Basic information

2012/2143(INI) INI - Own-initiative procedure	Procedure completed
UN principle of the 'Responsibility to Protect' (R2P). Recommandation to the Council **Subject** 6.10.02 Common security and defence policy (CSDP); WEU, NATO 6.10.05 Peace preservation, humanitarian and rescue tasks, crisis management 6.10.08 Fundamental freedoms, human rights, democracy in general 6.10.09 Human rights situation in the world 6.40.13 Relations with/in the context of international organisations: UN, OSCE, OECD, Council of Europe, EBRD	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	BRANTNER Franziska Katharina (Verts/ALE)	18/06/2012
	Shadow rapporteur NEYNSKY Nadezhda (PPE) MENÉNDEZ DEL VALLE Emilio (S&D) SCHAAKE Marietje (ALDE) LÖSING Sabine (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	CASHMAN Michael (S&D)	10/07/2012

European Commission

Commission DG	Commissioner
European External Action Service	ASHTON Catherine

Key events

Date	Event	Reference	Summary
22/03/2012	Non-legislative basic document published	B7-0191/2012	Summary
05/07/2012	Committee referral announced in Parliament		

21/03/2013	Vote in committee		
04/04/2013	Committee report tabled for plenary	A7-0130/2013	Summary
18/04/2013	Decision by Parliament	T7-0180/2013	Summary
18/04/2013	Results of vote in Parliament		
18/04/2013	End of procedure in Parliament		

Technical information	
Procedure reference	2012/2143(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 134o-p3
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFET/7/09991

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Non-legislative basic document		B7-0191/2012	22/03/2012	Summary
Committee draft report		PE504.207	05/02/2013	
Committee opinion	DEVE	PE502.210	19/02/2013	
Amendments tabled in committee		PE506.043	04/03/2013	
Committee report tabled for plenary, single reading		A7-0130/2013	04/04/2013	Summary
Text adopted by Parliament, single reading		T7-0180/2013	18/04/2013	Summary

UN principle of the 'Responsibility to Protect' (R2P). Recommandation to the Council

2012/2143(INI) - 22/03/2012 - Non-legislative basic document

Pursuant to Rule 121(1) of the Rules of Procedure of the European Parliament, Frieda BREPOELS (Greens/EFA, BE) propose, on behalf of the ALDE group, a draft recommendation of the European Parliament on the UN principle of the ‘Responsibility to Protect’ (R2P).

To recall, paragraphs 138 and 139 of the UN World Summit Outcome Document establish the obligation of states to protect their citizens against atrocities and the obligation of the international community to react in a measured way, should states fail to protect their citizens against genocide, war crimes, ethnic cleansing and crimes against humanity, as covered by the jurisdiction of the International Criminal Court. This concept is based on three pillars: (i) the protection responsibilities of the state; (ii) international assistance and capacity-building to assist states; (iii) **a timely and decisive collective response when pillars one and two fail.**

It is also recalled that more recent experience with specific crises shows mixed results with international efforts under pillar two. The first example of a global effort under pillar three – the UN Security Council-approved military intervention in Libya – has saved many lives but has also clearly highlighted questions relating to the R2P concept which need further refinement.

The draft recommendation states that the emergence of the UN principle of R2P represents an important step forward towards a more peaceful world by strengthening compliance with universal human rights norms and international humanitarian law. It must be rendered sufficiently legitimate and regulated as to remove the suspicion of some governments that it can **serve as an instrument of foreign interference.**

Accordingly, the following recommendations are addressed to the Council:

- fine-tune the R2P concept in cooperation with other state actors who wish to improve the capacities of the international community to prevent atrocities, such as the BRICS proposal initiated by Brazil entitled 'Responsibility while Protecting';
- lay the basis for an interinstitutional consensus on R2P to be adopted jointly by the Council, the EEAS, the Commission and the European Parliament;
- do everything in its power to further develop preventive diplomacy and mediation, at EU level as well as within the UN, and to develop tools that can also be put to use by the UN;
- check policy planning and capability development in the context of the EU's Common Security and Defence Policy (CSDP) against the goal of **creating EU capacities that are compatible with UN needs** to provide better protection of human rights and to prevent war and atrocities.

