

Most people fleeing from the war in Ukraine are women and children who have specific needs and vulnerabilities. Jéromine Andolfatto sheds light on this issue from the perspective of the European Women's Lobby (EWL) and calls on international actors to effectively guarantee women's rights.

WAR IN UKRAINE: THE EWL CALLS ON THE EU AND INTERNATIONAL ACTORS TO EFFECTIVELY GUARANTEE WOMEN'S RIGHTS



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Since the start of the Ukraine war, nearly 12.8 million people have been displaced, 7.7 million of which internally, around 17.5% of the country's total population. As international human rights and international humanitarian law violations have been recorded, these people urgently need adequate protection¹. In times of crisis, and throughout migratory processes, women and girls are particularly vulnerable and disproportionately impacted. The war in Ukraine is no exception.

As the majority of those fleeing Ukraine are women and children, all EU responses must mainstream gender. The policies and measures being designed and implemented must address the specific experiences and needs of women and girls. Throughout their migratory journey, women and girls face some of the strongest challenges particularly regarding sexual exploitation. To ensure that no woman or girl is left behind, the EU must also implement gender mainstreaming in all forthcoming migration and asylum initiatives in compliance with international guidelines, conventions and frameworks². This must be done in consultation with women's civil society organisations, including organisations of migrant women and girls; it must draw from a streamlined and systematic sex-disaggregated data collection

1 <https://www.ohchr.org/en/press-releases/2022/05/ukraine-millions-displaced-traumatised-and-urgently-need-help-say-experts>

2 Including: UNHCR Guidelines on International Protection; the Convention on the Elimination of Discrimination Against Women (i.e. General recommendation No. 26 on women migrant workers; General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women; General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19); the UN Convention on the Rights of the Child (Article 22); and the UN Convention on the Rights of Persons with Disabilities (Article 11); UN Convention on the Rights of the Child (UNCRC); and the Beijing Declaration and Platform for Action.

(data on individuals broken down by sex), and it must be carried out by undertaking gender impact assessments to adjust measures that may have unintentionally been preventing women and girls from fully accessing and enjoying their rights.

The approach taken must acknowledge that women are diverse and that due to their ethnicity, religion, sexual orientation, or in some cases disability, some women experience intersecting discriminations:

- Girls and women with disabilities in situations of crisis or conflict face a disproportionate risk of abandonment, violence, death, and a lack of access to safety, relief, and recovery support. The obligations under the UN Convention on the Rights of Persons with Disabilities must be upheld, in particular the Article 11 on situations of risk and humanitarian emergencies and the Article 6 on women and girls.
- Roma women and girls as part of minority groups among people fleeing Ukraine are being discriminated against in the receiving countries, from postponing their registrations for temporary protection status to refusing to provide them housing or other forms of support.
- Protection for all people from and in Ukraine must not be limited to Ukrainian citizens. Racially or ethnically motivated discrimination must be unequivocally rejected. All refugees' lives matter and they should be protected by the EU's values, rule of law, equality between women and men and anti-discrimination policies.

The EU response must address this reality and be intersectional.

Despite being disproportionately affected by the war in Ukraine, women and girls remain excluded from decision-making and policy-making processes. Their needs, once more, are not adequately represented and addressed. In order to ensure that the measures

developed respond efficiently to the situation of the whole displaced population, women's and girls' voices need to be heard; that is why the EU must guarantee that channels to convey women's interests are set and maintained open:

- The EU and international stakeholders must support the inclusion of women in every stage of the current and post-conflict processes, in line with UN Resolution 1325 and its agenda on "Women, Peace and Security". This includes consulting with women's civil society on building sustainable peace, peace negotiations and the (post-) conflict resolution processes. Women's representatives must come from all sectors of society, in terms of diversity, age groups, professions, educational levels, etc.
- UN Women should facilitate this inclusion by initiating and funding training so that women and women's organisations can effectively take part in all stages of the current and post-conflict processes.

