

On Freedom and Democracy in Ukraine

The European Liberal Democrat and Reform Party convening in Palermo (Italy) on 23-25 November 2011:

Considering that since the last presidential election the Ukrainian government has reaffirmed on several occasions their dedication to promoting European integration of the country and has shown extensive interest in closer cooperation with the European Union;

Considering that the European Institutions think of the Ukraine as “a country of strategic importance to the EU” and have taken intensive steps to push forward cooperation, especially through the Partnership and Cooperation Agreement (PCA), the Eastern Partnership Initiative and the ongoing negotiations on a new Association Agreement;

Considering that the European Union has coupled these measures with a demand for continuous improvement as regards human rights as well as the extensive promotion of democracy and the rule of law in Ukraine;

Whereas the re-establishment of a presidential system of government in late 2010 was followed by several measures undertaken by President Janukowitsch to centralise power within the presidential administration and his own party, the Party of Regions, undermining effective power-sharing and checks and balances within the political system;

Whereas it is clear that especially since the presidential elections politically-motivated activity by Ukrainian law enforcement agencies and security institutions and the misuse of administrative and judicial resources for political purposes is a serious threat to the development of the rule of law and liberal democracy in Ukraine;

Whereas the organisation “Reporters without borders” reported that there have been intensive blows against the freedom of the press throughout the last year including direct pressure by the Ukrainian state security service SBU on several TV and radio stations as well as threats against journalists linked with the political opposition;

Whereas the frequent monitoring of the Kharkiv Institute for Social Research showed that human rights abuses by Ukrainian law enforcement agencies have significantly increased during the year 2010 and are still at an unacceptably high level today;

Taking into account that changes to the electoral law put forward by the presidency of Viktor Janukowitsch have caused a hindrance to the engagement of new established parties in local elections as well as questionable procedures;

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Taking into account that President Janukowitsch personally initiated legal persecution against several leading members of the former government, culminating in a harsh sentence against former Prime Minister Yulia Timoschenko that is in large part politically motivated. It is particularly worrying that this persecution is conducted under provisions in the criminal code of the country dating back to Soviet times, which in no way conform to the legal standards promoted by the EU.

ELDR, deeply concerned about the recent curtailing of democracy in Ukraine:

Condemns the sentencing of the opposition politician Yulia Timoshenko as a ridiculous approach by the government of Viktor Janukowitsch to silence political opponents by the use of the judiciary as a tool of political suppression and urges Ukrainian officials to guarantee a fair, independent and transparent response to the appeal by Yulia Timoschenko and also in the case of other processes against members of the former Ukrainian Government;

Demands that the Ukrainian government prove its dedication to further European integration of the country by taking immediate measures to guarantee freedom of the media, freedom of political participation, freedom of assembly and freedom of expression as well as by taking decisive steps to prevent and investigate human rights violations by law enforcement agencies and the state security service;

Urges the Ukrainian government to follow the recommendations of the Venice Commission and OSCE in the process of drafting a fair and transparent election law and to cooperate with EU institutions on the issue of judicial reform in a more effective way;

Welcomes the 7 June and 25 October resolutions of the European Parliament on the issue of the deterioration of democratic political and juridical processes in the country and the support which the ALDE group has given in the European Parliament;

Calls on the European Institutions to constantly remind the Ukrainian government of their obligations as regards implementing a fair, democratic and transparent political system in all possible diplomatic ways and suggests more direct measures such as the temporary suspension of EU programmes and consultations with Ukrainian institutions should there be no improvement of the situation in the near future;

Calls on ELDR member organisations to use their political networks to raise support for the causes of democracy, human rights, freedom of speech and political freedom in Ukraine.

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