



PERMANENT MISSION OF FINLAND  
TO THE UNITED NATIONS  
NEW YORK

YKE7071-21

## VERBAL NOTE

The Permanent Mission of Finland to the United Nations presents its compliments to the Secretary-General of the United Nations and, referring to the note LA/COD/2 dated 31 December 2008 and 9 April 2010 requesting information on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts, has the honour to inform the Secretary-General of the following.

### *Conventions and other legal issues*

Finland actively supported the adoption of the III Protocol Additional to the Geneva Conventions in December 2005. Finland signed the protocol on 13 March 2006 and ratified it on 14 January 2009. It therefore entered into force on 14 July 2009. The Act on the use of some internationally protected emblems was revised in connection with the ratification of the Protocol.

As regards the Convention for the Protection of Cultural Property in the Event of Armed Conflict and the two Protocols thereto, Finland has ratified the Second Protocol in November 2004. Finland has also ratified the Optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 10 April 2002. Currently Finland is preparing the ratification in 2012 of the so called Ottawa Convention on anti-personnel mines.

Finland has recognised the competence of the International Humanitarian Fact-Finding Commission (IHFFC) by a declaration on 7 August 1980 and is therefore also financially supporting the work of the Commission.

Finland is committed to the fight against impunity for the most serious crimes of international concern. The International Criminal Court (ICC) is vital in preventing violations of international humanitarian law and in punishing for such violations when they fall under the Court's jurisdiction. The necessary national implementing legislation was passed in December 2000 when the Rome Statute was ratified by Finland. In 2008, the criminalizations in Chapter 11 of the Finnish Criminal Code were brought in line with the Rome Statute. This allows our national courts to fully exercise jurisdiction over crimes within the Court's jurisdiction. Finland continues to be committed to support the work of the ICC and in this regard the most recent development has been the signing of an agreement on 1 June 2010 on the enforcement of sentences with the Court. Finland also gives financial support to the activities supporting the ICC, including the ICC Trust Fund for Victims. The Trust Fund was created by the Rome Statute to provide support to victims in the form of reparations and material support such as rehabilitation. Finland is among the most significant donors to the Fund. In November 2009 Finnish Minister Elisabeth Rehn was elected by the Assembly of States Parties to the Trust Fund's Board of Directors and in March 2010 she was elected Chair of the Board of Directors. We give our full support to the enhanced attention to the situation of victims of international crimes.

### *Disseminating IHL*

Finland has an active national Committee for International Humanitarian Law. This Committee works under the auspices of the Ministry for Foreign Affairs and brings together IHL experts from different ministries, armed forces and from organisations like the Finnish Red Cross, the Finnish Branch of Amnesty International and the Finnish Society of Humanitarian Law, Humanitaarisen Oikeuden Seura. This national Committee was already established in 1993 and the Ministry reconstituted and broadened the national Committee in 2009. As the majority of the members represent different state authorities, the meetings of the Committee focus on current IHL issues that have domestic relevance. The main task of the Committee is to follow up on the implementation of the different pledges made by Finland and the Finnish Red Cross (FRC) at the International Red Cross and Red Crescent Conferences. Furthermore, the IHL Committee follows domestic legislation processes that relate to IHL, and is key in identifying issues of implementation that should be addressed on a national level. The Committee also regularly shares information about IHL training and activities in Finland.

At the 30<sup>th</sup> International Conference of the Red Cross and the Red Crescent in 2007, Finland made altogether ten specific pledges. Together with Sweden and Switzerland Finland pledged to "continue to promote a shared understanding of how international humanitarian law should be applied to computer network attacks during armed conflict, building on the International process of discussions and deliberations already initiated". Thus, the Ministry for Foreign Affairs has supported financially a recently published study carried out by the Erik Castrén Institute of International Law and Human Rights under the title "A battle in bits and bytes – computer network attacks and the law of armed conflict".

To complement its own dissemination activities, the Government of Finland financially supports the IHL dissemination activities of the Finnish Red Cross (FRC). The FRC engages in IHL dissemination in relation to a number of target groups, which include political decision makers, the armed forces, state civil servants, and the general public. The FRC carries out its dissemination through training, seminars, publications, a Finnish language IHL website, as well as general advocacy work. To enhance ownership and impact of IHL dissemination activities towards state authorities, the Government seeks to co-organise a number of the dissemination activities together with the FRC.

During 2009 the FRC organised a number of training sessions. These included a one-day training on weapons and IHL that was organised for state civil servants as well as two three-day IHL courses for the armed forces. Furthermore the FRC held numerous other IHL training sessions for state authorities and members of the armed forces. A significant development in the FRC IHL activities was the launching of a 9-lesson teaching material package aimed at 14-19 year old school students. The material was compiled to promote the teaching of IHL in schools, and it was widely distributed to history and social science teachers.

As regards training of the armed forces, conscripts receive training on international humanitarian law as part of their basic training. IHL training is also taken into account later on during the military career (reserve officers school, underofficer schooling etc). Persons taking part in military crisis management operations also receive appropriate IHL training as well as training on gender-related issues. The Finnish Defence Forces has started in 2009 an analysis on IHL training in the armed forces with a view to identify possible needs for improvements. This work will continue during 2010. Generally, the personnel of the armed forces attend different IHL training modules organized by the FRC or the International Institute of Humanitarian Law.

In November 2009, Finland's Comprehensive Crisis management Strategy was published. The aim of the strategy is to strengthen a comprehensive approach in Finnish crisis management activities. This strategy also includes references to international humanitarian law by generally underlining as strategic guidelines that Finland emphasises

the importance of respecting international law and the protection of civilians in crises. The promotion of international humanitarian law and human rights is one of the EU's key objectives. The strategy also outlines that Crisis management personnel's knowledge of questions related to development, human rights and equality as well as humanitarian law and the principles of humanitarian aid will be strengthened. As regards cooperation and influencing at the international level, the strategy states that Finland emphasises that crisis management personnel should receive more extensive training on international humanitarian law as well as human rights and gender equality issues. Attention must also be paid to awareness of local culture and religion. The personnel must be able to recognise humanitarian law and human rights violations, and react accordingly within the boundaries of their mandate.

The Permanent Mission of Finland to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurance of its highest consideration.

New York, 4 June 2010

His Excellency  
the Secretary-General  
of the United Nations  
New York

