

13/12/99



Strasbourg, 13 December 1999

BS-349/99

MOTION FOR A RESOLUTION

with request for inclusion in the debate on topical and urgent subjects of major importance pursuant to Rule 50 of the Rules of Procedure

by Ms Malmström, Mr Haarder and Mr Rutelli on behalf of the ELDR Group

on the ratification of the Rome treaty to establish the permanent international criminal court

The European Parliament,

- A. whereas on 17 July 1998 the Statute of the Permanent International Criminal Court (ICC) to judge war crimes, genocide and crimes against humanity, was adopted in Rome by 120 votes to 7, with 19 abstentions;
- B. whereas for the first time, a Court with international jurisdiction can judge the people responsible for the above crimes independently, also in the absence of a specific political mandate from the UN Security Council and without confining itself to the "justice of the victors";
- C. whereas the new Court will be presided over by an independent Prosecutor and will also be able to judge crimes committed during internal conflicts and that, although operating in a way that is complementary to national jurisdictions, will have the authority to decide, in controversial cases, the respective spheres of competence;
- D. congratulating the 90 states that have signed the ICC Rome Statute and the six that have already ratified it: Senegal, Trinidad and Tobago, San Marino, Italy, the Fiji islands and Ghana;
- E. congratulating also those Countries, including EU Member States and applicant countries, that are at present carrying out the internal procedures for ratification;
- F. whereas a Preparatory Commission has been mandated by the Rome Conference to finalise the Rules of Procedure and Evidence and the Elements of Crimes by June 2000;

- G. whereas for the Court to begin functioning, at least 60 countries must deposit the instruments of ratification at the United Nations;
1. Urges Member States of the European Union and the applicant countries that do not have ratified the ICC Rome Statute to do so as soon as possible;
 2. Asks the Council and the Commission to set the objective of the ratification of the ICC Rome Statute by at least 60 states, and therefore the entry into force of the Court's jurisdiction by 31 December 2000, as a priority of the Union's foreign policy, including in the negotiation process with the applicant countries;
 3. Asks the Council and the Commission to do their utmost, politically and diplomatically, to ensure that the Preparatory Commission (PrepCom) complete its work by the set deadline of June 2000;
 4. Asks the Council and the Commission to take action in all the appropriate seats to speed up the execution of the required procedures by the PrepCom, and to persuade those States that have not yet approved the Statute of the Court to accept its obligatory jurisdiction;
 5. Asks the Council, the Commission and the Member States to support, through voluntary contributions, the trust funds established by the UN General Assembly which mandate comprise the costs of participation in the work of the PrepCom of the least developed countries and of those developing countries not covered in UNGA resolutions;
 6. Decided to send a parliamentary representation of the European Parliament to the next session of the PrepCom, which will meet in New York to finalise the annexes to the Court's Statute, and asks the parliaments of Member States to send parliamentary observers to the PrepCom;
 7. Instructs its President to forward this resolution to the Council and the Commission, the parliaments of the Member States and to the Secretary-General of the United Nations.

PP. Ms Malmström
Mr Haarder
Mr Rutelli

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