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MOTION FOR A RESOLUTION

to wind up the debate on the statements by the Council and Commission
pursuant to Rule 103(2) of the Rules of Procedure

by Annemie Neyts-Uyttebroeck, Cecilia Malmström, Bronisław Geremek,
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on behalf of the ALDE Group

on the result of the presidential elections in Ukraine

European Parliament resolution on the result of the presidential elections in Ukraine

The European Parliament,

- having regard to its previous resolutions on Ukraine and, in particular, those of March 2004 and 27 October 2004,
 - having regard to the Partnership and Cooperation Agreement (PCA) between the European Union and Ukraine, which entered into force on 1 March 1998,
 - having regard to European Council Common Strategy 1999/877/CSFP on Ukraine, adopted by the European Council in Helsinki on 11 December 1999,
 - having regard to the communication from the Commission of 11 May 2004 on the European Neighbourhood Policy¹,
 - having regard to the statement and conclusions of the International Election Observation Mission (IEOM) for the second round of the Ukrainian presidential election, which has involved 563 observers from the OSCE's office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe, the European Parliament and the NATO Parliamentary Assembly,
 - having regard to the declaration by the Presidency of the European Union on Ukraine,
 - having regard to the declaration by the OSCE chairman on the presidential election in Ukraine,
 - having regard to the declaration by the US Secretary of State on Ukraine,
 - having regard to the address by the High Representative of the European Union for the Common Foreign and Security Policy to the European Parliament's Committee on Foreign Affairs on Ukraine,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. deeply disturbed by the extensive and credible reports of fraud in the election,
- B. convinced that the presidential election in Ukraine was manipulated and that the result, as announced by the Central Electoral Commission, was falsified and cannot be recognised,

¹ COM(2004) 373

- C. whereas censorship, physical assault, harassment, unfair dismissals and blocking of distribution or access to news were amongst the methods deployed in a bid to stifle proper election coverage,
 - D. deploring the fact that during the campaign the Russian Federation openly supported one of the candidates, while the EU was concerned about the implementation of democratic standards through transparent procedures and possibilities of legal recourse,
 - E. refusing to accept this result as legitimate, because it does not meet international standards and because the numerous and credible reports of fraud and abuse have not been investigated,
 - F. whereas the EU Presidency has sent a special envoy, the High Representative for the CSFP, to Kiev in order to meet President Kuchma, Prime Minister Yanukovitch, the Parliamentary Speaker, Mr Lytvyn, the President of the Constitutional Court, Mr Selivon, and the opposition leader, Mr Yushchenko,
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- 1. Believes that the second round of presidential elections on 21 November 2004 has fallen short of international standards for democratic elections, and consequently refuses to recognise this result as legitimate;
 - 2. Is firmly convinced that the final election results do not reflect the will of the Ukrainian people;
 - 3. Strongly believes that the ideal outcome would be to hold new elections under international supervision;
 - 4. Expresses its strong and continuing support for the efforts of the Ukrainian people to establish a fully functioning democracy, the rule of law and respect for human rights in Ukraine;
 - 5. Deeply regrets the fact that the Ukrainian authorities did not seize the opportunity to demonstrate their commitment to democracy and to be a model for the region and the world;
 - 6. Welcomes the prompt reaction of the EU institutions, and supports the common position and the declaration of the EU Presidency and the Commission on Ukraine;
 - 7. Calls on the neighbouring countries to refrain from interfering in the internal affairs of Ukraine;
 - 8. Expresses its solidarity with the Ukrainian people, whose right to freely elect its President has been trampled upon;
 - 9. Stresses the need for all involved to continue to use non-violent means, and welcomes any signs of a emerging dialogue with a view to resolving the crisis;

10. Firmly rejects the allegations that the EU and the international community, expressing their support for the Ukrainian people's exercise of its constitutional rights, are encouraging violence;
11. Believes that relations with Ukraine depend on a democratic solution, and pledges its continuing support, assistance and commitment to the Ukrainian people's establishment of a free and open democratic system, its creation of a prosperous market economy, and their country's assumption of its rightful place in the European community of democratic nations;
12. Calls on the Commission to include new measures aimed at strengthening Ukrainian civil society in the Neighbourhood Policy action plan;
13. Instructs its President to forward this resolution to the Council, the Commission, the Secretary-General of the Council of Europe, the Secretary-General of the OSCE/ODHIR, the Government and Parliament of the Russian Federation, and the President and Parliament of Ukraine.