

**SECRETARIAT OF THE ASSEMBLY OF STATES PARTIES TO THE  
ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT**

**SPECIAL SESSION ON THE REVIEW OF THE AMENDMENTS ON THE CRIME  
OF AGGRESSION**

**Lessons learnt from the Kampala amendments, ratification procedures and  
their implementation**

**8 July 2025 (10:00 – 11:30 )**

Concept note

1. At the Rome Diplomatic Conference, the crime of aggression was included as a crime within the jurisdiction of the International Criminal Court.<sup>1</sup> The Statute deferred the Court's ability to exercise jurisdiction until a definition and conditions for the exercise of jurisdiction over this crime were adopted.<sup>2</sup>

2. At the Review Conference of the Rome Statute held in Kampala, Uganda, from 31 May to 11 June 2010, States Parties adopted resolution RC/Res.6, which contains the definition and a jurisdictional regime for the crime of aggression. The resolution amended the Rome Statute to include, *inter alia*, a new article 8 *bis* containing definitions of the crime of aggression<sup>3</sup> and of an act of aggression, with reference to acts that qualify as an act of aggression, in accordance with General Assembly resolution 3314 (XXIX)<sup>4</sup>. The Review Conference also adopted amendments to the Rome Statute to expand the jurisdiction of the Court to three additional war crimes in armed conflict not of an international character.

3. As regards the jurisdictional conditions, the Kampala amendments also included articles 15*bis* and 15*ter*, establishing the conditions under which the Court could exercise jurisdiction with respect to that crime.<sup>5</sup>

4. The Conference decided that "[t]he Court may exercise its jurisdiction only with respect to crimes of aggression committed one year after the ratification or acceptance of the amendments by thirty States Parties. This threshold was reached on 26 June 2016.

5. On 17 July 2018, the Court's jurisdiction over the crime of aggression was activated following the decision of the Assembly in resolution ICC-ASP/16/Res.5.<sup>6</sup> This activation of the Courts jurisdiction constituted a historical moment representing the first time that a permanent international court has the authority to hold individuals accountable in respect of this crime.

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<sup>1</sup> Rome Statute, article 5 (1) (d).

<sup>2</sup> Article 5 (2).

<sup>3</sup> Article 8 *bis* (1).

<sup>4</sup> Article 8 *bis* (2).

<sup>5</sup> See article 15 *bis* and 15 *ter*.

<sup>6</sup> [https://asp.icc-cpi.int/sites/asp/files/asp\\_docs/Resolutions/ASP16/ICC-ASP-16-Res5-ENG.pdf](https://asp.icc-cpi.int/sites/asp/files/asp_docs/Resolutions/ASP16/ICC-ASP-16-Res5-ENG.pdf)

6. Since the adoption of the amendments there have been consistent calls by the Assembly of States Parties to consider ratifying or accepting these amendments,<sup>7</sup> noting that they shall enter into force in accordance with article 121, paragraph 5 of the Rome Statute. To date, 48 States Parties have ratified the amendments to the crime of aggression.<sup>8</sup>

7. The Review Conference further decided to review the amendments on the crime of aggression seven years after the beginning of the exercise of the Court's jurisdiction.<sup>9</sup> The Assembly in resolution ICC-ASP/23/Res.1, decided to hold a Special Session at United Nations Headquarters, from 7 to 9 July 2025, for a period of three working days. The Working Group on Amendments was tasked with the convening of regular meetings to facilitate discussions on the Kampala amendments on the crime of aggression in preparation of the Special Session, in accordance with the decision to Review the Kampala amendments.<sup>10</sup>

8. In terms of the crime of aggression, one of the first steps toward strengthening the Rome Statute system is universal ratification of the amendments by States Parties. This session is an opportunity for States Parties to share their lessons learnt from the Kampala amendments.

9. A plenary meeting will be held during the Special Session titled "Lessons learnt from the Kampala amendments, ratification procedures and their implementation", on Tuesday, 8 July 2025 at 10:00 to 11:30 hours. The plenary will present the opportunity for the Assembly to hear about the experiences of States that have ratified the amendments and implemented them into their national legal systems. It will also provide the opportunity for States that have yet to ratify the amendments to indicate their plans and challenges in this respect.

10. States Parties and all stakeholders are invited to deliver statements of no longer than three **(3) minutes**. Requests for inscription on the list of speakers should be sent to [ss.11.speakers@gmail.com](mailto:ss.11.speakers@gmail.com). The Secretariat will only be able to accommodate speakers within the time allocated to the Lessons learnt agenda item.

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<sup>7</sup> See annual omnibus resolutions of the Assembly, ending with ICC-ASP/23/Res.1, para. 159.

<sup>8</sup> [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-10-b&chapter=18&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-10-b&chapter=18&clang=_en)

<sup>9</sup> RC/6, para. 4.

<sup>10</sup> ICC-ASP/23/Res.1, para. 163.