International Criminal Court

ICC-ASP/S-1/L.1

Assembly of States Parties

Distr.: General
9 July 2025

Original: English

Special session on the review of the amendments on the crime of aggression
New York, 7-9 July 2025

Report of the special session on the review of the amendments on the crime of aggression

Part I
Proceedings

A. Introduction

1. The 2010 Kampala Review Conference adopted a definition of the crime of aggression and further decided to review the amendments on the crime of aggression seven years after the beginning of the Court's exercise of jurisdiction.[1] At its sixteenth session, the Assembly decided to activate the Court's jurisdiction over the crime of aggression as of 17 July 2018.[2]

2. The Rules of Procedure of the Assembly of States Parties ("Rules of Procedure") shall apply *mutatis mutandis* to the special session of the Assembly of States Parties.

3. Rule 3 of the Rules of Procedure provides that "[t]he Assembly shall hold regular and special sessions in accordance with paragraph 6 of article 112 of the Statute". Rule 8 of the Rules of Procedure provides that "[t]he Assembly may hold special sessions and fix the date of commencement and the duration of each such special session. Special sessions of the Assembly may also be convened by the Bureau on its own initiative or at the request of one third of the States Parties in accordance with paragraph 6 of article 112 of the Statute".

4. At its 6 November 2024 meeting, the Bureau agreed that "the review be held at United Nations Headquarters in New York, from 7 to 9 July 2025, for a period of three working days".[3] At its twenty-third session, the Assembly decided that the special session shall be held at United Nations Headquarters, from 7 to 9 July 2025, for a period of three working days.[4]

[1] RC/6, para. 4.
[2] ICC-ASP/16/Res.5, para. 1.
[3] https://asp.icc-cpi.int/sites/default/files/asp_docs/2024-Bureau12-Agenda-Decisions.pdf
[4] ICC-ASP/23/Res.1, annex I, para. 16 (b).

The special session shall be open to those participating in the Assembly of States Parties and on the same conditions.

5. Pursuant to rule 1 of the Rules of Procedure, "Bureau" means the Bureau as defined in article 112, paragraph 3 (a), of the Statute.

6. The Bureau of the Assembly, having been elected at the twenty-second session of the Assembly of States Parties for a term of three years, served as the Bureau of the special session and was composed as follows:

President:

Ms. Païvi Kaukoranta (Finland)

Vice-Presidents:

Mr. Michael Imran Kanu (Sierra Leone)
Ms. Margareta Kassangana (Poland)

Rapporteur:

Ms. Farida Yasmeen (Bangladesh)

Other members of the Bureau:

Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Chile, Cyprus, Ecuador, Italy, Japan, Kenya, Latvia, New Zealand, Republic of Korea, Senegal, Slovenia, South Africa, Switzerland and Uganda.

7. In accordance with rule 92 of the Rules of Procedure, invitations to participate in the special session as observers were also extended to representatives of intergovernmental organizations and other entities that had received a standing invitation from the General Assembly of the United Nations pursuant to its relevant resolutions,[5]as well as to representatives of regional intergovernmental organizations and other international bodies invited to the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court (Rome, June/July 1998), accredited to the Preparatory Commission for the International Criminal Court or invited by the Conference.

8. Furthermore, in accordance with rule 93 of the Rules of Procedure, non-governmental organizations invited to the Rome Conference, registered to the Preparatory Commission for the International Criminal Court, or in consultative status with the Economic and Social Council of the United Nations, whose activities were relevant to the activities of the Court or that had been invited by the Conference, attended and participated in the work of the Conference.

9. In addition, in accordance with rule 94 of the Rules of Procedure, the following States were invited to be present during the work of the special session: Bhutan, Democratic People's Republic of Korea, Equatorial Guinea, Eswatini, Lao People's Democratic Republic, Lebanon, Mauritania, Micronesia (Federated States of), Myanmar, Niue, Palau, Papua New Guinea, Rwanda, Somalia, South Sudan, Tonga, Turkmenistan and Tuvalu.

