



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

15.7.2014

B8-0068/2014

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))

**Helmut Scholz, Miloslav Ransdorf, Dimitrios Papadimoulis,
Marie-Christine Vergiat**
on behalf of the GUE/NGL 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 Article 5 of the Rome Statute, which lists the crime of aggression as one of the core crimes under the International Criminal Court's jurisdiction,
- having regard to the Kampala Amendments to the Rome Statute, which were adopted at the Review Conference held in Kampala, Uganda, in 2010, with particular reference to Resolution RC/Res. 6, relating to the crime of aggression,
- having regard to EU Council Decision 2011/168/CFSP and to its reference to the Kampala Amendments,
- having regard to the revised Action Plan adopted on 12 July 2011 in line with Council Decision 2011/168/CFSP,
- having regard to its resolution of 19 May 2010 on the Review Conference on the Rome Statute of the International Criminal Court, in Kampala, Uganda¹,
- having regard to its resolution of 17 November 2011 on EU support for the ICC: facing challenges and overcoming difficulties²,
- having regard to its resolution of 18 April 2012 on the Annual Report on Human Rights in the World and the European Union's policy on the matter, including implications for the EU's strategic human rights policy³,
- having regard to its resolution of 11 December 2013 on the Annual Report on Human Rights in the World and the European Union's policy on the matter, including implications for the EU's strategic human rights policy⁴,
- having regard to the Latin American Parliament General Assembly Resolution of 19 and 20 October 2013 on the 'Promotion of the International Criminal Court and Ratification of Kampala Amendments' (AO/2013/07XXIX),
- having regard to the resolution of the Assembly of States Parties to the Rome Statute of the International Criminal Court of 27 November 2013 on the 'Strengthening of the International Criminal Court and the Assembly of States Parties', which includes a call on future States Parties to ratify the Statute as amended, a call on all States Parties to

¹ OJ C 161 E, 31.5.2011, p. 78.

² OJ C 153 E, 31.5.2013, p. 115.

³ OJ C 258 E, 7.9.2013, p. 8.

⁴ Texts adopted, P7_TA(2013)0575.

consider ratifying the amendments and a recognition of the recent ratifications of the amendments by a number of States Parties (ICC-ASP/12/Res.8),

- having regard to the Ratification and Implementation of the Kampala Amendments to the Rome Statute of the ICC handbook produced by the Permanent Mission of the Principality of Liechtenstein to the United Nations, the Global Institute for the Prevention of Aggression and the Liechtenstein Institute on Self-Determination at Princeton University,
- having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the ratification of the Kampala Amendments to the Rome Statute on the crime of aggression by at least 30 States 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 for the crime of aggression;
- B. whereas the ratification of both Kampala Amendments by States and activation of the ICC's jurisdiction over the crime of aggression will contribute to ending impunity for the perpetrators of this crime;
- C. whereas the ICC's jurisdiction over the crime of aggression will contribute to the rule of law at international level and to international peace and security by acting as a deterrent to the illegal use of force and thus proactively contributing to the prevention of such crimes and the consolidation of lasting peace;
- D. whereas the ratification of the Kampala Amendments and activation of the ICC's jurisdiction over the crime of aggression will contribute to protecting human rights by criminalising the act of aggression, which always stands at the beginning of the causal chain of gross violations of human rights and grave breaches of international humanitarian law;
- E. whereas the Kampala Amendments are fully compatible with the United Nations Charter in that they only criminalise the most serious forms of the illegal use of force, namely those that manifestly violate the UN Charter by their 'character, gravity and scale'; whereas the activation of the ICC's jurisdiction over the crime of aggression will contribute to the universality of the Rome Statute since several states may be interested in ratifying the completed Rome Statute, including the Kampala Amendments, which also serves their national policy goal of deterring the illegal use of force against them;
- 1. Encourages its Member States first to ratify the amendment and then to positively support the one-time decision made by the Assembly of States Parties to the Rome Statute, once the required 30 ratifications are achieved, to activate the ICC's jurisdiction for the crime of aggression;
- 2. Calls on EU Member States swiftly to align national legislation with the Kampala Amendments' definitions, as well as other obligations under the Rome Statute, to enable national investigations and prosecutions of the crimes by the Member States and to cooperate with the Court;

3. Calls on the EU to commit to the fight against genocide, crimes against humanity, war crimes and the crime of aggression, as well as calling for impunity for grave human rights violations to be made a priority for the EU, and for the Member States, in their external actions;
4. Underlines the importance of the principle of universality of the Rome Statute and calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy actively to promote accession to and ratification of the Statute as amended and the ratification of both Kampala amendments; insists that the ratification and implementation of the Rome Statute should be an important objective for the EU in its relations with other partners, in particular the United States, China, Russia and Israel;
5. Calls for the EU and its Member States to renew their commitment to and activity – including financial – in the ICC for the future;
6. 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.