The EWL is deeply concerned by the increased vulnerability of women and girls and by the use of violence and rape as a weapon of war. We are appalled by the discovery of partially burned naked bodies of women such as in Bucha. Sexual exploitation is also a looming threat as traffickers and organised networks take advantage of this situation to "recruit" vulnerable girls and women at the borders or on social media to lure them into prostitution or abduct them. It is urgent to address this situation and to provide women and children with effective protection. These horrific violations of women's rights must not go unpunished and must be stopped.

The visit of Pramila Patten, the UN Secretary General's Special Representative on Sexual Violence in Conflict, in Ukraine highlighted that there is still a significant gap between the resolution adopted by the UN Council on the use of sexual violence as a tactic of war and the reality experienced by women and girls in conflicts such as the one

unfolding in Ukraine. She stressed that addressing women's and girls' needs must be a priority³. The EWL reiterates its call to Ms Patten to thoroughly document all sexual violence, rape and trafficking and identify them as war crimes to subsequently provide evidence for the International Criminal Court (ICC) and all other relevant Courts. The ICC started its investigation into the situation in Ukraine in March on "past and present allegations of war crimes, crimes against humanity or genocide committed on any part of the territory of Ukraine"⁴; the EWL reiterates its demands to ensure there is no impunity for war criminals. The EU must be proactive in supporting the ICC and ensure the Commission of Inquiry can undertake its work with adequate resources. The EU must also issue political and policy guidelines to Member States on the provision of services to women and girls in transit and as refugees in EU host countries. These should include, but not be limited to:

- Support in relation to violence against women;
- Sexual and reproductive health and rights;
- Medical care;
- Psycho-social counselling;
- Legal advice;
- Access for children to kindergartens and schools and increase the capacity of care services;
- Access to quality jobs, social protection and safe accommodation and housing;
- Language courses for women and their children;

³ <https://www.un.org/press/en/2022/sc14926.doc.htm>

⁴ <https://www.icc-cpi.int/ukraine>

- Special support for single mothers;
- Regularly updated information packs for easy access in different languages;
- An EU-wide anti-trafficking hotline.

The EU must urgently close loopholes in its legislative framework on trafficking and violence against women. Thus, the recent European Commission's proposal for a Directive on violence against women and domestic violence should be revised to include sexual exploitation and to reinforce sanctions on trafficking. Member States need to adopt adequate standards which are in line with the Nordic/Equality Model against sexual exploitation, including prostitution.

Migrant women play essential roles in labour markets and make a valuable contribution to the economies and societies. Their rights to access basic education and safe, fair and decent employment must be granted. They must also have access to current information regarding their rights, including the right to access programmes and training on integration, language and digital competency, irrespective of their legal migration status. Additionally, to face the influx of migrants coming from Ukraine efficiently and to support the independence and participation of migrant girls and women in the economy and society, it is essential to alleviate the care burden disproportionately resting on women by:

- Increasing public services and community-based care in order to guarantee capacity for migrant children;
- Supporting schools and kindergartens in being able to integrate these children as quickly as possible;
- Supporting women who have to take care of their children in their new homes and cannot join the labour market instantly.

Another violation observed has been women's and girls' restricted access to their Sexual and Reproductive Health and Rights while fleeing Ukraine's war. It is critical to guarantee the provision of basic hygiene products and services for women such as menstrual products, baby products, etc. Safeguarding women's rights to abortion should also be one of the highest priorities.

Women's rights organisations have been playing a key role in supporting women and girls fleeing the Ukraine war and in conveying their interests to decision-makers. They are doing their best to fill in the gaps left by EU Member States and international actors. However, women's civil society organisations' resources have been negatively impacted by the growing political and societal backlash. In this shrinking space for women's rights it is of the utmost importance to actively support women's rights organisations with funding and resources to enable them to continue carrying out their mission. The EWL also urges the EU to set up an EU inter-institutional Task Force composed of the three EU institutions (Commission, Council and Parliament) with representation from civil society, such as: women's organisations, gender equality organisations, human rights defenders and human rights organisations.

As we gradually emerge from a public health crisis, in which women took the largest part in keeping society functioning and which led to increased poverty, heightened violence, sexual exploitation and prostitution, the EWL emphasises once more that it is essential that the EU upholds the fundamental rights it is built on, in which equality between women and men is at the core. Conflict resolution must include women and respect international law.