10. The list of delegations to the special session is contained in document ICC-ASP/S-1/.INF.1.

11. The special session was opened by the President of the Assembly, Ms. Päivi Kaukoranta (Finland), who had been elected for the twenty-third to twenty-fifth sessions.[6]

[5] General Assembly resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3369 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/204, 52/6, 53/5, 53/6, 53/216, 54/5, 54/10, 54/195, 55/160, 55/161, 56/90, 56/91, 56/92, 57/29, 57/30, 57/31, 57/32, 58/83, 58/84, 58/85, 58/86, 59/48, 59/49, 59/50, 59/51, 59/52, 59/53, 60/25, 60/26, 60/27, 60/28, 61/43, 61/259, 62/73, 62/74, 62/77, 62/78, 63/131, 63/132, 64/3, 64/121, 64/122, 64/123, 64/124, 66/109, 66/113, 69/130, 70/124, 71/153, 71/155, and decision 56/475.

[6] *Official Records … Twenty-second session … 2023* (ICC-ASP/22/20), para. 15.

12. At its 1st plenary meeting, on 7 July 2025, the Assembly observed one minute of silence dedicated to prayer or meditation, in accordance with rule 43 of the Rules of Procedure, and remembered, in particular, victims.

13. Also at its 1st plenary meeting, the Assembly appointed Ms. Farida Yasmeen (Bangladesh) as Rapporteur for the special session.

14. At its 1st plenary meeting, the Assembly heard a video address by the President of the Court, Judge Tomoko Akane.

15. At its 1st plenary meeting, the special session adopted the following agenda (ICC-ASP/S-1/1/Rev.1):

1. Opening of the session by the President.
2. Silent prayer or meditation.
3. Adoption of the agenda.
4. States in arrears.
5. Credentials of representatives of States at the special session;
    a) Appointment of the Credentials Committee.
    b) Report of the Credentials Committee.
6. Organization of work.
7. General debate
8. Lessons learnt from the Kampala amendments, ratification procedures and their implementation.
9. Review of the amendments on the crime of aggression.

16. The annotated list of items included in the provisional agenda was contained in a note by the Secretariat (ICC-ASP/S-1/1/Rev.1).

B. Consideration of issues on the agenda of the special session

1. States in arrears

17. At its 5th plenary meeting, on 9 July 2025, the Assembly was informed that article 112, paragraph 8, first sentence, of the Rome Statute was applicable to 14 States Parties.

18. The President of the Assembly renewed the appeal to States Parties in arrears to settle their accounts with the Court as soon as possible. The President also appealed to all States Parties to pay their assessed contributions for 2025 in a timely manner.

19. Pursuant to article 112, paragraph 8, of the Rome Statute, six States Parties in arrears submitted requests to the Assembly for exemption from the loss of voting rights. The Assembly approved the requests at its 1st and 2nd plenary meetings, on 7 July 2025.

2. Credentials of representatives of States Parties at the special session

20. At the 1st plenary meeting, on 7 July 2025, in accordance with rule 25 of the Rules of Procedure, the following States were appointed to serve on the Credentials Committee:

Belgium, Bolivia, Brazil, Cyprus, France, Japan, Senegal, Slovenia and South Africa.

21. At its 5th plenary meeting, on 9 July 2025, the Assembly adopted the report of the Credentials Committee (see annex I to this report).

3. Organization of work

22. Also at its 1st plenary meeting, on 7 July 2025, the Assembly agreed on a programme of work and decided to meet in plenary session as well as in the working group format. The Assembly established a Working Group on the Kampala Review.

23. Mr. Juan José Quintana Aranguren (Colombia) was appointed Coordinator of the Working Group on the Kampala Review, on the recommendation of the Bureau.

