



TEXTS ADOPTED

P8_TA(2014)0025

Situation in Ukraine and state of play of EU-Russia relations

European Parliament resolution of 18 September 2014 on the situation in Ukraine and the state of play of EU-Russia relations (2014/2841(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 those of 27 February 2014 on the situation in Ukraine¹, 13 March 2014 on Ukraine's invasion by Russia², 17 April 2014 on Russian pressure on Eastern Partnership countries and in particular the destabilisation of eastern Ukraine³, and 17 July 2014 on the situation in Ukraine⁴,
- having regard to the Foreign Affairs Council conclusions of 22 July and 15 August 2014 and of the European Council conclusions of 30 August 2014 on Ukraine,
- having regard to the statement by the EEAS spokesperson of 11 September 2014 on the abduction of the Estonian police officer,
- having regard to its previous resolutions on Russia, with particular reference to its resolution of 6 February 2014 on the EU-Russia summit⁵,
- having regard to the Wales NATO Summit Declaration of 5 September 2014,
- having regard to the outcome of the extraordinary meeting of the European Agriculture Council of 5 September 2014,

¹ Texts adopted, P7_TA(2014)0170.

² Texts adopted, P7_TA(2014)0248.

³ Texts adopted, P7_TA(2014)0457.

⁴ Texts adopted, P8_TA(2014)0009.

⁵ Texts adopted, P7_TA(2014)0101.

- having regard to the Joint Ministerial Statement on the Implementation of the EU-Ukraine Association Agreement / Deep and Comprehensive Free Trade Agreement (AA/DCFTA) of 12 September 2014,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas the summer of 2014 was marked by further escalation of the conflict in eastern Ukraine; whereas, according to UN estimates, at least 3 000 people have lost their lives and many more thousands have been injured, while hundreds of thousands of civilians have fled the conflict areas; whereas the economic costs of the conflict, including the cost of rebuilding the eastern regions, are of serious concern for the social and economic development of Ukraine;
- B. whereas the Trilateral Contact Group agreed on 5 September 2014 in Minsk on a ceasefire which entered into force the same day; whereas the agreement also contained a 12-point protocol which covers the release of hostages, measures to improve the humanitarian situation, the withdrawal of all illegal armed groups, military equipment and mercenaries from Ukraine and measures on decentralisation in the Donetsk and Luhansk regions;
- C. whereas the ceasefire has been persistently violated by, mainly, regular Russian troops and separatists since Friday, 5 September 2014 in areas near Mariupol and Donetsk airport, with attempts to probe Ukraine's defences in several other localities;
- D. whereas in the previous weeks Russia increased its military presence on the territory of Ukraine and logistical support of the separatist militias through a steady flow of weapons, ammunition, armoured vehicles and equipment, mercenaries and soldiers in disguise, in spite of the EU's calls to make every effort to de-escalate the situation; whereas since the beginning of the crisis the Russian Federation has amassed troops and military hardware on the border with Ukraine;
- E. whereas Russia's direct and indirect military intervention in Ukraine, including the annexation of Crimea, violates international law including the UN Charter, the Helsinki Final Act and the 1994 Budapest Agreement; whereas Russia continues to refuse the implementation of the Conventional Armed Forces in Europe Treaty (CFE);
- F. whereas the European Council of 30 August 2014 requested proposals to enhance the EU's restrictive measures in view of Russia's actions in destabilising eastern Ukraine; whereas these proposals came into force on 12 September 2014;
- G. whereas after the signing on 21 March 2014 of the political provisions of the Association Agreement (AA), on 27 June 2014 the EU and Ukraine officially signed the remaining part of this Agreement, which includes a Deep and Comprehensive Free Trade Agreement (DCFTA); whereas the European Parliament and the Verkhovna Rada have simultaneously ratified the Association Agreement; whereas on 12 September 2014 the Commission announced that the provisional application of the DCFTA would be postponed until 31 December 2015; whereas this will result in a prolongation of the unilateral trade preferences granted by the EU to Ukraine, which were to expire on 1 November 2014;
- H. whereas on 7 August 2014 the Russian Government adopted a list of products from the EU, US, Norway, Canada and Australia to be banned from the Russian market for a period of one year; whereas the EU will be affected the most as Russia is the second-

largest export market for EU agricultural products and the sixth-largest for fishery products and 73 % of the banned imports come from the EU; whereas the overall restrictions currently applied by Russia could jeopardise EUR 5 billion worth of trade and affect the incomes of 9,5 million people in the EU working on the agricultural holdings most concerned;

