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Committee on Foreign Affairs

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AMENDMENTS

142 - 164

Draft report
Ryszard Antoni Legutko
(PE469.772v01-00)

containing the European Parliament's recommendations to the Council, the Commission and the EEAS on the negotiations of the EU-Ukraine Association Agreement
((2011/2132(INI))

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Amendment 142

Elmar Brok

Motion for a resolution

Citation 5 a (new)

Motion for a resolution

Amendment

– having regard to the statement by its President on the sentencing of former Ukrainian Prime Minister, Yulia Tymoshenko, on 11 October 2011,

Or. en

Amendment 143

Elmar Brok

Motion for a resolution

Citation 8

Motion for a resolution

Amendment

– having regard to its previous resolutions on Ukraine, in particular its resolutions of 25 February 2010* **and** of 25 November 2010*,

– having regard to its previous resolutions on Ukraine, in particular its resolutions of 25 February 2010¹, of 25 November 2010² **and of 27 October 2011³,**

Or. en

Amendment 144

Kristian Vigenin

Motion for a resolution

Recital B

Motion for a resolution

Amendment

B. whereas Ukraine is a country of

B. whereas Ukraine is a country of

¹ Texts adopted, P7_TA(2010)0035.

² Texts adopted, P7_TA(2010)0444.

³ **Texts adopted, P7_TA-PROV(2011)0472**

strategic importance to the EU; whereas as a result of its size, resources, population and geographical location Ukraine has a distinctive position in Europe, making it a key regional actor which exerts considerable influence on the security, stability and prosperity of the whole continent,

strategic importance to the EU; whereas as a result of its size, resources, population and geographical location Ukraine has a distinctive position in Europe, making it a key regional actor which exerts considerable influence on the security, stability and prosperity of the whole continent, ***and should, therefore, bear its respective political responsibility,***

Or. en

Amendment 145
Elmar Brok

Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

B. whereas the decision taken by the Pechersk District Court in Ukraine on 11 October 2011 to sentence former Prime Minister Yulia Tymoshenko to seven years' imprisonment, three years' prohibition of political activity, a fine of USD200 million and the confiscation of all her property is widely seen as either an act of revenge or as part of an attempt to convict and imprison opposition members in order to prevent them from standing and campaigning in next year's parliamentary election and the 2015 presidential election,

Or. en

Amendment 146
Kristian Vigenin

Motion for a resolution
Recital D

Motion for a resolution

D. whereas the EU favours a stable and democratic Ukraine that respects the principles of a social market economy, the rule of law, human rights and the protection of minorities and which guarantees fundamental rights; whereas Ukraine's **efforts to build** domestic political stability **and augment internal reform are accelerating and facilitating** the further development of Ukraine's European integration process,

Amendment

D. whereas the EU favours a stable and democratic Ukraine that respects the principles of a social market economy, the rule of law, human rights and the protection of minorities and which guarantees fundamental rights; whereas Ukraine's domestic political stability, **its focus on internal reform and the respect for the rule of law, incorporating fair, impartial and independent legal processes is a prerequisite for** the further development of Ukraine's European integration process,

Or. en

Amendment 147

Othmar Karas

Motion for a resolution

Recital G

Motion for a resolution

G. whereas the Association Agreement will have a positive impact on the business climate in Ukraine, since it provides EU and Ukrainian business actors with common rules and standards and therefore increases the predictability of investments in Ukraine; whereas this positive impact will be further strengthened by a full and effective implementation of anti-corruption law,

Amendment

G. whereas the Association Agreement will have a positive impact on the business climate in Ukraine, since it provides EU and Ukrainian business actors with common rules and standards and therefore increases the predictability **and financial security** of investments in Ukraine; **whereas the Association Agreement is based on the compliance with international taxation standards**; whereas this positive impact will be further strengthened by a full and effective implementation of anti-corruption law,

Or. en

Amendment 148
Marek Siwiec

Motion for a resolution
Recital I a (new)

