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**Preparatory Commission for the International Criminal Court  
Working Group on Elements of Crimes**

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**Proposal submitted by the Republic of Korea concerning  
article 8, paragraph 2 (b) (iv), of the Rome Statute of the  
International Criminal Court**

The Republic of Korea suggests that the term “result in” of element 3 of article 8, paragraph 2 (b) (iv), in Elements of Crimes (PCNICC/1999/L.5/Rev.1/Add.2) should be replaced by the term “cause”, so that element 3 may read as follows:

“3. The accused knew that the attack would **cause** incidental death or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment and that such death, injury or damage would be of such an extent as to be clearly excessive in relation to the concrete and direct overall military advantage anticipated.”