

P7_TA(2014)0170

Situation in Ukraine

European Parliament resolution of 27 February 2014 on the situation in Ukraine (2014/2595(RSP))

The European Parliament,

- having regard to its previous resolutions on the European Neighbourhood Policy, on the Eastern Partnership (EaP) and on Ukraine, with particular reference to its resolution of 6 February 2014 on the situation in Ukraine¹,
 - having regard to its resolution of 12 December 2013 on the outcome of the Vilnius Summit and the future of the Eastern Partnership, in particular as regards Ukraine²,
 - having regard to the European Council conclusions of 19-20 December 2013,
 - having regard to the conclusions of the extraordinary meeting of the Foreign Affairs Council on Ukraine of 20 February 2014,
 - having regard to Rule 110(2) and (4) of its Rules of Procedure,
- A. whereas since the decision of the Ukrainian President and Government to suspend the signing of the Association Agreement, hundreds of thousands of people have spontaneously taken to the streets all over the country to demonstrate in favour of European integration; whereas in Kyiv the demonstrators have been peacefully occupying Independence Square (Maidan Nezalezhnosti), calling for strong political change with a view to making the government review its decision;
- B. whereas the authorities under President Yanukovich clearly violated the law by authorising the security forces to use live ammunition against the protesters and by deploying snipers on roofs in and around Independence Square, which since late November 2013 has been the epicentre of an anti-government and pro-European protest; whereas protesters and bystanders were executed on the streets of Kyiv, provoking international outrage and condemnation;
- C. whereas, at the same time, three foreign affairs ministers from the EU travelled to Kyiv in an effort to mediate a compromise solution between President Yanukovich and the opposition; whereas they managed to broker an agreement on a roadmap for a peaceful and democratic exit from the crisis; whereas the Russian special envoy also facilitated the agreement, but without co-signing it;
- D. whereas, as a consequence, the EU decided to impose targeted sanctions, including an asset freeze and a visa ban, on those responsible for human rights violations, violence and use of excessive force; whereas the Member States agreed, furthermore, to suspend export licences on equipment which might be used for internal repression and reassess export licences for equipment covered by Common Position 2008/944/CFSP;

¹ Texts adopted, P7_TA(2014)0098.

² Texts adopted, P7_TA(2013)0595.

- E. whereas the citizens of Lviv and Donetsk took the initiative of using the Russian and Ukrainian languages respectively in their daily business of 26 February 2014 as a gesture of solidarity and unity for the whole country;
- F. whereas the Verkhovna Rada adopted a resolution on 21 February 2014 denouncing the ‘anti-terrorism’ operations and demanding that the security forces withdraw from the centre of Kyiv; whereas, by doing so, the parliament demonstrated its determination to play a central role and to take control of the situation in the country; whereas, the following day, it voted on the dismissal of President Yanukovich, the return to the 2004 Constitution, early elections on 25 May 2014 and the release of former Prime Minister Yulia Tymoshenko;
1. Pays tribute to those fighting and dying for European values, and expresses its deepest condolences to the families of the victims, strongly condemns all acts of violence and calls on all Ukrainian citizens, along with political and civic leaders, to act with the utmost responsibility in this historic moment for Ukraine;
 2. Firmly condemns the brutal and disproportionate action of anti-riot forces such as Berkut, snipers and others that led to the dramatic escalation of violence; deplors the deaths and injuries sustained on all sides and expresses its most sincere condolences to the families of the victims; warns that any further escalation of violence would be disastrous for the Ukrainian nation and could undermine the unity and territorial integrity of the country; stresses that it is now of paramount importance that all parties demonstrate a sense of responsibility, restraint and commitment to an inclusive political dialogue, and exclude extrajudicial retaliation; urges all political forces to work together at this critical juncture for Ukraine and to facilitate compromise solutions, taking clear distance from extremists and avoiding provocation and violent actions that might fuel separatist moves;
 3. Welcomes the responsible role played by the Verkhovna Rada in assuming its full constitutional functions and filling the political and institutional vacuum created by the resignation of the government and the dismissal of the President, who was then ousted by the Parliament; takes note of the measures adopted so far by the parliament with regard, in particular, to the return to the 2004 Constitution, the decision to hold presidential elections on 25 May 2014, the decision to withdraw police and security forces, and the release from prison of Yulia Tymoshenko; stresses how important it is that the Ukrainian Parliament and its members continue to abide by the rule of law;
 4. Commends the people of Ukraine on the orderly change in power and on their civic resilience in the past few months, and underlines the fact that this civic and popular protest serves as an example and will mark a watershed in the history of Ukraine; stresses that this democratic, civic victory should not be marred by any spirit of revenge or acts of retribution towards adversaries, or by political infighting; stresses that those who committed crimes against the citizens of Ukraine and who misused the power of the state should face independent trials; calls for the setting-up of an independent commission to investigate, in close collaboration with the Council of Europe International Advisory Panel and the OSCE, the human rights violations that have taken place since the beginning of the demonstrations;
 5. Supports the EU’s approach, which combines intensified diplomatic efforts with targeted sanctions against those responsible for ordering human rights abuses related to political oppression; calls for the enactment of the targeted sanctions as agreed by the Foreign Affairs Council and urges the Member States to implement their own anti-money-laundering legislation to stop the flow of embezzled money from Ukraine, and