24. The Director of the Secretariat of the Assembly, Ms. Gabrielle Louise McIntyre, acted as Secretary of the special session of the Assembly. The special session was serviced by the Secretariat.

4. General debate[7]

25. At the 1st and 2nd plenary meetings, on 7 July 2025, statements were made by the representatives of Argentina; Armenia; Australia; Brazil; Canada; Chile; Cote d'Ivoire; Cyprus; Czech Republic; Democratic Republic of the Congo; Finland; France; Gabon; Gambia; Germany (on behalf of the Group of Friends for the Review of the Rome Statute); Ghana; Guatemala; Japan; Kenya; Lithuania; Luxembourg; Mali; Malta; Mexico; Mexico (on behalf of the cross-regional Group of States Parties); Netherlands (Kingdom of the); New Zealand; Nigeria; Norway; Peru; Poland; Republic of Korea; Senegal; Sierra Leone; Slovenia; South Africa; State of Palestine; Uganda; Ukraine; United Kingdom of Great Britain and Northern Ireland; and Uruguay. Statements were also made by China (People's Republic of) and Iran (Islamic Republic of).

26. The following international organization made a statement: Parliamentary Assembly of the Mediterranean.

27. The following non-governmental organizations also made statements: Coalition for the International Criminal Court (CICC); European Center for Constitutional and Human Rights (ECCHR); Global Institute for the Prevention of Aggression (GIPA); Ligue pour la Paix, les Droits de l'Homme et la Justice (LIPADHOJ); and Parliamentarians for Global Action (PGA).

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

28. At its 3rd plenary meeting, on 8 July 2025, the Assembly held a discussion on "Lessons learnt from the Kampala amendments, ratification procedures and their implementation." States Parties shared their experiences regarding the implementation of the Kampala amendments at the national level and challenges faced.

29. A number of States Parties and stakeholders recognized the urgent need to intensify efforts to achieve universal ratification of the Rome Statute and the Kampala amendments, while recent global developments had heightened the relevance and urgency of accountability for acts of aggression. In this regard, it was suggested that harmonization of the Court's jurisdiction over the four core crimes was essential. Other States noted the relatively low rate of ratification of the Kampala amendments and the complex legal and political challenges surrounding the crime of aggression. These included the need for comprehensive analysis of challenges to ratification, such as divergent interpretations of immunity, obligations under customary international law, and the relationship between the Kampala amendments and the United Nations Charter. The

[7] Some of the statements were delivered in-person and some via written submissions. The alphabetical list of speakers and all submitted statements can be found on the website of the Assembly at: https://asp.icc-cpi.int/sessions/general-debate/GeneralDebate-special-session-2025.

harmonization of definitions, jurisdictional scope, and national implementation remained a significant challenge, compounded by concerns regarding selectivity, legal certainty, and practical application.

6. Review of the amendments on the crime of aggression

30. The Working Group on the Kampala Review held two formal meetings and [*three*] rounds of informal consultations. Some States Parties highlighted the importance of harmonization of the legal régime of the Kampala amendments, while other States Parties indicated a preference for the discussion of the reasons for the low number of ratifications of the Kampala amendments (49).

31. The Assembly adopted resolution ICC-ASP/S-1/Res.1, by which it decided to convene a special session in 2029 in New York, for no longer than five days, to consider the proposal for amendment annexed to the present resolution, with due consideration of other possible routes to enhance the Court's jurisdiction over the crime of aggression in line with the Rome Statute; established a dedicated subgroup of the Working Group of Amendments to take this process forward and to annually report to the Assembly of States Parties on progress; and decided to convene an intersessional meeting of no longer than two days in 2027 in New York in order to take stock and to advance discussions.

7. Other matters

(a) Trust Fund for the participation of the least developed countries and other developing States in the work of the special session

32. The Assembly expressed its appreciation to Belgium for its contribution to the Trust Fund for the participation of the least developed countries and other developing States in the work of the special session.

