

Resolution on the situation in Ukraine

2012/2889(RSP) - 10/12/2012

The Foreign Affairs Council adopted conclusions on Ukraine, the main ones being the following:

(a) it reaffirms the EU's engagement with Ukraine towards political association and economic integration. It recalls stating in May 2012 that Ukraine's performance will be assessed on the **basis of progress in three areas**: (i) the compliance of the 2012 parliamentary elections with international standards and follow-up actions, (ii) Ukraine's progress in addressing the issue of selective justice and preventing its recurrence, (iii) implementing the reforms defined in the jointly agreed Association Agenda;

(b) the Council **notes with concern** the following:

- the conduct of the 28 October parliamentary elections presented a mixed picture with several shortcomings and constituted a deterioration in several areas compared to standards previously achieved;
- the politically motivated convictions of members of the former Government after trials which did not respect international standards
- opposition leaders were prevented from standing in the parliamentary elections;

The Council commends the efforts undertaken by the **European Parliament's monitoring mission to Ukraine** headed by former Presidents Cox and Kwaniewski.

Looking forward to the final report by the OSCE-ODIHR, the Council underlines the importance of fully implementing its recommendations.

© The Council **calls on Ukraine** to:

- address the cases of politically motivated convictions without delay as well as to take further steps to reform the judiciary to prevent any recurrence;
- implement all judgments of the European Court of Human Rights as well as the recommendations by the Council of Europe related to detention conditions and medical assistance to persons in detention;
- take additional steps on judicial reform, including through a comprehensive review of the Criminal Code, of the role of the High Council of Justice, of the laws on the Judicial System and the Status of Judges as well as a reform of the Police;

(d) the Council reaffirms its commitment to the signing of the already initialled **Association Agreement, including a Deep and Comprehensive Free Trade Area**, as soon as the Ukrainian authorities demonstrate tangible progress in the three areas above, possibly by the time of the Eastern Partnership Summit in Vilnius in November 2013. However, the EU expects Ukraine to **refrain from introducing protectionist measures**, such as recycling fees on vehicles, which are potentially in breach of its WTO commitments.

It reconfirms its support for:

- the process of modernisation of Ukraine including through **bilateral financial assistance and potential EU Macro-Financial Assistance** and the facilitation of support from International Financial Institutions for the modernisation of the Ukrainian Gas Transmission System;

the shared objective of **visa-free travel** provided that conditions for well-managed and secure mobility set out in the Action Plan on Visa Liberalisation are in place.