UN principle of the 'Responsibility to Protect' (R2P). Recommandation to the Council

2012/2143(INI) - 04/04/2013 - Committee report tabled for plenary, single reading

The Committee on Foreign Affaits adopted the initiative report by Franziska Katharina BRANTNER (Greens/EFA, DE) with a proposal for a European Parliament recommendation to the Council on the UN principle of the 'Responsibility to Protect' ('R2P').

The parliamentary committee recalls that the **principle of the responsibility to protect**, embedded, for the first time, in the UN 2005 World Summit Outcome, **represents an important step forward towards a more peaceful world**.

The principle of R2P is based on **three pillars**, namely: (i) the state bears the primary responsibility to protect its population from genocide, war crimes, crimes against humanity and ethnic cleansing; (ii) the international community must assist states in fulfilling their protection obligations; (iii) when a state manifestly fails to protect its population or is in fact a perpetrator of these crimes, the international community has a responsibility to take collective action.

Members consider that more than a decade after the emergence of the concept of R2P, **recent events** - in Sri Lanka, Côte d'Ivoire, Libya and Syria - have **again brought to the fore the importance and the challenges of ensuring timely and decisive responses to the four core crimes covered by the concept**, as well as the need to further operationalise the principle in order to implement it effectively and prevent mass atrocities.

In this context, the report addresses the **following recommendations** to the High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the Commission (HR/VP), the EEAS, the Commission, the Member States and the Council:

- to reconfirm the EU's commitment to R2P by adopting an **interinstitutional 'Consensus on R2P'**;
- to include a chapter in the HR/VP's **annual report** to Parliament on the CFSP concerning the EU's actions on conflict prevention and mitigation in applying the R2P principle;
- to integrate the R2P principle in the EU's **development assistance**;
- to **ensure sufficient** policy planning, operational concepts and capability development goals within the Common Security and Defence Policy (CSDP) to enable the Union to fully implement R2P in close international cooperation within the UN and regional organisations;
- to **further develop the EU's conflict prevention and mitigation capacities** and the creation of an autonomous **European Institute of Peace**;
- to **strengthen linkages between early warning, policy planning and high-level decision-making** in the EEAS and the Council;
- to include a **systematic assessment** of the risk factors of genocide, war crimes, ethnic cleansing and crimes against humanity in regional and country strategy papers, and to include their prevention in dialogues with third countries that are at risk of those crimes and violations;
- to develop **cooperation with and training of the staff of the EU delegations and Member States' embassies**, as well as of civilian and military missions, in the fields of international human rights, humanitarian law and criminal law;
- to launch and promote an **internal debate within the EU** on the reform of the UN Security Council;
- to insist on respect for the **International Criminal Court (ICC) clause** in agreements with third countries.

In particular, the report encourages the HR/VP and the Council:

- to promote the R2P principle at the UN, and to work towards ensuring its universality;
- to draw lessons, in cooperation with the Member States and our international partners, from the experience of R2P in Libya in 2011 and from the current inability to take action in Syria;
- to propose to the five permanent members of the UN Security Council the adoption of a voluntary code of conduct which would limit the use of the right of veto in cases of genocide, war crimes, ethnic cleansing or crimes against humanity;
- to work towards establishing R2P as a **new norm of international law**;
- to work with the UN towards the establishment of a clear link between the implementation of R2P and the fight against impunity for the most serious crimes covered by this concept.

The HR/VP is invited to present to the European Parliament's Committee on Foreign Affairs **a concrete plan of action within six months of the adoption of the present Recommendation, on the follow-up of the Parliament's proposals**, notably outlining the steps towards achieving a 'Consensus on R2P'.

UN principle of the 'Responsibility to Protect' (R2P). Recommandation to the Council

2012/2143(INI) - 18/04/2013 - Text adopted by Parliament, single reading

The European Parliament adopted a recommendation to the Council on the UN principle of the ‘Responsibility to Protect’ (‘R2P’).

Background: Parliament recalls that the **principle of the responsibility to protect**, embedded, for the first time, in the UN 2005 World Summit Outcome, **represents an important step forward towards a more peaceful world** towards anticipating, preventing and responding to genocide, war crimes, ethnic cleansing and crimes against humanity and upholding fundamental principles of international law, in particular international humanitarian, refugee and human rights law.

