

Declaration (Draft of 9 June 2010 16h00)

Based on Chairman's Conference Room Paper Rev.2

Article 15bis

Exercise of jurisdiction over the crime of aggression (State referral, *proprio motu*)

1. Beginning five years after the entry into force of this article for any State Party, the Court may exercise jurisdiction over the crime of aggression in accordance with articles 13(a) and (c), subject to the provisions of this article.

...

4. (*Alternative 2*)

4bis. The Court may exercise its jurisdiction over the crime of aggression committed by a State Party's nationals or on its territory in accordance with article 12, unless that State Party has filed a declaration of its non-acceptance of the jurisdiction of the Court under paragraph 4 of this Article.

4ter Such a declaration may be submitted to the Secretary General of the United Nations at any time before December 31, 2015 or, in the case of States that ratify or accede to the Rome Statute after that date, upon ratification or accession. This declaration may be withdrawn at any time, in which case the Court, subject to the provisions of paragraph 1, may exercise its jurisdiction in respect of the State concerned.

4cor In respect of a State which is not a party to this Statute, the Court shall not exercise its jurisdiction over the crime of aggression as provided for in this article when committed by that State's nationals or on its territory.