

Over thirteen million (13.1 million) border crossings from Ukraine were recorded between 24 February and mid-September 2022. About 6 million entries were recorded to Ukraine. At the time of writing, the estimated total of displaced persons from Ukraine in the EU is 7.4 million, according to the UNHCR.

Figure 1. Flows to/from neighbouring countries, by 20 September 2022



Source: UNHCR.

Note: Data on border crossings from Hungary to Ukraine was not available at the time of writing.

Most of the border movement from Ukraine was to Poland with almost 6.3 million crossings between 24 February and 20 September 2022 (see Figure 1)⁷. Hungary recorded 1.4 million border crossings for the same period, while Romania 1.2 million, Slovakia 800 000 and Moldova 600 000. Individuals who entered Ukraine crossed the border in Poland the most with 3.6 million border crossings to Ukraine recorded for the same period. About 690 000 crossings were from Romania, 450 000 from Slovakia and 220 000 from Moldova.

2.0 Demographic characteristics

As of September 2022, some information was available about the demographic composition of those fleeing the Russian war of aggression against Ukraine. According to the [UNHCR](#), in Poland, of 1.3 million personal identity numbers (PESEL) issued by 19 September 2022, 42% were for children under the age of 18, 44% for women aged between 18 and 65, 7% for men between 18 and 59 years, and 8% for women and men over 60 years. Similar demographic distributions were reported by Finland, Germany, Slovakia and Norway.

The online Survey of Arriving Migrants from Ukraine (SAM-UKR), conducted by the European Union Agency for Asylum (EUAA) in partnership with the Organisation for Economic Co-operation and Development (OECD) in multiple countries, aims to collect testimonies directly from those fleeing the war in Ukraine. The survey collects data about their journey, vulnerability, needs, future aspirations, registration process, family situation and current situation. The responses to the SAM-UKR are collected using the convenience sampling method, therefore it is not representative of the population. As a result, the sample may be biased towards younger, more educated individuals who are aware of the survey,

⁷ UNHCR. (2022). Ukraine Refugee Situation. Refugees fleeing Ukraine (since 24 February 2022). Retrieved 22 September 2022, from <https://data.unhcr.org/en/situations/ukraine>

have a smartphone and gave consent to participate. For the same reason, survey responses have an uneven geographical distribution across the EU. Nevertheless, by studying the perspectives, desires and hopes of displaced persons, the survey helps to improve situational awareness for the national authorities providing support. The first Factsheet of SAM-UKR was released on 14 June 2022 and the in-depth analytical report, in collaboration with OECD and IOM, covering “Forced displacement from and within Ukraine”, is expected to be released at the end of October 2022⁸.

Most respondents (96%) were residing in Ukraine before the Russian invasion. Most interviewees were women (82%) and only 15% were men.

Some preliminary analysis of SAM-UKR⁹ suggests that the highest levels of education obtained were master and bachelor degrees (42% and 31%, respectively), followed by professional education (10%), complete secondary education (6%), incomplete higher education (6%), basic secondary education (2%) and primary education (close to 0%). At the same time, work by the OECD suggests that Ukrainians displaced to the EU have a higher level of education than the general population in Ukraine.

Most of the survey participants speak Ukrainian (72%), Russian (62%) and English (40%), followed by German (4%), Polish (4%) and French (2%) (multiple languages could have been selected). Nevertheless, language barriers are recognised as an important obstacle for the integration of displaced persons into the European labour market. Most of those who fled the war and sought humanitarian aid from Czechia do not speak English or Czech. Similar reservations were expressed by the subgroup members from Austria, Finland, Germany, Italy, Poland and Slovakia. Although language courses are offered by Member States throughout the EU, it is important to bear in mind the huge trauma that almost all Ukrainians have suffered through the war, and not all of them may be able to learn a new language quickly enough to adopt it in their new lives.

To pay for daily living expenses, displaced Ukrainians rely on their savings, support from the host country, family and work.

There is a need for more instruments (datasets and surveys) to address the challenges faced by displaced people. Between June 2022 and end-September 2022, the European Union Agency for Fundamental Rights (FRA) collected the views and experiences of people fleeing the war in its [‘Online survey on persons displaced from Ukraine’](#). The survey addressed a wide range of issues related to their stay in the EU, including access to employment, education, housing, healthcare, language learning and other issues affecting their social and economic integration, such as discrimination and violence. The survey targeted people living in 10 EU Member States: Bulgaria, Czechia, Estonia, Germany, Hungary, Italy, Poland, Romania, Slovakia and Spain.

2.1 Choice of destination

According to the UNHCR, the mid-September distribution of displaced persons from Ukraine in the EU shows that the majority are in Poland (33%), Germany (24%) and Czechia (10%).

The choice of a destination country may be influenced by different factors, such as reunification with family or friends, being able to speak the language of the country, social protection offered, employment

⁸ EUAA, & OECD. (2022). Surveys of Arriving Migrants from Ukraine (SAM-UKR). Factsheet: 14 June 2022. Based on responses received between 11 April and 7 June 2022.

⁹ The first Factsheet of SAM-UKR is based on the sample of 2369 responses. The survey is ongoing at the time of writing this paper.

opportunities, purchasing power, tax system, quality of life, climate, location, and presence of a Ukrainian diaspora there.

Evidence collected by SAM-UKR indicates that work opportunities are a key factor for 50% of respondents, together with reuniting with family and friends (49%¹⁰). Social benefits and support are important for 23%, and speaking the local language is important for 21%. Selection based on location may be twofold: based on the proximity to Ukraine (to be able to return home when conditions become favourable) or rather the contrary, as some displaced Ukrainians prefer to move further away from the border. The destination may also be chosen based on networks created during the past years of (temporary and seasonal) work (example of Finland).

2.2 Obtaining information

Networks for obtaining information are being built very quickly and play a crucial role in informing newly arrived Ukrainians about the situation in their home and host countries. The most popular options are:

- ▶ Social media, e.g., *Facebook* groups of Ukrainians in different countries, regions, cities.
- ▶ Communication messengers, e.g., *Messenger*, *Telegram*, *Viber*, and *WhatsApp*.
- ▶ Local communities (municipalities, cities, regions).
- ▶ Ukrainian embassies, consulates, NGOs and foundations. For example, an [online system 'Friend' \('Дпир' in Ukrainian\)](#) allows Ukrainian consulates around the world to stay in touch with citizens, provide them with important and useful information about the country of temporary residence, as well as assist or instruct on how to act in emergencies.

SAM-UKR data shows that the two most common sources of information about their journey were social media and other people abroad. These are followed by traditional media, NGOs, grassroots organisations and government authorities.

Information shared is mostly about the legal procedures or social life in a new location. It is also not uncommon to offer or seek employment for Ukrainians among themselves using social media and communication messengers. In many cases, however, such offers have an undeclared character.

2.3 Sectors

According to SAM-UKR, 76% of arriving migrants from Ukraine were employed¹¹ before the war started¹². The most common occupation categories are management and administration (21%), sales and communication (17%), education and teaching (11%), healthcare and life science (8%), technical and construction workers (3%), engineering, science and technology (2%) and logistics and transport (1%). A further 33% of respondents indicated 'other professionals/occupations'. The survey reports some differences in the distribution by job categories depending on the country of choice. For example, in Czechia there are more managers (20%), sales workers (16%) and healthcare workers (10%). In Germany, managers (34%), teachers (10%) and sales workers (10%) prevail. In Sweden, more widespread are the occupations of sales workers (36%), managers (21%) and teachers (15%).

¹⁰ With multiple answers possible.

¹¹ Answer to question: *Were you employed on the 23rd of February 2022?*

¹² The same reservation of non-representativeness of SAM-UKR applies here.



Subgroup members reported on observed trends in their countries. According to the Polish Public Employment Services (PES) data, as of 31 August 2022, displaced persons who fled the war in Ukraine found employment in the following sectors¹³: industrial processing/manufacturing (33%), administration services, including employment through temporary employment agencies, (18%), transport/warehouse management (13%), accommodation and catering services (8%), agriculture (8%), wholesale and retail, repair of motor vehicles (7%) and construction (7%).

Most employment relationships reported to PES are established as civil law contracts (72%)¹⁴ and only slightly less than one-third are employment contracts (28%). It is worth noting here that women are in a more vulnerable position regarding employment type, with 75% working under civil law contracts, compared to men, at 10 percentage points (p.p.) lower. Civil law contracts are less secure for workers / Ukrainians, as these contracts are easier to terminate according to the Civil Code provisions in Poland. Respectively, the protective measures provided for in the Labour Code do not apply to civil law contracts.

During the meeting on 12 September 2022, subgroup members reported sectoral distribution in some countries. In Slovakia, most displaced Ukrainians work in the hotel, restaurant, catering (HORECA) sector, agriculture, manufacturing or as operators. In Belgium, Ukrainians find work in the construction sector, cleaning sector, hotels and restaurants. In Germany, only about 20% of persons look for skilled work (with another 53% not specified). Unskilled workers have found employment in the service sector (retail, cleaning, food preparation and hospitality). In Lithuania, by contrast, most individuals from Ukraine were employed in highly qualified occupations (45%) (e.g. managers, specialists, technicians), followed by medium-qualified occupations (39%) (e.g. qualified agricultural, forestry and fishery and machine operators) and finally, unskilled (16%). In the Netherlands, as of mid-July, more than 24 000 displaced persons found work¹⁵, 48% of them through agencies, for example, as production employees, cleaners and warehouse employees. Many displaced persons also found work in the hospitality industry, agriculture, horticulture and business services.