33. The Assembly noted with satisfaction that one delegation had made use of the Trust Fund to attend the special session.

Part II
Resolutions adopted by the special session of the Assembly

A. Resolutions

Resolution ICC-ASP/S-1/Res.1

Adopted at the 5th plenary meeting, on 9 July 2025, by consensus

ICC-ASP/S-1/Res.1
The review of the amendments on the crime of aggression

The Assembly of States Parties,

Recalling the purposes and principles of the Charter of the United Nations,

Recognizing that crimes within the jurisdiction of the International Criminal Court ("the Court") threaten the peace, security and well-being of the world,

Convinced of the central role of the Court in ending impunity for the most serious crimes of concern to the international community as a whole, and in the prevention of such crimes,

Reaffirming its continued and unwavering support for the independence, impartiality, and integrity of the Court,

Committed to continuing to promote universality of the Rome Statute,

Emphasizing that the Court shall be complementary to national criminal jurisdictions,

Recalling that in resolution RC/Res.6 (2010), the Review Conference adopted a set of amendments ("the Kampala Amendments"), and decided, by consensus, to review these amendments seven years after the beginning of the Court's exercise of jurisdiction over the crime of aggression,

Noting further that 49 out of 125 States Parties have ratified the Kampala amendments,

Noting that, since the activation decision, no investigation on the crime of aggression has taken place,

Recognizing that many States Parties take the view that there is a gap in jurisdiction over the crime of aggression and advocate for harmonization of the Court's jurisdiction with the other three core crimes,

Also *recognizing* that other States Parties take the view that the current provisions reflect a balance agreed at Kampala and confirmed in 2017,

Taking note of the notification of the Secretary General of the United Nations acting as depositary of the Rome Statute dated 7 April 2025 containing a proposal of amendment of article 15*bis* of the Rome Statute (annex I),

Taking note of the report of the Working Group on Amendments.

1. *Commits* itself to the aim of strengthening the jurisdiction of the Court over the crime of aggression;

2. *Decides* to convene a special session in 2029 in New York, for no longer than five days, to consider the proposal for amendment annexed to the present resolution (annex II), with due consideration of other possible routes to enhance the Court's jurisdiction over the crime of aggression in line with the Rome Statute;

3. *Establishes* a dedicated subgroup of the Working Group of Amendment to take this process forward and to annually report to the Assembly of States Parties on progress;

4. *Also decides* to convene an intersessional meeting of no longer than two days in 2027 in New York in order to take stock and to advance discussions.

Annex I

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS—ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017

Reference: C.N.162.2025.TREATIES-XVIII.10 (Depositary Notification)

ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT ROME, 17 JULY 1998

COSTA RICA, GERMANY, SIERRA LEONE, SLOVENIA AND VANUATU: PROPOSAL OF AMENDMENT

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

On 4 April 2025, the Secretary-General received a communication from the Governments of Costa Rica, Germany, Sierra Leone, Slovenia and Vanuatu transmitting, in accordance with article 121, paragraph 1, of the Rome Statute of the International Criminal Court, the text of a proposed amendment thereto.

The Secretary-General wishes to refer to article 121, paragraph 1, of the Rome Statute of the International Criminal Court, which provides that:

> "1. After the expiry of seven years from the entry into force of this Statute, any State Party may propose amendments thereto. The text of any proposed amendment shall be submitted to the Secretary-General of the United Nations, who shall promptly circulate it to all States Parties."

A copy of the text of the proposal, in the Arabic, Chinese, French, English, Russian and Spanish languages, is attached as an annex.

7 April 2025

Annex II

Amendments to article 15 bis of the Rome Statute

Article 15bis (4) and (5) are replaced by the following text inserted after article 15bis (3):

4. The Court may, in accordance with article 12, exercise jurisdiction over a crime of aggression if one or more of the following States have ratified or accepted the aggression amendments, or have accepted the exercise of the jurisdiction of the Court over the crime of aggression in accordance with paragraph 5:

(a) The State on the territory of which the conduct in question occurred or, if the crime was committed on board a vessel or aircraft, the State of registration of that vessel or aircraft;

(b) The State of which the person accused of the crime is a national.