The principle of R2P is based on **three pillars**, namely:

- the state bears the primary responsibility to protect its population from genocide, war crimes, crimes against humanity and ethnic cleansing;
- the international community must assist states in fulfilling their protection obligations;
- when a state manifestly fails to protect its population or is in fact a perpetrator of these crimes, the international community has a responsibility to take collective action.

Members consider that more than a decade after the emergence of the concept of R2P, **recent events** - in Sri Lanka, Côte d’Ivoire, Libya and Syria - have **again brought to the fore the importance and the challenges of ensuring timely and decisive responses to the four core crimes covered by the concept**, as well as the need to further operationalise the principle in order to implement it effectively and prevent mass atrocities.

The resolution also notes the **Brazilian initiative** submitted to the UN on 9 September 2011 entitled ‘Responsibility while protecting: elements for the development and promotion of a concept’. This initiative is a welcome contribution to the necessary development of the criteria to be followed when implementing an R2P mandate, including: (i) the proportionality of the scope and duration of any intervention, (ii) a thorough balance of consequences, and (iii) *ex ante* clarity of the political objectives, and transparency in the intervention's reasoning.

Recommendations: Parliament addresses the following recommendations to the High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the Commission (HR/VP), the EEAS, the Commission, the Member States and the Council:

- to reconfirm the EU’s commitment to R2P by adopting an **interinstitutional ‘Consensus on R2P’,** including a common understanding of the implications of R2P for the EU's external action and the role its actions and instruments can play in situations of concern;
- to include a chapter in the HR/VP’s **annual report** to Parliament on the CFSP concerning the EU’s actions on conflict prevention and mitigation in applying the R2P principle and to analyse in this chapter the usefulness of the relevant instruments and administrative structures in implementing R2P;
- to integrate the R2P principle in the EU’s **development assistance** and strengthen the Union's preventive diplomacy, mediation, crisis prevention and response capacities;
- to **ensure sufficient** policy planning, operational concepts and capability development goals within the Common Security and Defence Policy (CSDP) to enable the Union to fully implement R2P in close international cooperation within the UN and regional organisations;
- to further develop the EU’s conflict prevention and mitigation capacities and the creation of an autonomous European Institute of Peace intended to provide the EU with advice on and capacities for mediation, two-track diplomacy and exchange of best practices on peace;
- to **strengthen linkages between early warning, policy planning and high-level decision-making** in the EEAS and the Council;
- to include a **systematic assessment** of the risk factors of genocide, war crimes, ethnic cleansing and crimes against humanity in regional and country strategy papers, and to include their prevention in dialogues with third countries that are at risk of those crimes and violations;
- to develop **cooperation with and training of the staff of the EU delegations and Member States' embassies**, as well as of civilian and military missions, in the fields of international human rights, humanitarian law and criminal law, and identify an **EU Focal Point** for R2P in the EEAS in the context of the existing structures and resources;
- to launch and promote an **internal debate within the EU** on the reform of the UN Security Council which is the only internationally legitimate body that can sanction R2P interventions without the consent of the target state;
- to involve and train **representatives of civil society and NGOs**, who could play a role in informal or ‘track II’ diplomacy with a view to promoting exchanges of good practice in this field;
- to insist on respect for the **International Criminal Court (ICC) clause** in agreements with third countries.

In particular, the recommendation encourages the HR/VP and the Council:

- to promote the R2P principle at the UN, and to work towards ensuring its universality;
- to call on the UN Security Council to **take up the Brazilian proposal** ‘Responsibility while Protecting’ in order to ensure the most efficient application of the R2P principle that causes the least harm possible
- to draw lessons, in cooperation with the Member States and our international partners, from the experience of R2P in Libya in 2011 and from the current inability to take action in Syria;
- to propose to the five permanent members of the UN Security Council the adoption of a voluntary code of conduct which would limit the use of the right of veto in cases of genocide, war crimes, ethnic cleansing or crimes against humanity;
- to work towards establishing R2P as a **new norm of international law**;
- to work with the UN towards the **establishment of a clear link between the implementation of R2P and the fight against impunity** for the most serious crimes covered by this concept.

The HR/VP is invited to present to the European Parliament's Committee on Foreign Affairs **a concrete plan of action** within six months of the adoption of the present Recommendation**, on the follow-up of the Parliament's proposals**, notably outlining the steps towards achieving a 'Consensus on R2P'.