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B7-0223/2014

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 110(2) of the Rules of Procedure

on the situation in Ukraine
(2014/2595(RSP))

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on behalf of the S&D Group

**European Parliament resolution on the situation in Ukraine
(2014/2595(RSP))**

The European Parliament,

- having regard to its resolution of 6 February 2014 on the situation in Ukraine¹,
 - having regard to its resolution of 12 December 2013 on the outcome of the Vilnius Summit and the future of the Eastern Partnership, in particular as regards Ukraine²,
 - having regard to its previous resolutions on Ukraine, on the Eastern Partnership and on the European Neighbourhood Policy, in particular the most recent ones of 13 December 2012³, 12 September 2013⁴ and 23 October 2013⁵,
 - having regard to the Council conclusions on Ukraine of 20 January 2014, 10 February 2014 and 20 February 2014,
 - having regard to the European Council conclusions of 19-20 December 2013,
 - having regard to the recent statements by the President of the European Council, the High Representative of the Union for Foreign Affairs and Security Policy, the President of the European Commission, and the President of the European Parliament on Ukraine,
 - having regard to the Partnership and Cooperation Agreement (PCA) between the European Union (EU) and Ukraine, which entered into force on 1 March 1998, and to the Association Agreement (AA), including a Deep and Comprehensive Free Trade Area (DCFTA), initialled in 2012,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas 18, 19 and 20 February 2014 were the deadliest days since the independence of Ukraine, with dozens of people killed and hundreds injured;
- B. whereas the authorities under President Yanukovych crossed a clear line by authorising the security forces to use live ammunition against the protesters and by deploying snipers on roofs in and around Maidan square, which since last November has been the epicentre of an anti-government and pro-European protest; whereas protesters were executed on the streets of Kyiv, provoking international outrage and condemnation;
- C. whereas, as a consequence, the EU decided to impose targeted sanctions, including an asset freeze and a visa ban, on those responsible for human rights violations, violence

¹ Text adopted, P7_TA(2014)0098.

² Text adopted, P7_TA(2013)0595.

³ Text adopted, P7_TA(2012)0507.

⁴ Text adopted, P7_TA(2013)0383.

⁵ Text adopted, P7_TA(2013)0446.

and use of excessive force; whereas the Member States agreed, furthermore, to suspend export licences on equipment which might be used for internal repression and reassess export licences for equipment covered by Common Position 2008/944/CFSP;

- D. whereas, at the same time, three foreign affairs ministers from the EU travelled to Kyiv in an effort to mediate a compromise solution between President Yanukovych and the opposition; whereas they managed to broker an agreement on a roadmap for a peaceful and democratic exit from the crisis; whereas the Russian special envoy also facilitated the agreement, but without co-signing it;
 - E. whereas the Verkhovna Rada adopted a resolution on 21 February 2014 denouncing the 'anti-terrorism' operations and demanding that the security forces withdraw from the centre of Kyiv; whereas, by doing so, the parliament demonstrated its determination to play a central role and to take control of the situation in the country; whereas, the following day, it voted on the dismissal of President Yanukovych, the return to the 2004 constitution, early elections on 25 May 2014 and the release of Yulia Tymoshenko;
 - F. whereas, since the beginning of 'Euromaidan', there have been numerous reports of ill-treatment, kidnappings, torture and other violations of human rights; whereas the people responsible for these violations have so far enjoyed impunity;
 - G. whereas an ad hoc European Parliament delegation travelled to Kyiv on 28-30 January 2014 and again on 22-24 February to assess the situation on the ground, thereby demonstrating its sincere interest and true concern for the dramatic situation in the country;
- 1. Expresses its admiration for the courage and the dignity with which the Ukrainian people have fought during the past three months for freedom and democracy in Ukraine; believes that the past week's events are of truly historic significance for Ukraine, the Eastern Neighbourhood and Europe as a whole; calls for the EU to continue supporting the democratic and European aspirations of the people in Ukraine, while fully recognising their right to determine their own future freely;
 - 2. Firmly condemns the brutal and disproportionate actions of anti-riot forces that led to the dramatic escalation of violence in Ukraine; deplores the deaths and injuries sustained on all sides and expresses its most sincere condolences to the families of the victims;
 - 3. Warns that any further escalation of violence would be disastrous for the Ukrainian nation and could undermine the unity and territorial integrity of the country; stresses that it is now of paramount importance that all parties demonstrate a sense of responsibility, restraint and commitment to an inclusive political dialogue, and exclude extrajudicial retaliation; urges all political forces to work together in this critical juncture for Ukraine and to facilitate compromise solutions, taking clear distance from extremists and avoiding provocation and violent actions that might fuel separatist moves;
 - 4. Highlights that the agreement of 21 February 2014, as negotiated by foreign affairs ministers on behalf of the EU, stopped further bloodshed and legitimised the new

central role of the Verkhovna Rada in Ukrainian politics; believes that the spirit of the agreement reached on 21 February should remain the basis for the peaceful consolidation of Ukraine's new political order;

