



Plenary sitting

B8-0494/2018

22.10.2018

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 123(2) of the Rules of Procedure

on the situation in the Sea of Azov
(2018/2870(RSP))

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on behalf of the Verts/ALE Group

**European Parliament resolution on the situation in the Sea of Azov
(2018/2870(RSP))**

The European Parliament,

- having regard to its previous resolutions on Russia and Ukraine, in particular its resolutions of 11 June 2015 on the strategic military situation in the Black Sea Basin following the illegal annexation of Crimea by Russia¹, of 16 March 2017 on the Ukrainian prisoners in Russia and the situation in Crimea², of 5 October 2017 on the cases of Crimean Tatar leaders Akhtem Chiygoz, Ilmi Umerov and the journalist Mykola Semena³ and of 14 June 2018 on Russia, notably the case of Ukrainian political prisoner Oleg Sentsov⁴,
 - having regard to the agreement of 24 December 2003 between the Russian Federation and Ukraine on cooperation in the use of the Sea of Azov and the Strait of Kerch,
 - having regard to the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part⁵,
 - having regard to the joint staff working document of the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 14 November 2017 on the Association Implementation Report on Ukraine (SWD(2017)0376),
 - having regard to the statement of the EEAS Spokesperson of 15 May 2018 on the partial opening of the Kerch bridge,
 - having regard to Council decision (CFSP) 2018/1085⁶ of 30 July 2018, adding six entities involved in the construction of the Kerch bridge to the list of those subject to restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine,
 - having regard to the United Nations Convention on the Law of the Sea (UNCLOS),
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the bilateral agreement between Ukraine and Russia of 24 December 2003 on Cooperation in the use of the Sea of Azov and the Kerch Strait defines these territories as internal waters of the two states delimited by a state border line and gives Ukraine and Russia the power to inspect vessels which in their opinion cause suspicion;
- B. whereas in 2008, Ukraine and Russia signed the protocol on the demarcation of the Sea

¹ OJ C 407, 4.11.2016, p. 74.

² OJ C 263, 25.7.2018, p. 109.

³ OJ C 346, 27.9.2018, p. 86.

⁴ Texts adopted, P8_TA(2018)0259.

⁵ OJ L 161, 29.5.2014, p. 3.

⁶ OJ L 194, 31.7.2018, p. 147.

of Azov, in accordance with which Ukraine received 62 % of the maritime territory of the Sea of Azov; whereas after the occupation of Crimea in 2014, Russia grabbed part of Ukraine's territorial sea and unilaterally decided to consider the exclusive economic zone and the continental shelf of Ukraine in the Black and Azov seas and in the Kerch Strait as its own marine territories;

- C. whereas the construction of the Kerch bridge by the Russian Federation without Ukraine's consent is another violation of the latter's sovereignty and territorial integrity and aims to further forcibly integrate the illegally annexed Crimean Peninsula with the Russian Federation;
- D. whereas Russian border guards, as of the second half of April 2018, began stopping and inspecting foreign vessels navigating to and from Ukrainian ports (Mariupol and Berdyansk) located in the Sea of Azov; whereas these inspections coincided with the conclusion of the construction of the bridge linking the illegally annexed Crimean Peninsula with mainland Russia over the Kerch Strait;
- E. whereas neither Russian vessels nor other vessels bound for Russian ports in the Sea of Azov are subjected to a similar regime;
- F. whereas the construction of the bridge across the Kerch Strait, the only passage between the Azov and Black seas, limits the passage of vessels via the Kerch Strait to and from Ukrainian ports in the Sea of Azov and has created severe problems in the free flow of cargo;
- G. whereas the newly constructed bridge limits the size of vessels that can reach ports in the Sea of Azov, as it is 35 metres high, and only vessels with an air draft of less than 33 metres and a length of less than 160 metres may safely pass under it, thus eliminating Panamax size vessels, which account for over 20 % of all ship traffic on these waters;
- H. whereas the very detailed inspections of vessels passing through the Kerch Strait conducted by the Russian Federation can take up to 72 hours, causing serious delays, a decrease in cargo flows and tangible financial losses for the local Ukrainian economy and merchants whose vessels are subjected to this regime;
- I. whereas according to the EEAS, approximately 220 EU Member State-flagged vessels have had to undergo this lengthy inspection regime;
- J. whereas in compliance with Article 33 of the UN Charter and Article 279 of UNCLOS, Ukraine has striven to peacefully resolve its dispute with Russia; whereas on 16 September 2016 Ukraine started arbitration proceedings against the Russian Federation and filed a Notification and Statement of Claim pursuant to Part XV and Annex VII of UNCLOS;
- K. whereas since the illegal annexation of the Crimean Peninsula, the importance of the Ukrainian ports of Mariupol and Berdyansk in the Sea of Azov has significantly increased, as 80 % of Ukraine's exports pass through these ports and waters;
- L. whereas in response to illegal actions by the Russian Federation, Ukraine decided on 17 September 2018 to abrogate the general 'Friendship Treaty' that it signed with Russia in

