



**СВІТОВА ФЕДЕРАЦІЯ УКРАЇНСЬКИХ ЖІНОЧИХ ОРГАНІЗАЦІЙ**  
**WORLD FEDERATION OF UKRAINIAN WOMEN'S ORGANIZATIONS**  
**FEDERACION MUNDIAL DE ORGANIZACIONES FEMENINAS UCRANIAS**  
**FÉDÉRATION MONDIALE DES ORGANIZATIONS DES FEMMES UKRAINIENNES**  
*AN NGO IN CONSULTATIVE STATUS WITH THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS*

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Established in 1948 in Philadelphia by ten women's organizations, the World Federation of Ukrainian Women's Organizations (WFUWO) is now based in Toronto and unites 27 organizations from 17 countries found on four continents. Representing a spectrum of women's organizations pursuing civic, religious, cultural, educational, immigration and humanitarian goals, WFUWO reflects the activity of local Ukrainian communities worldwide, as well as international networking through its consultative status with UN/ECOSOC and UNDPI. WFUWO received special consultative status with ECOSOC in 1993 and was accredited with UNDPI in 1994. At the core of WFUWO's mission is supporting the dignity and integrity of women in Ukraine and Ukrainian women in émigré communities by supporting adherence to international standards of human rights, raising public awareness of problems and violations, maintaining Ukrainian language and culture, cultivating awareness of Ukrainian history, family and social traditions, as well as efforts that support modern Ukraine's development into an independent, stable democracy with respect for rule of law.

Further questions regarding this submission can be directed to Nadia Shmigel, WFUWO Main Representative to UN/ECOSOC at [nadia.shmigel@gmail.com](mailto:nadia.shmigel@gmail.com) or Irene Jarosewich, WFUWO Second Representative to UNDPI at [i.jarosewich@gmail.com](mailto:i.jarosewich@gmail.com).

Submitted to the 14<sup>th</sup> Session of the Working Group on the Universal Periodic Review, Office of the High Commissioner for Human Rights, April 22, 2012.

**STATEMENT OF THE WORLD FEDERATION OF UKRAINIAN WOMEN'S ORGANIZATIONS (WFUWO) IN PREPARATION FOR THE 14th SESSION OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW (UKRAINE: 22 OCTOBER – 5 NOVEMBER, 2012)**

1. In August 2011, Ukraine marked the 20th anniversary of its status as an independent nation. Unlike other countries in Eastern Europe, this is Ukraine's first experience as an independent country. Often, the lack of infrastructure, institutional knowledge and experience with independent self-rule has been evident. In turn, despite dire predictions of failure and civil strife, Ukraine has managed a relatively stable development into some of the institutions that mark a democracy - numerous successful national and local elections, moderately active civic involvement and media freedom that fluctuates between free and semi-free. Relations with neighboring countries, although at times testy, have also remained stable. Ukraine has also proven to be a willing partner internationally, participating in UN peacekeeping efforts, allowing NATO exercises in the Black Sea, relinquishing nuclear weapons, active participation in numerous IGOs.
2. Unfortunately, internally, Ukraine has been plagued with corruption on all levels of the political, economic, and judicial systems. Bribery, backroom deals, extortion threaten the lives of each citizen, making even such simple efforts as installing a phone line or admission into a university an ordeal for a family. On a more egregious level, judges are paid off to provide favorable sentences to well-connected criminals, legislators are paid off to vote special interests, and businesses pay off media to destroy the reputation of their competitors. Corruption is not prosecuted often, thereby rendering individuals powerless. There is no point to itemize examples of corruption; we are convinced that the Working Group will find more than ample evidence. Nonetheless, WFUWO would like to note that pervasive corruption, the lack of prosecution and punishment of corrupt practices, as well as the lack of realistic attempts at policy solutions, such as providing adequate wages for those employed in the public sector in order to reduce the use of corrupt practices as a method to supplement income, has resulted in is a blanket violation of the human rights of all individuals in Ukraine. Individuals constantly are forced to make choices under duress, make choices that are illegal, as well as dangerous, and to act cynically and with disrespect with one another, a form of forced dehumanization.
3. Since corruption is rarely prosecuted, the recent prosecution of opposition leaders in Ukraine on charges of corruption is particularly surprising and provokes suspicion that these prosecutions are primarily politically motivated attempts to neutralize political opponents, and not efforts at reform or to seek justice. With regard to the specific case of former prime minister Yulia Tymoshenko, WFUWO submitted a detailed letter to OHCHR Assistant Secretary-General Ivan Simonovic on March 1 during his visit to the United Nations headquarters in New York (please see attachment).