5. If the acceptance of a State that has not ratified or accepted the aggression amendments, or that is not a Party to this Statute, is required under paragraph 4, that State may, by declaration lodged with the Registrar, accept the exercise of jurisdiction by the Court over the crime of aggression in accordance with article 12, paragraph 3.

Annexes

Annex I

Report of the Report of the Credentials Committee

Chairperson: Mr. Franz Zubieta (Bolivia)

1. At its first plenary meeting, on 7 July 2025, the Assembly of States Parties to the Rome Statute of the International Criminal Court, in accordance with rule 25 of the Rules of Procedure of the Assembly of States Parties, appointed a Credentials Committee, consisting of the following States Parties: Belgium, Bolivia, Brazil, Cyprus, France, Japan, Senegal, Slovenia, and South Africa.

2. The Credentials Committee held two meetings, on 7 and 9 July 2025.

3. At its first meeting on 7 July 2025, the Committee had before it a memorandum by the Secretariat, dated 7 July 2025, concerning the credentials of representatives of States Parties to the Rome Statute of the International Criminal Court to the special session on the review of the amendments on the crime of aggression. The Chairman of the Committee updated the information contained therein.

4. As noted in section I of the memorandum, formal credentials of representatives to the special session on the review of the amendments on the crime of aggression, in the form required by rule 24 of the Rules of Procedure, had been received as at the time of the meeting of the Credentials Committee from the following 80 States Parties:

1. Andorra, Armenia, Australia, Austria, Bangladesh, Barbados, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Democratic Republic of the Congo, Denmark, Djibuti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Honduras, Iceland, Ireland, Italy, Japan, Jordan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Mexico, Mongolia, Montenegro, Netherlands (Kingdom of the), New Zealand, Niger, Nigeria, North Macedonia, Norway, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Saint Kitts and Nevis, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Timor-Leste, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay.

5. As noted in section II of the memorandum, information concerning the appointment of the representatives of States Parties to the special session on the review of the amendments on the crime of aggression had been communicated to the Secretariat, as at the time of the meeting of the Credentials Committee, from the Head of State or Government or the Minister for Foreign Affairs, by the following 23 States Parties:

Albania, Argentina, Belize, Botswana, Cabo Verde, Côte d'Ivoire, Gabon, Gambia, Guinea, Lesotho, Liberia, Madagascar, Mali, Marshall Islands, Nauru, Panama, Republic of Moldova, State of Palestine, Trinidad and Tobago, Uganda, Vanuatu, Venezuela (Bolivarian Republic of), Zambia.

The Chairperson recommended that the Committee accept the credentials of the representatives of all States Parties mentioned in the Secretariat's memorandum, on the understanding that formal credentials for representatives of the States Parties referred to

in paragraph 5 of the present report, would be submitted to the Secretariat as soon as possible.

6. On the proposal of the Chairperson, the Committee adopted the following draft resolution:

"*The Credentials Committee*,

Having examined the credentials of the representatives to the special session on the review of the amendments on the crime of aggression of the Assembly of States Parties, referred to in paragraphs 4 and 5 of the present report,

Accepts the credentials of the representatives of the States Parties concerned."

7. The draft resolution proposed by the Chairperson was adopted without a vote.

8. The Credentials Committee recommends to the Assembly of States Parties the adoption of a draft resolution (see paragraph 10 below).

9. In the light of the foregoing, the present report is submitted to the Assembly of States Parties.

Recommendation of the Credentials Committee

10. The Credentials Committee recommends to the Assembly of States Parties to the Rome Statute of the International Criminal Court the adoption of the following draft resolution:

"Credentials of representatives to the special session on the review of the amendments on the crime of aggression

The Assembly of States Parties to the Rome Statute of the International Criminal Court,

Having considered the report of the Credentials Committee on the credentials of representatives to the special session on the review of the amendments on the crime of aggression and the recommendation contained therein,

Approves the report of the Credentials Committee."

