The Crime of Aggression: The United States Perspective

Harold Hongju Koh and Todd F. Buchwald

The 2010 Kampala Review Conference raised challenges for the Obama administration’s reengagement with the International Criminal Court. The authors—leaders of the U.S. Kampala delegation—assess the treaty amendments adopted by the states parties. Those amendments could, after January 2017, enable the Court to exercise jurisdiction over the crime of aggression. As that period approaches, the authors consider key issues regarding the definition and nature of the crime, complementarity, state consent, the role of the Security Council, the conditions for amending the Rome Statute, and how best to prevent the important new jurisdiction over the crime of aggression from perversely chilling legitimate uses of force.

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Alan O. Sykes

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