4. To summarize the attached letter, it is WFUWO's position that the administration of Ukraine's current president, Viktor Yanukovich, is consciously and purposefully prosecuting opposition leaders to thwart their participation in upcoming parliamentary and local elections in October and presidential elections in 2015.
5. This use of political power to manipulate the legal system for personal ambition is corruption at its most base. It nullifies the right of Ukraine's citizens to free and fair elections and denies the prosecuted individuals fair trials. WFUWO does not believe that any of the jailed opposition leaders will be able to effectively appeal their sentences in Ukraine and those still awaiting trial will not receive a fair one. Therefore, we request that the Working Group recommend independent reviews be conducted of the evidence against, and prosecutions of, jailed opposition leaders.
6. The case of Yulia Tymoshenko brings to the forefront another pervasive element in Ukrainian society that has reached new levels of prominence: officially pronounced and supported sexism. Yulia Tymoshenko is subject to constant sexist remarks and public humiliation from members of the administration of President Yanukovich, as well as his political party, without an option for an effective response.
7. Prime Minister Azarov, in response to the question why there are no female ministers in his government stated, "Some say our government is large. Others complain there are no women, that there is no one to look at during our meetings ... With all due respect to women, implementing reforms is not women's work." (March 2010)
8. Commenting on proposed legislation establishing quotas for women in government, Head of Ukraine's parliament, the Verkhovna Rada, Volydymyr Lytvyn said, "Society will not abide by such laws until we get rid of that which is our tradition and stems from our Christian mentality: Man is the higher being, as woman was made from Adam's rib. Consequently, she is the lesser being."(February 2012)
9. Ukrainian President Viktor Yanukovich, during his presentation at Davos, attempted to promote Ukraine with the following comment: "All you need is to see when the weather gets warm and Ukrainian women begin to take off their clothes. What a beautiful sight." (February 2011)
10. This ingrained and denigrating attitude of high ranking officials towards women is reflected in positions of authority and power, or rather, by the lack of women in such positions. No woman heads any of the 27 regional and major municipal councils, until February when one was appointed, not a single woman was among the 17 positions at the ministerial level and only 32 of Ukraine's 450 MPs are women, approximately 7%.
11. In the case of Oksana Makar, corruption, sexism and a third scourge in Ukraine, violence against women, converge. A member of the feminist protest group FEMEN, 18-year-old Oksana Makar was gang raped by three young men on March 9 in Mykolaiv. The men then tried to cover up their crime by strangling her, dumping her naked body at an

abandoned construction site and setting her on fire. Makar was survived the night, was found the next morning and survived for two more weeks. She died on March 29. She lived to name her accusers, sons of well to do and well-connected parents; the young men were released after initial questioning. The grotesque crimes and release of the accused set off protests across Ukraine against corruption and favoritism toward the wealthy, and reaction of anger against the brutality towards the young woman. The men were arrested and jailed.

12. Oksana Makar's gang rape and murder are heinous crimes. WFUWO requests that the rape and murder trial of Oksana Makar be highlighted by the OHCHR UPR and provided as an example to the international community that violence against women will not be tolerated. Particular efforts should be focused on monitoring and ensuring that the accused remain in the country and that the trial is held. Through the case of Oksana Makar, Ukraine's judicial system is on trial. Ukraine needs to prove that the country is willing and able to comply with international legal standards for a fair and robust prosecution and sentencing, that the men charged will be prosecuted fully without preferential treatment, and that the trial will be open to the media.
13. Violence against women is an epidemic in Ukraine. According to the Ministry of Internal Affairs of Ukraine, in 2011, more than 1,000 women died as a result of injuries from their partners in domestic violence disputes. Annually, close to 40% of phone calls to police stations in Ukraine concern incidents of family violence. Since 2008, annually, 35-50% of all women admitted to hospitals in Ukraine were admitted for bodily injuries suffered as victims of domestic violence.
14. Violence against women is part of a distressing picture of domestic violence overall. In a national survey, "Scope of Violence in Families in Ukraine" that was conducted in November and December 2009, responses showed that 44% of Ukraine's citizens have personal experience of family violence; more than one-third of victims continue to cohabit with perpetrators; 10% of victims experienced domestic violence only once and 30% admitted to more than 10 incidents of violence; among perpetrators – two-thirds were men, one-third were women and the most vulnerable age groups to violence are women between the ages of 20 and 29 and boys between the ages of 7 and 17. Of those self-identified as victims of domestic violence, 75% never asked for help, others turned to relatives. Only 10% of victims of physical violence reported the incidents to police. According to the Ministry of Internal Affairs, 110,252 cases of family violence were reported to the police in 2010. If the 10% holds true, then 990,000 cases remained unreported, a million incidents of domestic violence annually for a population of 45 million.