Lack of language skills is likely to make it more difficult to find work quickly and will limit the type of potential jobs available in the short term. This reservation was expressed by multiple countries during the subgroup meetings.

While the war is ongoing, the EU might face new refugees coming to the region with different profiles and sectoral distribution, and thus should be prepared for different flows of people. The Ukrainian Police Force has urged the EU not to predict the profiles of refugees arriving as it may change, but rather 'to [receive] anyone'.

¹³ This refers to Ukrainians who entered Poland due to the war in Ukraine and whose employers notified the competent labour office via the praca.gov.pl portal about employing Ukrainian citizens.

¹⁴ Civil law contracts represent non-standard type of employment in Poland. Unlike employment contracts, civil law contracts provide lower employment protection against dismissals and worker rights such as paid leave or the right to join trade unions, and to social security coverage. There are two types of Polish civil law contracts: contract of mandate (*umowa zlecenie*) and a specific-task contract (*umowa o dzieło*). Unlike employment contracts, in Poland civil law contracts are regulated under the provisions of the Civil Code, not the Labour Code (European Commission & Lewandowski, 2018).

¹⁵ [Ruim 24.000 vluchtelingen uit Oekraïne hebben werk gevonden in Nederland \(uwv.nl\)](https://www.uwv.nl/ruim-24000-vluchtelingen-uit-oekraïne-hebben-werk-gevonden-in-nederland). Press release of the Employee Insurance Agency, 15.07.22, (in Dutch: UWV).

2.4 Return to Ukraine

As of 20 September 2022, over 13 million border crossings from Ukraine had been recorded since 24 February 2022. About 6 million entries were recorded to Ukraine since 24 February 2022¹⁶, according to the UNHCR and the State Border Guard Service of Ukraine. Hungary has reported that the flow of people has decreased; since August, a reverse direction tendency is observed, with the number of people exiting from Hungary to Ukraine exceeding inbound flows.

The main reasons for return to Ukraine are reuniting with family, a perception of safety in the area of return, temporary visits to get supplies or documents, temporary visits to see the family, difficulty finding housing in the other country and evacuating family members. Some Ukrainians also return to join the army.

2.5 Risk of exploitation

Undeclared work and labour exploitation have blurred boundaries and may even reinforce one another. As discussed in previous Platform events, domestic work, the HORECA sector, nail or massage salons, and agriculture are high-risk sectors of **undeclared work and labour exploitation**, in particular for women. For instance, in the domestic work sector, where many Ukrainian women may work, workers are often exposed to work exploitation, triggered by long working hours, no breaks, low wages (which can turn into a complete lack of salary), and privacy restrictions, as well as physical and emotional abuse.

Ukrainian refugees are often vulnerable because of trauma, and have low awareness of their rights, so they also may be targeted by traffickers or may be engaged in other forms of exploitation, such as **sexual exploitation**. It is worth mentioning that trafficking for sexual exploitation of Ukrainian women was already an issue before the war. In this respect, the fact that such criminal networks were already in place constitutes an additional risk factor

Human trafficking has become a serious challenge during the 2022 mass inflow given the profile of Ukrainian refugees (i.e. many women alone or with children), their disorientation, lack of financial sources, inability to speak the language and psychological trauma. A refugee from Kyiv reported three cases of suspicious men from Italy to the police, because they were targeting women for sex slavery. Another example, based on a post on social networks by a Ukrainian woman who fled to Dusseldorf, Germany, concerns a man who offered her accommodation in exchange for free cleaning services and sexual acts. At particular risk of human trafficking are people who are unable to access the EU's temporary protection scheme, women, girls and children, people with non-Ukrainian nationality and the groups who already experience marginalisation and discrimination. The vulnerability of refugees to trafficking is higher if they use misleading or inadequate information, are exposed to risks online, have few financial resources, seek support in a region with developed criminal networks, including pre-existing risk-factors (like being a victim of domestic violence in Ukraine prior to the war, being vulnerable from secondary displacement or having lived in occupied territories in Ukraine from 2014)¹⁷. Despite the high-risk factors for trafficking in human beings, the number of investigations is very low, according to Europol. On the one hand, this is due to under-reporting (it is important to develop the means to

¹⁶ This includes circular movements (and not individuals) that are to be excluded from the actual number of people who are entering or exiting the EU permanently.

¹⁷ Hoff, S., & Volder, E. de. (2022). Preventing human trafficking of refugees from Ukraine.



encourage reporting to the police). On the other hand, identification, and detection of trafficking by monitoring and law enforcement bodies could be increased.

It is worth mentioning that those fleeing the war in Ukraine who did not register for temporary protection or similar national protection schemes are at high-risk of exploitation.

Box 1 includes EU and national level anti-trafficking efforts presented at the meeting.



Box 1. Anti-trafficking efforts at the EU and national level

Anti-Trafficking Plan to protect people fleeing the war in Ukraine

The Common Anti-Trafficking Plan, developed under the lead of the EU Anti-Trafficking Coordinator, is anchored in the [EU Anti-trafficking Directive](#), and complemented by [the EU Strategy on Combating Trafficking in Human Beings \(2021-2025\)](#). It consists of:

1. Strengthening awareness regarding risks of trafficking in human beings and setting up dedicated helplines.
2. Reinforcing prevention against trafficking in human beings, for example, through detection and registration of those individuals who provide refugees with accommodation.
3. Enhancing law enforcement and judicial response to trafficking in human beings, including through the involvement of the EMPACT (European Multidisciplinary Platform Against Criminal Threats) security initiative.
4. Improving early identification, support, and protection of human trafficking victims.
5. Addressing the risks of trafficking in human beings in non-EU countries, especially Ukraine and Moldova.

The EU Anti-Trafficking Coordinator has coordinated the implementation of the Anti-Trafficking Plan, in close cooperation with the EU Network of National Rapporteurs and Equivalent Mechanisms and the EU Agencies, including the European Labour Authority. All the actions either have been completed or are ongoing. The EU Anti-Trafficking Coordinator held several extraordinary meetings with the National Rapporteurs in charge of fighting trafficking in human beings in the Member States and the EU agencies, at which Ukraine and Moldova also participated. Special attention was given to prevention, awareness-raising and law enforcement to address the risk of labour exploitation among people from Ukraine.

A first meeting of the focus group of specialised prosecutors against trafficking in human beings was organised by the European Commission, together with Eurojust, on 14 June 2022. The meeting was chaired by the EU Anti-Trafficking Coordinator and attended by prosecutors from EU Member States, as well as the Liaison Prosecutor for Ukraine at Eurojust. It included a special session dedicated to the judicial response to the risk of trafficking in human beings in relation to the war in Ukraine.

Network of Trafficking in Human Beings Focal Points

Under the auspices of Europol, the Network of Trafficking in Human Beings Focal Points from the neighbouring countries to Ukraine was created with the usage of Europol communication tool with a possibility to rapidly verify cases of human trafficking. Ukrainian mobile operators send short messages to inform Ukrainian refugees about the risks, legislation on human trafficking, rules of safe employment and emergency numbers. A special Telegram bot STAYSAFE is developed.

Combating human trafficking in Germany

In Germany, the police at the federal and regional levels, the Financial Control of Undeclared Work (FKS), the German pension fund and the health and safety authorities are responsible for fighting human trafficking.

The Act to Combat Unlawful Employment and Benefit Fraud (*Gesetz gegen illegale Beschäftigung und Sozialleistungsmissbrauch*) has given the FKS the power to carry out inspections and investigations, act against exploitative working conditions, and carry out investigations into trafficking in human beings connected with employment, forced labour and labour exploitation. To ensure victim



protection, the FKS works closely with specialist counselling centres financed by federal and state governments, which provide victims with comprehensive advice, information and support in various languages.

In addition, the FKS has appointed multiple staff as victim protection coordinators. These staff members receive specialist training on interacting with victims and are working to establish a regional network of law enforcement authorities, authorities responsible for foreign nationals, and specialised counselling centres.

The federal government invests additional funds in preventive measures. Newly arrived displaced people are informed about their rights on the labour market. For example, the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking developed flyers in several languages for groups of Ukrainians at particular risk of trafficking in human beings, labour exploitation or coercion. Another flyer provides information on labour rights. Both are given to potential victims of trafficking in human beings by law enforcement agencies, main customs offices, and during police operations. An information campaign is helping to strengthen local networks of counselling centres and authorities.

Combating human trafficking in Hungary

On 23 May 2022, the Trafficking in Human Beings Unit of the National Bureau of Investigation of Hungary participated in an online joint action 'Hackathon' to detect criminal networks attempting to recruit Ukrainian refugees for sexual and labour exploitation via websites, social media platforms and the dark web. Led by Europol, the Unit joined an initiative to enable Airbnb to alert Member States' anti-trafficking units to suspicious short-term bookings in countries neighbouring Ukraine.

To raise awareness of the dangers of human trafficking and labour exploitation, 250 000 flyers were printed in Hungarian and Ukrainian. The flyers include telephone numbers for the two main organisations providing sheltered accommodations for victims of trafficking in human beings. These copies were distributed offline (at border crossing stations, assembly and helping points, in long-term accommodation facilities, client services of the Immigration Authority, railway stations and on-board trains) and online (in Facebook groups, information websites and through municipalities) since mid-March 2022. The 'Be Safe' media campaign was launched at the end of July 2022.

