



**PERMANENT MISSION OF FINLAND
TO THE UNITED NATIONS
NEW YORK**

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The Permanent Mission of Finland to the United Nations presents its compliments to the Codification Division of the Office of Legal Affairs and, referring to Chapter III of the Report of the International Law Commission (A/69/10) detailing specific issues on which comments would be of particular interest to the Commission, has the honour to communicate the attached information provided by Finland and to request that the relevant parts of such information be forwarded to the Special Rapporteurs concerned.

The Permanent Mission of Finland to the United Nations avails itself of this opportunity to renew to the Codification Division of the Office of Legal Affairs the assurance of its highest consideration.

New York, 30 January 2015



Encl.

To
the Codification Division
of the Office of Legal Affairs
United Nations
New York
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Finland, Sweden and the USA have together developed a manual on environmental policy in operations and a training kit that can be used to educate troops before deployment (see i.e. http://www.defmin.fi/files/1256/Guidebook_final_printing_version.pdf). Based on this trilateral work, also the UN and the European Union Military Committee have adopted similar guidelines. Finland also hosts a biannual conference on defense and the environment.

Finland also holds the deputy chairmanship of DEFNET network. DEFNET is an informal network of European ministries of defense and the network follows environmental legislation work of the EU and tries to promote the defense interest.

F. Provisional application of treaties

The Nordic countries have previously mentioned examples of Agreements where provisional application has been resorted to, such as the 2010 General Security Agreement on the Mutual Protection and exchange of Classified Information between the Nordic countries and the 2013 Arms Trade Treaty. One model of provisional application is the adoption of the decision 1/CMP.8, where the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol recognized that Parties may provisionally apply the Doha Amendment pending its entry into force in accordance with Articles 20 and 21 of the Kyoto Protocol. The Parties intending to provisionally apply the Doha Amendment pending its entry into force in accordance with Articles 20 and 21 of the Protocol may provide notification to the Depositary of their intention to provisionally apply the Amendment.

The Nordic countries implement the above mentioned treaties provisionally with the same legal effects as if they had formally been in force.

G. Crimes against humanity

Crimes against humanity and other atrocity crimes (genocide and war crimes) have been codified in the Criminal Code of Finland (39/1889, as amended), under Chapter 11, Sections 1 to 7, adopted on 11 April 2008. The full Criminal Code can be found through the following links: (i) <http://www.finlex.fi/fi/laki/kaannokset/1889/en18890039.pdf> (unofficial translation); and (ii) <http://www.finlex.fi/fi/laki/ajantasa/1889/18890039001> (original).

The unofficial translation of the Criminal Code, Chapter 11, Section 3 and 4, provides the following definition of crime against humanity and aggravated crime against humanity:

Chapter 11, Section 3 (crime against humanity)

A person who, as part of a broad or systematic assault on civilian population,
(1) kills or enslaves another, subjects him or her to trade by offer, purchase, sale or rent, or tortures him or her, or in another manner causes him or her considerable suffering or a serious injury or seriously harms his or her health or destroys a population by subjecting it or a part thereof to destructive living condition or in another manner,
(2) deports or forcibly transfers population lawfully residing in an area,
(3) takes a person as a prisoner or otherwise deprives him or her of his or her liberty in violation of fundamental provisions of international law or causes the involuntary disappearance of a person who has been deprived of his or her liberty,