Annex II

[Draft] Report of the Working Group on the Kampala Review[1]

A. Introduction

1. The Assembly had before it the report of the Working Group on Amendments, dated 5 July 2025 (ICC-ASP/S-1/2), which summarized the Group's preparatory work pursuant to its mandate to facilitate discussions on the review of the Kampala Amendments concerning the crime of aggression. The report reflected diverging views among States Parties on legal, procedural, and political implications of harmonization, while underscoring widespread support for transparency, inclusivity, and institutional unity in the review process. The report included two annexes which contained two draft resolutions: Draft resolution on the crime of aggression, Article 15*bis*, Rome Statute[2] (annex I), and draft resolution on the review of the amendments on the crime of aggression[3] (annex II).

2. The Assembly also had before it the addendum to the report of the Working Group on Amendments, dated 5 July 2025 (ICC-ASP/S-1/2/Add.1), which indicated that on 3 July 2025, the Group had held a wrap-up session ahead of the special session to review progress, take stock of lessons learnt, and share insights on the ratification of the Kampala amendments. The addendum also noted that Liechtenstein had introduced a revised draft resolution, reflecting inputs received from other delegations, as a potential basis for further discussions. The addendum noted that delegations stressed the need for consensus in decision-making, while civil society urged immediate action on harmonization at the special session.

B. Consideration of issues by the Working Group on the Kampala Review

3. The special session of the Assembly considered agenda item 9 of its agenda, "Review of the amendments on the crime of aggression."

4. At its first plenary meeting, on 7 July 2025, the Assembly appointed Ambassador Juan José Quintana (Colombia), who had led the work of the Working Group on Amendments in preparation for the special session pursuant to Assembly resolution ICC-ASP/23/Res.1.[4]

5. The Working Group on the Kampala Review met on 7 and 9 July 2025 and held five rounds of informal consultations to deliberate on issues surrounding the crime of aggression and its jurisdictional framework.

6. At its first meeting on 7 July 2025, the Working Group agreed on its agenda[5] and working methods, and then moved to informal consultations on the review of the amendments on the crime of aggression and related issues. The informal consultations considered annexes I and II to the report of the Working Group on Amendments. The Working Group took note that the Secretariat had circulated two principal draft resolutions on 7 July: the "Draft resolution on the crime of aggression, Article 15*bis*, Rome Statute" (ICC-ASP/S-1/L.3) and the "Draft resolution on the review of the amendments on the crime of aggression" (ICC-ASP/S-1/L.4), and that they could both be treated equally as the basis for consensus-building. At the request of Liechtenstein, the Secretariat also circulated the revised version of ICC-ASP/S-1/L3 as ICC-ASP/S-1/L.3/Rev.1, also titled "Draft resolution on the crime of aggression, Article 15*bis*, Rome Statute", which incorporated proposals from ICC-ASP/S-

[1] Issued as ICC-ASP/S-1/WGKR/CRP.1.
[2] Submitted by Liechtenstein.
[3] Submitted by Canada, France, Japan, New Zealand and the United Kingdom.
[4] Para. 163.
[5] (i) General debate on harmonization of jurisdictional provisions; (ii) Review of two draft resolutions (L3/Rev.1 by Liechtenstein and L.4 submitted by Canada, France, Japan, New Zealand and the United Kingdom; (iii) First reading of texts; and (iv) Procedural arrangements for the remainder of the session.