Police headquarters and labour inspectorates in Hungary were instructed to pay special attention to identifying potential threats to women, children, and the elderly and to take necessary actions to prevent victimisation. All reports and signs of any kind of potential trafficking case are carefully investigated.

In June 2022, the Hungarian police participated in the EMPACT action days against labour exploitation, with a special focus on the vulnerabilities of Ukrainian citizens.

Combating human trafficking in the Netherlands

Project 1863 is a multidisciplinary team consisting of people working within different organisations (municipalities, the police, the Department of Human Trafficking, tax authorities, public prosecution service, the military police, and the Salvation Army). They work together under the framework of the



'Field Lab method'¹⁸ to combat human trafficking in Limburg, with the wider goal to end human trafficking in the Netherlands.

In Limburg, a central command post was set up and eight groups (around 60 people) were formed that checked throughout the province for:

- ▶ Illegal prostitution (by trying to get an appointment with everyone who was listed as Eastern European).
- ▶ Licensed brothels.
- ▶ Different 'addresses of interest'.
- ▶ Places where Ukrainian refugees were housed.
- ▶ Telegram groups and others in search of possible Ukrainian victims.

These actions resulted in the following:

- ▶ The military police set up checkpoints along the entire Eastern and Southern border, checking vehicles coming into the Netherlands.
- ▶ The Netherlands Labour Authority checked online for possible cases of labour exploitation of Ukrainian women and men and headed out to different companies to check whether Ukrainians were present and potentially trafficked.

A trade union that participated by talking to truck drivers at rest stops along the border to raise awareness of the problem.

Combating human trafficking in Belgium

Following the war in Ukraine and the subsequent influx of refugees, a working group/taskforce on "Ukraine" was established and has taken several initiatives to protect refugees from potentially problematic employment situations.

An informative brochure was produced for the *non-specialist* inspectors of the social inspection services, in cooperation with the immigration office and the specialised teams of the NSSO/Labour Inspectorate to make them aware of the indicators of economic exploitation in the field. They were also asked to contact the specialised centres (NGOs) responsible for the reception of potential victims of economic exploitation and/or human trafficking in these cases.

The social inspectors who took part in the preventive flash inspections of the construction industry (May 2022) and the hotel and catering industry (July 2022) and the green sectors (September 2022) were also explicitly asked to pay closer attention to the protection of the rights of third-country nationals, including Ukrainians, without targeting them (i.e. no exclusive inspection of this nationality).

In this context, a multi-disciplinary working group launched an information campaign on human trafficking and social dumping. This campaign helped to detect a significant human trafficking case in Belgium, with more than 173 possible victims (no displaced Ukrainians). The SIOD, in cooperation with the social inspection services, the immigration office and ELA, developed a folder in which the rights of this target group are briefly explained. This heightened attention is also requested in the context of

¹⁸ 'Field Lab Method' was introduced by Jorrit de Jong, Martijn Groenleer and Irwin Turbitt. This method is applied in the Netherlands since 2013 and consists in the joint work of people from different organisations to solve so-called 'wicked problems'.



future flash inspections. To this end, brochures for these sectors have also been developed by the SIOD in cooperation with the social inspection services and ELA in 10 languages.

In consultation with the federal and regional inspection services involved, it was decided to organise a number of additional "proactive" actions within the operation of the district cells. The teams consist of district multidisciplinary cells that join forces with the police, tax authorities and social inspectors (including regional inspectorates) and are presided over by public prosecutors. More specifically, it was requested that one additional action be organised per district cell on a monthly basis. The focus of these inspections is on prevention and monitoring, whereby the applicable labour and social security conditions for the employment of third-country nationals, including Ukrainian refugees, are central. The purpose of this additional action is to control the employment situation of Ukrainian refugees, and other third-country nationals. These controls should be organised on a monthly basis until the end of December 2022. In order to facilitate the controls the NSSO makes listings available, based on the Limosa/Dimona data. However, practice has shown that the detection of third country nationals/Ukrainians based on such listings is difficult. Nationality is not mentioned in all databases and, if nationality is mentioned, it is not possible to link it to refugee status. Therefore, it is not possible to confirm if it concerns refugees from Ukraine. Effective determination of presences on the basis of this listing remains limited.

A unique complaint point ([Point of contact for Fair Competition \(belgie.be\)](https://www.belgie.be)) has already received three complaints from Ukrainian women, reporting themselves to be possible victims of human trafficking.

Combating human trafficking in Finland

In autumn 2022, Finland will begin a pre-trial modelling project to tackle trafficking in human beings. This first-of-its-kind one-year project features multi-authority cooperation that will model pre-investigation process.

The project 'Creating policy models for the police to support the planned management of multi-authority action' was implemented by the Police University College (Polamk) in 2021-2022. The project report:

- Studied the combating of labour migration abuse and human trafficking through multi-professional cooperation, and described the statutory duties of various authorities and their implementation in the context of labour migration;
- Presented the cooperation model for risk-based targeted supervision of labour migration in the framework of multi-authority action. The model consists of data collection and analysis, supervision, information exchange with other authorities, and follow-up activities.

The project also developed a mobile app '[Work Help Finland](#)', which is available in 26 languages, including Ukrainian. It targets foreign employees coming to Finland and residing in Finland. The app includes information on employee rights, obligations, and contact details of various public authorities and assisting bodies.

Combating human trafficking in Portugal

Created in the scope of the III National Plan for Combating Trafficking in Human Beings, the Network of Support and Protection for Victims of Trafficking aims to protect victims of trafficking in human beings in Portugal. This network allows information exchange between the focal points of the non-governmental entities and state institutions involved in preventing trafficking in human beings and integration of victims.

Cases of discrimination were also reported. In Slovakia this concerned discrimination [against Ukrainian teachers and psychologists](#). According to the new law from 3 March 2022, Ukrainians need to obtain a certificate of integrity and a favourable opinion of a clinical psychologist. This procedure was criticised by Slovak Chamber of Teachers: ‘the clinical examination by a Slovak psychologist is discriminatory, as they neither have the necessary capabilities, nor the legal competence to do so. In addition, they do not know Ukrainian language, nor do they have testing tools in Ukrainian’¹⁹. These factors may further hinder labour market integration of Ukrainian teachers and psychologists and drive some Ukrainians into undeclared work.

Protecting children and combating **child trafficking** is also a high priority for the EU and Ukraine. According to EU data, as of early October 2022, there were nearly 30 000 unaccompanied or separated children registered²⁰ in 23 EU Member States since the Russian invasion. As of October 2022, the EUAA reported 10 411 unaccompanied minors among those registered for temporary protection in 12 Member States (BE, BG, ES, CY, DK, EL, HR, IT, LU, MT, RO and SE), Switzerland and Norway. This is equivalent to 0.2% of all registrations reported by the agency.

As part of its activities, FRA plans the following:

- ▶ October 2022: Ukraine bulletins on EU Member States’ responses to the situation of those fleeing the war in Ukraine, including issues of trafficking in human beings and provision of information and support to victims of sexual and gender-based violence.
- ▶ September 2022/early 23: Online survey amongst people having fled the war and now residing in the EU.
- ▶ Results in 2023, report in 2024: Survey on experiences of violence and related human rights abuses against women fleeing the war in Ukraine.

3.0 Temporary protection and asylum

On 4 March 2022, the EU activated, for the first time, immediate temporary protection through the [Temporary Protection Directive](#)²¹. The objective is to alleviate pressure on national asylum systems and to allow those who fled the war in Ukraine to enjoy harmonised rights across the EU. Temporary protection is an emergency mechanism, which aims to provide immediate and collective protection for displaced persons who are not able to return to their country of origin. The Temporary Protection Directive applies in all EU Member States except Denmark. It does not apply in non-EU Member States of Schengen (Switzerland, Norway, Liechtenstein, and Iceland) where similar national schemes were adopted instead. These rights include:

- ▶ Residence;
- ▶ Access to the labour market and housing;

¹⁹ Aktuality.sk. (2022). Ukrajinských učiteľov diskriminuje nový zákon. Majú problém sa u nás zamestnať.

²⁰ Please note the difference between ‘registration’ in this context (where it mostly refers to registration with national child protection services, or administrations) and the registration for temporary protection purposes. The discrepancy of numbers is due to the fact that registration for temporary protection of the unaccompanied minors is frequently delayed until guardianship issues are sorted out.

²¹ EUAA (2022). Temporary protection for displaced persons from Ukraine available at <https://whoiswho.euaa.europa.eu/temporary-protection>

- ▶ Medical assistance;
- ▶ Social welfare assistance;
- ▶ Access to education for children.

Individuals who flee the war in Ukraine can still apply for international protection under the [Qualification Directive for a refugee status \(Directive 2011/95/EU\)](#). In this case, asylum seekers have limited to restricted access to EU labour markets. It is worth mentioning that refugee status can only be applied for in the country neighbouring Ukraine, the border at which a person crossed first.

The European Commission's website '[Information for people fleeing the war in Ukraine](#)' provides essential information in Ukrainian, Russian and English on refugees' rights in the EU, traveling inside the EU, protection for children, education, healthcare, access to jobs, access to accommodation and housing, staying safe while travelling in the EU. It includes a map of reception facilities, information centres and transfer hubs. The website also includes contact details of key organisations helping on the ground and informs about free travel options per country.

Member States have so far implemented the status of temporary protection with **certain differences**. Some Member States require that eligible persons need to apply/register to benefit from temporary protection, or undertake a first eligibility assessment. Moreover, there are differences in terms of the duration of the permit. For example, Poland allows Ukrainians who left after the war to stay legally for an initial period of 18 months, while in Germany they may stay for one year (the minimum period as set in the Directive). In all cases though temporary protection may be extended up to three years. There are also differences in the financial assistance that temporary protection seekers can receive in each country.

