



SUPPLEMENTARY INFORMATION CONCERNING THE JURISDICTION OF THE INTERNATIONAL CRIMINAL COURT

As you may know, the International Criminal Court (“the ICC” or “the Court”) is governed by the Rome Statute, which entrusts the Court with a very specific and carefully defined jurisdiction and mandate.

Regarding subject matter jurisdiction: A fundamental feature of the Rome Statute is that the Court may only exercise jurisdiction over persons for the most serious crimes of concern to the international community as a whole, namely *genocide*, *crimes against humanity* and *war crimes*, as defined in Articles 6 to 8 of the Statute. At this time, the Court cannot exercise jurisdiction over the crime of aggression until the Assembly of States Parties adopts a definition of the crime and the conditions for jurisdiction and amends the Rome Statute accordingly (Article 5(2)).

Regarding temporal jurisdiction: Under Article 11 of the Statute, the Court may only exercise jurisdiction over crimes committed *after 1 July 2002*, the date of entry into force of the Statute. This means that allegations of incidents occurring prior to this date fall outside the Court’s jurisdiction.

Regarding personal/territorial jurisdiction: Under Articles 12 and 13 of the Statute, the Court may only exercise jurisdiction over international crimes *if one or more of the following criteria are met:* (i) its jurisdiction has been accepted by the State on the territory of which the crime was committed, (ii) its jurisdiction has been accepted by the State of which the person accused is a national, or (iii) the situation is referred to the Prosecutor by the UN Security Council acting under Chapter VII of the UN Charter. For a complete list of countries that have ratified the Statute and thereby accepted the jurisdiction of the Court, please visit our website.

Even where all of these criteria are satisfied, the Office must also assess other factors, such as the gravity of the situation, whether national judicial systems are investigating and prosecuting the alleged crimes, and the interests of justice.

Given the defined jurisdiction of the Court as well as the need to focus its limited resources on the gravest situations, many serious allegations will be beyond the reach of this institution to address.

Please rest assured that if you do choose to submit information to the Office of the Prosecutor, your communication will be analysed in accordance with the Statute. In light of the complex issues that must be addressed, analysis can take some time. Once a decision is reached, you will receive a response along with reasons for the decision.

You can find the complete text of the Rome Statute at

<http://www.icc-cpi.int/NR/rdonlyres/ADD16852-AEE9-4757-ABE7-9CDC7CF02886/283503/RomeStatutEng1.pdf>