



**ENFORCING THE RESPONSIBILITY TO PROTECT: THE ROLE OF PARLIAMENT IN  
SAFEGUARDING CIVILIANS' LIVES**

**Revised preliminary draft resolution submitted by the co-Rapporteurs**  
**Mr. L. Ramatlakane (South Africa) and Mr. S. Janquin (France)**

The 128<sup>th</sup> Assembly of the Inter-Parliamentary Union,

- (1) Acknowledging that following several global initiatives, the responsibility to protect was recognized as a necessary and important principle to combat gross mass atrocities, which are genocide, ethnic cleansing, war crimes and crimes against humanity, at the 2005 World Summit<sup>1</sup>,
- (2) Recalling that this principle was established with a view to preventing genocides such as those that occurred in Srebrenica and Rwanda,
- (3) Also recalling that the UN Security Council considers that the international crimes of genocide, war crimes, ethnic cleansing and crimes against humanity constitute threats to international peace and security, that the principle of the responsibility to protect was reaffirmed by the UN Security Council, including in resolution 1674 (2006), which addressed the protection of civilians in situations of armed conflict; and that the Security Council authorized collective action to halt violence and protect civilians under the threat of attack in resolutions 1970 and 1973 (2011), which pertained to the situation in Libya,
- (4) Stressing that any decision related to enforcing the responsibility to protect must be taken at the right time and without delay, and that such a move must be accompanied by the provision of adequate means to protect civilians,
- (5) Mindful of the fact that the responsibility to protect is based on three pillars: the permanent responsibility of each individual State to protect its population, whether nationals or not, from genocide, war crimes, ethnic cleansing and crimes against humanity, and from incitement to such crimes; the international community's commitment to assist and help to build the capacity of States to fulfil this obligation; and its commitment to take collective action in a timely and decisive manner when national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity,
- (6) Underscoring the importance of combating impunity in the case of perpetrators of the most serious crimes and recognizing the contribution in this field of the International Criminal Court (ICC), also underscoring the need to raise awareness through the media of the role played by the ICC, encourage reporting of and filing complaints against the perpetrators of such crimes and providing support to all persons involved in providing the necessary evidence and sufficient information to the ICC,

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<sup>1</sup> 2005 World Summit Outcome (A/RES/60/1)

(7) Convinced that the United Nations has a responsibility to intervene through the Security Council in accordance with the Charter of the United Nations, in particular Chapter VII, by cooperating where necessary with the competent regional organizations in cases of genocide, ethnic cleansing, war crimes and crimes against humanity which the national authorities will not or cannot prevent,

(8) Aware of the perception of selective enforcement of the responsibility to protect and noting the many contributions of various States,

(9) Mindful of the fact that prevention is a core aspect of the responsibility to protect and that before any military intervention is authorized by the Security Council, the international community should give due consideration to all other avenues for action under Chapters VI, VII and VIII of the Charter of the United Nations; also mindful that the responsibility to protect should be invoked only in order to prevent or to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity,

(10) Reaffirming the principle of the sovereign equality of all States, enshrined in Article 2 of the Charter of the United Nations, and underscoring that the responsibility to protect is premised both on State sovereignty and the State's pre-existing and permanent legal obligations,

(11) Firmly believing that in such cases military intervention should be a last resort and should be sanctioned by the UN Security Council, and that such intervention should be proportionate and have a reasonable chance of success,

(12) Convinced that parliaments around the world should consider ways and means to apply and implement the responsibility to protect in a timely, consistent and effective manner to avoid a situation where the international community is deadlocked over whether and how to act to prevent or to stop the massacre of civilians, for instance in the Syrian conflict, having particular regard to UN Security Council resolutions on women, peace and security and children and armed conflict,

(13) Recalling that the 126<sup>th</sup> IPU Assembly (Kampala, March-April 2012) adopted a resolution by consensus calling for the immediate cessation of violence and human rights violations and abuses in the Syrian Arab Republic and for support for the efforts of international and regional organizations to bring about a peaceful end to the crisis, and urging the United Nations to redouble its efforts to help bring an end to armed violence in the country and address the current humanitarian crisis, and to work urgently to address all aspects related to the problem of displaced Syrians on the border with neighbouring countries,

