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**Preparatory Commission for the  
International Criminal Court**  
Working Group on Elements of Crimes  
New York  
16–26 February 1999  
26 July–13 August 1999  
29 November–17 December 1999

**Proposal submitted by Costa Rica, Hungary and Switzerland  
on Article 8, Para. 2 (b) (i), (ii), (iii), (iv), (v), (vi), (vii), (ix), (xi),  
and (xii) of the Rome Statute of the International Criminal  
Court<sup>1</sup>**



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<sup>1</sup> In view of the discussions at the first session of the Preparatory Commission, and the draft general paragraph to be included as an introduction to Article 8, the element of “unlawfulness” has not been repeated. Likewise, the general intent has not been repeated as it is implied. In view of the discussions at the first session of the Preparatory Commission, “act or omission” has been replaced by “conduct”.

<sup>2</sup> This element would not be necessary if it were included in a general paragraph or in general elements to Article 8 (2) (b).