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Situation in Ukraine

Greens/EFA motion for resolution

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on behalf of the Greens/EFA Group*

The European Parliament,

– having regard to its previous resolutions on Ukraine, with regard, in particular, to its resolutions of 27 February 2014 on the situation in Ukraine⁽¹⁾, of 13 March 2014 on the invasion of Ukraine by Russia⁽²⁾, and of 17 April 2014 on Russian pressure on Eastern Partnership countries and in particular destabilisation of eastern Ukraine⁽³⁾,

– having regard to the conclusions of the extraordinary meeting of the Foreign Affairs Council on Ukraine of 3 March 2014 and to the conclusions of the Foreign Affairs Council meetings of 17 March 2014, 14 April 2014, 12 May 2014 and 23 June 2014,

– having regard to the statement of the Heads of State or Government on Ukraine at the European Council of 6 March 2014,

– having regard to the European Council's conclusions on Ukraine of 20 March 2014 and of 27 June 2014,

– having regard to the statement of preliminary findings and conclusions on the early presidential election in Ukraine of the OSCE/ODIHR International Election Observation Mission of 25 May 2014,

– having regard to Rule 123(2) of its Rules of Procedure,

A. whereas in the events since April 2014, pro-Russian separatist groups first occupied the buildings of the regional state administration and other public buildings and staged violent demonstrations in south-eastern Ukraine; whereas in the following days well-armed, unidentified militias, in a series of coordinated raids, seized militarily towns and cities in eastern Ukraine with regard, in particular, to the regions of Luhansk and Donetsk;

B. whereas pro-Russian militias proclaimed 'People's Republics' in those regions and later held referenda

in support of those 'sovereign republics'; whereas all efforts by the Kyiv authorities to start a genuine dialogue with a view to dealing with the problems of the area, and in particular administrative decentralisation and the relevant constitutional reforms, have been turned down by the people who took power;

C. whereas insurgents have also been using Russian tanks, armoured vehicles, ammunition and weapons, including modern multiple rocket launchers, that were smuggled through the border and the checkpoints; whereas some leading fighters of the separatist militias are Russian citizens linked to Russia's intelligence or security services and others are from Chechnya, Crimea and Serbia; whereas during the crisis the Russian Federation has amassed troops and military hardware on the border with Ukraine;

D. whereas on 25 May 2014 Ukraine held early presidential elections under the monitoring of a robust international election observation mission led by the OSCE/ODIHR; whereas in spite of external and internal efforts to derail the process, the elections were positively assessed overall by the international monitors; whereas in Donbas only a few citizens could take part because of massive threats and violence by separatists;

E. whereas in his inauguration speech of 7 June 2014, the newly elected President, Petro Poroshenko, presented a 15-point peace plan for the settlement of the situation in the eastern regions based on the release from criminal responsibility of those who surrendered and did not commit grave crimes, the establishment of controlled corridors for the retreat of Russian mercenaries, and the launch of an inclusive dialogue with peaceful citizens;

F. whereas President Poroshenko declared a ceasefire that was unilaterally extended to 30 June in order to facilitate the implementation of the peace plan; whereas this ceasefire was continuously violated, mainly by the separatists;

G. whereas according to a UNICEF rapid assessment, up to 50 % of children in the Donetsk region witness violence and are suffering serious psychosocial problems; whereas public authorities, especially the police and the legal system, are not able to guarantee the rule of law or a minimum of public security; whereas there is a serious decline in services in many areas of Donetsk and Luhansk oblasts, with water supplies impacted, social payments cut and health services disrupted; whereas more than 100 000 people have been evacuated from conflict areas to other parts of the country and to Russia;

H. whereas on 2 July 2014 the Foreign Ministers of Germany, France, Russia, and Ukraine met in Berlin and agreed to a set of measures aimed at leading to a sustainable mutual truce in eastern Ukraine;

I. 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);

J. whereas on 27 June 2014 the Foreign Affairs Council confirmed the analysis of the Commission that Ukraine has fulfilled all the benchmarks under the first phase of the Visa Liberalisation Action Plan and moved to the second phase of the visa liberalisation process;

