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**TEXTS ADOPTED**

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**P8\_TA(2015)0011**

**Situation in Ukraine**

**European Parliament resolution of 15 January 2015 on the situation in Ukraine (2014/2965(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the European Neighbourhood Policy and on the Eastern Partnership (EaP),
- having regard to the preliminary OSCE/ODHIR findings regarding the early parliamentary elections held in Ukraine on 26 October 2014,
- having regard to the 8th report of the Office of the UN High Commissioner for Human Rights (OHCHR) on the situation of human rights in Ukraine of 15 December 2014 and to the Ukraine situation report No 22 as of 26 December 2014 by the UN Office for the Coordination of Humanitarian Affairs (OCHA),
- having regard to the signing on 27 June 2014 of the EU-Ukraine Association Agreement (AA), which includes a Deep and Comprehensive Free Trade Agreement (DCFTA), and to its simultaneous ratification by the European Parliament and the Verkhovna Rada on 16 September 2014,
- having regard to the Minsk Protocol of 5 September 2014 and the Minsk Memorandum of 19 September 2014 on the implementation of the 12-point peace plan,
- having regard to the UN report of 20 November 2014 on serious human rights violations in eastern Ukraine and to the Human Rights Watch reports on abuses in Crimea,
- having regard to the joint statement of 2 December 2014 by the NATO-Ukraine Commission,
- having regard to the European Council's conclusions on Ukraine of 21 March 2014, 27 June 2014, 16 July 2014, 30 August 2014 and 18 December 2014,
- having regard to the outcome of the first Association Council meeting between the EU

and Ukraine held on 15 December 2014,

- having regard to the Council conclusions of 17 November 2014,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas on 26 October 2014 Ukraine held parliamentary elections, which were conducted efficiently, in an orderly and peaceful manner and with general respect for fundamental freedoms, in spite of the ongoing conflict in the eastern regions and the illegal annexation of Crimea by Russia;
- B. whereas the new government, formed by pro-European forces, has a constitutional majority for driving reforms forward and has already adopted a coalition agreement laying the grounds for a rigorous reform process aimed at fostering further European integration, modernising, developing the country, establishing a genuine democracy and rule of law and developing constitutional changes as proposed in the Poroshenko peace plan;
- C. whereas the so-called ‘presidential and parliamentary elections’ held in Donetsk and Luhansk on 2 November 2014 were in breach of Ukrainian law and the Minsk agreements, and therefore cannot be recognised; whereas the holding of these elections has had a detrimental impact on the peace and reconciliation process;
- D. whereas the ceasefire of 5 September 2014 has been violated by the separatists and Russian forces on a daily basis; whereas since 9 December 2014, thanks to the initiative of President Poroshenko calling for a ‘silence regime’, the number of violations has been dramatically reduced; whereas, however, the main points of the 19 September 2014 memorandum have not been implemented by the Russian-backed separatists; whereas, according to credible sources, Russia continues to support the separatist militias through a steady flow of military equipment, mercenaries and regular Russian units, including main battle tanks, sophisticated anti-aircraft systems and artillery;
- E. whereas the armed conflict in the eastern part of Ukraine has resulted in thousands of military and civilian casualties, with many more wounded and hundreds of thousands having fled their homes, most of them fleeing to Russia, while the situation in the conflict area is a matter of deep concern from both the humanitarian and the health point of view;
- F. whereas the illegal annexation of the Crimean peninsula was the first case of a forcible incorporation of a part of one country into another in Europe since World War II, and is in violation of international law, including the UN Charter, the Helsinki Final Act and the 1994 Budapest Agreement;
- G. whereas the EU Foreign Affairs Council of 17 November 2014 took a decision in principle on further sanctions targeting separatist leaders;
- H. whereas there are widespread abuses of human rights both in occupied eastern Ukraine and in Crimea, especially affecting Crimean Tatars and including intimidation and a new wave of disappearances;
- I. whereas closer EU-US cooperation in Ukraine-related policies would be beneficial;
- J. whereas the Ukrainian Parliament voted on 23 December 2014 to renounce the country’s non-aligned status;

