

26 September 2001

Original: English

**Preparatory Commission for the International
Criminal Court**

Working Group on the Crime of Aggression

New York

26 February-9 March 2001

24 September-5 October 2001

**Proposal submitted by Guatemala on document
PCNICC/2001/WGCA/DP.2**

Definition of the crime of aggression

For the purposes of this Statute, the crime of aggression is defined as follows:

1. A person commits the crime of aggression who, being in a position **effectively**[?] to exercise control over or direct the political or military action of a State, ~~intentionally and knowingly~~ orders or **intentionally, knowingly and actively** participates ~~actively~~ in the planning, preparation, initiation or waging of aggression committed by that State.
 2. For the purposes of the **preceding paragraph** ~~exercise of jurisdiction by the Court over the crime of aggression under the Statute~~, aggression committed by a State means the use **by it** of armed force ~~against to attack~~ the territorial integrity or political independence of another State in **clear** violation of the Charter of the United Nations- **and on a high enough scale to seriously impair such territorial integrity or political independence.**
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