Motion for a resolution

Amendment

Ia. whereas it believes that Ukraine's association with the EU would provide a strategic framework for national reconciliation, which would help the country to overcome the recent negative trends, bridge the existent cleavages in the Ukrainian society and unite it over the goal of the European integration based on the values of democracy, rule of law, human rights and good governance; believes therefore that the association agreement between the EU and Ukraine is an essential tool to achieve these goals, which are in the interests of both the EU and Ukraine, and calls on the swift progress and finalisation of the negotiations over this agreement,

Or. en

Amendment 149
Elmar Brok

Motion for a resolution
Paragraph 1 – point -a (new)

Motion for a resolution

Amendment

(-a) to consider that a deepening of relations between the EU and Ukraine and the fact of offering Ukraine a European perspective are of great significance and in the interests of both parties; to recognize Ukraine's aspirations pursuant to Article 49 of the Treaty on European Union, provided that all criteria, including respect for the principles of democracy, human rights,

fundamental freedoms and the rule of law, are met;

Or. en

Amendment 150
Elmar Brok

Motion for a resolution
Paragraph 1 – point -a b (new)

Motion for a resolution

Amendment

(-ab) to deplore the sentencing of former Prime Minister Yulia Tymoshenko as a violation of human rights and an abuse of the judiciary for the purpose of the political suppression of Ukraine's leading opposition politician; to emphasize that the law selectively applied against Tymoshenko dates back to Soviet times and makes provision for criminal prosecution for political decisions; whereas Articles 364 and 365 of that law, which are currently under review by the Verhovna Rada, do not conform to European and UN standards;

Or. en

Amendment 151
Elmar Brok

Motion for a resolution
Paragraph 1 – point -a c (new)

Motion for a resolution

Amendment

(-ac) to urge the Ukrainian authorities to ensure a fair, transparent and impartial legal process should Yulia Tymoshenko appeal against her conviction, and in the other trials against members of the former government; to insist that Yulia

Tymoshenko and the other leaders of the opposition should be allowed to exercise her right to participate fully in the political process both as of now and in the forthcoming elections in Ukraine;

Or. en

Amendment 152

Elmar Brok

Motion for a resolution

Paragraph 1 – point -a d (new)

Motion for a resolution

Amendment

(-ad) to consider that a failure to review Yulia Tymoshenko's conviction and to resolve the other cases against leaders of the opposition will jeopardise the conclusion of the Association Agreement and its ratification, while pushing the country further away from the realisation of its European perspective; to express concern at some signs of decline in democratic freedoms and at the possible instrumentalisation of state institutions for partisan purposes and to exact political revenge;

Or. en

Amendment 153

Elmar Brok

Motion for a resolution

Paragraph 1 – point -a e (new)

Motion for a resolution

Amendment

(-ae) to take note of the alarming reports concerning the deterioration of media freedom and pluralism in Ukraine; to call

on the authorities to take all necessary measures to protect these essential aspects of a democratic society and to refrain from any attempt to control, directly or indirectly, the content of national media reporting;

Or. en

Amendment 154
Elmar Brok

Motion for a resolution
Paragraph 1 – point -a f (new)

Motion for a resolution

Amendment

(-af) to support the recommendations put forward in the joint opinion of the Venice Commission and the OSCE/ODIHR on the draft parliamentary election law; to recommend that these recommendations should be adopted and implemented in an expedient, inclusive and comprehensive fashion, involving both the opposition and civil society;

Or. en

Amendment 155
Andrey Kovatchev

Motion for a resolution
Paragraph 1 – point a

Motion for a resolution

Amendment

(a) to make all necessary progress in order to achieve the rapid conclusion of an EU-Ukraine Association Agreement by no later than the end of 2011;

(a) to ensure that this important initiative within the Eastern Partnership goes along with Ukraine's commitments to necessary reforms and strengthening of the political pluralism, democratic values, human rights and the rule of law;

Amendment 156
Elmar Brok

Motion for a resolution
Paragraph 1 – point a

Motion for a resolution

(a) to make all necessary progress in order to achieve the rapid conclusion of an EU-Ukraine Association Agreement by no later than the end of 2011;

