

## **P8\_TA-PROV(2014)0009**

### **Situation in Ukraine**

#### **European Parliament resolution of 17 July 2014 on Ukraine (2014/2717(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the European Neighbourhood Policy, on the Eastern Partnership (EaP) and on Ukraine, with particular reference to its resolution of 17 April 2014 on Russian pressure on Eastern Partnership countries and in particular destabilisation of eastern Ukraine<sup>1</sup>,
  - having regard to the joint statement of G7 leaders meeting in The Hague on 24 March 2014,
  - having regard to the Foreign Affairs Council conclusions of 17 March, 14 April, 12 May and 23 June 2014,
  - having regard to the European Council conclusions of 20 March and 27 June 2014,
  - having regard to the final report on the early presidential election in Ukraine of the OSCE/ODIHR International Election Observation Mission,
  - having regard to the signing of the final parts of the EU-Ukraine Association Agreement, including a Deep and Comprehensive Free Trade Area, on 27 June 2014,
  - having regard to the reports by the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine of 15 May and 15 June 2014,
  - having regard to the statement of the NATO-Ukraine Commission of 1 April 2014,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas Ukraine continues to face serious security, political and socio-economic challenges; whereas the conflict in eastern Ukraine represents a serious impediment to the country's development and prosperity;
- B. whereas the Russian occupation and annexation of Crimea violates international law and Russia's international obligations stemming from the UN Charter, the Helsinki Final Act, the Statute of the Council of Europe and the 1994 Budapest Memorandum on Security Assurances, as well as bilateral obligations deriving from the 1997 Bilateral Treaty on Friendship, Cooperation and Partnership;
- C. whereas on 25 May 2014 Petro Poroshenko was elected the new President of Ukraine; whereas the election was monitored by an international election observation mission led by the OSCE/ODIHR and – despite the hostile security environment in eastern Ukraine and the illegal annexation of Crimea by Russia – deemed to have been largely in line with international commitments and respectful of fundamental freedoms in the vast majority of the country;

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<sup>1</sup> Texts adopted, P7\_TA(2014)0457.

- D. whereas the new President put forward a 15-point plan for a peaceful settlement of the situation in eastern Ukraine that would preserve the sovereignty, territorial integrity and national unity of Ukraine on the basis of an amnesty for those who surrendered and did not commit grave crimes, the establishment of controlled corridors for the retreat of Russian mercenaries, and the launch of an inclusive dialogue;
- E. whereas, as a first step, President Poroshenko announced a unilateral ceasefire for the period of 20-30 June 2014 so as to enable consultations between Ukraine, Russia and separatist forces; whereas the ceasefire unilaterally declared by the Ukrainian Government was repeatedly violated, mainly by the separatists, and led to deaths on both sides;
- F. whereas on 25 June 2014 the Russian Federation Council approved a decision by President Putin to renounce the right to send Russian armed forces to the territory of Ukraine;
- G. whereas on 27 June 2014 the Foreign Affairs Council confirmed the analysis of the Commission that Ukraine had fulfilled all the benchmarks under the first phase of the Visa Liberalisation Action Plan and moved to the second phase of the visa liberalisation process;
- H. whereas on 27 June 2014 the EU and Ukraine signed the remaining provisions of the Association Agreement / Deep and Comprehensive Free Trade Area (AA/DCFTA); whereas this agreement recognises the aspirations of the people of Ukraine to live in a country governed by European values, democracy and the rule of law;
- I. whereas President Poroshenko decided to renew the anti-terrorist operation to defeat the separatist insurrection in the east following the failure of the unilateral ceasefire; whereas the Ukrainian army has regained control of several cities in eastern Ukraine, forcing rebels and mercenaries to withdraw towards Donetsk; whereas, however, violence still continues;
- J. whereas the foreign ministers of Germany, France, Russia and Ukraine met in Berlin on 2 July 2014 and agreed to a set of measures aimed at leading to a sustainable mutual truce in eastern Ukraine;
- K. whereas President Poroshenko expressed his willingness to announce a second ceasefire on three conditions, namely that the ceasefire be bilaterally observed, that all hostages be released and that effective control of the border be monitored by the OSCE;
- L. whereas President Poroshenko declared on 14 July 2014 that Russian military staff officers were fighting against Ukrainian forces alongside separatist rebels and that a new Russian missile system had been established; whereas, according to NATO sources, Russia has allegedly been sending main battle tanks, artillery and other weapons to the rebels, and allowing mercenaries from Russia to cross the border to join rebel militias;
- M. whereas a three-party consultation meeting between the EU, Ukraine and Russia was held in Brussels on 11 July 2014 on the implementation of the EU-Ukraine AA/DCFTA; whereas this is a useful process that may overcome long-lasting different understandings, by explaining the benefits of the AA/DCFTA and taking into account all the legitimate concerns of all parties;
- 1. Welcomes the signing of the remaining provisions of the AA, including the DCFTA, and is convinced that it will be a driving force for political and economic reform, bringing about