- I. whereas the ban on EU food products to the Russian market that has hit the fruit and vegetable sector in particular, as well as the dairy and meat sectors, could have a possible knock-on effect leading to over-supply in the internal market, while the ban on EU fisheries products to the Russian market could potentially pose severe problems in some Member States; whereas the value of banned fisheries products amounts to almost EUR 144 million;
 - J. whereas Russia undermines EU security by regularly violating the airspace of Finland, the Baltic States and Ukraine, as well as by the recent gas cut to Poland, which amounts to 45 % of Russian exports to that country;
 - K. whereas the NATO summit in Newport reaffirmed that NATO stands with Ukraine in the face of Russia's destabilising influence, offered support in strengthening the Ukrainian armed forces and called on Russia to pull back its troops from Ukraine and end the illegal annexation of Crimea; whereas NATO has declared that it continues to aspire to a cooperative, constructive relationship with Russia, including reciprocal confidence-building, and declared that channels of communication with Russia remain open;
 - L. whereas the tragic downing of Malaysia Airlines Flight MH17 in the Donetsk region provoked outrage in international and European public opinion; whereas the UN and the EU demanded a thorough international investigation of the circumstances of the accident, and whereas the bringing to justice of those responsible is a moral and legal obligation;
 - M. whereas Mykola Zelenec, Honorary Consul of Lithuania in Luhansk, was abducted and brutally killed by the rebels;
1. Welcomes the signing of the Minsk ceasefire agreement and calls on all sides to make every effort to implement it in full and in good faith with a view to paving the way for the start of a genuine peace process, including permanent and effective control of the Ukrainian border verified by the OSCE, the full and unconditional withdrawal of Russian troops, illegal armed groups, military equipment and mercenaries from the internationally recognised territory of Ukraine and the release of hostages; deplores the fact that the ceasefire agreement is being persistently violated by, mainly, Russian troops and separatist forces, and that their ongoing build-up continues; strongly stresses that there should be a political solution to this conflict;
 2. Calls on all sides to respect the ceasefire and to refrain from any action or moves which would jeopardise the agreement; expresses its strong concern, however, that the ceasefire is a pretext for Russian troops to regroup in order to continue their offensive towards establishing a 'land corridor' to Crimea and beyond to Transnistria;
 3. Strongly condemns the Russian Federation for waging an undeclared 'hybrid war' against Ukraine with use of regular Russian forces and supporting illegally armed groups; underlines the fact that these actions by the Russian leadership constitute a threat not only to the unity and independence of Ukraine, but to the whole European continent; calls on Russia immediately to withdraw all its military assets and forces from Ukraine, to prohibit

the flows of fighters and weapons into eastern Ukraine, and to end support, direct or indirect, for the actions of the separatist forces on Ukrainian soil;

4. Reiterates its commitment to the independence, sovereignty, territorial integrity and inviolability of borders of Ukraine, and its right to make a European choice; reiterates that the international community will not recognise the illegal annexing of Crimea and Sevastopol or the attempts at creating quasi-republics in Donbas; welcomes the EU decision to prohibit imports originating from Crimea unless accompanied by a certificate of origin from the Ukrainian authorities; condemns, furthermore, the enforced 'passportisation' of Ukrainian citizens in Crimea, the persecution of Ukrainians and Crimean Tatars, and the threats made by the self-proclaimed leaders against Crimean citizens who expressed their interest in voting in the upcoming parliamentary elections;
5. Underlines that the OSCE plays a crucial role in resolving the Ukrainian crisis due to its experience in dealing with armed conflict and crises and the fact that both the Russian Federation and Ukraine are members of this organisation; calls on the Member States, the High Representative of the Union for Foreign Affairs and Security Policy and the Commission to make every effort in order to strengthen and increase the OSCE Special Monitoring Mission in Ukraine both in terms of experienced personnel and in terms of logistics and equipment; emphasises the need to deploy without any further delay the OSCE monitors all along the parts of the Ukrainian-Russian border currently under the control of the separatists;
6. Emphasises that the reform and Association agenda must proceed in parallel with the continued struggle to ensure Ukraine's territorial integrity and unity; reiterates that these two tasks are inextricably and synergistically intertwined; stresses the need for peaceful dialogue and decentralisation which still ensures that authority over the whole territory remains with the central government, thus guaranteeing Ukraine's unity; underlines the need for confidence-building between various communities in society and calls for a sustainable reconciliation process; in this context, emphasises the importance of establishing an inclusive national dialogue, avoiding propaganda, hate speech and rhetoric, which may further aggravate the conflict; emphasises that an inclusive dialogue such as this should involve civil society organisations and citizens from all the regions and minorities;
7. Welcomes the simultaneous ratification of the AA/DCFTA by the Verkhovna Rada and the European Parliament; considers this an important step which shows the commitment of both sides to successful implementation; takes note of the eventual postponement of the provisional implementation of the EU-Ukraine DCFTA until 31 December 2015, to be replaced by the prolongation of unilateral trade measures which represent a de facto asymmetrical implementation of the agreement; deplores the extraordinary measures and level of pressure exerted by Russia; states that the agreement cannot and will not be changed and that this has been made very clear by the European Union through this ratification; calls on the Member States to swiftly proceed with the ratification of the AA/DCFTA with Ukraine; takes note of the ongoing consultation between Ukraine, Russia and the EU on the implementation of the AA/DCFTA with Ukraine and hopes that it will help solve any misunderstandings;
8. Stresses that the coming months until implementation of the AA/DCFTA should be used to tackle the necessary transformation and modernisation of Ukraine's political system and its economy and society in accordance with the Association agenda; welcomes the reform programme announced by President Poroshenko, which includes laws on anti-

