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B6-0195/2004 }
B6-0196/2004 }
B6-0199/2004 }
B6-0200/2004 }
B6-0201/2004 }
B6-0202/2004 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 103(4) of the Rules of Procedure, by

- Jacek Emil Saryusz-Wolski, Charles Tannock, Jerzy Buzek, Tunne Kelam, Edward McMillan-Scott and Aldis Kušķis, on behalf of the PPE-DE Group
- Jan Marinus Wiersma, Marek Maciej Siwiec and Toomas Hendrik Ilves, on behalf of the PSE Group
- Cecilia Malmström and Jelko Kacin, on behalf of the ALDE Group
- Rebecca Harms, Elisabeth Schroedter, Daniel Marc Cohn-Bendit, Joost Lagendijk and Angelika Beer, on behalf of the Verts/ALE Group
- André Brie, Jonas Sjöstedt and Vittorio Emanuele Agnoletto, on behalf of the GUE/NGL Group
- Cristiana Muscardini, Michał Tomasz Kamiński, Anna Elzbieta Fotyga, Konrad Szymański and Guntars Krasts, on behalf of the UEN Group

replacing the motions by the following groups:

- GUE/NGL (B6-0195/2004)
- UEN (B6-0196/2004)
- Verts/ALE (B6-0199/2004)
- ALDE (B6-0200/2004)
- PSE (B6-0201/2004)
- PPE-DE (B6-0202/2004)

on Ukraine

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European Parliament resolution on Ukraine

The European Parliament,

- having regard to its previous resolutions on Ukraine,
- having regard, in particular, to its resolution on Ukraine adopted on 28 October 2004¹,
- having regard to the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, and Ukraine², which entered into force on 1 March 1998,
- having regard to European Council Common Strategy 1999/877/CFSP on Ukraine³, adopted by the European Council in Helsinki on 11 December 1999,
- having regard to the Final Statement and Recommendations of the EU-Ukraine Parliamentary Cooperation Committee of 16-17 February 2004,
- having regard to the Communication from the Commission of 12 May 2004 on the European Neighbourhood Policy - COM(2004) 373,
- having regard to the Joint Statement of the Ukraine-European Union Summit of 8 July 2004 in The Hague,
- having regard to the statements and the preliminary findings and conclusions of the international election observer mission in Ukraine on both rounds of the presidential election,
- having regard to the declaration by the Dutch Presidency on the second round of the presidential elections in Ukraine,
- having regard to the address by the High Representative of the European Union, Javier Solana, to its Committee on Foreign Affairs on Ukraine,
- having regard to the announcement on the final results of the presidential elections in Ukraine by the Central Electoral Committee,
- having regard to the proceedings before the Supreme Court of Ukraine on the validity of the second round of the presidential elections,
- having regard to the resolution adopted by the Ukrainian Parliament in its special session of 27 November 2004 on the second round of the presidential elections and the ensuing political

¹ Texts adopted, P6_TA-PROV(2004)0046.

² OJ L 49, 19.2.1998, p. 3.

³ OJ L 331, 23.12.1999, p. 1.

crisis,

- having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas the European Neighbourhood Policy recognises Ukraine's European aspirations and the importance of Ukraine as a country with strong historical, cultural and economic links to the Member States of the EU, and whereas a genuine and balanced partnership can only be developed on the basis of shared values with regard, in particular, to democracy, the rule of law and respect for human and civil rights,
- B. whereas Ukrainian society gave proof of its political maturity and adherence to common European values,
- C. whereas the conditions under which the presidential elections in Ukraine took place were considered beforehand as a serious test of the state of democracy in the country and of the authorities' adherence to these shared values,
- D. whereas international observers have concluded that the second round of the presidential elections in Ukraine was marked by a multitude of serious irregularities and has fallen far short of international standards for democratic elections,
- E. whereas serious allegations have been made that massive fraud has taken place in the counting of votes in favour of the incumbent Prime Minister, Viktor Yanukovich, and many indicators point to a confirmation of these allegations,
- F. whereas the Central Electoral Committee has refused to take up these allegations of fraud and has declared Mr Yanukovich as the winner of these elections,
- G. whereas the Ukrainian Supreme Court suspended the publication of the decision taken by the Central Electoral Committee and is at this moment investigating the validity of the presidential elections,
- H. whereas the Parliament of Ukraine, many representatives of governments and international organisations - including the EU Presidency and the Government of the United States - and many leading national and international politicians have asked for the result of the second round of the elections to be annulled and for a new round of voting to take place at actual notice,
- I. whereas the Russian Federation and in particular its President have made great efforts to influence the result of the presidential elections in Ukraine and to secure the victory of one candidate, Mr Yanukovich,
- J. whereas hundreds of thousands of Ukrainian citizens have taken to the streets for more than a week in a massive protest against the manipulation of the elections,
- K. whereas the situation concerning these elections has led to a serious political crisis in Ukraine

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and even to threats to break up the unity of the country,

- L. whereas the European Union and its Member States have acted promptly by sending mediators and whereas this has prevented the crisis from deepening, bringing the two candidates together around a table to negotiate and defuse tension,
 - M. whereas announcements were made on 29 November by President Leonid Kuchma that he would support a new election,
1. Expresses its solidarity with the Ukrainian people, whose right freely to elect its president must be recognised and implemented, and not repressed;
 2. Strongly condemns the conditions under which the second round of the presidential elections in Ukraine have taken place, as regards both the final stage of the election campaign and the irregularities and apparent fraud during the counting of votes;
 3. Rejects the decision by the Central Electoral Committee under the chairmanship of Serhiy Kivalov to declare Mr Yanukovich as the winner of the presidential elections without having fully considered the validity of the elections and the electoral process and therefore with apparent disregard for the wishes of the people of Ukraine;
 4. Calls on the Ukrainian authorities to annul the second round of the presidential elections and reorganise this second round before the end of this year with the participation of international observers, whilst guaranteeing an open and transparent electoral process in accordance with international democratic standards during both the election campaign and the actual voting and counting of votes, and thoroughly improving the election campaign conditions;
 5. Gives its full support to the efforts of the EU High Representative, the Lithuanian and Polish Presidents, and the Speaker of the Russian State Duma to come to a peaceful political solution to the crisis in Ukraine, and calls on all those concerned in Ukraine to cooperate in finding such a political solution;
 6. Calls on the Council and the Commission to make it clear to the Ukrainian Government that in no way can the use of violence against peaceful, democratic protest be tolerated and that if this is not adhered to the Partnership and Cooperation Agreement will immediately be suspended and sanctions applied;
 7. Calls on all protestors to allow a normal functioning of the Ukraine state organs and to refrain from barricading the main buildings of these organs of the state;
 8. Considers threats of separatism and the partition of Ukraine as unacceptable and expresses its commitment to the territorial integrity of Ukraine;
 9. Rejects allegations, especially by the Russian President, that, by expressing their support for the Ukrainian people's right to exercise their democratic rights, the European Union and the

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international community were encouraging violence; stresses at the same time that Russia carries a great responsibility for the situation in Ukraine;

10. 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, their creation of a prosperous market economy and their country's assumption of its rightful place in the Euro-Atlantic community of democratic nations;
11. Calls on the Commission, the Council and the Members States, in the event of a satisfactory outcome of the present situation, to speed up the ratification of the Action Plan for Ukraine, to engage in the rapid implementation of this plan and to include new measures aimed at strengthening the role of civil society;
12. Instructs its President to forward this resolution to the Commission, the Council, the Parliament and Government of Ukraine, the Parliamentary Assemblies of NATO and the OSCE, the Council of Europe, and the Government and Parliament of the Russian Federation.