1. Expresses its full solidarity with Ukraine and its people; reiterates, once again, its commitment to the independence, sovereignty, territorial integrity, inviolability of borders and European choice of Ukraine;
2. Condemns the acts of terrorism and criminal behaviour of the separatists and other irregular forces in eastern Ukraine;
3. Welcomes the positive assessment of the general elections of 26 October 2014, despite challenging security and political circumstances, and the subsequent inauguration of the new Verkhovna Rada; welcomes the strong political commitment of President Poroshenko, Prime Minister Yatsenyuk and Speaker Groyzman to work together and enhance the rigorous reform process; strongly encourages the new government and parliament of Ukraine to adopt and implement the much-needed political and socio-economic reforms without delay in order to build a democratic and prosperous state based on the rule of law;
4. Regrets that as a result of the current situation in the country not all parts of the territory and population of Ukraine are represented in the Verkhovna Rada; recalls that the Government and Parliament of Ukraine need to ensure the protection of the rights and needs of those citizens who have no representation in the decision-making of the state;
5. Strongly condemns Russia's aggressive and expansionist policy, which constitutes a threat to the unity and independence of Ukraine and poses a potential threat to the EU itself, including the illegal annexation of Crimea and waging an undeclared hybrid war against Ukraine, including information war, blending elements of cyber warfare, use of regular and irregular forces, propaganda, economic pressure, energy blackmail, diplomacy and political destabilisation; stresses that these actions are in breach of international law and constitute a serious challenge to the European security situation; emphasises that there is no justification for the use of military force in Europe in defence of so-called historical and security motives or for the protection of one's so-called 'compatriots living abroad'; calls on Moscow to stop escalating the situation by immediately halting the flow of weapons, mercenaries and troops in support of the separatist militias and to use its influence with the separatists to convince them to engage in the political process;
6. Urges all parties to fully implement the Minsk Protocol without further delay and thus demonstrate their true commitment to de-escalation and maximum restraint; calls on Russia to allow international monitoring of the Russian-Ukrainian border, to use its influence over the separatists to ensure they abide by the ceasefire, and to work constructively for the implementation of the Minsk arrangements; encourages the adoption of confidence-building measures that support the peace and reconciliation efforts; underlines, in this context, the importance of an inclusive political dialogue and an economic programme for the rehabilitation of the Donbas economy;
7. Calls for the continuation of the current EU sanctions regime, in particular with a view to the upcoming March 2015 Council meeting, as long as Russia does not fully respect and, above all, deliver on its Minsk obligations, and urges the Commission to find ways to enhance solidarity among Member States should the crisis with Russia continue; stresses the need to adopt a clear set of benchmarks which, when achieved, could prevent imposing new restrictive measures against Russia or lead to lifting of the previous ones, including: implementation of the ceasefire, unconditional withdrawal from Ukraine of all Russian troops and Russian-backed illegal armed groups and mercenaries, exchange of all

prisoners including Nadia Savchenko, and restoration of Ukraine's control over its whole territory, including Crimea; in the case of any further Russian actions destabilising Ukraine, invites the European Council to take up further restrictive measures and broaden their scope, by covering the nuclear sector and by limiting the ability of Russian entities to conduct international financial transactions; recognises that the EU must be ready to support bordering Member States, which should be given the same level of security as all Member States;

8. Believes that sanctions should be part of a broader EU approach towards Russia and of the efforts of the VP/HR to strengthen the dialogue; recalls that the sole aim of these sanctions is to commit the Russian government to change its current policy and contribute meaningfully to a peaceful solution of the Ukrainian crisis; stresses that the maintenance, reinforcement or reversibility of the EU's restrictive measures depends on Russia's own attitude and on the situation in Ukraine;
9. Stresses that the political and diplomatic channels towards Russia must stay open in order to enable diplomatic solutions to the conflict, and therefore supports formats such as Geneva and Normandy if tangible results can be achieved;
10. Supports the policy of not recognising the illegal annexation of Crimea by Russia, and, in this context, takes positive note of the recently adopted additional sanctions on investment, services and trade regarding Crimea and Sevastopol;
11. Stresses that the AA/DCFTA should constitute the roadmap for swift necessary reforms that need to be urgently implemented, despite the difficult war environment in parts of the Luhansk and Donetsk Oblasts; calls on the Council and the Commission to spare no effort in assisting Ukraine in the adoption and, above all, the implementation of these reforms with a view to paving the way for the full implementation of the bilateral EU-Ukraine Association Agreement; welcomes, in this regard, the launch of the European Union Advisory Mission (EUAM); shares the opinion of the Venice Commission that in order for a constitutional reform to succeed it is essential that the reform is prepared in an inclusive manner, ensuring broad public consultations;
12. Calls for swifter and more substantial technical assistance by the Commission's 'Ukraine Support Group', including identifying the areas where such assistance is needed to support Ukraine in the elaboration and implementation of a comprehensive reform programme and deployment of advisers and experts from EU institutions and Member States; calls on the Ukrainian authorities to set up an EU Integration and Assistance Coordination Ministry or Office, and a high-level interministerial coordination committee which would be vested with powers to effectively monitor and supervise the progress of EU approximation and reforms and would be able to prepare and coordinate their implementation;
13. Strongly believes that an ambitious anti-corruption programme, including zero tolerance for corruption, is urgently needed in Ukraine; calls on the Ukrainian leadership to eradicate systematic corruption by immediate and effective implementation of the National Strategy against Corruption, and stresses that the fight against this practice must become one of the top priorities of the new government; to this end, advises establishing a politically independent Anti-Corruption Bureau, equipped with sufficient competences and resources to enable it to significantly contribute to building well-functioning state institutions; welcomes the request by Ukraine to Interpol and the issuing of an arrest warrant against former President Yanukovich on charges of embezzlement of public

