

## ► ILO Brief

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# Violations of fundamental principles and rights at work at the Zaporizhzhia nuclear power plant and in Enerhodar city in Ukraine, temporarily occupied by the Russian Federation

### Key points

- The Russian Federation's aggression in Ukraine is inflicting untold suffering on the Ukrainian people with profound global implications.
- Trade unions report that fundamental rights of Ukrainian workers in the areas temporarily occupied by the Russian Federation are frequently and repeatedly violated.

## Background

The Russian Federation's aggression in Ukraine is inflicting untold suffering on the Ukrainian people with profound global implications. [The invasion is a violation of the United Nations Charter and international law](#). It is a brutal repudiation of the [International Labour Organization's](#) (ILO) mission to promote peace through social justice.

The human rights of Ukrainians in the areas temporarily occupied by the Russian Federation are frequently and repeatedly violated. Reports of the [United Nations Human Rights Monitoring Mission in Ukraine](#) document arbitrary deprivation of life, thousands of civilian casualties, arbitrary detention and enforced disappearance, torture and ill-treatment, and conflict-related sexual violence.

The ILO has expressed grave concerns about civilian casualties and the severe impact of the Russian Federation's aggression on workers and employers risking their lives to continue working and operating. The effects of the irreversible damage to Ukraine's

infrastructure, economy and labour market are undermining the country's prospects of inclusive growth and decent work for years to come.

In a [Resolution](#) adopted in March 2022, the Governing Body of the ILO calls upon the Russian Federation to immediately and unconditionally cease its aggression, withdraw its troops from Ukraine, and end the suffering it is inflicting on the people of Ukraine (Box 1).



© IAEA/The Zaporizhzhia nuclear power plant in Ukraine.

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### ► **Box 1: The Resolution on the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization**

At its 344th Session in March 2022, the Governing Body of the ILO adopted a resolution on the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization.

In the resolution, the Governing Body expresses its concerns at reports of civilian casualties and attacks on civilian facilities, and the severe impact on workers and employers risking their lives to continue working and operating, including during attacks on hospitals, schools, transportation, businesses and nuclear power plants.

It furthermore expresses its unwavering support for the tripartite constituents in Ukraine – workers, employers and its democratically elected Government – at this most difficult time.

The Governing Body requests the International Labour Office to join with the rest of the United Nations system in providing all possible assistance within the remit of the ILO to tripartite constituents in Ukraine.

It also makes a pressing appeal to all constituents to consider the adoption of appropriate measures to urge the Russian Federation to respect in full its duties and obligations arising from ILO membership, as well as to cease violations and abuses preventing the fulfilment of labour rights in Ukraine.

## This brief

As part of [the ILO response to the Russian Federation's aggression in Ukraine](#), the Office has held a series of meetings with national, regional and global trade unions about violations of workers' rights in the areas temporarily occupied by the Russian Federation. This includes violations of fundamental principles and rights at work in specific sectors (Box 2).

### ► **Box 2: The fundamental principles and rights at work**

There are five categories of fundamental principles and rights at work:

- freedom of association and the effective recognition of the right to collective bargaining
- the elimination of forced or compulsory labour
- the abolition of child labour
- the elimination of discrimination in respect of employment and occupation, and
- a safe and healthy working environment.

These principles and rights are set out in ten ILO Conventions that are recognized as fundamental:

- **029** - [Forced Labour Convention, 1930](#), and the [Protocol of 2014](#)
- **087** - [Freedom of Association and Protection of the Right to Organise Convention, 1948](#)
- **098** - [Right to Organise and Collective Bargaining Convention, 1949](#)
- **100** - [Equal Remuneration Convention, 1951](#)
- **105** - [Abolition of Forced Labour Convention, 1957](#)
- **111** - [Discrimination \(Employment and Occupation\) Convention, 1958](#)
- **138** - [Minimum Age Convention, 1973](#)
- **155** - [Occupational Safety and Health Convention, 1981](#)
- **182** - [Worst Forms of Child Labour Convention, 1999](#)
- **187** - [Promotional Framework for Occupational Safety and Health Convention, 2006](#)

