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**Preparatory Commission for the International  
Criminal Court**

**Working Group on the Crime of Aggression**

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**Proposal submitted by Guatemala on document  
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**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.**