funds; calls on the Member States to execute the Interpol arrest warrant and to help recover the assets stolen; welcomes the establishment of the institution of Business Ombudsman, and invites the Ukrainian Government to put forward a draft law thereon;

14. Recalls that on 16 July 2014 the Council of the European Union lifted the arms embargo on Ukraine, and that there are thus now no objections or legal restrictions to prevent Member States from providing defensive arms to Ukraine; considers that the EU should explore ways to support the Ukrainian Government in enhancing its defence capabilities and the protection of Ukraine's external borders, based on the experience of the transformation of the armed forces of the former Warsaw Pact EU Member States, especially within the framework of training missions already provided for armed forces in other parts of the world; supports the existing delivery of non-lethal equipment;
15. Notes the adoption of a law that abolishes the 'non-aligned status' of the state, introduced in 2010; while recognising the right of Ukraine to freely make its own choices, supports the position of President Poroshenko that Ukraine now urgently needs to focus on political, economic and social reforms and that NATO accession is an issue that should be put to the people's judgment in an all-Ukrainian referendum at a later stage; stresses that a closer relationship of Ukraine with the EU is distinct from the question of NATO accession;
16. Stresses the importance of a commitment by the international community to support economic and political stabilisation and reform in Ukraine; invites the Commission and the Member States to develop a major assistance plan for Ukraine based on 'more for more' and conditionality, and to step up their efforts in rendering assistance to Ukraine by, inter alia, organising a donor/ investment conference and cooperating with international financial institutions in order to define further steps for addressing the economic and financial recovery of Ukraine; welcomes the EUR 11 billion support package for Ukraine to be disbursed over the next few years, as well as the proposal by the Commission to extend an additional EUR 1.8 billion in medium-term loans;
17. Reiterates its view, in this context, that the Association Agreement does not constitute the final goal in EU-Ukraine relations; points out, furthermore, that pursuant to Article 49 TEU, Ukraine – like any other European state – has a European perspective and may apply to become a member of the European Union, provided it adheres to the Copenhagen criteria and the principles of democracy, respects fundamental freedoms and human and minority rights, and ensures the rule of law; urges the EU Member States to ratify the AA before the Riga summit;
18. Stresses the importance of energy security in Ukraine and underlines the need for reforms of Ukraine's energy sector, in line with its Energy Community Commitments; welcomes the agreement between the EU, Russia and Ukraine on the winter package to secure gas delivery from Russia until March 2015 and the solidarity shown by the EU, as well as the increased amounts of gas coming to Ukraine through reverse flows from EU Member States;
19. Underlines the need to radically enhance the EU's energy security and independence and its resilience to external pressure, as well as to reduce its energy dependence on Russia, while putting in place concrete alternatives to help those Member States that currently rely on Russia as single supplier; calls on the EU to pursue a genuine Common External Energy Policy as well as to work for the creation of a European Energy Union; encourages

the full enforcement of the internal common energy market, including the Third Energy package and the non-discriminatory pursuit of the pending court case against Gazprom;

