

Aggressor SP ►	Accepts the CoA Amendment		Does not accept the CoA Amendment	
	Victim SP ▼ Declared opt-out	No declared opt-out	Declared opt-out	No declared opt-out
Accepts the CoA amendment				
Declared opt-out	LI = ✗ NI = ✗ PI = ✗ 12I = ✗	LI = ✓ NI = ✓ PI = ✓ 12I = ✓	LI = ✗ NI = ✗ PI = ✗ 12I = ✗	LI = ✗ NI = ✗ PI = ✓ 12I = ✓
No declared opt-out	LI = ✗ NI = ✗ PI = ✗ 12I = ✗	LI = ✓ NI = ✓ PI = ✓ 12I = ✓	LI = ✗ NI = ✗ PI = ✗ 12I = ✗	LI = ✗ NI = ✗ PI = ✓ 12I = ✓
Does not accept the CoA amendment				
Declared opt-out	LI = ✗ NI = ✗ PI = ✗ 12I = ✗	LI = ✗ NI = ✓ PI = ✗ 12I = ✓	LI = ✗ NI = ✗ PI = ✗ 12I = ✗	LI = ✗ NI = ✗ PI = ✗ 12I = ✓
No declared opt-out	LI = ✗ NI = ✗ PI = ✗ 12I = ✗	LI = ✗ NI = ✓ PI = ✗ 12I = ✓	LI = ✗ NI = ✗ PI = ✗ 12I = ✗	LI = ✗ NI = ✗ PI = ✗ 12I = ✓

121(5) Literal interpretation = LI = Plain reading construction
 121(5) Negative interpretation = NI = Para 6 Alt 2 in draft Understandings
 121(5) Positive interpretation = PI = Para 6 Alt 1 in draft Understandings
 121(5) Article 12 interpretation = 12I = Art 12(1) provision trumps art 121(5) provision

 Court has jurisdiction = ✓
 Court does not have jurisdiction = ✗

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**Annex III
Understandings regarding the amendments to the Rome Statute of the
International Criminal Court on the Crime of Aggression**

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5. *[Acceptance by the victim State not required where the aggressor State has accepted jurisdiction]* It is understood that article 121, paragraph 5, second sentence, of the Statute does not prevent the Court from exercising jurisdiction in respect of an act of aggression committed by a State Party that has accepted the amendment on aggression.

6. *[**Alternative 1 - “positive” understanding:** jurisdiction without acceptance by the aggressor State]* It is understood that article 121, paragraph 5, second sentence, of the Statute does not prevent the Court from exercising jurisdiction in respect of an act of aggression committed against a State Party that has accepted the amendment.

*[**Alternative 2 - “negative” understanding:** no jurisdiction without acceptance by aggressor State]* It is understood that article 121, paragraph 5, second sentence, of the Statute prevents the Court from exercising jurisdiction in respect of an act of aggression committed by any State that has not accepted the amendment.