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The functioning of democratic institutions in Ukraine

Addendum to the report¹

Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

Co-rapporteurs: Ms Mailis REPS, Estonia, Alliance of Liberals and Democrats for Europe, and Ms Marietta de POURBAIX-LUNDIN, Sweden, Group of the European People's Party

1. Update on recent developments

1. In our report, we described the developments in Ukraine up to 27 January 2014, when we had to finalise the drafting. However, since then, developments in Ukraine have continued in rapid succession and considerable changes have taken place in the political landscape. Some of these developments have addressed a number of the concerns we expressed in our report. In this addendum, we intend, very briefly, to outline some of the main developments.

2. On 28 January 2014, the Verkhovna Rada met in extraordinary session. In a welcome move, with the support of both the ruling majority and opposition, it repealed the controversial “anti-protest” laws which had contributed to the recent violent escalation of the conflict. There have been some – unconfirmed – rumours that some of these laws, including the law on “foreign agents” could be re-introduced at a later stage. We sincerely hope that these rumours are unfounded as the reintroduction of such controversial laws could easily lead to renewed escalation of tensions.

3. Also on 28 January 2014, Prime Minister Azarov announced his resignation in order to facilitate a “peaceful resolution to the conflict”. In line with Ukrainian legislation, this automatically triggers the resignation of his Cabinet. A new Cabinet has to be formed within 60 days. Until then, the current Cabinet² remains in a caretaker position. President Yanukovich announced that he had offered the position of Prime Minister to Mr Arseniy Yatsenyuk, one of the opposition leaders. However, the latter announced that he would decline the offer until such time as the other demands of the opposition were met.

4. These developments, as well as clear indications that the authorities and protest leaders had renewed their efforts to find a negotiated solution to the political crisis, are an important first step to calming the tense political situation. They offer an important window of opportunity, which should now be followed up by both sides with further concrete steps to resolve the crisis peacefully and democratically.

5. At the time of writing, the authorities and protest leaders are engaged in negotiations over an amnesty law for all those involved in the Maidan protests. We support the principle of such a general amnesty without pre-conditions, but we would like to stress that there can be no impunity for grave acts of violence committed by either side.

6. We have reflected most of these developments in the amendments we have tabled to the draft resolution.

1. Reference to committee: Reference 4011 of 27 January 2014.
Addendum to the report approved by the committee on 30 January 2014.

2. Except for Prime Minister Azarov, who has been replaced by Serhiy Arbutov, the first Deputy Prime Minister, who will be acting Prime Minister in the caretaker Cabinet.