K. whereas on 25 June 2014 the Russian Federation Council approved a decision by President Putin to renounce the right to send Russian armed forces to the territory of Ukraine;

L. whereas in light of the absence of concrete steps to defuse tension the EU broadened its sanctions in relation to the situation in Ukraine, expanding the criteria that allow visa bans and asset freezes to be imposed and adding more persons and two entities to these measures; whereas these limited and targeted sanctions have already shown impact;

M. whereas no agreement was reached on the long-standing dispute between Ukraine and Russia on gas supply;

N. whereas strong international diplomatic action is needed at all levels to de-escalate the situation and prevent the crisis from spiralling out of control; whereas the EU must respond effectively so as to allow Ukraine and other Eastern Partnership countries to fully exercise and enjoy their sovereignty free from external pressure;

1. Expresses its deep concern at the ongoing conflict that is ravaging the eastern part of Ukraine, causing the loss of hundreds of human lives and the destruction of homes and properties and the flight of many thousand civilians from conflict areas to safe havens;

2. Acknowledges the legitimate right of Ukraine to self-defence as defined in Article 51 of the UN Charter; believes, nevertheless, that only a genuine political solution to the crisis can pave the way to a full reconciliation between the parties and strengthen the unity of the country; urges the Ukrainian security services to fully respect international humanitarian law (IHL) and international human rights law (IHRL) when conducting so-called counter-terrorist operations; underlines the need to protect the civilian population;

3. Highlights the implications, impact and consequences of this crisis for the stability and security of the whole region and for the present and future of EU-Russia relations; urges Russia to refrain from any unilateral interpretation of facts and events on the ground aimed at paving the way for a direct intervention of Russian forces in the conflict;

4. Supports, in this regard, the peace plan put forward by President Poroshenko, and calls for a new meeting of the Trilateral Contact Group on the settlement in south-eastern Ukraine, with a view to introducing an immediate ceasefire under OSCE monitoring and providing Ukrainian border guards and OSCE personnel with access to border checkpoints on the Russian side in order to monitor the situation in areas where the Ukrainian border checkpoints have been seized by separatist groups;

5. Calls on all the parties to stop all fighting, with a view to de-escalating the crisis, providing humanitarian aid and safe corridors to refugees and displaced people, creating the conditions for a genuine dialogue, and finding a viable solution that stabilises the situation; calls, furthermore, on the insurgents to immediately release all hostages;

6. Strongly believes that the OSCE should play the major operational role in resolving the Ukrainian crisis, because of its experience in dealing with armed conflict and crisis and the fact that both Russia and Ukraine are members of this organisation; calls on the EU Member States, the EU High Representative for Foreign and Security Policy, and the European Commission to further strengthen the role of the OSCE in the Ukrainian conflict; calls for more financial resources and personnel for the OSCE Special Monitoring Mission (SMM) in order to allow a strong OSCE presence along the border to Russia and in all places where fighting has taken place or is still taking place; urges the OSCE to publish as much information as possible on all violent and relevant political incidents in order to reduce the influence of disinformation and propaganda campaigns; calls, furthermore, on the OSCE to focus on all those people who have disappeared during the last weeks and to ensure that they are freed;

7. Draws attention to the recent report of Amnesty International and expresses its firm condemnation of the abductions, savage beatings, torture, murder, extrajudicial killings and other serious abuses of human rights and breaches of humanitarian law against activists, protesters, journalists and many other citizens not active in the conflict in eastern Ukraine that have occurred over the last three months, perpetrated mainly by armed separatists and in some cases also by government forces; supports the call on the Ukrainian government to create a single and regularly updated register of incidents of reported abductions, and the

thorough and impartial investigation of all allegations of abusive use of force, ill-treatment or torture;

8. Calls on Moscow to immediately reduce and pull back its troops from its border with Ukraine, and to stop any action, infiltration, arms supply or hidden support in favour of the insurgents fighting in eastern Ukraine, as the first long-awaited concrete steps to prove that Russia is serious over de-escalating the crisis;