modernisation, strengthening the rule of law and stimulating economic growth; expresses its support for Ukraine in proceeding with the provisional application of the Agreement; declares that the European Parliament will complete its procedure for the ratification of the Agreement as soon as possible; calls on the Member States and Ukraine to ratify it swiftly with a view to its full implementation as soon as possible; stresses that the AA/ DCFTA is in no way connected to NATO integration;

2. Warmly welcomes, also, the signing of the Association Agreements with Georgia and Moldova, which mark the beginning of a new era in the political and economic relations of these countries with the EU; calls for their swift ratification and welcomes the fact that the parliament of Moldova has already done this; refutes the adoption of ‘punitive’ trade measures by Russia against those countries that have signed Association Agreements with the EU, as these agreements do not pose threats to Russia; underlines the fact that these moves are in contradiction with World Trade Organisation rules, are politically motivated and are therefore not acceptable;
3. Welcomes Petro Poroshenko’s election in the first round to the office of President of Ukraine, in a fair and democratic election; notes that the election result shows strong support among the population for a European and democratic perspective for the country;
4. Supports the peace plan as a major chance for de-escalation and peace; supports President Poroshenko’s decisive actions to guarantee the unity, sovereignty and territorial integrity of Ukraine; welcomes his commitment to addressing the problem of systemic corruption and misuse of public funds; reiterates that Russia is involved in military action and supply; urges Russia to fulfil its international obligations, to genuinely commit to peaceful settlement negotiations and to use its real influence to stop any violence;
5. Calls for a new meeting of the Trilateral Contact Group on the settlement in south-eastern Ukraine, and supports new forms of communication between the parties;
6. Stresses the fundamental right of the Ukrainian people to freely determine their country’s economic and political future and reaffirms the right of Ukraine to self-defence, in line with Article 51 of the UN Charter; reiterates that the international community supports the unity, sovereignty and territorial integrity of Ukraine; urges the Ukrainian security forces to fully respect international humanitarian law (IHL) and international human rights law (IHRL) when conducting so-called anti-terrorist operations and stresses the need to protect the civilian population; and calls on rebels and mercenaries to do the same and not use civilians as human shields; underlines the need for a political solution to the crisis and urges all sides to demonstrate restraint and stick to a ceasefire, which needs to be declared and strictly implemented as soon as possible;
7. Condemns Russia’s aggression on Crimea as a grave violation under international law of Ukrainian sovereignty and territorial integrity and rejects the Russian policy of the *fait accompli* in foreign relations; considers the annexation of Crimea to be illegal and refuses to recognise Russian *de facto* rule on the peninsula; welcomes the decision to prohibit the import of goods from Crimea and Sevastopol which do not have a Ukrainian certificate, and encourages other countries to introduce similar measures in line with UN General Assembly Resolution 68/262;
8. Condemns the ongoing violence and daily loss of lives in eastern Ukraine, the destruction of homes and properties and the flight of many thousand civilians from conflict areas to safe

havens; welcomes the goodwill shown by the Ukrainian side in adopting a unilateral ceasefire and regrets the fact that the rebels and mercenaries refused to follow that example; is deeply concerned about the safety of ordinary people who remain trapped in the Donetsk and Luhansk areas; deplores the loss of lives and the fact that children have been registered among the victims; expresses its heartfelt condolences to their family members; condemns any targeting of the civilian population and calls for strict compliance with international humanitarian law;