It is important to note that Ukrainians benefit from a 90-day visa-free regime, which allows them to travel through the EU and choose the Member State where they prefer to settle in and benefit from temporary protection²². This also means that after registering for temporary protection, they gain access to the labour market. Moreover, it is possible to waive temporary protection in one EU country and apply in another one, in case of relocation²³.

After the Temporary Protection Directive was activated, the European Commission provided to Member States operational guidelines to help them apply the Directive in practice, and with guidelines to facilitate the recognition of professional qualifications. Amendments to the Cohesion Policy and the CARE Regulation) were introduced to allow Member States and regions to provide emergency support to people fleeing from Russia's invasion of Ukraine. Under the CARE Regulation, the European Social Fund (ESF) or the European Regional Development Fund (ERDF) may be utilised to support people fleeing Ukraine with 100% EU co-financing rate, also funds available under the 2022 tranche of REACT-EU can be mobilised. The [European Social Fund Plus \(ESF+\)](#) can be used for measures supporting those fleeing Ukraine, in the areas of employment, education, social inclusion and food and basic material assistance. ESF+ has funding possibilities for labour inspectorates and enforcement authorities. The Commission is also exploring the potential of European Digital Credentials for Learning to reissue diplomas in a digital format and make [Europass](#) and [European Skills, Competences, and Occupations \(ESCO\)](#) available in Ukrainian to facilitate the matching process. A resource hub, hosted by the European Training Foundation, is being set up to help recognition and interpretation of

²² This is reported by 16% of responders of SAM-UKR who have not yet reached their preferred destination country.

²³ SAM-UKR records 7% of respondents who registered for temporary protection, asylum or residence permit in any other country in the EU, before arriving to their preferred destination.

qualifications. The European Commission and the European Labour Authority (ELA) are discussing how the European Employment Services ([EURES](#)) portal could be used to identify available jobs.

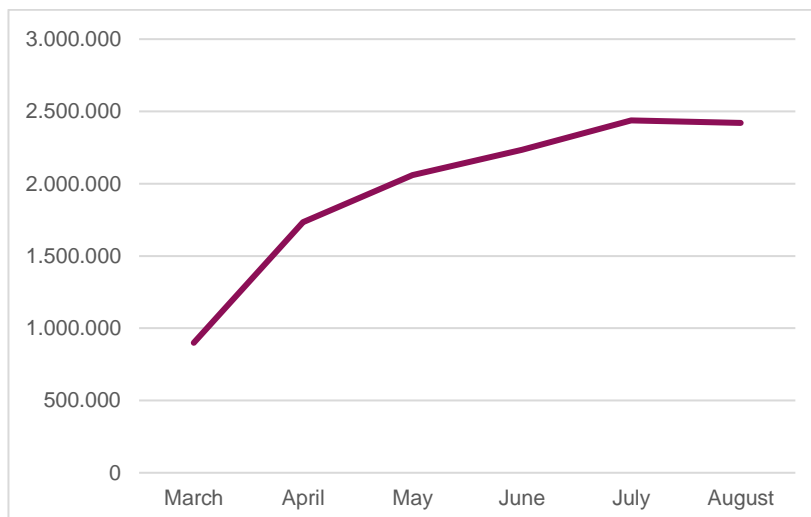
The Labour Mobility and Risk Analysis team of ELA prepared a '[Mapping of national measures](#)' in the field of access to employment and social security offered to displaced persons coming from Ukraine in the Member States and European Free Trade Association (EFTA) countries. Thirty-one country fiches present an overview of national measures on employment and social security for displaced persons coming from Ukraine.

According to the EUAA, from the beginning of the war up until 13 September 2022, there were about [4.3 million](#)²⁴ registrations²⁵ for **temporary protection** status of persons fleeing Ukraine in the EU, Norway and Switzerland. From 21 February to 18 September 2022, about 25 600 applications for **international protection** from Ukrainian nationals were lodged with about 8 400 of them registered in the first week of March 2022. At the same time, as of mid-September 2022, Ukraine is the sixth country of origin of asylum seekers among all third countries.

In data collection and reporting, EUAA relies on the Early warning and Preparedness System (EPS). EPS data are provisional, unvalidated and might differ from validated data submitted later to Eurostat. Registrations counted by EUAA cover both those conducted under the temporary protection directive and similar provisions under national law. Data for some countries are not fully available and may include duplicated registrations within or across countries.

From April 2022, Eurostat provides monthly reports on the [beneficiaries of temporary protection](#). Eurostat also published reports [on the Temporary Protection Directive](#) complete until August (updated on 7 October 2022) and [on recent asylum statistics](#) (updated on 26 September 2022).

Figure 2. Beneficiaries of temporary protection in the EU, March-August 2022 (cumulative values)²⁶



Source: Eurostat.

²⁴ This number may be over-estimated, as EUAA data do not distinguish registrations of the same person in more than one country

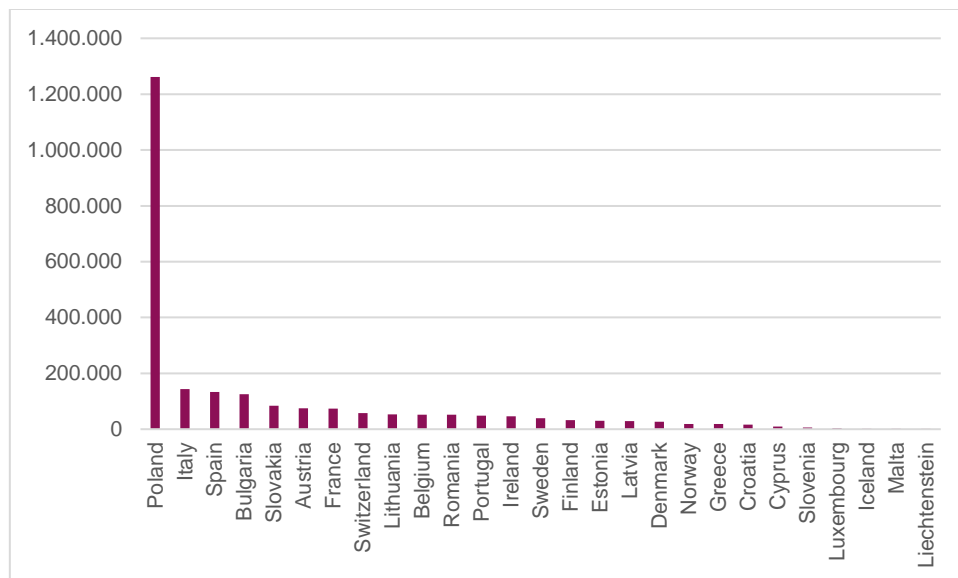
²⁵ This number may be over-estimated, as there is no mechanism to identify individuals who registered for temporary protection in more than one Member State.

²⁶ Data for Italy and Cyprus for August is not available at the time of writing this report.

The number of beneficiaries of temporary protection in EU Member States peaked in March with 899 160 new registrations (see cumulative values in Figure 2). In April, 835 455 new beneficiaries were recorded for a total of 1 734 615 beneficiaries. In May 324 935 new beneficiaries were recorded, in June 174 765 and in July 128 665. Without Italy and Cyprus, 134 610 temporary protection registrations were recorded in August. As of the end of August there were more than 2.4 million temporary protection beneficiaries in total, according to Eurostat.

Eurostat data on the number of temporary protection beneficiaries refer to the number of persons covered by the decisions granting temporary protection status. Country data are compiled from the administrative records of the national authorities (Ministries of the Interior, National Statistical Institutes, or immigration related agencies) and then supplied to Eurostat. Statistics on temporary protection are intended to be collected on a monthly and quarterly basis. Currently, temporary protection data are revised on a continuous basis according to the most recently updated data provided by the reporting countries. Nevertheless, Eurostat recognises that the EU aggregate may be overestimated because of the possibility for the same third-country national to be counted as a beneficiary of temporary protection in several Member States.

Figure 3. Beneficiaries of temporary protection in the EU by country, July 2022



Source: Eurostat.

According to Figure 3, as of the end of August 2022, most displaced persons from Ukraine obtained temporary protection in Poland (1 262 080 beneficiaries), followed by Italy (143 110), Spain (133 685) and Bulgaria (125 795).

Less than 60%²⁷ of those individuals from Ukraine who were recorded in the EU, Norway and Switzerland, registered for temporary protection and less than 0.5% applied for asylum. The discrepancy between temporary protection seekers and those who entered the EU, Norway and Switzerland fleeing the war suggests that some Ukrainians either do not plan to stay outside of Ukraine for a longer time, do not pursue a formal legal status in the EU, or do not need support (e.g. medical, education assistance) from the host country. Ukrainians may also be drawn to return home due to their low awareness of rights

²⁷ 4.3 million temporary protection registrations (EUAA) to 7.4 million individual refugees from Ukraine recorded across Europe (UNHCR).

and labour opportunities in the EU. For most, it is the war which ‘decides’ where they will reside and for how long, creating unpredictability on the European labour markets as well.

The Ukrainian Police Force stressed that now Ukrainians are living with a high level of uncertainty about their future. It is not only about whether they will stay in the EU or move to Ukraine, but about having witnessed the war in general and even having lost someone they know. This affects their mental state and lives severely. As a consequence, they may not feel a necessity to integrate into the host societies. The integration can also be perceived as complicated, covering various aspects such as access to support services, employment services, and language courses.

