



Plenary sitting

B9-0139/2023

13.2.2023

MOTION FOR A RESOLUTION

to wind up the debate on the statements by the Council and the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on one year of Russia's invasion and war of aggression against Ukraine
(2023/2558(RSP))

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on behalf of the S&D Group

**European Parliament resolution on one year of Russia's invasion and war of aggression against Ukraine
(2023/2558(RSP))**

The European Parliament,

- having regard to its previous resolutions on Russia's war of aggression against Ukraine, in particular those of 1 March 2022 on the Russian aggression against Ukraine¹, of 19 May 2022 on the fight against impunity for war crimes in Ukraine² and of 19 January 2023 on the establishment of a tribunal on the crime of aggression against Ukraine³,
 - having regard to the European Council conclusions of 9 February 2023,
 - having regard to the numerous statements and declarations by the High Representative of the Union for Foreign Affairs and Security Policy on Russia's war of aggression,
 - having regard to the Charter of the United Nations,
 - having regard to the Rome Statute of the International Criminal Court (ICC),
 - having regard to the Geneva Conventions,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas in line with the UN Charter and the principles of international law, all states enjoy equal sovereignty and shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state;
- B. whereas on 24 February 2022, the Russian Federation launched a war of aggression against Ukraine; whereas it continues, to date, to persistently violate the principles of the UN Charter through its aggressive actions against the sovereignty, independence and territorial integrity of Ukraine and to blatantly and grossly violate international humanitarian law, as established by the Geneva Conventions of 1949;
- C. whereas in its resolution of 2 March 2022, the UN General Assembly qualified the Russian war against Ukraine as an act of aggression in violation of Article 2(4) of the UN Charter and, in its resolution of 24 March 2022, requested that the Russian Federation immediately cease hostilities against Ukraine;
- D. whereas on 16 March 2022, the International Court of Justice ordered the Russian Federation to immediately suspend its military operations in the territory of Ukraine;

¹ OJ C 125, 18.3.2022, p. 2.

² Texts adopted, P9_TA(2022)0218.

³ Texts adopted, P9_TA(2023)0015.

- E. whereas the Prosecutor of the ICC has been conducting an investigation into the situation in Ukraine since 2 March 2022; whereas the ICC, following two ad hoc declarations by Ukraine, has jurisdiction over war crimes, crimes against humanity and the crime of genocide committed on the territory of Ukraine since November 2013, but does not have jurisdiction over the crime of aggression, as defined in Article 8 bis of the Rome Statute, in this situation, because neither Ukraine nor the Russian Federation have ratified the Rome Statute and the amendments related to the crime of aggression; whereas the EU therefore supports the establishment of a special tribunal on the crime of aggression;
- F. whereas the UN General Assembly, in its resolution of 14 November 2022, recognised that the Russian Federation must be held to account not only for any violations of international law in or against Ukraine, but also for its crime of aggression in violation of the UN Charter; whereas it called for the establishment of an international mechanism for compensation for damage, loss and injury, as well as a register to document evidence and claims;
- G. whereas in reaction to Russia's war of aggression against Ukraine, the EU has adopted nine sanctions packages against the Russian Federation, provided humanitarian assistance to Ukraine, welcomed millions of refugees from Ukraine and shown its support for the people of Ukraine and their leadership by recognising its European perspective and granting it candidate country status for EU membership;
- H. whereas despite broad international condemnation of its war of aggression against Ukraine, the Russian political and military leadership, with the support of its regular army and state-supported proxies such as the Wagner Group, continues to terrorise the people of Ukraine through indiscriminate attacks against residential areas and civilian infrastructure, targeted attacks against critical infrastructure to destroy access to basic services such as water and electricity, forced deportations and adoptions, mass killings, torture and rape;
1. Reaffirms its unwavering solidarity with the people of Ukraine, who, one year after the start of Russia's war of aggression against their country, have experienced loss of life and home, as well as human suffering, to an unbearable extent, but who continue to show remarkable courage and resilience in fighting for their right to freedom and personal safety and for respect for their fundamental freedoms and democratic and human rights;
 2. States its resolve to contribute to maintaining the Ukrainian people's spirit of resilience and faith in a better future in which peace will reign in Ukraine and Europe, no part of Ukrainian territory will be under Russian occupation and no Ukrainian or other citizen will feel threatened or under attack for wishing to live in peace, safety and prosperity and with respect for European values and principles;
 3. Reiterates its condemnation of Russia's war of aggression against Ukraine and demands that the Russian Federation immediately, completely and unconditionally cease its attacks against residential areas and civilian infrastructure, terminate all military activities in Ukraine, withdraw all military forces, proxies and military equipment from the entire internationally recognised territory of Ukraine, end forced deportations of

