

## **P6\_TA(2004)0046**

### **Forthcoming elections in Ukraine**

#### **European Parliament resolution on the forthcoming presidential elections in Ukraine**

*The European Parliament,*

- having regard to its previous resolutions on Ukraine,
  - having regard, in particular, to its resolution on Ukraine adopted on 11 March 2004<sup>1</sup>,
  - having regard to the Partnership and Cooperation Agreement between the European Communities and their Member States, and Ukraine<sup>2</sup>, which entered into force on 1 March 1998,
  - having regard to European Council Common Strategy 1999/877/CFSP on Ukraine<sup>3</sup>, 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)0373),
  - having regard to the Joint Statement of the Ukraine-European Union Summit of 8 July 2004 in The Hague,
  - having regard to the declaration of the Presidency on behalf of the European Union on the forthcoming elections and media freedom in Ukraine,
  - having regard to the interim statements of the long-term international election observer mission in Ukraine,
  - having regard to its decision to send an ad hoc delegation to observe the conduct of the elections,
  - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas the EU's European Neighbourhood Policy acknowledges Ukraine's European aspirations and recognises the importance of Ukraine as a key neighbour and strategic partner with deep historical, cultural and economic links to the Member States of the EU,
- B. whereas within the framework of this European Neighbourhood policy an Action Plan is being prepared, which should include proposals aimed at encouraging the political and

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<sup>1</sup> Texts adopted, P5\_TA(2004)0185.

<sup>2</sup> OJ L 49, 19.2.1998, p. 3.

<sup>3</sup> OJ L 331, 23.12.1999, p. 1.

institutional reforms which will enable Ukraine to integrate progressively in EU policies and programmes,

- C. pointing out that a genuine and balanced partnership can only develop on the basis of shared common values and standards with regard, in particular, to democracy, the rule of law and respect for human rights,
- D. whereas elections for the Presidency of Ukraine will take place on 31 October 2004 with a possible second round taking place on 21 November 2004,
- E. whereas these elections will provide an unambiguous test of the extent of the Ukrainian authorities' commitment to implementing common European values and standards,
- F. whereas genuinely free and fair elections require a period of political campaigning conducted in an environment in which neither administrative action nor violence, intimidation or detention by the law enforcement or security forces prevent the parties and the candidates from presenting their views to the citizenry, including conducting public meetings and enjoying unimpeded access to television (in particular to State-owned nationwide TV channels), radio, print and Internet media on a non-discriminatory basis,
- G. whereas as election day draws closer the climate surrounding the electoral campaign is becoming more tense by the day and the campaign itself is increasingly polarised,
- H. having regard to the mass demonstrations which took place in Kiev and other Ukrainian towns on Saturday 23 October 2004 calling for free and fair elections,
- I. whereas national and international observers have noted many cases of involvement of the State administration in favour of the incumbent Prime Minister, Mr Yanukovich, and against his main challenger, Mr Yushchenko,
- J. whereas efforts by State officials and State bodies to impose obstacles to free assembly, free speech and free and fair political campaigning have taken place in several constituencies in Ukraine without condemnation or remedial action by the Ukrainian Government,
- K. whereas there are serious allegations that the Government of Ukraine has used broadcasting media as well as administrative State and regional resources, including personnel, to bolster the campaign of one presidential candidate, seriously compromising the political neutrality of the civil service and contravening Ukrainian law,
- L. whereas the Ukrainian secret service has launched a terrorism investigation against the pro-opposition student group Pora and has raided the organisation's Kiev offices and arrested several of its members; whereas Pora activists in other Ukrainian cities have repeatedly complained of harassment and beatings by the police,
- 1. Underlines the importance of a further reinforced relationship between the EU and Ukraine and confirms the need to work together to contribute to increased stability, security and prosperity on the European continent, and to avoid the emergence of new dividing lines;

2. Expresses its strong and continuing support for the efforts of the Ukrainian people to establish a fully functioning democracy, the rule of law and respect for human rights in Ukraine;
3. Stresses that the forthcoming elections and, in particular, observance of international standards for democratic rules during the electoral process are of the greatest importance for the further development of relations between Ukraine and the European Union;
4. Expresses its deep disappointment at the conduct to date of Ukraine's presidential election campaign and urges the Government of Ukraine to meet its commitments in this respect as enshrined by the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE);
5. Urges the Ukrainian authorities to put an end to the ongoing violations of democratic procedures, to permit voters to make their choices freely and to ensure the freedom of candidates, members of opposition parties and independent media organisations from intimidation or harassment by government officials at all levels;
6. Strongly condemns the violent and discriminatory attacks by the secret service and other police units on the student group Pora and its members;
7. Insists that there should be no interference in the examination of electoral disputes by the courts and that judges should be given appropriate training in electoral law;
8. Welcomes the Government of Ukraine's undertaking to enable domestic and international observers to monitor the elections and to guarantee them unobstructed access to all aspects of the election process including unimpeded access to public campaign events, candidates, news media, voting, and post-election tabulation of results and processing of election challenges and complaints;
9. Strongly calls upon the Council and the Commission to make full use of their resources to ensure that all necessary conditions for holding free and fair elections in Ukraine are met, and stresses the need to seriously re-examine the bilateral relationship in the event of the election indeed being tainted by significant fraud;
10. Calls on the Commission to include measures aimed at strengthening Ukrainian civil society in the Neighbourhood Policy action plan;
11. Pledges its continuing support and assistance 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 European community of democratic nations;
12. Instructs its President to forward this resolution to the Council, the Commission, the Secretary General of the Council of Europe, the Secretary General of the OSCE, the Director of the OSCE's Office for Democratic Institutions and Human Rights and the Government, President and Parliament of Ukraine.