1/L.4. The Chair noted that the revised draft resolution constituted updates to the resolution contained in annexes I and II of the report of the Working Group on Amendments.[6]

7. The informal consultations featured a wide participation from States Parties, Observer States, international organizations, and non-governmental organizations. There was widespread support expressed for the harmonization of article 15 *bis* with other core crimes under the Rome Statute, reflecting a shared concern to address accountability gaps. Many delegations underscored the concrete and actionable nature of the provisions contained in draft resolution ICC-ASP/S-1/L.3/Rev.1, advocating for its use as the primary basis for negotiations. At the same time, several delegations cautioned against fully replacing the proposed draft ICC-ASP/S-1/L.4, emphasizing the importance of integrating relevant elements from both drafts to achieve a comprehensive and balanced outcome. The Working Group underscored the critical need to achieve consensus, while also expressing concerns regarding the risks associated with proceeding with parallel texts. Liechtenstein, as the primary proponent of ICC-ASP/S-1/L.3/Rev.1, indicated openness to further incorporating elementsfrom ICC-ASP/S-1/L.4 to bridge differences.

8. During the second round of informal consultations, the preamble text of ICC-ASP/S-1/L.3/Rev.1 was introduced, eliciting substantive views and comments from States Parties, reflecting a range of legal, political, and procedural perspectives.

9. At the third round of informal consultations, a revision to ICC-ASP/S-1/L.4 was introduced by Canada, France, Japan, New Zealand and the United Kingdom and circulated as ICC-ASP/S-1/L.4/Rev.1. The amendments reflected in the revised draft resolution were discussed by States Parties. In addition, Liechtenstein presented a revision to ICC-ASP/S-1/L.3/Rev.1, introduced by Chile, Germany, Iceland, Liechtenstein, Slovenia, Switzerland and Vanuatu and cosponsored in total by 31 States,[7] which incorporated inputs supportive of immediate harmonization. The revised draft resolution was circulated as ICC-ASP/S-1/L.3/Rev.2.

10. At the final session of the Working Group, the coordinator expressed that, in his view, and after extensive consultations with interested delegations, neither of the two draft resolutions before the special session attracted the necessary measure of general agreement to permit adoption by consensus. The Coordinator then presented a language proposal containing a compromise formula that in his opinion could form the basis for a consensual decision. It was presented as draft resolution ICC-ASP/S-1/L.5.

11. This draft resolution was formally placed before the Assembly pending further consultations.

12. The Working Group on the Kampala Review recommended that the Assembly take action on draft resolution ICC-ASP/S-1/L.5..

---

[6] ICC-ASP/S-1/2: https://asp.icc-cpi.int/sites/default/files/asp_docs/ICC-ASP-S-1-2-Add.1-ENG.pdf

[7] Austria, Cabo Verde, Chile, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Estonia, Finland, Germany, Iceland, Ireland, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands (Kingdom of the), Nigeria, Peru, Poland, Sierra Leone, Slovakia, Slovenia, Spain, State of Palestine, Sweden, Switzerland, Timor Leste, Vanuatu.

Annex III

Statements concerning the adoption of resolution ICC-ASP/S-1/Res.1 titled “The review of the amendments on the crime of aggression” at the 5th plenary meeting of the special session on the review of the amendments on the crime of aggression, on 9 July 2025

A. Statement by the State of Palestine before adoption

Thank you, Madam President, and our appreciation to our Coordinator and Chair of the Working Group. Our appreciation also to all those who were involved in these discussions over the last few days.

It would appear that when we talk of the crime of aggression, we are looking at a hurdles race, where instead of running we continue to walk and where obstacles continue mounting and the victims of the crime of aggression are asked to wait in the meantime.

The resolution before us does not reflect the urgent need for action or the historical responsibility that falls upon us.

We regret that the draft resolution could not even acknowledge as a consensual matter among us the jurisdictional gap that exists. It is, in effect, an objective assessment that there is not only a jurisdictional gap, but an accountability gap, which is due to this jurisdictional gap. It's even an accountability chasm that we have before us. We are not, for the reasons I mentioned above, satisfied with the timeline that is put forward in the draft resolution, either.