The ILO [Declaration on Fundamental Principles and Rights at Work](#) was adopted in 1998 and amended in 2022. It commits the 187 Member States of the ILO to respect, promote and realize the above-mentioned fundamental principles and rights at work, even if they have not ratified the relevant Conventions. They therefore have a duty to adopt, implement and enforce national laws and regulations to ensure that

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all workers enjoy the fundamental principles and rights at work, both in times of war and peace.

The fundamental principles and rights at work constitute a lasting commitment by governments, employers' and workers' organizations in all countries to uphold basic human values, which are vital to the pursuit of social justice and peace. The Russian Federation must respect, promote and realize the fundamental principles and rights at work for all workers within its own borders and in the areas of Ukraine that it temporarily controls.

This sectoral brief has been prepared by the ILO together with IndustriALL and its affiliates in the extractives, energy and manufacturing industries in the country.

The information presented in this brief has been collected by trade unions in Ukraine from their members as well as from reliable secondary sources. It has been discussed and validated in a workshop organized by IndustriALL for its Ukrainian affiliates in Łańcut, Poland, on 11 April 2023, and through follow-up exchanges with Ukrainian trade unions leaders.

The brief is furthermore based on information in recent reports from the International Atomic Energy Agency (IAEA), the Nuclear Energy Agency of the Organisation for Economic Co-operation and Development (OECD), and the State Nuclear Regulatory Inspectorate of Ukraine.

The war in Ukraine remains highly volatile. At the time of writing, the Russian Federation is evacuating local Russian passport-holders from Enerhodar city in anticipation of Ukraine's counter-offensive. This brief will be updated when new violations of the rights of workers in and around the nuclear power plant in Zaporizhzhia, or other nuclear power plants in Ukraine, are uncovered.

## Freedom of association

The Nuclear Power and Industry Workers Union of Ukraine (Atomprofspilka) has organized and supported workers at the five nuclear power plants in Ukraine since 1992.

Before the start of the Russian Federation's aggression in Ukraine, there were 12,000 workers at the Zaporizhzhia nuclear power plant and in Enerhodar city, of which 11,000 were union members at the plant itself. The membership of the union has since decreased to around 1,200 workers.

Many nuclear workers and their families managed to escape before the occupying forces took control of the nuclear power plant in February 2022. Some of these workers have since enrolled in the Ukrainian armed forces to defend their country. Some have lost their lives doing so.

The ILO has received reports that those who remain working in the Zaporizhzhia nuclear power plant have been forced to sign employment contracts with the Russian state atomic energy corporation, Rosatom, and to join unions created or controlled by the occupying forces, while the Ukrainian national operator, Energoatom, is urging them not to do so. This constitutes a clear violation of the right to freedom of association.

## Forced Labour

The most commonly reported cases of forced labour concern Ukrainian nuclear workers that have tried to leave the city of Enerhodar, but have been stopped at the first checkpoint and refused the right to leave the occupied territory. Some of these workers have subsequently been detained by special services of the occupying forces. During conversations with these special services, they were coerced to return to their homes and their work.

Other cases of forced labour concern the right to freely chosen employment. The workers that operate the nuclear reactor installations and equipment have, in particular, been subjected to threats to sign contracts with the occupying forces. Some were taken to so-called "basements", kept there for several days, while their apartments, garages or cottages were searched, and their families were threatened. Some were allegedly subjected to torture. It is remarkable that less than 5 per cent of these workers have signed employment contracts with the occupying forces. The rest have remained loyal to the Ukrainian energy utility.

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According to Atomprofspilka, some workers have been forced to go to work and escorted to the Zaporizhzhia nuclear plant at gunpoint. Energoatom reports that two workers were beaten to death, and that 10 workers who were abducted by the occupying forces are still missing.

