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Dear Madams:

Dear Sirs:

Re: Prosecutions of Political Opponents in Ukraine

As previously raised with the international community by the Ukrainian World Congress (UWC) in its letters dated 12 January 2011,¹ the UWC is gravely concerned about the continuing prosecutions of political opponents by Ukrainian government authorities.

The UWC also believes that the ongoing attempts by these authorities to ban Ms Yulia Tymoshenko from travelling, most recently to meetings in Lviv, Ukraine, are aimed at undermining the Ukrainian opposition in the run-up to the next Parliamentary elections.

Therefore, the UWC fully endorses the following statements in the *European Parliament resolution of 9 June 2011 on Ukraine: the cases of Yulia Tymoshenko and other members of the former government* (the “Resolution”) to the effect that the European Parliament:

1. *Stresses the importance of ensuring the utmost transparency in investigations, prosecutions and trials, and warns against any use of criminal law as a tool to achieve political ends;*
2. *Is concerned about the increase in selective prosecution of figures from the political opposition in Ukraine as well as the disproportionality of measures applied, particularly in the cases of Ms Tymoshenko and Mr Lutsenko, former Interior Minister, and notes that Mr Lutsenko has been in custody since 26 December 2010; expresses its support for the Ukrainian Human Rights Commissioner, Nina Karpachova, who has asked the Ukrainian Prosecutor General to consider the possibility of applying preventive measures that do not involve detention;*
3. *Reminds the Ukrainian authorities that the principle of collective responsibility for the decisions of the government does not permit the prosecution of individual members of the government for decisions that were taken collegially;*
4. *Stresses that ongoing investigations of prominent Ukrainian political leaders should not preclude them from actively participating in the political life of the country, meeting voters and travelling to international meetings; calls, therefore, on the Ukrainian authorities to lift the travel ban, both domestically and internationally, on Yulia Tymoshenko and other key political figures;*
5. *Underlines the fact that strengthening of the rule of law and a credible fight against corruption are essential not only for the conclusion of the Association Agreement and the deepening of EU-Ukraine relations in general, but also for the consolidation of democracy in Ukraine;² [...].*

¹ See enclosed UWC letters

² See <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2011-0272&language=EN>

In this respect, the UWC also agrees with the following:

- a) The 26 May 2011 Statement by the High Representative of the European Union for Foreign Affairs and Security Policy and Vice President of the European Commission Catherine Ashton regarding recent developments in the case against Ms Yulia Tymoshenko: *“We note the danger of provoking any perception that judicial measures are used selectively, and we stress the importance of ensuring the maximum transparency of investigations, prosecutions and trials. We consider these principles especially important in a country with which we intend to enter into a deeper contractual relationship built upon political association, and we recall that Ukraine currently holds the Chairmanship of the Committee of Ministers of the Council of Europe.”*³;
- b) The 9 June 2011 declaration by the European Commissioner for Energy Günther Oettinger that: *“We expect that Ukraine will change their [judicial] system, and will have impartial justice, which is guaranteed by the Consitution.”*⁴; and
- c) The April 2011 *Freedom House Report on the State of Democracy and Human Rights in Ukraine* recommending that President Viktor Yanukovich and his government: *“Halt politically motivated prosecutions carried out by the prosecutor general’s office against former leading political figures, while maintaining a credible campaign to root out corruption and foster accountability”*.⁵

As (i) Chair of the Committee of Ministers of the Council of Europe until November 2011, (ii) co-host of EURO 2012, and (iii) Chair of the Organization for Security and Co-operation in Europe (OSCE) in 2013, the eyes of the world will be upon Ukraine for several years to come. Ukraine will, in many respects, be Europe’s representative to the world.

Therefore, the UWC encourages the international community to significantly increase pressure on the Ukrainian government authorities to ensure that: (i) they do not undermine such fundamental values as human rights, democracy, and free and fair elections; and that (ii) Ukraine fulfills its international commitments and complies with the terms of the Resolution.

The Ukrainian World Congress is an international coordinating body for Ukrainian communities in the diaspora representing the interests of over twenty (20) million Ukrainians, with member organizations in over thirty (30) countries. Founded in 1967, the Ukrainian World Congress was incorporated in 2000 in Canada and recognized in 2003 as a non-governmental organization by the United Nations Economic and Social Council with special consultative status.

Sincerely,

UKRAINIAN WORLD CONGRESS



Eugene Czolij
President

Encl.

³ See http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/122218.pdf

⁴ See <http://www.kyivpost.com/news/nation/detail/106403/>

⁵ See http://www.freedomhouse.org/uploads/special_report/98.pdf

c.c. His Excellency Viktor Yanukovich, President of Ukraine
The Honourable Nina Karpachova, Ukrainian Parliament Commissioner for Human Rights
Ukrainian World Congress Member Organizations