to ensure the return of stolen assets deposited in the EU; considers that a truly independent investigation of the crimes committed should start immediately and that the targeted sanctions should be lifted as soon as the situation in Ukraine improves and such an investigation of the crimes committed starts to deliver results; calls for an investigation into the massive embezzlement of state funds and assets by the cronies and ‘family’ of ousted President Yanukovich, for the freezing of all their assets pending clarification of how they were acquired and, where they are proved to have been stolen, for the return of such assets by the governments of the Member States;

6. Urges the Commission, the Member States and international humanitarian organisations to deploy quick, robust and direct medical and humanitarian assistance for all victims;
7. Calls on all sides and third countries to respect and support the unity and territorial integrity of Ukraine; calls on all political forces within Ukraine and all the international actors involved to commit themselves to work for the territorial integrity and national unity of Ukraine, taking account of the cultural and linguistic composition of the country and its history; calls on the Ukrainian Parliament and the incoming government to respect the rights of minorities in the country and the use of Russian and other minority languages; calls for the adoption of new legislation in line with Ukraine’s obligations under the European Charter for Regional or Minority Languages;
8. Recalls that the existing borders of Ukraine were guaranteed by the United States of America, the Russian Federation and the United Kingdom in the Budapest Memorandum on Security Assurances when Ukraine relinquished nuclear weapons and joined the Nuclear Non-Proliferation Treaty (NPT); reminds the Russian Federation that, together with the two other countries mentioned above, it committed itself in the same act to refraining from economic coercion designed to subordinate to its own interest the exercise by Ukraine of the rights inherent in its sovereignty and thus to secure advantages of any kind;
9. Stresses the importance of not losing momentum in addressing the root causes of the crisis, and establishing people’s trust in politics and the institutions; believes, furthermore, that this requires constitutional and structural reforms aimed at the creation of an effective system of checks and balances, a closer link between politics and society, the rule of law, accountability, and a truly independent and impartial judicial system and credible elections;
10. Welcomes the conclusions of the extraordinary Foreign Affairs Council of 20 February 2014 and, in particular, the decision to introduce targeted sanctions, including an asset freeze and a visa ban directed against those responsible for human rights violations, violence and the use of excessive force, and to suspend export licences for equipment that might be used for internal repression; notes the enormous impact that these sanctions have had on Ukrainian public opinion, and is of the opinion that these measures could have been adopted earlier; takes the view, however, that these sanctions should be maintained as part of the EU policy towards Ukraine during this transitional period;
11. Welcomes the release of former Prime Minister Yulia Tymoshenko from prison, and hopes that her release will symbolise the end of selective and politically motivated justice in Ukraine; demands the immediate and unconditional release of all the demonstrators and political prisoners who have been illegally detained, the dropping of all charges against them, and their political rehabilitation;