(14) Convinced that parliaments should be more involved in enforcing the responsibility to protect and that their role in safeguarding citizens' lives entails giving serious consideration to how they can prevent or stop genocide, ethnic cleansing, war crimes and crimes against humanity,

(15) Also convinced of the broader need for State authorities and parliaments to address the root causes of armed conflict and mass atrocities, by practising good governance and ensuring accountable public institutions, human rights protection for all, the rule of law, fair, equal and impartial access to justice, a professional and democratically-accountable security sector, inclusive economic growth and respect for diversity,

1. Stresses that the role of parliament in the responsibility to protect should be based on respect for the separation of powers and that oversight of the executive should be in line with democratic principles, in particular the protection and promotion of human rights, and also stresses that parliaments have their own tools and committees to deal with these issues;
2. Urges parliaments to ensure that their governments protect their populations, whether nationals or not, from genocide, war crimes, ethnic cleansing, and crimes against humanity, and also urges parliaments and governments to assist and build the capacity of States to prevent and protect their populations, whether nationals or not, from genocide, ethnic cleansing, war crimes, and crimes against humanity and, where necessary, to engage in timely and decisive action, in accordance with the Charter of the United Nations, to prevent or stop such crimes;
3. Encourages parliaments to become acquainted with their States' obligations under international treaties and resolutions, and to monitor the executive's submission of country reports as required by the relevant treaty bodies, particularly those relating to human rights, and to become more involved with regional and international human rights mechanisms;
4. Calls on parliaments where necessary to ensure that all international treaties and conventions to which their country is party are incorporated into national law, giving priority to treaties and conventions dealing with the protection of civilians, especially women and children;
5. Also calls on parliaments to take all the necessary legislative measures to bring their country's criminal and military law in line with international norms on the protection of civilians in armed conflict and to ensure that the perpetrators of the most serious crimes are held to account for their acts before a national court or, where a State is unwilling or genuinely unable to act, the International Criminal Court;
6. Further calls on all parliaments that have not yet established committees to oversee international relations to consider establishing such committees and to provide such committees with sufficient financial and human resources and adequate time on the parliamentary agenda to conduct their work;
7. Encourages parliaments to ensure that the protection of human rights, including those of members of minorities and indigenous peoples, is guaranteed not only in national law, but also in practice;
8. Calls on parliaments to encourage their governments to support the creation and effective functioning of early warning systems at the national, regional and international levels in order to facilitate and enhance faster and more effective responses to unfolding internal conflict situations;
9. Calls for efforts to promote the media's role in documenting, preventing, and raising awareness about the commission of mass atrocities by guaranteeing freedom of expression; ensuring that freedom of the media is protected by the national constitution and law; demanding that all parties abide by their international obligations related to the protection and safety of journalists, media professionals and associated personnel; encouraging accurate journalism that respects the human rights of all populations; speaking out against incitement to hatred, which fosters discrimination, hostility or violence; and, where appropriate, legislating against such incitement;

10. Stresses that post-conflict situations in the context of mass atrocities usually require sustained international peacebuilding assistance and that parliaments should be committed to overseeing government action to this end and allocate the necessary funds to assist with the reconstruction of countries emerging from crisis or conflict and contribute to the UN peacebuilding fund;
11. Urges the IPU to facilitate an exchange of good practices in the areas of parliamentary oversight of enforcement of the responsibility to protect and parliamentary involvement in the protection of civilians;
12. Calls on parliaments to promote all facets of good governance based on the positive correlation between good governance and the advancement of peace and security;
13. Also calls on parliaments to monitor closely UN Security Council proceedings, request their governments to make the case at the Security Council for the need to act responsibly when resorting to coercive measures and to ensure that resolutions adopted are enforced in their entirety and in a transparent manner;
14. Urges all parliaments to defend and promote human rights and democracy everywhere.