



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

15.7.2014

B8-0065/2014

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the crime of aggression
(2014/2724(RSP))

Charles Tannock,
on behalf of the ECR Group

**European Parliament resolution on the crime of aggression
(2014/2724(RSP))**

The European Parliament,

- having regard to the Charter of the United Nations,
 - having regard to the Rome Statute of the International Criminal Court (ICC), and in particular Article 5 and Article 8 bis relating to the crime of aggression as one of the core crimes under the ICC’s jurisdiction,
 - having regard to the Kampala Amendments to the Rome Statute, adopted at the Review Conference held in Uganda in 2010, and in particular Resolution RC/Res. 6 on the crime of aggression,
 - having regard to its previous resolutions on the Annual Reports on Human Rights in the World and the European Union’s policy on the matter, including implications for the EU’s strategic human rights policy,
 - having regard to the outcome of the 25th session of the United Nations’ Human Rights Council in April 2014,
 - having regard to the Ninth Report of the International Criminal Court to the United Nations for 2012/13,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas 122 countries are States Parties to the Rome Statute of the International Criminal Court;
- B. whereas the European Union and its Member States have strongly supported the International Criminal Court since its inception, and continue to provide support to ensure it is properly able to fulfil its functions and obligations in line with the Rome Statute;
- C. whereas ratification of the Kampala Amendments on the crime of aggression by at least 30 State Parties and a decision to be taken after 1 January 2017 by a two-thirds majority of States Parties will allow for the establishment of a permanent system of international criminal accountability by penalising the crime of aggression;
- D. whereas at least 35 States Parties are currently actively working on the ratification of the amendments on the crime of aggression, while to date 14 others have already ratified both Kampala amendments, and others have made commitments towards ratification;
- E. whereas on 8 May 2012 Liechtenstein was the first country to ratify the amendments on the crime of aggression together with the amendments on Article 8 (war crimes) adopted at the 2010 Review Conference of the Rome Statute of the ICC, held in

Kampala, Uganda;

- F. whereas on 17 November 2011¹ Parliament welcomed the adoption of the Kampala Amendments to the Rome Statute, including on the crime of aggression, and called on all Member States to ratify them and incorporate them into their national legislation;
 - G. whereas on 18 April 2012 Parliament subsequently adopted resolution 2012/0126² and called on the Council and the Commission to use their international authority in the interests of securing and strengthening the universality of the Rome Statute for an internationally agreed definition of acts of aggression in breach of international law;
 - H. whereas the Kampala amendments are compatible with the Charter of the United Nations;
1. Fully supports the work of the International Criminal Court in helping end impunity for the perpetrators of the most serious crimes of concern to the international community;
 2. Welcomes the conclusions of the 2010 Review Conference of the Rome Statute of the ICC, held in Kampala, Uganda, on the crime of aggression; further welcomes the commitment of those State Parties which have either ratified, acceded to, or made positive references to ratifying the amendments on the crime of aggression;
 3. Stresses that it is important for all EU Member States to commit to the fight against genocide, crimes against humanity, and war crimes; further supports the calls for impunity for grave human rights violations to be made a priority for the EU in its external actions, as well as for EU Member States;
 4. Accepts the principle of complementarity under which the ICC operates and recognises that the ICC does not replace national criminal justice systems; further acknowledges that the ICC only investigates and, where warranted, prosecutes and tries individuals only if the State concerned does not, cannot or is unwilling to do so;
 5. Further accepts that the ICC may exercise jurisdiction over the crime of aggression, subject to a decision to be taken after 1 January 2017 by a two-thirds majority of States Parties and subject to the ratification of the amendment concerning this crime by at least 30 States Parties;
 6. Recognises that the decision to ratify the amendments on the crime of aggression is solely a matter for individual State Parties;
 7. Instructs its President to forward this resolution to the Council, the Commission, the governments of the EU Member States and the European External Action Service.

¹ Texts adopted, P7_TA(2011)0507.

² Texts adopted, P7_TA(2012)0126.