However, we have to highlight the constructive approach that prevailed over our discussions. And this is a merit we recognize to all those who were involved in these discussions, whatever their initial positions were.

We also have to highlight the important signal that we are all sending by being united at this critical and important juncture. We also highlight our joint commitment reflected in the draft resolution to strengthen the jurisdiction of the court over the crime of aggression and our ability to adopt a way to move forward together on this important matter.

We have an obligation of result when it comes to the issue of the crime of aggression. It is for these reasons, for our unity in favor of the court, in favor of advancing our common fight against impunity, for the constructive approach taken by everyone, to give a chance to come together and to stand united and to move forward in a united fashion, that the State of Palestine has accepted to join this consensus.

B. Statement by Liechtenstein after adoption

Thank you, Madam President. Thank you for giving me the floor. I know we are under time pressure, but I want to briefly take this opportunity to offer a few thoughts here—maybe not as a proper explanation of position in a traditional sense.

I think everybody in this room knows what we, as a delegation, came here to do, together with a very big number of friends and supporters. And the goal for us at this session was to harmonize the jurisdiction over the crime of aggression with that which the Court has over the other three core crimes. Against this background, of course, we are not satisfied with the outcome of this session because this objective, we have not achieved. We regret this because we do believe it was the right moment for doing it. And it was a historic opportunity to do so at a time when the rule of law at the international level, and especially the rules governing the use of force, are being undermined in a manner that we have not seen in our lifetime. We are gathering here at the United Nations Headquarters, as we should and as we are glad that we are gathering, and we are very happy to see that everybody was able to travel to New York. And we think it's an extremely important sign of the resilience of this Assembly.

This building and this organization essentially is founded on the purpose of preventing and ending armed conflict. And this is why we believe the law that is reflected in the amendment annexed to the resolution is so important, not just for the Court but, in fact, for the international order. Now, we are taking a lot of positives away with us from this session, and in particular, the fact that we have been able to gather such amazing momentum in support of harmonization. And I cannot thank everybody who I want to thank in this room, but I want to say that it has been a pleasure and really an honour to be able to play the role that we have been playing in this effort. I really want to thank everybody in this room, including the people that did not agree with us. I want to thank you, Madam President, for your extremely steadfast leadership in preparing for this session, which has been a big challenge. And you have shown a very steady hand and true leadership. And we all owe you a big thanks and gratitude.

And I want to pay tribute, really, to my own team, if I may, who have been truly amazing in showing leadership in preparing for this session. And in assisting me and many in this room throughout this session. So with this, thank you for indulging me. And again, thanks to you, Madam President.

Annex IV

List of documents

ICC-ASP/S-1/Rev.1	Provisional agenda
ICC-ASP/S-1/Rev.1/Add.1	Annotated list of items included in the provisional agenda
ICC-ASP/S-1/2	Report of the Working Group on Amendments
ICC-ASP/S-1/2/Add.1	Report of the Working Group on Amendments - Addendum
ICC-ASP/S-1/L.1	Draft Report of the special session on the review of the amendments on the crime of aggression
ICC-ASP/S-1/L.2	Draft Report of the Credentials Committee
ICC-ASP/S-1/L.3	Draft resolution on the crime of aggression, Article 15*bis*, Rome Statute
ICC-ASP/S-1/L.3/Rev.1	Draft resolution on the crime of aggression, Article 15*bis*, Rome Statute
ICC-ASP/S-1/L.3/Rev.2	Draft resolution on the crime of aggression, Article 15*bis*, Rome Statute
ICC-ASP/S-1/L.4	Draft resolution- The review of the amendments on the crime of aggression
ICC-ASP/S-1/L.4.Rev.1	Draft resolution- The review of the amendments on the crime of aggression
ICC-ASP/S-1/WGKR/CRP.1 and Corr.1	Draft Report of the Working Group on the Kampala Review