5. Believes that restoring a sense of national unity, especially within the eastern and southern regions of Ukraine, is essential for achieving political stability, preserving territorial integrity and building a genuine and sustainable democracy; warns against actions that might contribute to heightened polarisation along ethnic or language lines, and reiterates its call for an inclusive approach to minimise the risk of renewed violence and territorial fragmentation;
6. Welcomes the responsible and legitimate role played by the Verkhovna Rada in assuming governance functions which fill the political and institutional vacuum created by the resignation of the government and the escape of the President; stresses how important it is that the Ukrainian Parliament and its members continue to abide by the rule of law;
7. Reiterates its call for independent and impartial investigation of all cases of human rights violations, kidnapping, torture, ill-treatment and disappearances in the context of the protests; urges the Ukrainian authorities to support an international commission of enquiry, to ensure fair trial in a court of law, to fully cooperate with the Council of Europe International Advisory Panel, and to involve human rights and civil society organisations in the process; takes the view, furthermore, that the new Ukrainian authorities could request the assistance of the ICC for the investigation and prosecution of crimes committed by high-ranking officials; believes that the investigation and prosecution of those responsible should be conducted in a way that allows all Ukrainian citizens to regain trust in the impartiality, independence and transparency of the justice system; calls for the EU and its Member States to remain closely engaged and offer their support and expertise to assist the process;
8. Supports the EU's dual-track approach, which combines intensified diplomatic efforts with targeted sanctions against those responsible for ordering human rights abuses related to political oppression; calls for the enactment of the targeted sanctions as agreed by the Foreign Affairs Council and urges the Member States to implement their own anti-money laundering legislation to stop the flow of illicit money from Ukraine, and to ensure the return of stolen assets deposited in the EU; considers that the targeted sanctions should be lifted as soon as the situation in Ukraine improves and a truly independent investigation of the crimes committed starts to deliver results;
9. Stresses the importance of not losing momentum in addressing the root causes of the crisis, establishing people's trust in politics and the institutions; stresses, therefore, the importance of respecting the different ethnic groups in Ukraine and protecting their identity and languages; believes, furthermore, that this requires constitutional and structural reforms aiming at the creation of an effective system of checks and balances, a closer link between politics and society, the rule of law, accountability and a truly independent and impartial judicial system and credible elections;
10. Hopes that the release of former Prime Minister Yulia Tymoshenko will symbolise the end of selective and politically-motivated justice in Ukraine;

11. Points out that widespread corruption is a major issue that adversely affects the economy of Ukraine and hampers its development, while at the same time undermining the confidence of citizens in their own institutions; urges the new government, therefore, to make the fight against corruption a top priority of its programme and calls for the EU to assist such efforts;
12. Welcomes the decision to return to the 2004 constitution; encourages the Verkhovna Rada, however, to use the momentum to address its shortcomings, in line with the Venice Commission recommendations;
13. Takes note of the decision to hold presidential elections on 25 May 2014; underlines the need to ensure that these elections will be free and fair; strongly encourages the Verkhovna Rada to adopt the necessary electoral legislation in line with the Venice Commission recommendations, including a renewed law on the financing of political parties that addresses the issues identified by GRECO and OSCE/ODIHR; encourages international observation of the upcoming elections and declares its readiness to set up its own observation mission for this purpose; believes that legislative elections should be organised swiftly after the presidential elections and before the end of the year;
14. Highlights the importance of investing in young politicians and future leaders emerging from Maydan, supports the swift implementation of the visa-free regime and calls for additional support to the vibrant civil society of Ukraine;
15. Welcomes the recent recognition by the Council that the Association Agreement, including a DCFTA, does not constitute the final goal in EU–Ukraine cooperation; points out that the EU stands ready to sign the AA/DCFTA as soon as the current political crisis is resolved and the new Ukrainian authorities are ready; recalls, furthermore, that, pursuant to Article 49 TEU, Ukraine – like any other European state – can apply for EU membership provided that it adheres to the principles of democracy, respects fundamental freedoms and human and minority rights, and ensures the rule of law;
16. Calls for the EU and the Member States to intensify efforts to obtain an International Monetary Fund (IMF) loan with improved conditions for Ukraine and its people, and believes that the EU and its Member States could join the IMF in providing a substantial aid package that will help the country to face the current difficult financial and social situation; considers, furthermore, that both the USA and Russia could contribute to the socioeconomic stabilisation of Ukraine;
17. Takes the view that the DCFTA provisions do not represent any commercial challenges for the Russian Federation and that the Association Agreement is no impediment to Ukraine’s good relations with its eastern neighbour; recalls that peace and prosperity in the common neighbourhood benefit both the EU and Russia and reiterates its belief that cooperation to achieve this goal is the only way forward; calls for the EU to urgently consider ways of involving Russia in the search for a lasting political solution in Ukraine and urges the EU and Russia to use their influence and do their utmost to prevent the further escalation of violence and discourage separatist moves; firmly rejects the idea of a new partition of Europe according to spheres of influence;

18. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the Member States, and to the acting President, the Government and the Parliament of Ukraine.