Ukrainian civilians and release all detained Ukrainians;

4. Demands that the Russian Federation permanently cease violating or threatening the sovereignty, independence and territorial integrity of Ukraine; recognises that the Russian Federation's previous acts of aggression against Ukraine, notably the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol in March 2014 and the destabilisation of eastern Ukraine, may be part of the same ongoing Russian policy of aggression, which was condemned and sanctioned at the time, but not effectively stopped;
5. Considers that the Russian war of aggression against Ukraine does not only constitute an attack against a sovereign country, but also against the principles and mechanisms of cooperation and security in Europe and against the rules-based international order, as laid down in the UN Charter;
6. Reiterates that the Russian Federation, as a permanent member of the UN Security Council, bears special responsibility for maintaining peace and security; emphasises therefore that the international community cannot surrender to Russia's aggression against Ukraine in breach of international law, as this would risk further undermining the rules-based international order;
7. Calls for the EU, its Member States and their international partners to undertake more effective political, military and diplomatic efforts to ultimately stop Russia's war of aggression; insists that any peaceful solution to the war must be based on full respect for Ukraine's independence, sovereignty and territorial integrity, the principles of international law, accountability for war crimes, crimes against humanity and the crime of aggression, and Russian reparations to Ukraine; calls for the EU and its Member States, in the meantime, to actively support the diplomatic efforts made by international organisations, such as the International Atomic Energy Agency, which has proposed setting up a nuclear safety and security protection zone around Ukraine's Zaporizhzhia Nuclear Power Plant, which is currently illegally occupied by Russia;
8. Calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), the European External Action Service (EEAS) and the Member States and their diplomatic services to continue working as closely and intensely as possible with international partners to increase the unity of the international community in condemning and countering Russia's war of aggression and in establishing accountability for war crimes, crimes against humanity and the crime of aggression;
9. Underlines that the Russian Federation's deliberate attacks against the civilian population of Ukraine, the destruction of civilian infrastructure, the deliberate use of rape as a weapon of war, the deportation of thousands of Ukrainian citizens to the territory of the Russian Federation, including through so-called filtration camps, the forced transfer and adoption of Ukrainian children and other serious violations of human rights and international humanitarian law amount to acts of terror against the population of Ukraine and constitute war crimes for which all perpetrators must be held accountable;
10. Expresses its full support for the ongoing investigation by the Prosecutor of the ICC

into the situation in Ukraine based on alleged war crimes, crimes against humanity and genocide; urges Ukraine to ratify the Rome Statute of the ICC and its amendments and formally become a member of the ICC in order to support international efforts to establish accountability for serious international crimes; calls for the EU to make further diplomatic efforts to encourage the ratification of the Rome Statute and all its amendments globally;

11. Reiterates its call for the establishment of a special tribunal to investigate and prosecute the crime of aggression committed by the leadership of the Russian Federation against Ukraine; reiterates its call on the Commission, the Council and the EEAS to take a leading role in establishing the special tribunal and to provide all necessary political, financial and practical support; welcomes the announced establishment of the International Centre for the Prosecution of the Crime of Aggression in Ukraine, which will support the ongoing efforts of the Joint Investigation Team and be based in The Hague, as a first concrete step towards the establishment of the special tribunal;
12. Calls for the EU and its Member States to continue assisting Ukraine in every possible way through military and political support and humanitarian, economic and financial assistance;
13. Acknowledges that the one-year anniversary of Russia's war of aggression against Ukraine highlights the fact that efforts made so far have not yet been sufficient to end the aggression; calls therefore for a change from an incremental to a more decisive approach;
14. Underlines that military support to Ukraine is a reaction to Russia's war of aggression against Ukraine and its breach of international law and the UN Charter and aims to stop the persistent violations of Ukraine's independence, sovereignty and territorial integrity that have been ongoing since 2014; welcomes the adoption of the seventh package of assistance measures under the European Peace Facility on 2 February 2023 and urges the Council to continue and, where necessary, increase – in both quantity and frequency – assistance under the facility to Ukraine;
15. Reaffirms its support for providing military aid to Ukraine for as long as necessary; recognises the efforts made by the Member States in providing and by the VP/HR in coordinating military support to allow Ukraine to exercise its legitimate right to defend itself against Russia's war of aggression; reiterates its call on the Member States to nevertheless substantially increase and accelerate their military support with a view to not only allowing Ukraine to defend itself against Russian attacks, but also to enabling it to regain full control over its entire internationally recognised territory; calls on the Member States, the US, the UK and Canada to swiftly deliver on their pledge to provide Ukraine with modern battle tanks; underlines the importance of maintaining close coordination and unity among Ukraine's allies on the analysis of critical requests by the Ukrainian authorities for heavy weaponry and advanced air-defence systems;
16. Calls on the Council to maintain its sanctions policy against the Russian Federation, while monitoring, reviewing and enhancing its effectiveness and impact; calls on the Commission and the Member States to ensure the swift implementation and strict enforcement of all sanctions; calls on the Council to adopt its 10th sanctions package by