Amendment

(a) to make all necessary progress in order to achieve the rapid conclusion of an EU-Ukraine Association Agreement by no later than the end of 2011, ***but only under the condition that the demands in the European Parliament's Resolution of 27 October 2011 have been met;***

Amendment 157
Andrey Kovatchev

Motion for a resolution
Paragraph 1 – point a a (new)

Motion for a resolution

Amendment

(aa) to make it clear to the Ukrainian authorities that if the conviction of Yulia Tymoshenko is not redressed it will jeopardise the conclusion of the Association Agreement and its ratification while pushing the country further away from the implementation of its European perspective; expresses its concerns about the signs of decline in democratic freedoms, as well as the eventual practice of the instrumentalisation of state institutions for partisan purposes and political revenge,

Amendment 158
Johannes Cornelis van Baalen

Motion for a resolution
Paragraph 1 – point a a (new)

Motion for a resolution

Amendment

(aa) to reschedule the recently postponed meeting with President Yanukovich ahead of the foreseen EU-Ukraine Summit in December 2011 as this is to be considered an important opportunity to tackle serious concerns addressed towards the Ukrainian government and reestablish a constructive dialogue that could lead to the Association Agreement to be initialled provided there is significant progress on both technical and vital political obstacles still in place;

Or. en

Amendment 159
Elmar Brok

Motion for a resolution
Paragraph 1 – point b

Motion for a resolution

Amendment

(b) to strive for the signing of the agreement by the Council during the first half of 2012 and to make all documents relevant to the ratification process available to the European Parliament and to the national parliaments by no later than the end of 2012;

(b) to strive for the signing of the agreement by the Council during the first half of 2012 and to make all documents relevant to the ratification process available to the European Parliament and to the national parliaments by no later than the end of 2012, ***if the call for the respect of the rule of law and the other demands of the European Parliament's Resolution of 27 October 2011 have been met;***

Or. en

Amendment 160
Johannes Cornelis van Baalen

Motion for a resolution
Paragraph 1 – point j a (new)

Motion for a resolution

Amendment

(ja) to support the recommendations expressed in the joint opinion of the Venice Commission and OSCE/ODIHR on the draft parliamentary election law; considers it essential that these recommendations are adopted and implemented in an expedient, inclusive and comprehensive fashion that involves both opposition and civil society;

Or. en

Amendment 161
Adrian Severin

Motion for a resolution
Paragraph 1 – point n a (new)

Motion for a resolution

Amendment

(na) to strengthen EU-Ukraine cooperation on reform in the area of Justice; to this end, to set up a joint mechanism between Ukrainian and EU experts, with the participation, when necessary, of representatives of the Council of Europe's Venice Commission, having in its remit the reform of the judiciary in Ukraine, in what concerns both the legislation to be adopted or modified (Criminal Code, Civil Code, Procedural codes etc.) and the institutional changes required;

Or. en

Amendment 162
Johannes Cornelis van Baalen

Motion for a resolution
Paragraph 1 – point n a (new)

Motion for a resolution

Amendment

(na) to ensure that cooperation in the field of health reform implementation addresses the health needs of patients with incurable illnesses, including through the provision of technical assistance in reforming relevant health and drug policies in line with international standards and best practices;

Or. en

Amendment 163
Johannes Cornelis van Baalen

Motion for a resolution
Paragraph 1 – point n b (new)

Motion for a resolution

Amendment

(nb) to be encouraged by the progress in the process of negotiation on the EU-Ukraine Association Agreement, in particular its deep and comprehensive Free Trade Area (DCFTA) aspects; notes that the finalisation of negotiations on the Agreement depends solely on the commitment and political will of the Ukrainian government to respect the principles enshrined in the Agreement as well as its provisions, particularly those referring to the principles of the rule of law and the independence of judiciary;

Or. en

Amendment 164
Kristian Vigenin

Motion for a resolution
Paragraph 1 – point o a (new)

Motion for a resolution

Amendment

(oa) to urge the Ukrainian authorities to fully respect the rule of law, incorporating fair, impartial, independent and transparent legal processes, whilst avoiding the danger of provoking any perception that judicial measures are being used selectively;

Or. en