12. Urges all political forces to work together, at this critical juncture for Ukraine, towards a peaceful political transition, an ambitious and broad-based reform agenda and a European-standards-oriented government, to uphold the unity and territorial integrity of the country, and to facilitate compromise solutions for the future of Ukraine; calls on the interim authorities to guarantee democratic rights and freedoms to all democratic political forces and to prevent attacks against any of them;
13. Stresses that it is for the Ukrainian people – and for them alone – to decide, free from foreign interference, about the country's geopolitical orientation and which international agreements and communities Ukraine should join;
14. Condemns the attack on and destruction of the headquarters of the Communist Party of Ukraine and other parties, and the attempts to prohibit the Communist Party of Ukraine;
15. Reiterates that the Association Agreement / Deep and Comprehensive Free Trade Agreement (DCFTA) is ready for signing with the new government, as soon as possible and as soon as the new government is ready to do so;
16. Welcomes the fact that out of the three benchmarks set by the Foreign Affairs Council of 2012, the one on ending selective justice (including the imprisonment of Yulia Tymoshenko) has been met, while the remaining two, on justice and the election systems, these being the demands of the protest movement, are already the subject of profound change and reform, which will hopefully soon be completed by the new coalition government and supported by the new parliamentary majority;
17. Calls on the Commission to work together with the Ukrainian authorities to find ways to counterbalance the effects of the retaliatory measures adopted by Russia in order to stop the signing of the Association Agreement, as well as of possible new measures; welcomes the announcement by the EU Commissioner for Economic and Monetary Affairs and the Euro, Olli Rehn, of the EU's readiness to provide a substantial, ambitious, both short- and long-term financial aid package, once a political solution is in place based on democratic principles, a commitment to reform and the appointment of a legitimate government; calls on Russia to adopt a constructive attitude so as to create the conditions for Ukraine to benefit from bilateral relations with both the EU and Russia; urges the EU and its Member States to speak to Russia with one voice in support of the European aspirations of Ukraine and other EaP countries that freely choose to deepen their relations with the EU;
18. Expects the Council and the Commission to come forward as soon as possible, together with the IMF and the World Bank, with short-term financial assistance and a balance of payments facility, complemented with a long-term package, together with the EBRD and the EIB, of financial support to help Ukraine tackle its worsening economic and social situation and provide economic support to launch the necessary deep and comprehensive reforms of the Ukrainian economy; calls for an international donors' conference to be held without undue delay; calls on the Commission and the EEAS to make the best use of funds available for Ukraine under the existing financial instruments and to consider making additional resources available for Ukraine as soon as possible;
19. Acknowledges that widespread corruption at all levels of government continues to hamper Ukraine's potential to develop and is undermining the confidence of citizens in their own institutions; urges the new government, therefore, to make the fight against corruption a top priority in its programme, and calls for the EU to assist these efforts;

20. Stresses the urgent need to set up a truly independent and impartial judicial system;
21. Calls on the Council to authorise the Commission to speed up the visa dialogue with Ukraine; stresses that the swift finalisation of the visa liberalisation agreement – following the example of Moldova – between the EU and Ukraine is the best way to respond to the expectations of Ukrainian civil society and youth; calls, in the meantime, for the immediate introduction of temporary, very simple, low-cost visa procedures at EU and Member State level, together with strengthened research cooperation, expanded youth exchanges and increased availability of scholarships;
22. Takes the view that the DCFTA provisions do not represent any commercial challenges for the Russian Federation and that the Association Agreement is no impediment to Ukraine's good relations with its eastern neighbour; underlines that instability in the shared neighbourhood is neither in the EU's nor in Russia's interest; emphasises that applying political, economic or other coercion is in breach of the Helsinki Final Act;
23. Takes note of the decision to hold presidential elections on 25 May 2014; underlines the need to ensure that these elections will be free and fair; strongly encourages the Verkhovna Rada to adopt the necessary electoral legislation in line with the Venice Commission recommendations, including a renewed law on the financing of political parties that addresses the issues identified by GRECO and the OSCE/ODIHR; encourages international observation of the upcoming elections and declares its readiness to set up its own observation mission for this purpose through a substantial European Parliament election observation mission; believes that legislative elections should be organised swiftly after the presidential elections and before the end of the year; calls on the Commission, the Council of Europe and the OSCE/ODIHR to provide reinforced pre-election support and a substantial long-term election monitoring mission so that the presidential elections scheduled for 25 May 2014 can be held in accordance with the highest standards and produce a result all contenders can accept; calls for detachment of European Parliament staff to the EU delegation in Kyiv for a transitional period leading up to the elections;
24. Welcomes the recent recognition by the Council that the Association Agreement, including a DCFTA, does not constitute the final goal in EU–Ukraine cooperation; points out that the EU stands ready to sign the AA/DCFTA as soon as the current political crisis is resolved and the new Ukrainian authorities are ready for a serious European perspective; stresses furthermore that Article 49 TEU refers to all European States, including Ukraine, which may apply to become a Member of the Union, provided that it adheres to the principles of democracy, respects fundamental freedoms and human and minority rights, and ensures the rule of law;
25. Stresses the importance of secure, diversified and affordable energy supply as a pillar of economic, social and political transition and of securing a competitive and prosperous economy for all Ukrainians; in this regard underlines the strategic role of the Energy Community, of which Ukraine holds presidency in 2014, as the only treaty currently connecting Ukraine and the European Union.
26. Expresses support for the civil-society and non-partisan initiative to set up a 'Maidan Platform', in order to develop a strategy to overcome the endemic corruption in Ukraine;
27. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the acting President, Government and Parliament of

Ukraine, the Council of Europe and the President, Government and Parliament of the Russian Federation.