9. Stresses that since the annexation of Crimea, Russia is in breach of its legal obligations as a signatory to the 1994 Budapest Memorandum and the 1997 Treaty on Friendship, Cooperation and Partnership, in which the parties agreed to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine;

10. Deeply deplores the fact that France continues to prepare the export of two Mistral helicopter carriers to Russia, starting training for 400 Russian marines at the port of St Nazaire; recalls that this particular export will strategically strengthen the Russian navy considerably and allow very rapid offensive actions in areas such as the Baltic and the Black Sea; also recalls that this export is contributing to the arms race in the region; is deeply convinced that this export is a direct and strong threat to European security and represents a violation of Common Position 944/2008 on arms exports, in particular of those criteria which prohibit an export to a country or region where there are tensions and non-respect of international law and international obligations such as the 1994 Budapest memorandum, as well as to the security of bordering EU Member States; calls on all EU Member States to immediately adopt an arms embargo which also includes surveillance technology;

11. Is concerned at the statements of NATO Secretary-General, Anders Fogh Rasmussen, regarding the need to significantly raise levels of defence spending in NATO countries because of the role Russia is playing in the Ukrainian crisis; is equally concerned at the announcements made by the US President concerning investing some one billion dollars in armaments in eastern Europe; recalls that both the French Mistral export and the US investments in eastern Europe are not only part of a dangerous and irresponsible zero sum game but also clear signs of an arms race in the making; believes that the steps towards further militarisation as planned by the French, US and NATO decision-makers will undermine and significantly weaken a strong civilian approach by the European Union based on sanctions and negotiations; stresses, furthermore, that the ongoing arms exports are in blatant contradiction with EU common positions and the relevant economic sanctions;

12. Urges the European Council to adopt a more coherent and firmer strategy vis-à-vis the Ukrainian crisis and especially the behaviour of the Russian government; welcomes the decision of the European Union to broaden targeted sanctions, including travel restrictions and asset freezes, against persons responsible for actions of intolerance and hatred, including calls for war, or for actions which could undermine or threaten the territorial integrity, sovereignty and independence of Ukraine, but regrets the decision not to resort to the third phase of sanctions despite the escalation of the crisis; urges the finalisation of the third phase of sanctions, including an arms embargo;

13. Urges the Ukrainian authorities to engage in an open, transparent and inclusive dialogue; calls on them, in this regard and in light of the ongoing conflict, not to delay the necessary and expected reforms at the constitutional, political and economic levels; takes the view in this regard that constitutional reform in Ukraine should be the subject of a broad in-depth discussion involving all elements of Ukrainian society, which should eventually lead to a referendum;

14. Welcomes the holding of early parliamentary elections in line with international democratic commitments, despite the hostilities in the eastern part of the country; stresses the overall positive assessment of the OSCE/ODIHR observation mission, which pointed to an improvement compared to previous consultations, and calls on the Ukrainian authorities to address all the remaining issues referred to

in the preliminary findings and conclusions;

15. Supports President Poroshenko's intention to hold early parliamentary elections in the autumn;

16. Stresses that the signing of the EU-Ukraine Association Agreement on 27 June 2014 is a fundamental step for the deepening of relations between the two parties and the inclusion of Ukraine in the European integration process; looks forward to the adoption of a 'roadmap' for the implementation of the agreement, and calls on the Commission to step up technical and financial assistance in order to ensure successful implementation; 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 Union provided it adheres to the principles of democracy, respects fundamental freedoms and human and minority rights, and ensures the rule of law; emphasises that an AA or a DCFTA with the European Union is not connected to NATO integration;

17. Welcomes the first High-Level Meeting on Ukraine held in Brussels on 8 July 2014 with the participation of the EU and its Member States, Ukraine, other donor countries, international organisations, international financial institutions and civil society, aimed at coordinating international support for the country; stresses the importance of a commitment by the international community to support economic and political stabilisation and reform in Ukraine, notably in the framework of Ukraine's political association and economic integration with the EU, together with a credible emergency plan for reconstruction and development in the regions affected by the conflict and humanitarian assistance for refugees and displaced people;

