

## **P5\_TA(2002)0082**

### **International Criminal Court**

#### **European Parliament resolution on entry into force of the Statute of the International Criminal Court**

*The European Parliament,*

- having regard to the fact that, by 20 February 2002, 52 States had ratified the Treaty,
- having regard to, and strongly attached to, the standards of the European Convention on Human Rights and Fundamental Freedoms as well as the Charter of Fundamental Rights of the European Union,
  - A. whereas, for the first time, a court with international jurisdiction will be able independently to judge the individuals, including terrorists, responsible for war crimes, genocide and crimes against humanity and thus to contribute to the prevention of such crimes,
  - B. convinced that the establishment of the International Criminal Court is a fundamental factor for reconciliation, justice, peace and security and that it will contribute to the strengthening of the rule of law and the international protection of human rights,
  - C. whereas events in very recent years, such as the crimes committed in the Balkans and in Rwanda, and on 11 September 2001, make the need for an international criminal court even more evident,
  - D. convinced that the Statute of the Court will guarantee against political interference and ensure full respect for the principles of impartiality, fairness, independence, individual criminal responsibility and effectiveness,
  - E. recalling that the Rome Statute of the International Criminal Court, which has worldwide jurisdiction and is complementary to international criminal jurisdictions, is based on very high standards of justice and will constitute an effective deterrent and an instrument of redress for the most serious crimes,
  - F. whereas the first Assembly of States Parties to the Rome Statute has been scheduled by the United Nations for September 2002 and all countries that have ratified the Statute by June 2002 will participate as full members,
  - G. reiterating its firm conviction that the parts of the Geneva Conventions concerning the status of prisoners of war, as well as the standards and definitions set out in those conventions, must be updated so as to respond effectively to the new situations created by the development of international terrorism,
- 1. Congratulates the 52 States that have already ratified the Rome Treaty, including 13 Member States of the European Union, 4 candidate countries (Poland, Hungary, Slovenia

and Estonia), and also Croatia and the Federal Republic of Yugoslavia, and looks forward to the imminent entry into force of the Statute;

2. Invites the Member States and the associated countries that have not yet ratified it to do so as soon as possible and is concerned about the fact that some regions of the world are still severely under-represented within the group of countries that have ratified the Rome ICC Statute and that further steps are necessary to ensure as broad as possible accession to the Rome ICC Statute;
3. Commends the essential role played by the Commission, in cooperation with non-governmental organisations, in encouraging prompt and effective ratification by countries throughout the world;
4. Requests that the European Union and the Member States, in all bilateral and multilateral contacts, particularly with countries in regions that are under-represented, undertake the necessary steps to encourage the ratification of the Statute and the adoption of implementing legislation by the largest possible number of States; invites the Member States, the Council and the Commission to use the Union's political leverage under cooperation agreements in order to promote ratification of the Treaty by as many countries as possible;
5. Calls upon the Council to develop a concrete plan of action, for adoption during the Spanish Presidency, in order to promote the ratification of the Rome Statute or accession to it by a very large number of countries and the effective establishment of the Court, in cooperation with the United Nations Preparatory Commission for the ICC and the host country;
6. Calls upon the Union and its Member States to give practical support to the early establishment and smooth functioning of the Court;
7. Is convinced of the importance to the ICC of full support from the USA; invites the US executive and legislative powers to reconsider their position on the ICC;
8. Instructs its President to forward this resolution to the Council, the Commission, the parliaments of the Member States and the USA Congress, the governments and parliaments of the candidate countries, the UN Secretary-General, the Council of Europe, the OSCE and the President of the USA.