

Mr. Denys Shmyhal
Prime Minister of Ukraine

Ref. JWG/jp

Brussels, 27 May 2025

Seizure of properties of the trade unions, attacks on the freedom of association

Dear Prime Minister, dear Mr. Shmyhal,

We have been informed about the attack on the property rights of trade unions in Ukraine. Assets have been seized. This contradicts fundamental ILO Conventions, in particular Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise. We ask you to use your influence to stop those attacks.

We are concerned about other attacks on the unions. A pattern is emerging of union suppression. This is not what we want in the European Union. I ask you to urgently meet with the FPU and its unions to discuss the situation and for the government to make clear such actions and attacks against the trade unions are not welcome. Ukraine rather needs the contrary, a strong role for the trade unions to defend, rebuild and reform the country to ensure Ukraine meets the many challenges it is faced with due to the Russian invasion and its war of aggression against the workers and people of Ukraine. Such a strong role of the unions is also required to meet the transitions all countries have to deal with, like coping with climate change and digital technologies for example.

Other attacks

We have also been informed that on 9 April 2025, the President of the Federation of Trade Unions of Ukraine (FPU) **Grygorii Osovyi**, who is also Co-chairman of the National Tripartite Social and Economic Council and Chairman of the Joint Representative Body of Trade Unions at the national level, was detained.

The **Trade Union Building** was forcibly transferred to the so-called 'temporary management' of a private company that had won the tender of the Asset Recovery and Management Agency. This approach has effectively become a new tool for seizing trade union property necessary for the statutory activities of the FPU headquarters, 35 all-Ukrainian trade unions and the Kyiv Regional Council of Trade Unions, which have their offices in the Trade Union Building. Open privatisation has been replaced by the practice of 'managed alienation' through state structures.

EPSU is a direct party as the building hosts many offices of affiliated unions. EPSU collected funds to refurbish the offices from across the world after the fire in the trade union house in 2014 (during the Maidan protests).

The Trade Union Building in Kyiv:

- is not only the central headquarters of the Federation of Trade Unions of Ukraine, but also a symbol of the Revolution of Dignity in 2013-2014, which was almost completely destroyed by fire;
- was built in 1980 with contributions from members of Ukrainian trade unions and rebuilt in 2019 after the fire, including thanks to the solidarity contribution of the international trade union community, without any financial contribution from the state;
- is not only a material asset but also an emblem of the struggle for workers' rights.

After its restoration, the Building once again became an open space for meetings of the JRB of Trade Unions, meetings of social partners, various public discussions, and support for youth, veterans and internally displaced persons.

We are concerned about the way the state institutions have handled this. In April 2025, the **Asset Recovery and Management Agency (ARMA)** signed an asset management agreement with the private company Consortium **"UK KAMparitet"** and transferred the Trade Union Building to the latter for management until 31.12.2029 with an obligation to transfer UAH 1.6 million monthly to the state budget. Starting from 13 May 2025, ARMA, together with the Consortium **"UK KAMparitet"**, has been taking steps to manage the Trade Union Building:

- an act of acceptance and transfer of the building was signed, information was requested on all tenants;
- inconveniences are created that hinder the FPU member organisations in carrying out their statutory activities,
- there are threats to block access to the building, prevent the FPU staff and the staff of FPU member organisations from accessing their workplaces and put in their own security guards, which is a violation of the rights of the FPU as the legal owner of the property and the Economic Management Department of the FPU as the legal balance sheet holder of the Trade Union building in Kyiv.

It is noteworthy that this company was established less than a year before the tender and had already participated in the previous ARMA tender, but after the FPU appealed against the violation of the tender procedures in December, it did not enter the Trade Union Building.

This decision is not only legally questionable, as the state has certified the right to trade union property through acts of private ownership under Ukrainian law, and it is not state property, but also contradicts the spirit of ILO Convention 87, which guarantees the independence of trade union organisations and the protection of their property. And the Law of Ukraine "On Trade Unions, Their Rights and Guarantees of Activity" obliges state bodies to facilitate trade union activity.