15. Corruption, sexism, violence against women converge with the crime of enslavement. Ukraine is a country of origin, transit and destination for trafficking in men, women and children. Internal trafficking is also a growing problem. According to a research commissioned by the International Office of Migration (IOM), more than 110,000 Ukrainians have become victims to human trafficking since 1991, which makes Ukraine one of the largest “suppliers” of slave labor in Europe. Women constitute 99% of victims of sexual exploitation among all victims of trafficking from Ukraine assisted by the IOM.
16. Human trafficking is a crime that requires local control and international management and enforcement. Kateryna Levchenko, the former director of LaStrada Ukraine, an organization that assists victims of sex trafficking, visiting the United States in 2010 noted that the number of young women being recruited into sex trafficking, usually under false pretenses, had leveled off, although not reduced. The crime syndicates that manage the transport of humans had stabilized and the authorities in Ukraine showed little interest in stopping the practice overall. Trafficking in humans is a crime, one that Ukraine is on record as agreeing to stop. WFUWO request that OHCHR review Ukraine’s current efforts to stop the illegal trafficking in humans, specifically government and law enforcement efforts to stop and prosecute the members of the crime syndicates in Ukraine that operate the modern slave cartels.
17. Whether lured into prostitution under false pretenses or actively seeking a way out of poverty, surveys conducted in Ukraine has shown that for 75% of prostitutes in Ukraine, sex work is their only source of income, a majority has children and 45% support someone other than themselves. According to the Ministry of Internal Affairs of Ukraine, in 2011, 4, 156 people were arrested in Ukraine for prostitution. Recently, representatives of Ukrainian women’s organizations visiting the United States noted that a steep increase in internal sex trafficking is expected for the Euro Cup 2012, as well as transport of sex workers from outside the country.
18. The exploitation of women in poverty as sex workers is in violation of several articles of the Convention on the Elimination of All Forms of Discrimination against Women, to which Ukraine is a signatory and as a host country of an international event, Ukraine should be held accountable for maintaining and following the international standards to which it has agreed.
19. The World Federation of Ukrainian Women’s Organizations would like to thank in advance the members of the 14<sup>th</sup> Session of the Working Group on the Universal Periodic Review for the efforts to evaluate Ukraine’s compliance with international standards of human rights, as well as its own laws. We look forward to receiving the delegation’s findings.

**ATTACHMENT:**



**СВІТОВА ФЕДЕРАЦІЯ УКРАЇНСЬКИХ ЖІНОЧИХ ОРГАНІЗАЦІЙ**  
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March 1, 2012

His Excellency Mr. Ivan Simonovic  
Assistant Secretary-General  
Office of the United Nations High Commissioner for Human Rights  
United Nations Headquarters  
New York, New York 10017

Dear Assistant General-Secretary:

On behalf of the 27 organizations in 17 countries that belong to the World Federation of Ukrainian Women's Organizations, we would like to take this opportunity during the 56th session of the UN Commission on the Status of Women to appeal to you to more actively engage the Office of the United Nations High Commissioner for Human Rights in efforts to end the politically motivated incarceration of Ukraine's former Prime Minister Yulia Tymoshenko.

A leader of the political opposition in Ukraine, specifically in opposition to Ukraine's current president Viktor Yanukovich, Yulia Tymoshenko was arrested, charged, tried and convicted last year of "exceeding her authority" (abuse of power) as prime minister in January 2009 for an agreement with the Russian Federation to provide Ukraine with gas for ten years at a price that the Yanukovich administration has asserted is "ludicrously unfair" and claims costs Ukraine millions more than necessary.

Immediately after the announcement of the guilty verdict in October 2011, European Union High Representative for Foreign Affairs Catherine Ashton questioned the verdict, stating that the trial had not met international legal standards and threatened Ukraine's integration into Europe. The Foreign Ministry of the Russian Federation issued a harsh statement criticizing the obvious "anti-Russian bias" in the charges and verdict and noted that the gas agreement was signed with direction and approval from the presidents of both Ukraine and Russia, Viktor Yushchenko and Dmitri Medvedev.