corruption, decentralisation and amnesty; calls on the Commission and on the EEAS to urgently draw up a comprehensive and ambitious financial assistance and aid package for Ukraine and in particular for the people in eastern Ukraine, to support the work on a political solution and on national reconciliation;

9. Notes the laws on special status for some districts of the Donetsk and Luhansk regions and on amnesty adopted by Verkhovna Rada on 16 September 2014 as an important contribution to de-escalation within the implementation of the President of Ukraine's Peace Plan;
10. Supports the restrictive measures the EU adopted against Russia during the summer as a result of Russia's continued aggression, and notes their enforcement on 12 September 2014; is of the opinion that any sanctions should be designed in a way which would not allow Kremlin-linked companies to circumvent them; calls for the EU to closely monitor such forms of economic cooperation as equity swaps and joint ventures;
11. Stresses the reversibility and scalability of the EU restrictive measures, depending on the situation in Ukraine;
12. Calls on the Member States and the EEAS to adopt a clear set of benchmarks which, when achieved, could prevent adoption of the new restrictive measures against Russia or lead to the lifting of the previous ones; believes these benchmarks should include: complete withdrawal of Russian troops and mercenaries from the territory of Ukraine; ending the supply of arms and equipment to terrorists; full respect for the ceasefire regime by Russia; establishment of effective international control and verification of the ceasefire regime; and the restoration of Ukraine's control over its entire territory; calls on the Council and the Member States not to consider lifting any sanction before these conditions are met and to remain ready to impose further sanctions for any actions undertaken by Russia to undermine the ceasefire agreement or to further escalate the tensions in Ukraine;
13. Recalls that the restrictive measures taken by the EU are directly linked to the Russian Federation's violation of international law with the illegal annexation of Crimea and the destabilisation of Ukraine, while the trade measures taken by the Russian Federation, including those against Ukraine and other Eastern Partnership countries which have recently concluded Association Agreements with the EU, are unjustified; calls for the EU to consider excluding Russia from civil nuclear cooperation and the Swift system;
14. Calls on the Commission to follow closely the impact of the Russian so-called 'counter-sanctions' and to take swift measures to support producers that are hit by the Russian trade restrictions; welcomes the measures adopted by the EU Agriculture Council of 5 September 2014, and urges the Commission to explore ways of enabling the EU to cope better with similar crises in the future and to do its utmost to support in a substantial and timely manner the European producers affected; regrets the suspension of the emergency market measures for perishable fruit and vegetable markets, but condemns any abuse of the support; calls on the Commission to present a new scheme as soon as possible;
15. Calls on the Commission to closely monitor the agricultural, food, fish and aquaculture markets, to inform the Council and the European Parliament of any changes and to assess the impact of the measures taken in order possibly to extend the list of products covered and to increase the EUR 125 million budget; urges the Commission not to restrict itself to market measures but to also take medium-term measures in order to strengthen the EU's presence on third-country markets (e.g. promotional activities);

