



EUROPEAN PARLIAMENT

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Plenary sitting

7.6.2011

B7-0370/2011

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on Ukraine: the cases of Yulia Tymoshenko and other members of the former government

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on behalf of the PPE Group

European Parliament resolution on Ukraine: the cases of Yulia Tymoshenko and other members of the former government

The European Parliament,

- having regard to the European Neighbourhood Policy and to the Eastern Partnership,
- having regard to the Partnership and Cooperation Agreement (PCA) between the European Union and Ukraine, which entered into force on 1 March 1998, and to the ongoing negotiations on the association agreement designed to replace the PCA,
- having regard to the statement of its President on the detention of Yulia Tymoshenko on 24 May 2011,
- having regard to the statement by the spokesperson of EU High Representative Catherine Ashton on the case of Yulia Tymoshenko on 26 May 2011,
- having regard to the statement by Commissioner Stefan Füle following his meeting with Mrs. Yulia Tymoshenko on 24 March 2011,
- having regard to its previous resolutions on Ukraine and particularly that of 25 November 2010,
- having regard to Rule 122(5) of its Rules of Procedure,

A. whereas Ukraine currently holds the Chairmanship of the Committee of Ministers of the Council of Europe and has committed itself to respecting its general obligations under the Statute of the Council of Europe,

B. whereas prosecutors in Ukraine have charged Yulia Tymoshenko, former Prime Minister of Ukraine and leader of the opposition Fatherland Party, with abuse of office over gas import contracts signed with Russia on 20 December 2010, detained her on May 25 2011 and questioned her for several hours before releasing her,

C. whereas since the launch of the investigations on December 15 2010, she has been interrogated 42 times, she has been the subject of a travel ban for nearly six months and she was prevented by the Ukrainian authorities from travelling in February to Brussels at the invitation of the EPP,

D. whereas if convicted, she may be imprisoned for up to ten years and forbidden from running for office for another three years,

E. whereas the context and conditions of this decision raise further concerns about the politically motivated nature of this case,

F. whereas Yulia Tymoshenko has also been charged with corruption in two other cases,

regarding the borrowing of 380 million euros from the sale of CO2 emission quotas to Japan to finance old-age and disability pensions and the spending of 6 million euros on poorly equipped ambulances for rural hospitals that were allegedly used by her activists,

G. whereas twelve former high-ranking officials from the Tymoshenko government are in pre-trial detention, including the former Interior Minister, Yuri Lutsenko, one of the leaders of the People's Self-Defence Party, arrested on 26 December 2010 for alleged abuse of office and misappropriation of funds and the former Justice Minister Yevhen Korniychuk, leader of the Social-Democrat Party, arrested on 22 December 2010 on charges of breaking the law during public procurement procedures on legal services,

H. whereas the pre-trial detention of Mr Lutsenko has not been lifted at the occasion of the opening of his trial on 23 May, although the detention for alleged non-cooperation in the investigation of his case constitutes an extreme case of inadequacy of measure;

I. whereas a preliminary report of the Danish Helsinki Committee for Human Rights on the Lutsenko and Korniychuk trials listed massive violation of the European Convention on Human Rights;

J. whereas former economy minister Bohdan Danylyshyn was granted political asylum in the Czech Republic in January 2011;

K. whereas an information note by the Council of Europe Parliamentary Assembly's Co-Rapporteurs on Honouring of obligations and commitments by Ukraine stated serious concern with regard to electoral reform and urged the Ukrainian authorities to seek the opinion of the Venice Commission on the reform of the criminal justice system;

1. Is concerned about the increased selective prosecution of figures from the political opposition in Ukraine as well as the inadequacy of means applied, particularly in the cases of Ms Tymoshenko and Mr Lutsenko, and stresses the importance of ensuring the maximum transparency of investigations, prosecutions and trials,

2. Urges Ukraine to bring its laws and procedures in line with Council of Europe obligations and commitments and instruct its authorities to respect the European Convention on Human Rights in the implementation of the laws,

3. Underlines the fact that a credible fight against corruption and the strengthening the rule of law are essential not only for the conclusion of the Association Agreement and the deepening of EU-Ukraine relations in general, but also for the consolidation of democracy in Ukraine,

4. Is of the opinion that the process of shaping reforms for Ukraine's rapprochement with the EU and the adoption of a new election code need the full involvement of the opposition parties,

5. Hopes that the Prosecutor General's Office of Ukraine will answer positively to Yulia Tymoshenko's request for permission to travel to Belgium from 22 to 24 June to participate to the EPP Summit and, more generally, to lift the travel ban imposed on her,

6. Instructs its President to forward this resolution to the Council, the Commission, the

Member States, the Government and Parliament of Ukraine and the Parliamentary Assemblies of the Council of Europe, the OSCE.