

**10. a) Amendment to article 8 of the Rome Statute of the International Criminal Court**

***Kampala, 10 June 2010***

**ENTRY INTO FORCE:** 26 September 2012, in accordance with article 121(5) of the Rome Statute. The Amendment first entered into force in regard to San Marino one year after the deposit of its instrument of ratification.

**REGISTRATION:** 26 September 2012, No. 38544.

**STATUS:** Parties: 37.

**TEXT:** United Nations, *Treaty Series*, vol. 2868, p. 195. Resolution [RC/Res.5](#) of the Review Conference of the Rome Statute.

*Note:* The Review Conference of the Rome Statute, held in Kampala, Uganda, from 31 May to 11 June 2010 adopted the amendment on 10 June 2010 by Resolution RC/Res.5. The amendment was circulated by the Secretary-General under cover of depositary notification C.N.533.2010.TREATIES-6 of 29 November 2010.

<i>Participant</i>	<i>Acceptance(A), Ratification</i>	<i>Participant</i>	<i>Acceptance(A), Ratification</i>
Andorra .....	26 Sep 2013 A	Luxembourg.....	15 Jan 2013
Argentina .....	28 Apr 2017	Malta.....	30 Jan 2015
Austria .....	17 Jul 2014	Mauritius.....	5 Sep 2013
Belgium .....	26 Nov 2013	Netherlands <sup>1</sup> .....	23 Sep 2016 A
Botswana .....	4 Jun 2013	North Macedonia .....	1 Mar 2016
Chile.....	23 Sep 2016	Norway .....	10 Jun 2013
Costa Rica.....	5 Feb 2015	Panama.....	6 Dec 2017
Croatia .....	20 Dec 2013	Poland.....	25 Sep 2014
Cyprus.....	25 Sep 2013	Portugal.....	11 Apr 2017
Czech Republic.....	12 Mar 2015 A	Samoa .....	25 Sep 2012
El Salvador .....	3 Mar 2016	San Marino .....	26 Sep 2011
Estonia .....	27 Mar 2013	Slovakia .....	28 Apr 2014 A
Finland.....	30 Dec 2015	Slovenia .....	25 Sep 2013
Georgia .....	3 Nov 2015	Spain.....	25 Sep 2014
Germany .....	3 Jun 2013 A	State of Palestine .....	29 Dec 2017
Guyana.....	28 Sep 2018	Switzerland.....	10 Sep 2015
Latvia.....	25 Sep 2014	Trinidad and Tobago .....	13 Nov 2012
Liechtenstein.....	8 May 2012	Uruguay .....	26 Sep 2013
Lithuania.....	7 Dec 2015		

**CZECH REPUBLIC**

The Czech Republic interprets the Amendment to article 8 of the Rome Statute of the International Criminal Court (Kampala, 10 June 2010) as having the following meaning:

(i) The prohibition to employ gases, and all analogous liquids, materials or devices, set out in article 8, paragraph 2 (e) (xiv), is interpreted in line with the obligations arising from the Convention on the Prohibition of the

Development, Production, stockpiling and Use of Chemical Weapons and on Their Destruction of 1993.

(ii) The prohibition to employ bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core or is pierced with incisions, does not apply to the use of such bullets during activities of police nature in the context of law enforcement and maintenance of public order, which do not constitute direct participation in an armed conflict, such as rescuing hostages and neutralizing civil aircraft hijackers.

***Notes:***

<sup>1</sup> For the European part and the Caribbean part (the Islands of Bonaire, Sint Eustatius and Saba) of the Netherlands.

Subsequently, on 21 December 2017, the Government of the Netherlands notified the Secretary-General that the Amendment will apply to Aruba. (See C.N.784.2017.TREATIES-XVIII.10.a of 21 December 2017.)