16. Considers the possibility of drawing on EU funds other than agricultural funds, since the crisis is first and foremost of a political nature and not the result of a market failure or adverse weather conditions;
17. Underlines the fact that medium- and long-term political and economic stability and development in Russia are dependent on the emergence of true democracy, and stresses that the future development of EU-Russia relations will depend on efforts to strengthen democracy, the rule of law and respect for fundamental rights inside Russia;
18. Expresses satisfaction with the release of hostages held by the illegally armed groups in eastern Ukraine and calls for the freeing of Ukrainian prisoners detained in the Russian Federation; points in particular to the case of Nadezhda Savchenko, a Ukrainian volunteer captured by the separatists in June 2014, subsequently transferred to Russia and still being held in detention; points also to the cases of the film-makers and journalists Oleg Sentsov, Oleskiy Chirny, Gennadiy Afanasiev and Aleksandr Kolchenko, captured in Crimea;
19. Welcomes NATO's renewed pledge to prioritise collective security and the commitment to Article 5 of the Washington Treaty; welcomes the decisions at the Newport NATO Summit to increase the security level of the eastern allies, including the creation of the Very High Readiness Joint Task Force (VJTF), a permanent rotating NATO military presence and the establishment of logistical infrastructure, as well as efforts designed to enhance Ukraine's ability to provide for its own security; takes note of the fact that NATO allies on a bilateral level can provide Ukraine with the necessary weapons, technology and know-how for their security and defence; strongly underlines, however, that there is no military solution to the Ukrainian crisis;
20. Underlines the importance of the independent, rapid and full investigation, delegated to the Dutch Safety Board, into the causes of the downing of Malaysia Airlines flight MH17, and the need to bring those responsible for the crash to justice; notes that the Dutch Safety Board issued its preliminary report on the investigation into the crash of MH17 on 9 September 2014; stresses that, based on the preliminary findings to date, no indications of any technical or operational issues were found with the aircraft or crew, and that the damage observed in the forward section appears to indicate that the aircraft was penetrated by a large number of high-energy objects from outside the aircraft; deplores the fact that the rebels are still not permitting unhindered access by investigators to the crash site, and calls on all sides to facilitate immediate access;
21. Strongly believes that the EU's only viable answer to Russia's threats is to stand together and speak with one voice; believes that the EU needs to rethink its relations with Russia, abandon the strategic partnership concept and find a new, unified approach;
22. Expresses its deep concern as regards the catastrophic humanitarian situation in eastern Ukraine, especially with regard to the upcoming winter; points out the urgent need to provide humanitarian assistance and relief to the population in the conflict-affected areas, internally displaced people and refugees; echoes the recent alert by the World Health Organization that eastern Ukraine is facing a health emergency, with hospitals not fully functioning and a shortage of medicines and vaccines; welcomes the Commission's recent decision to mobilise EUR 22 million in humanitarian and development aid for Ukraine; calls for further urgent efforts under full EU branding and supervision, including a humanitarian aid convoy, to contribute to supporting the most deprived; recalls that the delivery of humanitarian aid to eastern Ukraine must be carried out in full compliance with international humanitarian law and the principles of humanity, neutrality, impartiality

and independence and in close coordination with the Ukrainian Government, the UN and the International Committee of the Red Cross (ICRC); expresses its deep respect for the tremendous work done by groups of Ukrainian citizens in the field of humanitarian aid in eastern Ukraine, especially with regard to evacuation of children, healthcare and food supply;

23. Urges the Commission to start the preparation of the third ambitious package of macro-financial assistance to Ukraine, as well as to play a leading role in organising the Donor Conference for Ukraine, due to take place before the end of 2014, involving international organisations, international financial institutions and civil society; stresses the importance of a commitment by the international community to support economic and political stabilisation and reform in Ukraine;
24. Commends the continuous efforts made by the Ukrainian authorities to ensure the right to education and in particular to ensure that all children will be able to return to schools affected by the conflict as soon as possible; recalls the importance of providing psychosocial support for all children who have been directly exposed to violent events;
25. Strongly condemns the unlawful abduction of an Estonian counterintelligence officer from Estonian territory to Russia and calls on the Russian authorities to immediately release Mr Kohver and allow his safe return to Estonia;
26. Considers it of the utmost importance to reduce the EU's dependence on Russia and on other authoritarian regimes; calls, furthermore, on the October 2014 European Council to adopt an ambitious and comprehensive emergency plan for the coming winter, by including also neighbouring countries such as Ukraine;
27. Draws attention to the recent credible reports on human rights violations in the conflict areas, perpetrated mainly by regular Russian troops and separatists; supports the call on the Ukrainian Government to create a single, regularly updated register of incidents of reported abductions, and the thorough and impartial investigation of all allegations of abuse of force, ill-treatment or torture;
28. Welcomes the adoption by the Commission of the 4th progress report on the implementation by Ukraine of the Visa Liberalisation Action Plan and the decision of the Council to move to the second phase; insists on the quick finalisation of the visa-free regime between the EU and Ukraine as a concrete response to the European aspirations of the people who demonstrated in Maidan Square; reiterates its call, in the meantime, for the immediate introduction of temporary, very simple and inexpensive visa procedures;
29. Calls for the continuation of the trilateral talks on Ukraine's gas supplies, which have been suspended since June 2014, in order find a way to reinstate them; reiterates the need to ensure the gas supply through reverse gas flows from EU neighbouring states to Ukraine;
30. Calls on the EU to consider gas storage, interconnectors and flow-back facilities as strategic assets, and therefore regulate the share of third-party business contracting parties in those crucial sectors; calls, furthermore, on the Member States to cancel planned agreements with Russia in the energy sector, including the South Stream gas pipeline;
31. Underlines the need to radically enhance the EU's energy security, independence and resilience to external pressure through the consolidation of energy sectors, further development of the energy infrastructure in the EU's neighbourhood countries and the