the end of February 2023, to substantially broaden the scope of the sanctions, in particular those on the economy and the energy sector by prohibiting Russian imports of fossil fuels and uranium and those against persons and entities, and to sanction all persons associated with the so-called Wagner Group and other Russian-funded armed groups, militias and proxies, including those active in the occupied territories of Ukraine; calls on all Member States to remain united in their response to the Russian war of aggression against Ukraine and on all EU candidate countries and potential candidates to align with the EU's sanctions policy; calls on the Council to include the Wagner Group on the EU list of persons, groups and entities involved in terrorist acts (EU terrorist list);

17. Welcomes the entry into force of the EU embargo on Russian diesel and other refined oil products, as well as the adoption of the EU and G7 dual price caps on Russian premium-to-crude and discount-to-crude petroleum products; reiterates its long-standing call on the Council to impose a full energy embargo on the Russian Federation;
18. Calls on the Council to systematically tackle the issue of sanctions circumvention and to adopt and strictly implement restrictive measures against all entities facilitating the circumvention of sanctions or providing the Russian military complex with military and dual-use technologies and equipment; calls, furthermore, on the Commission to swiftly come forward with a legislative proposal for a sanctions framework targeting corruption and to adopt targeted sanctions against individuals responsible for high-level corruption in Russia and Belarus;
19. Acknowledges that effective sanctions against the Russian Federation and the flow of millions of refugees fleeing Ukraine as a result of the Russian war of aggression are generating unavoidable economic and social challenges across the EU and its Member States; calls for compensatory measures and alternative supply sources of goods and energy in order to reduce these negative impacts, as well as for effective measures against unacceptable speculation that is further aggravating the situation;
20. Emphasises the importance of continuing to swiftly implement commitments for macro-financial assistance and of fully respecting the relevant conditionality for its disbursement;
21. Invites the Commission to propose legislation to enable the confiscation of frozen private and state-owned Russian assets for use in Ukraine's post-war reconstruction;
22. Calls on the Commission and the Member States to continue providing emergency humanitarian assistance to Ukraine and calls for the EU and Ukraine to coordinate the response to the needs of all persons who have fled the war in Ukraine and are temporarily residing in EU Member States; underlines the need to pay particular attention to the situation of children and women, including by providing professional help to those suffering from psychological trauma; urges all Member States, in particular Poland, to therefore provide safe and legal access to abortion to Ukrainian women who have fled the war and are victims of rape by the Russian aggressor;
23. Welcomes the European aspirations of the people of Ukraine and recalls that Ukraine's future lies within the European Union; calls on Ukraine's political leaders and authorities to vigorously pursue the EU-related reform agenda, taking into account the

priorities indicated by the Commission in its opinion of 17 June 2022 on Ukraine's application for EU membership;

24. Underlines that accession to the EU must take place in accordance with Article 49 of the Treaty on European Union, based on respect for the relevant procedures and conditional upon the fulfilment of the established criteria, in particular the so-called Copenhagen criteria for EU membership, and remains a merit-based process that requires the adoption and implementation of relevant reforms, in particular in the areas of democracy, the rule of law, human rights, a market economy and implementation of the EU *acquis*;
25. Urges the Russian people to protest against the war crimes and crimes against humanity being perpetrated in the name of the Russian Federation by the country's leadership and its proxies and to thereby contribute to ending Russia's war of aggression against Ukraine; calls on the Commission, the EEAS and the Member States to increase support to civil society, the anti-war opposition and free media in and from Russia and to continue to provide protection and temporary shelter to those Russians who are being persecuted because of their opposition to the regime;
26. 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 Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, the Organization for Security and Co-operation in Europe and to the President, Government and Parliament of Ukraine.