9. Calls on Russia to support the peace plan with true determination, to adopt measures to control its own border with Ukraine effectively and stop the continued incursion of illegal armed men and of arms and equipment, hostile action and infiltration, to immediately reduce and pull back its troops from its border with Ukraine, and to use its power over the rebels and mercenaries to force them to respect the ceasefire, lay down their weapons and withdraw back to Russia via a retreat corridor, as provided for in the Poroshenko peace plan, as the first long-awaited concrete steps to prove that Russia is serious about de-escalating the crisis;
10. Deplores the illegal detention of Ukrainian air force navigator Nadija Savchenko in Russia and demands her immediate release, as well as the release of all hostages held in Ukraine or Russia;
11. Calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) and on the European External Action Service (EEAS) to have a stronger presence and greater visibility in the dialogue mechanisms established with a view to resolving the crisis, including the Contact Group;
12. Welcomes the extension of the current sanctions to a further 11 people, most of whom are officials of the so-called separatist authorities; welcomes the preparatory work undertaken by the Council, the EEAS and the Member States with a view to further sanctions against Russia, which should include the economic, financial and energy sectors, and an arms and dual-use technology embargo; calls for a collective ban on the sale of arms to Russia and urges its implementation until the situation in eastern Ukraine has normalised; warns that any further steps by Russia to destabilise Ukraine will lead to additional and far-reaching consequences for EU-Russian relations;
13. Demands that the Council call on Russia to fulfil its obligations under international law, and that it apply the third phase of sanctions should the situation so require;
14. Urges the European Council to adopt a more coherent and firmer strategy – and to speak with one voice – vis-à-vis the Ukrainian crisis and the behaviour of the Russian Government, including on matters related to EU energy security; deplores the fact that some Member States are showing disunity in this regard and a lack of EU solidarity;
15. Supports a renewed, mutually agreed ceasefire in order to stabilise the security situation, achieve a genuine de-escalation and create momentum for the implementation of President Poroshenko's peace plan, which is conditional on the ceasefire being respected bilaterally, hostages being released and the OSCE monitoring effective border control; welcomes the latest successes of the Ukrainian forces in eastern Ukraine and the fact that they have regained control of several major cities;
16. Strongly believes that the role of the OSCE Special Monitoring Mission should be

strengthened, with increased material and financial means, so as to support Ukraine in securing and monitoring the regions along its border;

17. Reminds the Ukrainian Government that domestic economic and political reforms are urgently needed; points out that domestic reforms should not be initiated solely on account of external pressure, but should be based on solid popular support for creating sustainable economic and social opportunities by modernising the country;
18. Calls for an independent and impartial investigation of all the deadly events and crimes against humanity that have taken place in all parts of Ukraine since November 2013, with the inclusion of a strong international component and under the supervision of the Council of Europe, and for those responsible to be brought to justice; is convinced that only the effective investigation of these crimes will help Ukrainian society and the families and friends of the victims recover trust in the institutions;
19. Recalls the necessity of ending the systematic and structural curtailment of human rights, the bad governance, the widespread corruption and the colossal shadow economy in Ukraine; stresses the importance of the ongoing process of constitutional reform, and the importance of supporting the development of civil society in achieving a true participatory democracy which promotes and protects human rights, ensuring justice and good governance for all people in all regions of the country and thus contributing to its security and stability; calls for the adoption of an anti-discrimination law in line with European standards;
20. Underlines the need for confidence-building between various communities in society, and calls for a sustainable reconciliation process; emphasises, in this context, the importance of establishing an inclusive national dialogue and of avoiding propaganda, hate speech and rhetoric including from Russia which may further aggravate the conflict;
21. Considers that it is of the utmost importance to start a gradual process of decentralising central powers to regional and municipal administrations without undermining the internal balance of powers or the effective functioning of the state;
22. Welcomes the adoption of the public procurement law and calls for its diligent implementation; expects the prompt establishment of a politically independent anti-corruption agency with powers to investigate corrupt conduct;
23. Stresses the need to strengthen the rule of law, also by engaging in judicial reform which would contribute to restoring citizens' trust in the judiciary, and the need to de-politicise and de-militarise the structure of the law enforcement bodies;
24. Welcomes the decision to establish a robust civilian common security and defence policy mission to Ukraine; calls on the VP/HR and the Member States to speed up its deployment; is convinced that this mission needs to have an ambitious mandate in order to support the Ukrainians effectively in the necessary in-depth efforts to stabilise the situation in the country;
25. Reiterates its support for President Poroshenko's intention to hold early parliamentary elections; underlines the fact that these elections must be conducted in line with the Venice Commission recommendations;