development of energy interconnectors between these countries and with the EU, in accordance with the objectives of the Energy Community, and to implement these projects of common interest as a priority with the utmost urgency in order to build a fully functioning free gas market in Europe;

32. Welcomes the decision by the French Government to halt the delivery of the Mistral helicopter carriers, and calls on all Member States to take a similar line regarding exports not covered by the EU sanctions decisions, in particular as regards arms and dual-use material; recalls that this contract, under the current circumstances, would contradict the EU Code of Conduct on Arms Export and the 2008 Common Position defining common rules governing the control of exports of military technology and equipment; calls on EU Member States to fully respect the embargo on trade in arms and the export ban on dual-use goods for military end-users;
33. Welcomes the decision to hold early parliamentary elections in Ukraine on 26 October 2014 and expects the government to ensure free and fair elections; calls on Ukraine to establish transparency in the financing of parties and their political campaign and to address in full all the remarks referred to in the findings and conclusions of the OSCE/ODIHR observation mission for the recent presidential elections; calls upon all political parties currently represented in the Verkhovna Rada to take part in the elections and on all sides fully to respect their outcome; hopes for a strong majority for the important challenges and necessary reforms ahead; urges the rebel forces in eastern Ukraine not to obstruct the electoral process and to guarantee the fundamental right of Donbas residents to freely elect their representatives; is committed to sending election observers in order to monitor these elections and calls for a substantial international election monitoring mission to oversee this crucial election that will take place under ongoing difficult conditions;
34. Emphasises that Russia has less grounds than ever before to criticise the EU-Ukraine Agreement or to react with unjustified trade restrictions and military aggression; expresses concern that this new development is an incentive for Russia to escalate its policy of intimidating Ukraine and drawing it into its own sphere of influence; fears a danger of spillover into Georgia and Moldova;
35. Regrets the fact that the Russian leadership regards the EU's Eastern Partnership as a threat to its own political and economic interests; underlines the fact that, on the contrary, Russia will gain from increased trade and economic activities, while Russia's security will be enhanced by a stable and predictable neighbourhood; deplores the use of trade by Russia as an instrument to destabilise the region by introducing several import bans on products from Ukraine and Moldova, and more recently by renouncing the CIS FTAs with Ukraine, Georgia and Moldova and by consequently reintroducing most favoured nation (MFN) duties for products coming from these countries;
36. Reiterates its view, in this respect, that this agreement does not constitute the final goal in EU-Ukraine relations; points out, furthermore, that pursuant to Article 49 TEU, Ukraine – like any other European state – has a European perspective and may apply to become a member of the European Union provided it adheres to the principles of democracy, respects fundamental freedoms and human and minority rights, and ensures the rule of law;
37. Stresses that relations of partnership and cooperation with Russia should be re-established when Russia demonstrates compliance with international law, contributes actively and

without ambiguities to a peaceful solution to the Ukrainian crisis, and fully respects the territorial integrity, independence and sovereignty of Ukraine, as well as of other countries of the Eastern Partnership and its neighbours; invites the new HR/VP to take a proactive role in facilitating dialogue between Ukraine and Russia, as well as the EU's dialogue with Russia, and in promoting peaceful solutions to conflicts; believes, furthermore, that the Commission should explore the modalities of EU cooperation with the Eurasian Economic Union;

38. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the President, Government and Parliament of Ukraine, the Council of Europe, the OSCE and the President, Government and Parliament of the Russian Federation.