The Office of the White House issued a statement noting that the United States was "deeply disappointed" with the trial and the "politically motivated conviction" of the former prime minister and leader of the opposition, and urged her immediate release, as did Amnesty International. United Nations Secretary General Ban Ki-moon also issued a statement expressing his concerns over the fairness of the trial and conviction of Yulia Tymoshenko. Recently, Member of the European Parliament Pawel Kowal, co-chair of the EU-Ukraine Parliamentary Cooperation Committee, requested that Ukraine's Prosecutor General Viktor Pshonka allow a delegation of MEPs to visit the former prime minister in the Kachanivksa

penal colony, noting that "Ukrainian authorities failed to convince the international community that the Yulia Tymoshenko case was impartial." And, on February 28, The European People's Party (EPP) in the OSCE Parliamentary Assembly made public an appeal calling on Ukrainian authorities to allow observers and representatives of international organizations, such as the International Red Cross, to visit and observe Yulia Tymoshenko

In his October 2011 verdict, the judge speculated that Ukraine's state gas company could have been saved the equivalent of \$188 million dollars over ten years had Prime Minister Tymoshenko signed a more favorable agreement with the Russian Federation's Prime Minister Vladimir Putin; the fact that she did not was proof that she worked under foreign influence and did not act in the best interest of Ukraine. Despite the fundamentally dubious use of a bilateral agreement as the legal basis for a criminal judgment with no substantiated proof of personal gain or other criminal activity, the situation of Yulia Tymoshenko points to the cynical sophistication of modern day judicial abuse and the efforts of certain governments to thwart the development of a true democracy.

As another example of selective prosecution of opposition politicians, on February 27, 2012, Yuri Lutsenko, an opposition leader and a former Interior Minister of Ukraine, was convicted of embezzlement and sentenced to four years in prison. Specifically, Mr. Lutsenko was convicted of providing bonuses and perks to his driver at the expense of the state. The disproportionality of the charges to the terms of imprisonment once again lend credence to the accusations that the prison terms are being used as tools to keep both opposition leaders from participating in the October 2012 parliamentary elections in Ukraine, as well as the 2015 presidential election.

WFUWO expresses our deep concern with the progressive and cynical dismantling of democracy in Ukraine under the Yanukovich administration, using the tools of a politically controlled judiciary, selective prosecution, and absurd legal charges. In particular, we would like to emphasize the personal situation of Yulia Tymoshenko. We are deeply troubled by her continuing imprisonment and the ongoing deprivation of her human rights.

- As of February 27, within the span of a week, Mrs. Tymoshenko's daughter Evgenia had been denied visitation with her mother three times in a row, although she has the legal right to visit as part of her mother's defense team.

- Under the guise of "for her own protection", Mrs. Tymoshenko is kept isolated and subject to spotlights 24/7.

- Independent medical teams that arrived from Canada and Germany in mid-February with the agreement of the government of Ukraine were, nonetheless, not allowed to perform onsite tests and were not given records of her medical history, despite previous assurances that this would be allowed. As a result, at the time of departure, their medical findings were inconclusive, which the government of Ukraine chose to distort and announce that experts have found that Yulia Tymoshenko has no health problems and that she was exaggerating. These distortions were refuted by a joint statement issued February 27 by the delegation of Canadian doctors who underscored that Mrs. Tymoshenko was willing to be tested, but Ukrainian authorities would not allow the tests, and that she was in pain and disabled. The Canadian team mentioned their particular concern that Yulia Tymoshenko was being injected with substances that are banned in Canada.

- Despite findings by the prison facility's own medical team that Yulia Tymoshenko has an injury in the lumbar spine area, she is denied use of her crutches and painkillers, confirmed in a February 22 statement by Zuzanna Roithov, the former Minister of Health of the Czech Republic, who met with Mrs. Tymoshenko, in a visit made after the Canadian and German medical delegations, and who also noted that she had concerns that Mrs. Tymoshenko's deteriorating health problems could be a result of maltreatment in prison.

- Yulia Tymoshenko is subject to constant sexist remarks and public humiliation from members of the administration of President Yanukovich, as well as his political party, without an option for an effective response.
- In an attempt to further exhaust her and her resources, additional charges are being brought against Yulia Tymoshenko, while limiting her access to attorneys.

We request that you please consider avenues to convince the government of Viktor Yanukovich to step away from this vengeful and destructive plan of action from which, ultimately, all Ukraine suffers. The politically motivated misuse of the judicial system not only denies Mrs. Tymoshenko her basic rights, but also cynically undermines the possibility of a democratic evolution for all of Ukraine's citizens. Despite enormous odds, Ukraine had begun to move away effectively from the burden of its Soviet past. Yet, in the past two years, the regression has been profound, an egregious example of which is the selective prosecution and confinement of the former prime minister. The people of Ukraine have consistently shown, through public demonstrations, as well as the ballot box, that they want democracy, a society governed with fairness, a welcomed partner in the international community. We, therefore, ask for a show of strong support and encouragement to help Ukraine meet this challenge.

Sincerely,



Mary Szkambara  
President  
World Federation of Ukrainian Women's Organizations

Irene Jarosewich

- **Signature**

NGO Representative accredited with the United Nations Department of Public Information  
World Federation of Ukrainian Women's Organizations

*Hand-delivered March 7, 2012 at the United Nations*