Of particular concern is the fact that the Head of ARMA is Olena Duma, who is also the chair of a little-known alternative association, the Confederation of Trade Unions of Ukraine. **This creates a direct conflict of interest**, as one trade union organisation, through the public office of its head, exerts pressure on another, the largest and most representative trade union structure in the country. This situation undermines the fundamental principles of freedom of association.

Illegal requisition of property is also taking place in the regions of Ukraine. In April 2025, the **Lviv** Regional Council (local self-governance body) deprived the Association of Trade Unions of Lviv Region of the right of ownership of the Trade Union House, which it had owned, used and managed for 75 years. The building was transferred to the trade unions in 1949 by the Lviv City and Regional Executive Committees as compensation for the trade union building, which was confiscated by the Soviet authorities in 1939.

In 2018, the Cabinet of Ministers of Ukraine (Order No. 13-p of 11.01.2018) transferred the building of the **Poltava** Regional Council of Trade Unions - which had been built exclusively at the expense of trade unions - to the Prosecutor General's Office of Ukraine.

Similar actions were taken against the **Zakarpattia** Regional Council of Trade Unions, which was also deprived of its property rights.

Ukraine has been receiving one of the worst ratings in the **ITUC Global Rights Index**, published annually by the International Trade Union Confederation. In particular in 2023 and 2024, Ukraine was rated as one of the countries where workers' rights are "not guaranteed due to violations of the rule of law", which indicates a systemic crisis in the observance of labour and trade union rights. The arrest of a trade union leader and the transfer of property without the owner's consent further exacerbate this crisis.

These events should also be seen as part of the preparations for the adoption of **draft law No. 6420** 'On the legal regime of property of trade union public associations (organisations) of the former USSR', which in practice may become a legal basis for the mass alienation of trade union property, that today serves the public interest by providing employees and trade union members with educational, healthcare, rehabilitation services, leisure and recreation. For example, in the case of Federation of Trade Unions of **Chernihiv** Region v. Ukraine (application no. 40633/15), the ECHR found that the seizure of the building of the Training and Methodological Centre of the said trade union centre was **an excessive burden on trade unions, as it deprived them of the opportunity to fulfil their social mission**. Interference by state authorities in the peaceful enjoyment of property by trade unions is a violation of Article I of Protocol 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms. Adoption of draft law No. 6420 in its current version will have a similar effect, depriving trade unions of key resources.

The FPU has repeatedly appealed to the President, the Government, and the Verkhovna Rada of Ukraine to establish public-private partnerships to expand the capacity of trade union facilities to become rehabilitation centres for war victims.

The draft law ignores trade union succession, real rights of use and historical justice, and does not ensure proper dialogue with the social partners, **despite the recommendations of the ILO Committee on Application of Standards to sit down at the negotiating table.**

As you know, the ILO requires member states to guarantee 'the right to adequate protection of trade union property as one of those civil liberties indispensable to the proper exercise of trade union rights'.

In this context, we note with concern the trend towards the criminalisation of trade union activities, which began in 2020, when the FPU, together with other trade unions in the country, resolutely stood up to defend workers' rights against labour reforms that worsen the situation of workers. Summoning of trade union leaders for interrogation, criminal cases, searches and arrests, as well as public defamation campaigns, create an atmosphere of pressure that is incompatible with democratic standards of social dialogue.

Taken together, these developments pose a serious threat to the independence of the trade union movement in Ukraine.

At its meeting on 24 April 2025, the FPU Presidium adopted a Statement on threats to social unity and pressure on the rights of workers and trade unions in Ukraine. The ITUC, ETUC, and a number of national trade union confederations sent letters and appeals to the Ukrainian authorities on this issue.

Dear Prime Minister,

We ask you to refrain of such actions as described in this letter and to use your influence with Ministers and the Parliament to shape a win win situation for workers and the people of Ukraine by ensuring strong trade unions and their involvement in rebuilding and reforming the country to ensure democracy and social justice. We ask you to sit down with the trade unions and discuss the situation with a view to ensuring that the trade unions including EPSU affiliates can do their work effectively.

Yours sincerely,



Jan Willem Goudriaan
EPSU General Secretary