It is also important to understand the undeclared work context in Ukraine prior to the Russian war of aggression against Ukraine and the context which Ukrainians relocating to the EU previously inhabited. According to the Ukrainian Undeclared Work Survey (UUDWS)²⁸, in 2017, only around 7% of the respondents admitted having worked undeclared in the previous 12 months, whereas around 46% of respondents knew someone who worked undeclared and around 33% estimated that at least 50% of the population of Ukraine worked undeclared²⁹. As such, undeclared work was seen as a commonplace occurrence for Ukrainians in the years prior to 2022. This was particularly the case for 35 to 54-year-olds living in urban areas and the self-employed. Both men and women engaged in undeclared work. The main undeclared activities provided included home maintenance or home improvement services, selling farm produced food, gardening and car repairs. Those who worked undeclared in Ukraine reported that their financial situation in most cases was average or good.

Given this prior life experience of Ukrainian women who came to the EU, the undeclared nature of work might have been somewhat normalised. This influences the perceptions of offers of work in the EU with not viewing employers offering work on an undeclared basis as an unusual experience. Following difficult circumstances, a previous acceptance of undeclared work as more commonplace and with limited understanding of EU legislation, it is possible that displaced Ukrainians may be more prone to accepting undeclared work in the EU.

4.0 National practices and measures



I must say that I've been with the Platform since 2016 when it was started, and we have always talked about holistic approach. This is really what we are saying today. We are using all the tools: legislation, cooperation involving different stakeholders, etc. Everything is on board in this situation. With the deep respect for Ukrainians, but it has been a very interesting case for our way of working. We can learn a lot from it when this crisis is over. I think we can be proud of the Member States' efforts so far.

Source: Platform member from Norway

The legislative base to **protect all workers** in the EU is provided in [Council Directive 2000/78/EC, the Employment Equality Framework Directive](#), the [Race Equality Directive 2000/43/EC](#) and the [Communication from the Commission on Guidance for access to the labour market, vocational](#)

²⁸ UUDWS is a direct method survey which was aimed at estimating the size and the nature of undeclared work in Ukraine. The survey was commissioned by the National University of Kyiv-Mohyla Academy and the International Labour Organisation and conducted by the Kyiv International Institute of Sociology between October and November 2017.

²⁹ Nezhyvenko, O. and Shumska, S. (2018). Ukrainian Undeclared Work Survey: First Findings. Scientific papers NaUKMA. Economics, 3(1), 89-94.

[education and training and adult learning of people fleeing Russia's war of aggression against Ukraine 2022/C 233/01](#). In these legal acts, equal treatment during recruitment and work, working conditions such as pay and social security benefits, and access to trade unions, irrespective of race and ethnic background are established³⁰. However, these directives do not cover equal treatment on the grounds of nationality, which is a key problem now.

Key for the **integration of third-country nationals** are aspects such as access to support services, employment services, language and housing. In order to access formal employment, the aspects of counselling, vocational training, skills mapping and validation and recognition of qualifications³¹ are important. This includes the outreach and translation of employment information.

To facilitate labour market integration, all Member States provide language and integration courses. About 5 500 individuals have already taken Portuguese language courses in Portugal. In Germany, integration courses and job-related German language courses are offered to facilitate labour market integration. There are also special courses, for example for the recognition of certain professions, or support courses during vocational training. Part-time or evening courses allow people to learn German alongside their childcare obligations or in parallel with work. A network of counselling centres offers a wide range of counselling services.

On 21 March 2022, the European Commission set up a '[Solidarity Platform](#)' to coordinate the response among the Member States by collecting information, examining the needs in different countries, and following up in response to these needs. This platform is used to facilitate the mobilisation of relevant EU instruments, match offers for solidarity with the needs under close cooperation with relevant Ukrainian authorities and partners³².

The European Commission launched a **phone help line** for people displaced from Ukraine in the EU and from outside the EU.

The **10-Point Plan** was established to ensure wide coordination between the EU Member States on welcoming people fleeing the war in Ukraine. This plan includes:

1. *EU Registration Platform* established on 31 May 2022 to exchange information on beneficiaries of temporary protection and national protection statuses of people who fled the war in Ukraine.
2. *Transport and information hubs* with the network of transportation and information hubs (reception facilities, transfer hubs or information about how to travel and stay in the EU).
3. *Enhanced reception capacity and suitable accommodation* in cooperation with the private sector and civil society. A special EU Guidance on 'Safe Homes' was prepared to support those private individuals across the EU who are able to host displaced people.
4. *National contingency plan* is being developed to prepare EU countries for medium and long-term needs.

³⁰ Van Nierop, P., Schöenberg, L., Jakubowska, K., Rose, N., Stefanov, R., & Mineva, D. (2021). Counteracting undeclared work and labour exploitation of third-country national workers, (January).

³¹ Please also note that *EU Skills Profile Tool for Third Country Nationals* intended for organisations helping Third Country Nationals is now available in Ukrainian and is free of charge. This tool helps to map the skills, qualifications, and work experiences and to suggest personalised advice on further steps, such as skills validation, diplomas recognition, further training or employment support. Those who search employment have access to improving language skills, following integration course, undertaking education or training, finding work and other.

³² European Commission. (2022). Communication from the Commission on Operational guidelines for the implementation of Council implementing Decision 2022/382 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55.

5. *Protecting children on the move* to discuss and address the specific challenges of reception and care for unaccompanied and separated children from Ukraine. Standard Operating Procedures were developed for transfers of unaccompanied minors from Moldova.

6. *A common anti-trafficking plan* (addressed in Box 1).

7. *Reinforced solidarity with Moldova* program to coordinate the transfers of those who fled the war from Ukraine in Moldova to EU countries and Schengen Associated countries. This programme also addressed internal security and border management in Moldova.

8. *Reinforced international cooperation* with the US, Canada, and the UK to exchange information, assist countries facing most arrivals and coordinate global protection efforts.

9. *Addressing internal security implications* to tackle and prevent organised crime and trafficking in human beings by Europol and the EMPACT community, especially in EU countries bordering Ukraine and Moldova.

10. *Adequate resource and funding*: the EU rapidly releases adequate funding to EU countries in their support of people fleeing the war and to manage their borders.

The **EU Migration Preparedness and Crisis Blueprint** (the Blueprint Network), created in 2020, is now used as a platform for information exchange between the Commission, Member States, the Council, the EEAS, the EU Agencies (EUAA, Frontex, Europol, EU-LISA and FRA), international organisations and third countries. The Blueprint Network provides an operational framework to ensure situational awareness and better preparedness together with effective governance and timely response. The Blueprint has been actively involved in gathering and reporting latest developments with EU Member States and Agencies. Information is collected and disseminated for better management of migration.

To ensure efficient but quick and secure **border management**, on 2 March 2022 the European Commission issued Guidelines on external border management with provision on simplification of border controls at the EU's borders with Ukraine, allowing flexibility regarding entry conditions, opening crossings at temporary border crossing points or outside official border crossing points, easy access for rescue services and humanitarian assistance and personal belongings and pets.

To assist EU countries on the ground with border management, information-sharing, asylum registrations and preventing criminal networks from taking advantage of vulnerable people, Europol, Frontex and EUAA play a key role by protecting Ukrainian refugees from criminal threats and supporting EU countries with Ukraine-related asylum and reception needs.

Subgroup members agreed that at the beginning of migration crisis, preventive measures are very important; therefore, many enforcement authorities prepared and translated crucial information into Ukrainian (see Box 2).

Box 2. Examples of national enforcement authorities' webpages providing information to Ukrainian refugees

| | | | |
|----------------------------|--------------------------|-------------------------|---------------------------|
| Croatia | Czechia | Denmark | Lithuania |
| Luxembourg | Norway | Poland | Portugal |
| Slovakia | Slovenia | Spain | Sweden |

Note: Besides the national language, all pages are available in Ukrainian.

Source: Platform meeting on 11 April 2022 dedicated to preventing undeclared work among refugees/displaced persons.

There are already websites with job opportunities refugees from Ukraine across the EU, such as [JobAid for Ukrainian Refugees](#), [UA Talents](#), [Hire for Ukraine](#), [Happy Monday](#), [WorkAnia](#) and [CzechInvest](#). At European level, DG HOME, DG EMPL and ELA jointly launched the 'EU Talent Pool Pilot Initiative' in October 2022. This initiative is an online job-searching tool, implemented through the EURES portal, through which people fleeing the war in Ukraine can register as a jobseeker and upload their CV. They can browse and apply to about 3 million of vacancies, and about 4 000 registered employers can consider them in their recruitment process.

Ukrainian women looking for employment **need access to childcare and education** for their children. Even though Member States are taking steps to provide access to schools and nursing facilities (with some differences depending on the Member State), much attention should be paid to the integration of children into the education system, especially regarding their language skills. The more effective their integration is, the more opportunities their mothers will have on the EU labour market.

As noted in previous Platform activities, there is also a need to **better regulate flexible forms of work**, notably to avoid undeclared work by non-standard workers with irregular working hours. Previous research has shown that third-country nationals work more often in temporary employment³³. New forms of employment (dependent contractors, (bogus) self-employment, platform work, home-based businesses, casual and temporary work, telework, portfolio work, ICT mobile work, job sharing, employee sharing, collaborative employment, and voucher-based work³⁴) are increasing and should be addressed through the lens of official job registration and income declaration, in order to prevent undeclared work.

