

**EMBASSY OF THE REPUBLIC OF ESTONIA
THE HAGUE**

No 1-8.2/233

The Embassy of Republic of Estonia presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and with reference to the Secretariat's note No. ICC-ASP/9/SP/PA/21 of 20 May 2010 has the honour to provide the following information with respect to promotion of the ratification and full implementation of the Rome Statute.

The Rome Statute has become a part of Estonian legal order on 1 July 2002 during the reform of Estonian substantive and procedural penal law. Estonia has not faced any obstacles, including constitutional issues to ratification or full implementation of the Rome Statute. The provisions intended to implement the Statute have been incorporated into the Penal Code (in force since 1 September 2002) and the Code of Criminal Procedure (in force since 1 July 2004).

The substantive crimes are incorporated into the Estonian Penal Code without reference to the Statute, e.g. crimes against humanity – section 89, genocide – section 90, aggression – section 91. The modes of cooperation have been provided for in the Code of Criminal Procedure, e.g. principle of cooperation – section 433, extradition – section 439, surrender of persons – section 491. However, if a rule of national law should be in contradictory to a provision of an international commitment, the latter prevails.

Estonia has ratified the Agreement on Privileges and Immunities of the International Criminal Court in October 2004. Estonia has not concluded bilateral cooperation agreements with the International Criminal Court.

International Criminal Court
THE HAGUE

/...2

As most of Estonia's neighbouring States are already among the States Parties of the Statute, Estonia has not developed specific strategies or plans of action in order to promote ratification and full implementation of the Statute. Estonia expresses its full support to all relevant initiatives and efforts carried out by States or regional organizations. The regular demarches in third countries to promote the ratification of the Rome Statute are carried out on behalf of the EU.

The national contact point for matters related to promotion of ratification and full implementation of the Statute is the Estonian Ministry of Foreign Affairs.

The Embassy of Republic of Estonia avails itself of this opportunity to renew to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court the assurances of its highest consideration.

October 22, 2010