1997; whereas Russia has announced the transfer of additional forces of the Marine Corps and coastal artillery to the Sea of Azov as well as its intention to create a naval base on these waters by the end of the year;

1. Deplores the actions of the Russian Federation in the Sea of Azov, which constitute another blatant violation of Ukraine's sovereignty and territorial integrity, and condemns the unnecessary stopping of and intrusion into commercial vessels, including both Ukrainian vessels and those with flags of third party states, including more than 220 ships under flags of various EU Member States;
2. Considers such unfounded inspections by Russia as actions designed to restrict freedom of navigation and to obstruct trade and traffic in the region, imposing huge waiting costs on all vessels on their way to or from Ukrainian ports, as well as an attempt to conclude the annexation of these waters and transform them into a Russian 'internal lake';
3. Takes the view that Russia is deliberately discriminating against Ukrainian ports and abusing its inspection rights; stresses that this amounts to a de-facto blockade of the Ukrainian ports located on the Sea of Azov;
4. Points out that Russian actions in the Sea of Azov impede international maritime traffic, violate the freedom of seas and navigation and lead to further destabilisation of the situation in Ukraine;
5. Expresses its deep concern at the fact that tensions in the region are on the rise and that a maritime dimension has been added to the conflict, as proven by the increased presence of the Russian maritime military with the reinforcement of the Russian Black Sea Fleet and coast guard in the Sea of Azov;
6. Encourages Ukraine to continue to use diplomatic and legal means in countering Russian actions, including the ongoing arbitration process under the UNCLOS;
7. Regrets the fact that the economic situation of the region is seriously undermined by the Russian Federation, with the delays to and the restriction of the flow of cargo impacting on the workload of the Ukrainian sea ports and hampering the local economy; points out that the financial losses, already amounting to tens of millions of euros, also concern EU merchants operating vessels in these waters;
8. Condemns Russia's continued militarisation of the Black Sea and now the Sea of Azov region, particularly with the redeployment of numerous military and patrol vessels from the Caspian Sea; regrets that the Sea of Azov has become a new arena of belligerent Russian actions against Ukraine;
9. Condemns the construction of the Kerch Strait bridge linking the illegally annexed Crimean Peninsula with mainland Russia, which was undertaken without the consent of Ukraine and which hinders navigation through the Strait of Kerch between the Azov and Black seas; considers that this action aims to further forcibly integrate the Crimean Peninsula with Russia and increase its isolation from Ukraine, of which it remains a part;
10. Calls on the VP/HR to side with, support and assist Ukraine in all legal procedures

undertaken by that country in the framework of international law and the relevant conventions, in order to stop the current practice of abusive inspections and restore its lawful rights;

11. Is of the opinion that Western protests, including those by the EU, against relevant Russian actions have so far been weak and ineffective, despite their serious nature and the strategic intent behind Russia's Azov operation and the increasing number of ships under Western flags that are affected by it;
12. Calls on the VP/HR to follow more closely the evolving security situation in the Sea of Azov, given its growing conflict potential on Europe's doorstep, which may have wider security policy implications directly affecting the EU and its Member States; expects the Member States to maintain a coherent and unified approach towards Moscow with regard to this new looming crisis;
13. Urges the VP/HR to consider, in discussion with the Member States in the Council, initiating the reinforcement of targeted sanctions against Russia in order to prevent the possible escalation of the conflict in the Sea of Azov;
14. Takes the view, furthermore, that the deployment of a UN mission tasked with controlling and overseeing the ships passing through the Kerch Strait could defuse tension, facilitate dialogue between the parties and prevent the crisis from escalating further;
15. 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 and Security Policy, the President, Prime Minister and Parliament of Ukraine, the President, Prime Minister and Parliament of the Russian Federation, the Member States, the Secretary-Generals of the United Nations and NATO, and the OSCE.