During both Platform subgroup meetings, examples were given of different arrangements for employment of Ukrainians by temporary work agencies. For example, in Lithuania, a general rule is that third-country nationals cannot be temporary agency workers at all, but an exception was made for Ukrainians; this change entered into force at the end of March 2022. In Slovakia, a problem lies in the fact that not all temporary work agencies need to have a license to perform their activities³⁵, which increases the risk of some not operating lawfully. At the same time some participants considered that temporary employment agencies could play an important role in the labour market integration of Ukrainians, as they can identify employment opportunities and often know how to work with third-country nationals.

Finally, there is also the potential to reach out to newly arrived refugees via trade unions. For example, the *Ukrainian Workers' Trade Union in Poland* became the first trade union representing migrant workers in Poland. It was established in 2016 and supported by the *Polish Trade Union Confederation (OPZZ)*. The latter hopes to combat undeclared work in Poland, including amongst Ukrainian workers in Poland.³⁶

All countries provide a status of temporary protection with the right to legally stay and work on its territory. Many of the displaced Ukrainians who obtained temporary protection status have already joined the labour market.

Boxes 3-13 provide examples of national practices shared by subgroup members. Box 14 gives an overview of the practices used in Ukraine to tackle undeclared work.

³³ Fasani, F., & Mazza, J. (2020). A Vulnerable Workforce: Migrant Workers in the COVID-19 Pandemic. Luxembourg: A Vulnerable Workforce.

³⁴ Williams, C. C. (2020b). Ninth Plenary Meeting of the European Platform Tackling Undeclared Work, (October).

³⁵ For example, in case of temporary work assignments.

³⁶ European Trade Union Institute. (2016). The OPZZ Confederation supports the creation of a trade union for Ukrainian workers.



Box 3. Poland

The Act on assistance to the citizens of Ukraine in connection with armed conflict on the territory of that country, adopted on 12 March 2022 sets out, inter alia, specific rules for legalising the stay of Ukrainian citizens (and their spouses who do not hold Ukrainian citizenship) in Poland due to military operations in Ukraine. This Act applies retroactively from 24 February 2022.

Poland extended national visas for Ukrainians till 31 December 2022. Residence permit cards are extended for 18 months. For those Ukrainians who entered the Schengen Area before 24 February 2022, a short term stay in the Schengen Area is considered as legal. Also, Poland introduced a new special type of temporary residence permit under which Ukrainians can apply for a three-year long residence permit no earlier than after 9 full months of their arrival in Poland and no later than within 18 months since 24 February 2022. Nevertheless, leaving the territory of Poland for more than 30 days leads to the loss of this right, with some exceptions (e.g. posted workers).

Temporary residence permit holders are entitled to work in Poland without the need for a work permit provided that their stay in Poland is regarded as lawful based on the provisions in the Act on assistance to the citizens of Ukraine. Ukrainian citizens' access to the Polish labour market is also guaranteed if within a 14-day period the employer notifies the County Employment Office (PUP) of their employment of a Ukrainian citizen, [via an online form](#). To ensure decent working conditions, in July 2022 this requirement was supplemented with another, mandating that work has working time, number of hours, and remuneration not lower than the rate specified in the notification.

From 24 February to 31 August 2022, a total of 457 192 notifications of such employment were submitted.

Poland provides the following social benefits to refugees from Ukraine: social assistance, child benefit, one-time benefit, a family care capital and subsidies for lowering the parent's fee for a child's stay in a nursery. Every citizen of Ukraine legally residing in Poland has guaranteed access to the public health care system, on the same terms as Polish citizens.

Among the main difficulties in entering the Polish labour market in these circumstances are uncertainty, language barriers, the need to take care of children or other dependent family members, unsuitability of qualifications, and severe trauma.

The National Labour Inspectorate (NLI) provides information on labour law provisions and legality of employment of foreigners in the Ukrainian language (on the website '[Praca w Polsce/Робота в Польщі](#)', through flyers and brochures). There is also an internal instruction 'Strategy for foreigners' and a [webpage on the government website, providing](#) all necessary information in Ukrainian.

Box 4. Slovakia

Slovakia issued new legislation focused on refugees coming from Ukraine (92/2022 Coll. LEX UKRAINE) which ensures:

- ▶ Reimbursement of healthcare provided for refugees under the status of temporary protection.
- ▶ An allowance for accommodation.



- ▶ Extension of a vacancy certificate corresponding to a highly qualified job, a vacancy certificate and a work permit that would otherwise have expired during the emergency situation in Ukraine until two months from the date of the emergency withdrawal.
- ▶ Temporary adjustment of the procedures to grant access to certain state social benefits and to assistance in situations of material need so that they are more accessible for refugees from Ukraine (such as provision of childcare allowance; one-off (and repeated) allowance when entrusting a child to alternative care and assistance in material need for a minor child).

To enable access to the Slovak labour market, Ukrainians and their family members who are granted temporary protection in Slovakia or who are asylum seekers have access to the labour market and may enter an employment relationship without having to meet otherwise valid conditions for the performance of work (for example, work permit). Employers are required to notify PES about such employment.

Other measures targeted at making the labour market accessible for Ukrainians include projects offering job counselling, training and financial contribution to travel expenses to commute to work or a place of voluntary activity.

Box 5. Czechia

Three new laws were issued in Czechia in March 2022:

1. Act No 65/2022 Coll. on certain measures in connection with the armed conflict in the territory of Ukraine caused by the invasion of the Russian Federation:

- ▶ Sets out the conditions for granting temporary protection, including procedural ones.
- ▶ Lays down specific rules for the provision of health services.
- ▶ Addresses the situation of foreigners who were granted a visa for a stay of more than 90 days for a stay in Czechia from 24 February 2022.

2. Act No 66/2022 Coll. on employment and social security measures in connection with the armed conflict in Ukraine involving an invasion of Russian troops regulates:

- ▶ Employment and labour market in terms of free access to the labour market and free access to all employment services (records as a job seeker and person interested in a job, employment intermediation by PES, and possibility of retraining (including learning the Czech language)).
- ▶ Humanitarian benefits provided to all who requested it at PES from 21 March 2022. From the second month, a test for financial need is applied to make sure basic living needs (food, clothing, medicines, etc.) are met. The application for humanitarian support may be submitted electronically (with electronic Citizen's Identity without the need for personal verification), and retroactively.
- ▶ Solidarity benefits as a contribution to households providing free accommodation to refugees from Ukraine. It is administered through PES and may also be applied retrospectively (at the earliest from March 2022).

As in other countries, there is a duty for the employer to notify and register Ukrainian employees.



3. Act No 67/2022 Coll. on measures in the field of education in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation regulates measures in the field of education such as:

- ▶ Admission to pre-schools, primary and secondary schools, conservatories and higher vocational schools.
- ▶ An exemption from the requirement of knowledge of the Czech language in classes, groups and departments with children, students or participants who are foreigners or citizens of Ukraine.
- ▶ An exemption from the hygiene requirements for schools and school facilities due to an increase in the maximum permitted number of children, pupils and students.
- ▶ Contents of education in kindergartens, primary, secondary, higher vocational schools and conservatories (for the purpose of adaptation to education system, the educational content of the school educational programme may be partially or completely replaced by other suitable educational content for the time strictly necessary).
- ▶ Special rules for universities and exemption from the fee for the recognition of diplomas and certificates.

Czechia amended the Programme of Control Actions for 2022. Control activities will focus on compliance with the working conditions of employees with temporary protection regarding remuneration, working hours, comparable working conditions, occupational safety, temporary agency employment, illegal work, and undisclosed employment intermediation. To select entities, labour inspectorate received from PES a list of employers who employ temporary protection holders.

Inspections are conducted together with the Foreign Police and the National Centre against Organised Crime, as well as in cooperation with the Polish and Slovak labour inspectors.

As of 12 September one-in-four displaced persons from Ukraine in Czechia had found employment.

Box 6. Hungary

The general rules of the Temporary Protection Directive of the EU are applicable in Hungary. All Ukrainian citizens are recognised as beneficiaries of temporary protection for one year. The status can be extended for as long as needed by the decision of the Council of the European Union. Individuals wait 45 days while the request for temporary protection is being processed.

The Hungarian government works in close cooperation with various aid organisations in the reception facilities and provides substantial funds to address the humanitarian crisis on the Ukrainian side of the border. Helping points connected to border crossings were established, with a recruitment agency commissioned by the Ministry of Foreign Affairs of Hungary stationed at each helping point to assist refugees with legal and secure employment.

On 24 March 2022, a Humanitarian Transit Point was opened in Budapest, offering a very wide range of services for those who fled the war.

Before the war, Ukrainian citizens wishing to work in 128 different professions affected by labour shortages in Hungary were entitled to residence permits under the fast-track procedure. In response to the large flow of Ukrainian citizens, that preferential treatment was extended to all professions. In



addition, employers may receive a state subsidy for housing and travel expenses for Ukrainian employees who crossed the border after 24 February 2022.

Box 7. Norway

Labour inspectors, the police, tax and social welfare authorities work together in Joint Work Crime Centres. Each Centre has an analysis team and an inspection team. These Centres are now also tasked with identifying vulnerable groups, including migrant workers and Ukrainians.

The National Authority for Investigation and Prosecution of Economic and Environmental Crime (*Økokrim*) has set up a threat assessment project in response to the view that Ukrainian workers in labour intensive industries with a large share of unskilled labour are especially vulnerable to exploitation. This includes sectors such as construction, car care and workshops, goods transport, cleaning and seasonal work in agriculture and fishing. These industries also have the greatest demand for foreign labour.

