

These notes relate to the International Criminal Court (Scotland) Act 2001 (asp 13) which received Royal Assent on 24 September 2001

INTERNATIONAL CRIMINAL COURT (SCOTLAND) ACT 2001

EXPLANATORY NOTES

THE ACT

Background

Part 4 – General

Section 28 – Interpretation

46. Crimes of aggression are not included within the definition of an “ICC crime”. This is because, under article 5 of the ICC Statute, the ICC will exercise its jurisdiction over the crime of aggression only when agreement has been reached on a definition of that crime and the conditions under which the jurisdiction will be exercised. Agreement has yet to be reached and would in any case require an amendment of the ICC Statute. The earliest such an amendment could be adopted is seven years after the coming into force of the Statute.