26. Expresses deep concern over the worsening human rights and humanitarian situation in eastern Ukraine and Crimea, caused by rebels and mercenaries at Russia's instigation, in particular with regard to torture, killings, disappearances of journalists and activists, and hostage taking, including cases of child abduction; calls for better protection of civilians and for the Ukrainian authorities to grant humanitarian aid in the regions concerned;
27. Draws attention, in this connection, to the recent report of Amnesty International and expresses its firm condemnation of the abductions, savage beatings, torture, murder, extrajudicial killings and other serious abuses of human rights and breaches of humanitarian law against activists, protesters, journalists and many other citizens not active in the conflict in eastern Ukraine that have occurred over the last three months, perpetrated mainly by armed separatists and in some cases also by government forces; supports the call on the Ukrainian Government to create a single and regularly updated register of incidents of reported abductions, and to thoroughly and impartially investigate all allegations of abusive use of force, ill-treatment or torture;
28. Underlines the necessity of finding a clear, fair and stable solution to ensure the security of gas supply from Russia to Ukraine, as this is a necessary prerequisite for the economic development and stability of Ukraine; believes that the EU should continue to play its role in facilitating an agreement allowing Ukraine to pay a competitive price, which is not politically motivated, for its gas purchases; stresses that the use of energy resources as a foreign policy tool undermines the long-term credibility of Russia as a reliable trading partner for the EU and that further measures to lower the EU's dependency on Russian gas must be a priority;
29. Calls on the Member States to ensure sufficient gas supply through reverse gas flow from neighbouring states in the EU; welcomes, to this end, the memorandum of understanding on reverse flows between the Slovak Republic and Ukraine, which should encourage Ukraine to establish a transparent and reliable gas transportation system; recalls the strategic role of the Energy Community, of which Ukraine holds the presidency in 2014; welcomes the fact that cooperation with Ukraine forms an integral part of the Commission's European Energy Security Strategy presented in June 2014;
30. Welcomes the fact that Ukraine has recently moved to the second phase of the Visa Liberalisation Action Plan, thereby reconfirming its determination to put in place the necessary legislative, policy and institutional framework; expresses its firm conviction that the end-goal should be the swift introduction of a visa-free regime; calls, in the meantime, for the immediate introduction of very simple, low-cost procedures on a temporary basis at EU and Member State level;
31. Welcomes the Commission's creation of the Support Group for Ukraine, which will provide the Ukrainian authorities with all necessary assistance in undertaking political and economic reforms and will work on the implementation of the 'European Agenda for Reform';
32. Underlines the need to defend European interests and values and to promote stability, prosperity and democracy in the countries of the European continent;
33. Reiterates its view that the AAs with Ukraine and the other EaP countries do not constitute the final goal in their relations with the EU; points out in this connection that, pursuant to Article 49 of the Treaty on European Union, Georgia, Moldova and Ukraine – like any

other European state – have a European perspective and may apply to become members of the Union provided that they adhere to the principles of democracy, respect fundamental freedoms and human and minority rights and ensure the rule of law;

34. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the President, Government and Parliament of Ukraine, the Council of Europe and the President, Government and Parliament of the Russian Federation.