The Joint Work Crime Centres collect data on threat assessments from *Økokrim*, external and internal data from labour inspectorates, and regional data from the field.

Box 8. Belgium

In 2022, as a preventive measure, Belgium has organised so called ‘flash-controls’ (announced inspections) to avoid abuses as one of the means of the campaign against undeclared work. During these inspections, the brochure with employee rights is distributed by inspectors. More controls were necessary to detect possible labour law violations.

A dashboard at federal level is shared by different institutions and allows them to add and exchange information.

Adopting a multidisciplinary approach, Belgium works together with other countries and institutions through EMPACT days and joint action days with the ELA and Europol.

Box 9. Germany

Displaced persons from Ukraine are entitled to work in Germany once a provisional residence document is issued in accordance with Section 24 (1) of the Residence Act (*Aufenthaltsgesetz; AufenthG*).

Germany implemented the Temporary Protection Directive by introducing a right of residence for refugees from Ukraine. Depending on which conditions are fulfilled in each case, refugees may claim subsistence benefits under the same conditions as those in the asylum procedure (under the Asylum Seeker Benefits Act (*Asylbewerberleistungsgesetz; AsylbLG*)), or – since 1 June 2022 – under the Second and Twelfth Books of the Social Code (Basic Income Support for Jobseekers under Book II of the Social Code (SGB II) or Social Assistance under the Third or Fourth Chapter of Book XII of the Social Code (SGB XII)). Since 1 June 2022, refugees from Ukraine may claim the same access to social benefits as other persons in need of assistance who have their habitual residence in Germany, provided they meet the statutory requirements. Refugees therefore have



realistic prospects of integration into the labour market and society, and receive more than the minimum humanitarian support.

In Germany the police at the federal and regional level, the Financial Control of Undeclared Work, the German pension fund and the health and safety authorities are responsible for fighting human trafficking and conducting inspections within their responsibilities. There is a continued, close cooperation between the authorities involved.

Box 10. Portugal

Temporary protection holders are automatically granted a Social Security Identification Number and a National Health Service number, enabling them to access various national services and the labour market.

Portugal introduced several legislative and administrative initiatives or measures:

- ▶ Measures on the recognition of professional qualifications of beneficiaries of temporary protection in connection with the armed conflict in Ukraine were established in the Decree law No 28-B/2022 from 25 March 2022, to facilitate integration of displaced persons from Ukraine into the labour market;
- ▶ A digital platform 'Portugal for Ukraine' gathering all initiatives to support displaced people from Ukraine;
- ▶ The Institute for Employment and Vocational Training (IEFP) of the PES offers a separate webpage with information on the main employment and training services, measures available for employers and employees, as well as learning the Portuguese language.

According to social security data, approximately 5 500 persons joined the Portuguese labour market.

The Portuguese Labour Inspectorate (ACT) recognises that the reception and the integration of Ukrainian refugees is largely focused on the areas of employment, training, and mobilisation of the whole society to achieve the goal (municipalities, employers, associations, non-governmental organisations (NGOs) and other state bodies. To fulfil these goals, ACT disseminates information and provides advice, verifies decent work conditions, and carries out inspections.

Under its information and advice function, ACT developed a leaflet containing the most relevant aspects of Portuguese labour law, addressing equality, non-discrimination, the specific rules for hiring foreigners (such an obligation to have a written work contract, unlike Portuguese nationals), remuneration, parenthood and other aspects of working conditions. ACT prepared guidelines for cleaning workers, with a special focus on the accommodation sector, where health and safety conditions must be insured by the employer.

ACT also detects undeclared work and labour exploitation among displaced persons from Ukraine, in an identical manner as for workers residing in Portugal.



Box 11. Lithuania

The Order of the Ministry of the Interior of the Republic of Lithuania on the requirements, conditions and provision of services for foreigners who withdraw from Ukraine due to the military actions of the Russian Federation in Ukraine or who are unable to return to Ukraine from 1 March 2022, declares that:

- ▶ Ukrainian citizens using the visa-free regime or holding a valid Schengen visa have the right to work or be self-employed and are exempt from the obligation to obtain a work permit;
- ▶ Ukrainians who submitted an application to issue or change a temporary residence permit in the Republic of Lithuania have the right to work or to carry out independent activities;
- ▶ Ukrainians who applied for asylum in the Republic of Lithuania have the right to work or be self-employed from the date of registration of the application for asylum in the Lithuanian Migration Information System;
- ▶ Ukrainians can work under a temporary employment contract.

The State Labour Inspectorate of the Republic of Lithuania holds three kinds of activities:

1. Information-sharing, in close cooperation with relevant authorities such as Migration Department and Employment Service:
 - a. Translating relevant labour legislation into Ukrainian, as well as labour contract complaint forms to the State Labour Inspectorate;
 - b. Organising seminars for NGOs and employers on labour legislation applicable to Ukrainian citizens;
 - c. Providing special consultations;
 - d. Creating an official webpage and Facebook page;
2. Control activities are carried out together with the police, based on analysing different information from the media, NGOs and society;
3. Labour Dispute Commissions provide a possibility to resolve cases of unpaid remuneration.

Of 65 000 displaced persons from Ukraine registered in Lithuania since 24 February 2022, 9 500 individuals were employed through the Employment Agency of the Republic of Lithuania. In total, 29 000 persons were employed during this period.

Box 12. Finland

Under the scope of its holistic approach, Finland ensures information-sharing and initiates projects on multi-authority collaboration.

The success of multi-authority actions lies in active and motivated planning, joint implementation of activities, and provision of feedback. Acting authorities must have knowledge and understanding of their own powers and competencies and those of other authorities, and the various forms and degrees of labour migration abuse; the possible methods of cooperation; and the regulations governing the exchange of information, and their impacts on planning and organising operational activities. When risk-based targeted supervision is implemented in accordance with the cooperation model, it is important to obtain sufficient advance information about the target.

Exchange of information between authorities should be a low-threshold activity. The information should be analysed comprehensively before any supervisory activity. One authority should be



responsible for the administration of the actual supervisory activity. The police should lead operational activities, while another body, such as a regional administrative authority, could be responsible for planning and coordination of supervision.

It is essential to agree the roles and responsibilities of various actors, from planning to the implementation of supervision and the authorities' independent and joint follow-up activities. It is also vital to agree possible follow-up measures, and their communication.

The Strategy and Action Plan for tackling the grey economy and economic crime establishes multi-authority cooperation within the Occupational Safety and Health (OSH) Administration in the fight against undeclared work. The aim is to develop a multi-authority platform on the grey economy, undeclared work and exploitation of foreign labour and to increase the relevance of the work of inspectors in the longer term. Institutions that are part of this platform exchange information and develop a common risk-based target selection. In its final year (2023), the project will expand its cooperation to EU level, with the goals of peer learning, information exchange and good practice.

As of 2022, the authorities' regional cooperation was organised with a pilot project on common risk-based target selection. Here, OSH mediates between different authorities (e.g. tax administration and the police), taking into account regional needs. The multi-authority model (MOVI) is utilised and tested, with the aim of creating structures for permanent cooperation.

Box 13. Italy

The Ministry of the Interior developed a website that provides information to displaced Ukrainians. Two multilingual leaflets are available, the first on COVID-19 requirements and the second on temporary protection and other legal procedures.

The Department of Civil Protection set up a platform, [OffroAuto](#) ('I offer help'), that allows citizens, companies and organisations in Italy to offer goods, services and accommodation to support displaced people coming from Ukraine. This is a shared platform for private individuals, voluntary organisations, and emergency coordination structures.

Italy approved the Plan for Unaccompanied Foreign Minors in March 2022 (updated in May 2022), which contains guidelines on health and reception procedures.

There are no specific guidelines for labour inspection in respect of Ukrainian citizens. The Ministry of Labour and Social Policy set up a technical table to draft the National Plan against Undeclared Work and recommendations to conduct inspections. This plan should enter into force on 31 December 2022.

Italy is trying to identify areas at high risk of exploitation and strengthen intelligence activity through cooperation with the police forces of other countries. A three-year plan to tackle labour exploitation in agriculture identifies priorities of labour inspections and is framed under a multi-agency approach with the support of the International Organization of Migration (IOM).

Sectoral practices supporting Ukrainian citizens were also shared during the meeting:

- HORECA: In Sweden, a fast-track procedure to recognise the certificates that Ukrainians have was introduced in line with the Commission guidelines. Denmark provides vocational training facilities within the hospitality sector. Finally, in Czechia, jobs platform devoted exclusively to the hospitality



sector is being set up. Future sectoral activities could include revamping the European Hospitality Skills Passport.

- Agriculture: Geopa-Copa and FoodDrinkEurope launched a new initiative promoting upskilling and reskilling of the agricultural workforce. This might be of use for displaced persons who fled the war in Ukraine who would like to validate their diplomas or upskill their competencies in agriculture sector.

Box 14. Ukraine

Since spring 2022, the labour inspectors of the State Labour Service (SLS) have focused on consulting and informing workers and employers on the requirements of the law. The SLS also monitors the state of compliance with labour law requirements.

Thousands of enterprises and millions of Ukrainians continue to work in Ukraine despite the military aggression. Ukraine was obliged to adopt changes to legislation under the martial law.

The SLS created the portal '[Pratsia.in.ua](https://pratsia.in.ua)' to provide information on employment in war conditions, including instructions and methodological recommendations to ensure work safety. It is also possible to request consultation, support for business and advice for internally displaced person on safe job search. The online consultation service '[Interactive inspector](#)' provides support on specific situations connected to labour law. This service has already been used by 250 000 individuals.

