

Text adopted by the plenary session of proposal for resolution by Karl Vanlouwe, Orry Van de Wauwer, Bart Tommelein, Annick Lambrecht and Staf Aerts on opening the political dialogue with the European Commission on the non-recognition of sham referendums organised by the Russian Federation in Ukraine and the subsequent annexation of the occupied territories of Kherson, Zaporizhzhia, Donetsk, and Luhansk.

The Flemish Parliament,

– having regard to:

1° the sham referendums for accession to the Russian Federation organised from 23 to 27 September 2022, by the occupying forces of the Russian Federation in the self-proclaimed but internationally unrecognised People's Republics of Donetsk and Lugansk, which have been ruled by pro-Russian leaders since 2014 as well as in the recently occupied territories in parts of the Kherson and Zaporizhzhia regions;

2° the dubious claims by the pro-Russian authorities in the occupied territories that the inhabitants voted overwhelmingly in favour of joining Russia, with 99% in Donetsk, 98% in Luhansk, 93% in Zaporizhzhia and 87% in Kherson declaring themselves in favour, respectively. This contradicts various pre-war survey results and actual population numbers in the occupied territories;

3° the call of 11 August 2022 by the Verkhovna Rada, the parliament of Ukraine, to the United Nations, the European Commission, the European Parliament, the Council of Europe, the Organization for Security and Co-operation in Europe and their parliamentary assemblies, as well as the governments and parliaments of the world not to recognise the organisation and holding of these sham referendums of the occupying administrations of the Russian Federation in the temporarily occupied territories of Ukraine;

4° the fact that the Russian Federation, in conducting large-scale military aggression against Ukraine, continues to annex the occupied territories of Ukraine through simulations of referendums and handing out passports to Ukrainian citizens residing in the territories temporarily occupied by the Russian army, relocation of civilians and other measures;

5° the statements of the leaders of the Group of Seven (G7), who strongly condemn the sham referendums, pointing out that they go against the United Nations Charter and international law. The leaders further point out that because of the hasty organisation, violation of democratic norms and blatant intimidation of the local population, the sham referendums have no legitimacy and are thus of no consequence;

6° UN General Assembly resolution 68/262 of 27 March 2014 recognising Ukraine's territorial integrity and condemning the sham referendum on Crimea;

– Considering that:

1° the sham referendums were unexpectedly announced and organised only a few days later and were absolutely not conducted according to the principles of good governance, thus having no legitimacy or consequence, and that the announcement was followed by a Kremlin decision for partial mobilisation;

2° President Putin took the first step towards illegal annexation of the four aforementioned regions, accounting for 15% of Ukrainian territory, by signing treaties on 30 September 2022;

3° That annexation, meanwhile, was also approved by the Duma, Russia's lower house, and the Russian Federation Council, the upper house;

4° annexation claims extend beyond the actual Ukrainian territory controlled by Russian Federation forces today and include areas under the control of democratic authorities in Kiev today;

- 5° any democratic debate and exercise of the internationally recognised right to self-determination is absent and rendered impossible;
- 6° there are clear indications and reports of manipulation and grassroots pressure, rendering the results of these sham referendums invalid a priori;
- 7° a great many people in the regions concerned have fled in recent months; in some cities, barely 10 to 20 per cent of the population is said to remain, further undermining the representativeness of such sham referendums;
- 8° no independent observers were present or admitted;
- 9° these sham referendums in the temporarily occupied territories of the Russian army are unacceptable under both Ukrainian and international law, and in particular violate the international right of self-determination;
- 10° the Russian Federation carried out the annexation of Crimea in 2014 by organising a sham referendum;
- 11° the sham referendum following Russia's annexation of the Ukrainian peninsula of Crimea in 2014 has not been recognised internationally;
- 12° this kind of sham referendum does not contribute to the search for a solution, but just further inflames the conflict and leads to additional bloodshed;
- 13° the results of these sham referendums cannot be recognised, given that in this war situation (with the population fleeing and the pressure and manipulation on the part of Russia) a referendum or any other plebiscite is by definition illegitimate;
- 14° the formal annexation legitimises further escalation of the conflict according to Russia's 2014 military doctrine and allows operations in Ukraine to resort to more extreme military action to even possible deployment of nuclear weapons;
- 15° not only is the West united in its opposition to the referenda and the subsequent annexation of Ukrainian territory by the Russian Federation, but countries such as Turkey, India and China have also already spoken out;

- strongly condemns the sham referenda of the Russian Federation on the annexation of the occupied territories to the Russian Federation which violates Article 2, 4° of the UN Charter;

- strongly supports Ukraine's territorial integrity and the inviolability of its borders, as enshrined in the Ukrainian constitution and recognised internationally;

- believes that the sham referendums held by the Russian Federation in the temporarily occupied territories of Ukraine are a flagrant violation of international law, the United Nations Charter, the right to self-determination and the Ukrainian constitution and declares that it will never recognise the results;

- following on from not recognising these sham referendums will also never recognise the ensuing separation and annexation;

- calls on the international community and the European Commission to:

- 1° not recognise the results of the sham referendums held by the Russian Federation and any other form of "expression of the will of the people" in the areas of Ukraine temporarily occupied by the Russian army;
- 2° denounce and monitor any policy of Russian aggression and Russification;
- 3° hold accountable those who have been actively involved in the organisation and holding of sham referendums or in other related activities;
- 4° not to recognise the passports of the Russian Federation issued in the occupied territories of Ukraine;

5° apply the same sanctions regime to the newly occupied territories as those that apply to Crimea,

6° not recognise and expressly condemn the illegal annexation of the occupied territories of Kherson, Zaporizhzhia, Donetsk, Luhansk and Crimea in the Russian Federation;

- asks the European Commission to consider this resolution within the framework of political dialogue and indicate how it will take it into account;

- asks the president of the Flemish Parliament to forward this resolution to the European Commission.