



EUROPEAN PARLIAMENT

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*Plenary sitting*

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24.10.2011

B7-0554/2011

## 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 110(2) of the Rules of Procedure

on current developments in Ukraine

**Elmar Brok, José Ignacio Salafranca Sánchez-Neyra, Ioannis Kasoulides, Gabriele Albertini, Elena Băsescu, Michael Gahler, Andrey Kovatchev, Monica Luisa Macovei, Mario Mauro, Nadezhda Neynsky, Cristian Dan Preda, Inese Vaidere, Eduard Kukan, Anna Ibrisagic, Daniel Caspary, Thomas Mann, Bernd Posselt, Roberta Angelilli**  
on behalf of the PPE Group

**European Parliament resolution on current developments in Ukraine**

*The European Parliament,*

- having regard to its previous resolutions on Ukraine,
  - having regard to the regular Progress Report Ukraine 2010 and to the ENP Review of 25 May 2011,
  - having regard to the European Convention on Human Rights and its Five Protocols,
  - having regard to the statement by its President on the sentencing of former Ukrainian PM Tymoshenko on 11 October 2011,
  - having regard to the statements by HR Catherine Ashton on behalf of the European Union on the verdict in the case of Ms Yulia Tymoshenko on 11 October and 5 August 2011,
  - having regard to the Joint Declaration of the Eastern Partnership summit held in Warsaw on 29/30 September 2011,
  - having regard to the Partnership and Cooperation Agreement (PCA) between the European Union and Ukraine, which entered into force on 1 March 1998, and to the ongoing negotiations on the Association Agreement (AA) designed to replace the PCA,
  - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas the EU favours a stable and democratic Ukraine that respects the principles of the social market economy, the rule of law, human rights, the protection of minorities and the guarantee of fundamental rights;
- B. whereas Ukraine's domestic political stability, its focus on internal reform and the respect for the rule of law and the incorporation of fair, impartial and independent legal processes is a prerequisite for the further development of relations between the EU and Ukraine;
- C. whereas the decision of the Pechersk District Court in Ukraine to sentence former Prime Minister Yulia Tymoshenko to seven years imprisonment, three years prohibition of political activity, a penalty of 200 million USD and confiscation of all property is widely seen as either an act of revenge or an attempt at criminally convicting and imprisoning opposition members to prevent them from standing and campaigning in next year's parliamentary election and the 2015 presidential election;
- D. whereas the EU continues to underline the need for respect of the rule of law, incorporating fair, impartial and independent legal processes, while avoiding the danger of provoking any perception that judicial measures are being used selectively; whereas the EU considers these principles especially important in a country which aspires to enter into deeper contractual relationships and build upon political association;

1. Is of the opinion that a deepening of the relations between the EU and Ukraine is of great significance and in the interest of both parties;
2. Takes note that the content of the DCFTA has been successfully negotiated;
3. Strongly condemns the sentencing of former Prime Minister Yulia Tymoshenko as unjustified, as a violation of human rights and as an abuse of the judiciary for the purpose of the political suppression of the leading opposition politician; underlines that the law applied against Tymoshenko dates back to the Soviet times thus surely does contradict Constitution of an independent Ukraine, if envisages criminal prosecution for political decisions; whereas articles 364 and 365, currently under review by the Verhovna Rada do not conform to the European and UN standards;
4. Stresses that the verdict against Yulia Tymoshenko is shocking, the indictment is politically motivated and the legal process has repeatedly violated human rights;
5. Urges the Ukrainian authorities to ensure a fair, transparent and impartial process in the case of any appeal by Ms Tymoshenko and in the other trials against her and members of the former Government;
6. Is of the opinion that if the condemnation of Yulia Tymoshenko is not redressed this will defer 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 ongoing decline of democratic freedoms, as well as the eventual practice of the instrumentalisation of state institutions for partisan purposes and political revenge;
7. Stresses that the strengthening of the rule of law and internal reform, including a credible fight against corruption is essential not only for the conclusion of the Association Agreement and the deepening of EU-Ukraine relations, but also for the consolidation of democracy in Ukraine; it is essential for the conclusion and ratification of the agreement;
8. Calls on the Ukrainian authorities to ensure that judicial measures are not used selectively and that investigations, prosecutions and trials are held in maximum transparency;
9. Instructs its President to forward this resolution to the Vice-President of the Commission/ High Representative of the Union for Foreign Affairs and Security Policy, the Member States, the Government and Parliament of Ukraine and the Parliamentary Assemblies of the Council of Europe and the OSCE.