Most users are seeking information in issues related to labour relations under martial law and safe work. For citizens who left Ukraine, the SLS created a special webpage 'Looking for work abroad?' with practical information on employment abroad.

In March 2022, the SLS launched a pilot project of consultation to re-located enterprises. It was first targeted at the enterprises in Lviv, Vinnytsia, Transcarpathia and Ivano-Frankivsk regions, but is now extended to all of Ukraine. More than 40 000 entrepreneurs have benefited from the advice of labour inspectors.

At the end of May 2022, the SLS launched a special service of consulting assistance for business entities with restricted performance of work or operating with high-risk equipment due to violation of the legal requirements on labour protection issues, including the lack of permits and the declaration of conformity. More than 400 companies have such limited manufacturing activity and, in June-July 2022, these companies were able to simplify the procedure to obtain permits, fill in declarations of economic activity and align their work with legal requirements.

Online and offline training in psychosocial first aid have been organised to prevent emotional and professional burnout of labour inspectors. These are run within the International Labour Organisation-European Union (ILO-EU) project.

The SLS updated its distance learning course on identifying signs of forced labour and labour exploitation, which is mandatory for every labour inspector in Ukraine.

Changes in legislation during martial law saw other legal norms optimised, such as simplifying labour contracts for small and medium-sized businesses, and special forms of labour contracts (e.g. contracts with non-fixed working hours).

Under the assistance of the ILO-EU project '[Towards safe, healthy and declared work](#)', two awareness-raising campaigns were launched and are currently ongoing. The first campaign is on prevention of human trafficking and labour exploitation, while the second is on prevention of

undeclared work [‘Come out into the light’](#). The latter campaign informs citizens about the risk of undeclared work, proper employment registration and changes in legislation

Since the beginning of the invasion, labour inspectors have collaborated with law enforcement agencies (national police, State Migration Services, State Tax Service) to raise awareness of safe employment and simple ways for workers to protect themselves from possible negative consequences. The information campaign targets internally displaced persons and features visits to high-risk sectors of activity (agriculture, construction and trade). These visits contribute to the conclusion of employment contracts.

5.0 Instances of undeclared work or exploitation

There are no reports of labour market violations or human trafficking in Finland, Hungary, Lithuania, the Netherlands and Slovakia.

In Slovakia, between 5-29 April 2022, the labour inspectorate held inspections focused on undeclared work among displaced persons from Ukraine. The primary target was employees with temporary protection status and self-employed third-country nationals. During these inspections, the following sectors were identified as being at higher risk: administrative and support service activities, manufacturing, accommodation and food service activities. Inspections were carried out by labour inspectors, in close cooperation with the National Unit for Combating Illegal Migration, Directorates of Border and Foreign Police and Central Office of Labour, Social Affairs and Family. Almost 700 natural persons and 250 employers were inspected. The Inspectorate observed a low number of detected cases of undeclared work of displaced persons from Ukraine. Slovakia plans to conduct the same campaign from October to November 2022.

In Portugal, one case of labour exploitation involving two Ukrainian women was recorded. These women were both living in the countryside, one working in a bakery and the other in a restaurant. The labour exploitation consisted of working night shifts and not satisfying all contract requirements. The case is under investigation at the time of writing this report.

In Czechia, of 400 inspections of employers of temporary protection holders, 60 were related to temporary agency work. There were 40 incentives for inspections, 10 of which were from Ukrainians, citing unpaid wages and poor working conditions. The work of Ukrainians with temporary protection was illegal in 22 cases. Other forms of labour law violations included disguised employment mediation, failure to conclude contracts in a written form, not fulfilling the obligation to have copies of some documents at the workplace, social dumping, and discrimination on the grounds of citizenship. Of the inspections already completed, the most common violations were failure to comply with the information and registration obligation pursuant to the Employment Act, non-fulfilment of the obligation to have copies of documents proving the employment relationship at the place of work, and enabling the performance of illegal work.

In Germany, the German Customs Authorities are responsible for the detection of undeclared work and labour exploitation. As of mid-September, the Customs Authorities had not initiated any criminal investigation procedures of this kind and did not have any information about cases of undeclared work

or labour exploitation of displaced persons from Ukraine. Nor had they initiated any criminal investigation procedures on trafficking in human beings.

No cases of labour exploitation involving Ukrainian migrants were recorded in Italy in 2022. Only two cases of undeclared work of Ukrainian citizens were recorded during labour inspections.

By end-June 2022, Belgium had conducted more than 4 000 inspections of social dumping and 130 inspections of trafficking in human beings, detecting four infringements with Ukrainian nationals. In addition, two cases of trafficking in human beings concerning Ukrainian women were documented. Six cases of labour exploitation of Ukrainians were documented: three persons in the clothing industry and three in a butcher shop.

Lithuania reported no cases of trafficking in human beings or labour exploitation of Ukrainian citizens. Additionally, no tendencies of increased rate of infringements were observed in relation to Ukrainian citizens. Several cases were detected of unpaid salary, unpaid working hours, working extra hours and undeclared work (in catering and construction). During the first half of 2022, 82 requests were received for Labour Dispute Commissions from Ukrainian citizens (278 overall), although there are no data on their status. Most of these cases concerned recovering remuneration.

Since the moment displaced persons from Ukraine were allowed to work in the Netherlands, The Netherlands Labour Authority formed a special team, acting on notifications received about employers of people from Ukraine. This led to several investigations into possible violations of labour laws at companies and temporary employment agencies that employ Ukrainians. From now on, the special team has ended and notifications about displaced persons from Ukraine will be dealt with in the regular process by the regular teams of the NLA.

6.0 Conclusions and next steps

During the second subgroup meeting, the following conclusions were reached in terms of role of enforcement authorities in tackling undeclared work among displaced persons/refugees from Ukraine:

- ▶ Preventing undeclared work should be a **shared effort of many entities** reflecting their responsibilities and mandates. Inspectorates, regional, EU agencies, police, migration, tax, social security organisations, social partners and other public and private institutions need to cooperate to detect and tackle undeclared work and labour exploitation of Ukrainian refugees.
- ▶ The **holistic approach**³⁷ is useful in addressing the current migration challenge. Measures to address undeclared work and labour exploitation of those who fled the war in Ukraine should include **the right balance of deterrence and preventive approaches** through educating, awareness raising campaigns, labour inspections, the involvement of social partners, and use of penalties. At the time when many migrants arrive, preventive measures are very important; therefore, many enforcement authorities prepared and translated crucial information about workers' rights and ways to work declared into Ukrainian.
- ▶ **Communication campaigns** need to target the refugees, and continue informing them about their rights, requirements, and risks of labour exploitation. Awareness raising should target all labour

³⁷ Holistic approach consists in utilising both the direct and indirect policy approaches and measures to leverage the power of authorities (Williams, 2020a).

market stakeholders, such as potential employers, trade unions, employment agencies, as well as vocational education institutions.

- ▶ **Social media** is portrayed to be one of the most used sources of obtaining information by displaced Ukrainians, thus it could serve as a channel for spreading information.
- ▶ **Anonymous hotlines** for complaints, tax rebates, advantageous social security arrangements are other useful tools to tackle undeclared work. Some countries remarked that the use of hotlines and call-centres (with the possibility to talk to a Ukrainian-speaker) to receive consultations and emergency aid, as well as to file a complaint, prove to be an effective tool.
- ▶ Subgroup members pointed out that during the current refugee crisis, **cooperation** between the authorities at the national and the EU level is very effective. Several positive initiatives have already been put into practice to make the life of Ukrainian refugees easier. Moreover, participants stressed importance of cooperation between the Member States governments, enforcement authorities and social partners.
- ▶ Collaboration between different authorities should also concern timely **data collection** and **data exchange** (for example, within the Blueprint Network). It is crucial to know the profile, background and needs of Ukrainians to introduce appropriate policies for the countries and regions that host displaced Ukrainians.
- ▶ In respect of **addressing labour exploitation and undeclared work** of refugees, labour inspectorates, police and migration authorities need to combine their efforts to enhance the take-up of declared work and protect workers' rights. The cooperation could be based on common collaboration objectives, protocols, and certain timeframes. Joint inspections by labour inspectorates and police may be effective in identifying suspected cases of undeclared work and labour exploitation. Although the powers of enforcement authorities differ in the Member States³⁸, their cooperation at the EU level is crucial.
- ▶ Even though **labour exploitation** is not a criminal offence in all Member States, it must be adequately **sanctioned** in all countries. For labour exploitation to be proven in court, labour relationship with the employer must be demonstrated, which is often difficult and leads to such acts going unpunished.
- ▶ As undeclared work is represented in sectors where the demand for a flexible, low-paid, and low-skilled workforce is high, specific attention should be paid to these **economic sectors**. Examples are administrative and support service activities, manufacturing, accommodation and food service activities.
- ▶ As of 12 September 2022, most of the Member States reported that there is little evidence of infringements detected in inspections carried out. In some Member States, data collection is still ongoing; other countries report a **low level of infringements**. This may be explained either by the law-abiding nature of such labour relationships or by potentially less effective inspections in the current conditions (i.e. not inspecting the right places, the decentralised character of violations). Some examples are demonstrated in this paper.

³⁸ For example, in Austria, labour inspectorates are only responsible for control of occupational health and safety, while the financial police are responsible for monitoring undeclared work and fraud.

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