18. Takes note of the holding of the first trilateral meeting between the EU, the Russian Federation and Ukraine on 11 July 2014, on the implementation of the Association Agreement and the relevant potential effects and implications for Russia; is convinced that the EU should not allow Russia to undermine, veto or weaken this association agreement or those with Georgia and Moldova; emphasises that the EU and Russia have developed strong economic relations in the past, but also that only by returning to international law will Russia create the conditions for future good cooperation and relations;

19. Urges the Ukrainian Government to follow through with an ambitious set of transparent and comprehensive structural reforms that prioritise strengthening the rule of law, eradicating corruption through the adoption and enforcement of necessary legislation, establishing a balanced and functioning system of governance based on the separation of powers and in line with European standards, introducing a substantial reform of the judicial system and the electoral law, and aligning anti-discrimination legislation with EU standards, with regard in particular to the upcoming reform of the labour code; considers, furthermore, that it is of the utmost importance to start a gradual process of decentralising central powers to regional and municipal administrations without undermining the internal balance of powers or the effective functioning of the state; welcomes, in this regard, the Commission's decision to create a Support Group for Ukraine which will work on the implementation of the 'European Agenda for Reform';

20. Welcomes the plan of the Council to launch a civilian security sector reform mission in the context of CSDP; stresses the need to deeply reform the police and the justice sector and to strengthen transparency, accountability, and democratic and parliamentary control of the police;

21. Points out that the limited nature of the measures adopted by the EU in response to the invasion of Ukraine by Russia is also due to the Union's strong dependence on the Russian Federation as regards energy supplies; considers it of the utmost importance in this regard to reduce the EU's dependence on Moscow and on other authoritarian regimes, and to consider the possibility of a full boycott, while putting in place concrete alternatives to help those Member States that currently rely on Russia as single supplier; calls, in this regard, on the Commission to work for the full implementation of the Third Energy Package

and to support energy efficiency projects, since this would make additional pipeline capacities such as the South Stream redundant, and also to effectively diversify energy sources by developing renewables; urges Member States not to engage their public companies in projects with Russian companies that increase European vulnerability and aim at isolating Ukraine, such as South Stream; in this regard also calls on the European Council to adopt national binding targets on renewable energy and energy efficiency for 2030 that will reduce European dependency on fossil imports;

22. Welcomes the decision of the Bulgarian government to halt works on the South Stream project; is, however, deeply concerned at the recent decision of the Austrian government to further invest in the South Stream project, as well as the decision of the Hungarian government to sign an agreement on nuclear energy with Russia; is convinced that the recent visit of President Putin to Vienna and the signature of a South Stream-related contract between OMV and Gazprom represent a severe setback regarding the aim of creating a consistent European approach to the crisis in Ukraine, and, notably, a European energy security policy;

23. Welcomes the initial measures adopted by the Commission to enable Ukraine to tackle the energy crisis following Russia's decision to cut off gas supplies to the country, and urges the Council and Commission to continue giving assistance and support to Kyiv in its efforts to solve the long-standing gas dispute with Moscow;

24. Draws attention to the dramatic social situation in the country; calls on the Ukrainian Government to fully disclose the strings attached to the agreement with the IMF, and calls for accompanying measures aimed at alleviating the current situation with regard, in particular, to the most vulnerable sections of the population; takes the view that the IMF conditions could increase internal tensions and lead to the rapid reduction of salaries and posts in public administration, which could result in an increase in corruption as a side-effect; points out that the risk of infectious diseases is on the rise in Ukraine since the country is now facing a serious vaccine shortage due to delays in the state procurement process and price hikes in the wake of depreciation of the local currency;

25. Calls for an independent and impartial investigation of the deadly events that occurred in Odessa on 2 May 2014, as well as all other crimes against humanity that have taken place since November 2013, with the inclusion of a strong international component and under the supervision of the Council of Europe, and for those responsible to be brought to justice; is convinced that only the effective investigation of these crimes will help Ukrainian society and the families and friends of the victims recover trust in the institutions;

26. 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;

27. 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.

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