20. Stresses that priority must be given to pipeline projects which diversify the energy supply to the EU, and hence welcomes the stopping of the South Stream project; invites the European Energy Community to develop a cooperation agenda with Ukraine, as well as with Southern Caucasus, Central Asian, Middle East and Mediterranean countries, aiming at developing infrastructure and interconnectivity between the EU and its European neighbours independently from Russian gas geopolitics; acknowledges that stable gas supplies to Ukraine are also critical to ensuring Member States' energy security;
21. Stresses the need for the EU, along with the Ukrainian authorities, to devote further attention to the humanitarian crisis in Ukraine and in Crimea and to address the catastrophic humanitarian situation, in particular the situation of internally displaced persons (IDPs); calls on the Commission and on the Commissioner for Humanitarian Aid and Crisis Management to prepare a robust, direct and long overdue humanitarian action, omitting intermediary organisations, in the form of 'Blue Convoy' type humanitarian action clearly marked as coming from the EU; calls on the Commission to present such a plan of action to the Parliament within the next two months; stresses the need for further financial assistance for Ukraine from the EU and its Member States to help it cope with the dire humanitarian crisis; echoes the alerts issued by the WHO to the effect that eastern Ukraine is facing a health emergency, with hospitals not fully functioning and a shortage of medicines and vaccines, and calls for increased and more effective humanitarian assistance to IDPs, with regard in particular to children and the elderly, and for full and unhindered access for the International Committee of the Red Cross (ICRC) to the conflict areas; welcomes the enactment of the long-awaited IDP law, as well as the decision to deploy EU experts through the EU Civil Protection Mechanism to advise the Ukrainian authorities on IDP issues;
22. Calls for further humanitarian aid and assistance to conflict-affected populations; recalls that the delivery of humanitarian aid to eastern Ukraine must be carried out in full compliance with international humanitarian law and the principles of humanity, neutrality, impartiality and independence, and in close coordination with the Government of Ukraine, the UN and the ICRC; calls on Russia to permit the international inspection of humanitarian convoys for Donbas in order to elude doubts about their cargos;
23. Emphasises that the OSCE has a crucial role to play in resolving the Ukrainian crisis owing to its experience in dealing with armed conflict and crises and to the fact that both the Russian Federation and Ukraine are members of the organisation; regrets the fact that the OSCE Special Monitoring Mission is still understaffed and consequently underperforming; calls on the Member States, the VP/HR and the Commission to make further efforts to strengthen the OSCE Special Monitoring Mission in Ukraine with personnel and equipment; believes that the EU should, if requested by the Ukrainian authorities, deploy an EU monitoring mission to contribute to the effective control and monitoring of the Ukrainian-Russian border;
24. Calls on the VP/HR and the Commissioner for European Neighbourhood Policy and Enlargement Negotiations to take steps within their power to facilitate a political solution of the Ukraine crisis that that would be respected by all the parties involved; emphasises that such a solution must avoid a frozen conflict scenario in eastern Ukraine and Crimea; calls on the HR/VP to chart an approach that combines a principled and robust position as

regards Ukraine's sovereignty and territorial integrity and the principles of international law with the pursuit of a negotiated solution to the crisis in eastern Ukraine and Crimea; reiterates that unity and cohesion among EU Member States constitute a prerequisite for the success of any EU strategy towards Russia; in this context, calls on the governments of the Member States to refrain from unilateral actions and rhetoric, and to intensify efforts to develop a common European position vis-à-vis Russia;

25. Calls for the resumption of a genuine and inclusive national dialogue that could also lead to a solution for the payment of social allowances and pensions and the provision of humanitarian assistance by the Ukrainian Government to the conflict-zone population; takes the view that it is of crucial importance to impartially and effectively investigate all major moments of violence, including those of Maidan, Odesa, Mariupol, Slovyansk, Ilovaysk and Rymarska; believes that civil society organisations can play an important role in facilitating people-to-people contacts and mutual understanding in Ukraine, as well as promoting democratic change and respect for human rights; urges the EU to step up its support for civil society;
26. Welcomes the decision by the French Government to halt the delivery of the Mistral helicopter carriers, and calls on all Member States to take a similar line regarding exports not covered by the EU sanctions decisions, in particular as regards arms and dual-use materials;
27. Calls on the Commission and the Commissioner for European Neighbourhood Policy and Enlargement Negotiations to prepare and present to Parliament within two months a communication strategy to counter the Russian propaganda campaign directed towards the EU, its eastern neighbours and Russia itself, and to develop instruments that would allow the EU and its Member States to address the propaganda campaign at European and national level;
28. Reiterates its support for the international investigation into the circumstances of the tragic downing of Malaysian Airlines Flight MH17, and reiterates its call for those responsible to be brought to justice; regrets the obstacles faced in this process, and urges all parties to show genuine willingness to cooperate, guarantee safe and unrestricted access to the MH17 crash site, and allow access to all other relevant resources that can contribute to the investigation; expresses its wish to be kept informed on the progress of this investigation;
29. 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, the Member States, the President of Ukraine, the governments and parliaments of the Eastern Partnership countries and of the Russian Federation, the Euronest Parliamentary Assembly, and the Parliamentary Assemblies of the Council of Europe and the Organisation for Security and Cooperation in Europe.