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Situation in Ukraine

Greens/EFA motion for resolution

*Tabled by **Rebecca Harms and Werner Schulz**
on behalf of the Green/EFA Group*

The European Parliament,

☐ having regard to its previous resolutions on Ukraine,

- having regard to the OSCE statement of 18 January 2010 on the outcome of the first round of the Presidential elections,

- having regard to the Joint Statement adopted by the parties at the EU-Ukraine summit which took place in Kiev on 4 December 2009,

- having regard to the joint Declaration of the Prague Eastern Partnership Summit of 7 May 2009,

- having regard to the EU-Ukraine Association Agenda adopted at the EU-Ukraine Cooperation Council in June 2009 that replaces the EU-Ukraine Action Plan,

- having regard to Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument[1] (ENPI),

- having regard to the National Indicative Programme 2011-2013 for Ukraine,

- having regard to Rule 110(2) of its Rules of Procedure,

A. whereas the International Election Observation Mission of the European Parliament, the parliamentary assemblies of the Council of Europe, the OSCE, and NATO and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) concluded that the first round of the Presidential elections held on 17 January 2010 satisfied most OSCE and Council of Europe commitments; whereas also the second round confirmed the assessment of the first round;

B. whereas these elections showed significant progress and improvements over previous elections with

regard, in particular, to the respect for civil and political rights, including freedom of assembly, association and expression; whereas the election day was conducted in a correct way and in an efficient manner,

C. whereas the campaign atmosphere of the second turn was negatively affected by mutual accusations of fraud and last minute amendments to the election law,

D. whereas despite that non-governmental organisations were not permitted officially to observe the election, the presence of domestic and international observers significantly increased transparency during the electoral process and voting day,

E. whereas Ukraine's European aspirations are fully reflected in the Association Agenda aimed at facilitating the implementation of the association agreement which is now being negotiated; whereas this new agreement provides the framework for deeper and closer relations and paves the way for the further integration of Ukraine in the EU common policies and the stepping up of political cooperation,

F. whereas the EU-Ukraine relations have made substantial progress in the last years in general and in particular in the areas of foreign and security policy and in trade, financial and economic matters; whereas further progress is needed in the fields of energy and environment,

G. whereas the Eastern Partnership in order to be successful and contribute to the peaceful development, the stability and the prosperity of all the Eastern neighbours must be based on concrete and credible projects; whereas Ukraine plays a crucial and strategic role in this respect,

1. Takes note of the result of the elections, congratulates with the new president and expects him to reconfirm and strengthen Ukraine's determination to continue its path towards European integration and democratic reforms as well as towards deepening and enhancing the cooperation with the EU in the neighbourhood area with regard, in particular, to the Eastern Partnership and the Black Sea Synergy policies; believes, in this regard, that the cooperation between the president and the prime minister of Ukraine is extremely important in order to attain these goals and to promote political and economic stability in the country;

2. Welcomes the fact that the Presidential elections were conducted in a satisfactory manner, in accordance with international electoral standards, and points out that Ukraine is steadily moving ahead on its way to become an increasingly mature democracy ready to play its role in the continent in line with its European aspirations;

3. Congratulates the people of Ukraine for voting in large numbers and freely expressing their will, thus showing a great desire to participate and decide on the course of their country; notes that the diverse field of candidates representing alternative political views during the Presidential elections offered a genuine choice to the people of Ukraine;

4. Takes note of the shortcoming of the elections identified by the International Election Observation Mission; calls upon the relevant authorities in Ukraine to set a clear election code which will be implemented in good faith and in a non-restrictive manner; encourages more transparent campaign financing during pre-election periods in order to avoid the misuse of administrative resources for personal gains; calls upon the Central Election Commission to address complaints brought forward by the candidates in a transparent manner and to provide effective remedies with formal decisions;

5. Appeals to the Ukrainian authorities that while Ukraine ratified the Council of Europe "Framework Convention for the Protection of National Minorities" and the "European Charter for Regional or Minority Languages" more effort should be done to reach out to minority communities in Ukraine by producing campaign materials in minority languages and to integrate further these communities in any political

development in the country;

6. Welcomes the significant improvement related to the freedom of expression and pluralistic media environment in Ukraine, which offered voters significant information about the leading presidential candidates and their electoral programmes; calls for a revision of the electoral law to ensure a more fair and equal access in media to all candidates participating in electoral processes in the future;

7. Regrets the adoption by the Verkhovna Rada of the highly controversial amendments to the presidential electoral law proposed by the Party of Regions just a few days before the second turn even though this did not seem to have a significant impact on the conduct of the election day;

8. Hopes that the outcome of these elections would bring along deeper political commitment to strengthen the political dialogue and to carry out the much needed constitutional and political reforms in Ukraine in order to ensure a stable, functioning governance of the country; draws the attention, in particular, to the necessity to adopt laws aimed at increasing the transparency of the political system with regard, in particular, to the relations between business and politics and at addressing the question of the conflict of interests;

9. Welcomes Ukraine's active support for the Eastern Partnership and the Euronest Parliamentary Assembly and its commitment to consolidate its efforts to ensure greater democracy, rule of law and the respect for human rights and fundamental freedoms, as well as to market economy, sustainable development and good governance in this framework;

10. Urges the Council and the Commission to deliver on the EU promises and address the expectations of the Ukrainian people who are increasingly looking at the EU by offering more concrete opportunities towards integrating further politically, economically and socially into the European structures and policies and therefore encourages the Commission to continue and accelerate the negotiations on the new Association Agreement which shall assist Ukraine in its gradual approximation to the EU on the basis of joint responsibility and joint ownership of the two parties; calls on the Commission to align closely the Association Agenda with the National Indicative Programme 2011-13;

11. Urges all neighbouring countries to fully respect the free and democratic choices of the Ukrainian people and to refrain from any pressure or interference aimed at overturning the democratic will and decisions taken by Ukraine in relation to its political, social and economical development;

12. Points out that the implementation of readmission and visa facilitation agreements has made progress but stresses that further efforts are needed in order to improve these agreements with regard, in particular, to broadening the categories of Ukrainian citizens benefiting from the visa facilitation agreement and finding appropriate solutions for facilitation of the general visa procedure towards the Ukrainian nationals in view of the new EC legislation in the area of visas;

13. Calls on Member States to apply the Visa Code in such a way to make the application for and deliver of visas as quick and easy as possible for those applying and urges them to respect the Union's visa facilitation agreement and to refrain from any unnecessary procedures;

14. Welcomes the creation of a EU-Ukraine structured visa dialogue with a view to establishing a visa free regime and stresses, in this regard, the need to define a roadmap to visa-free travel for Ukraine, as called for by the Communication on the Eastern Partnership, to be endorsed by the Council this year; calls on Council to give the Commission the mandate, in the short term, to conclude a revision of the visa facilitation agreement with Ukraine to introduce the waiving all visa fees, in line with article 14(4) of the agreement and the second step of the "mobility and security pact";

15. Notes that Ukraine has made significant progress in meeting its payment commitments to Russia over gas purchases and to avoid threatening the transit of gas supplies to different European countries that depend on Russian natural gas transported through Ukraine; urges Ukrainian authorities to modernise its gas sector to ensure that this network functions in a reliable and transparent manner;

16. Calls on the Commission to provide the necessary technical assistance in order to improve radically the energy efficiency of Ukraine's electric grid and to step up the cooperate as regards the reform of the gas sector in order to bring it in line with the EU standards;

17. Instructs its President to forward this resolution to the Council, the Commission, the Government and Parliament of Ukraine and the Parliamentary Assemblies of the Council of Europe, the OSCE and NATO.

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