From the start of the occupation of the nuclear power plant, workers were refused the right to contact their employer, Energoatom. Telephones and e-mails were blocked. They were not allowed to use memory sticks or take their notebooks out of the plant.

## The right to a safe and healthy working environment

The workers at the Zaporizhzhia nuclear power plant have been exposed to severe and life-threatening occupational safety and health risks since the plant was occupied by the Russian Federation.

The plant has been converted into a military base by the occupying forces. In addition to the unauthorized presence of armed military personnel, the occupying forces are neither respecting fire safety regulations nor other safety procedures in the premises they have taken control over.

A recent [report on nuclear safety, security and safeguards in Ukraine](#) by the IAEA confirms that – in the past year – several of Ukraine’s five nuclear power plants and other facilities have come under direct shelling. Every single one of the IAEA’s seven indispensable pillars for ensuring nuclear safety and security in an armed conflict has been compromised, including the physical integrity of nuclear facilities; the operation of safety and security systems; the working conditions of staff; supply chains, communication channels, radiation monitoring and emergency arrangements; and the crucial off-site power supply.

In Enerhodar city, windows that were blown out by blast waves from nearby shelling have not been replaced. As a result, workers have been forced to work at low temperatures during the winter of 2022-23. Damaged facilities at the Zaporizhzhia nuclear plant, such as the overpass between strict regime zones and the areas where radioactive waste is located, or the roads to and from the nuclear plant, have not been

repaired. These and other events are monitored and reported by the IAEA in chronological order in its regular [reports](#).

The reactors of the Zaporizhzhia nuclear power plant have been forcibly switched into the so-called “cold shutdown” emergency mode on several occasions, when the occupying forces deliberately shelled the energy infrastructure of the area and power lines to the station. Such stressful situations, and the constant risk of shelling, are aggravating the mental strain and anxiety of staff working at the plant.

The Director General of the IAEA, Mr Rafael Mariano Grossi, [visited the Zaporizhzhia nuclear power plant in March 2023](#) to assess the damage the plant had sustained, especially during the shelling in November 2022. He confirmed that the plant has experienced repeated power blackouts, forcing it to temporarily rely on emergency diesel generators for reactor cooling and other nuclear safety and security functions.

Atomprofspilka further reports that workers sent to repair damaged energy infrastructure are putting their lives at risk, since the Russian Federation are deliberately shelling power lines and transformer stations. Several have allegedly been shot by soldiers of the Russian Federation or killed by landmines. On 8 April 2023, IAEA observers at the plant reported two landmine explosions outside the perimeter fence.

Emergency response and occupational safety and health management systems are no longer functioning effectively. The IAEA reports that the chain of command and decision making is unclear, with conflicting messages being transmitted to operating staff. The IAEA also reports that the reduction in the operating staff available has resulted in increasing workloads, which are unsustainable.

Workers themselves report that the occupying forces have stolen vehicles, computers, medical kits, and other equipment, and that supply chains for new equipment and spare parts have broken down. As a result, staff no longer have access to life-saving personal protective equipment.

Communications with the Ukrainian regulator, the operator of the plant, off-site authorities, and workers have been impaired. As a result, the Ukrainian

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regulator no longer has oversight and control over facilities, activities and sealed radioactive sources at the Zaporizhzhia nuclear power plant.

As a result of the above, the IAEA concludes that “the difficult conditions under which the operating staff, at the nuclear facilities, are maintaining safe and secure operation during the armed conflict is not sustainable. It has implications on their physical and mental health, and increases the risk of a human error, with implications for nuclear safety and security”.

The IAEA further recognizes that one of the reasons that there so far has been no nuclear incident or accident bearing radiological consequences that affect nuclear workers, the public and the environment is “due to the endurance and dedication of the Ukrainian staff at [nuclear power plants], who continue to ensure the safe and secure operation of nuclear facilities despite the difficult conditions in which they carry out their work”.

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