



PERMANENT MISSION  
OF ESTONIA TO THE UN

Statement of the Republic of Estonia

**72<sup>nd</sup> Session of the United Nations General Assembly  
Sixth Committee**

**Report of the International Law Commission  
Cluster 1**

Mr Chairman,

Allow me first of all thank the Chairman of the International Law Commission, Mr Georg Nolte, for his presentation of this year's report and to express Estonia's appreciation for the valuable work accomplished by the Commission.

On **crimes against humanity**, Estonia warmly welcomes the work and the significant achievements made by the Commission on this highly relevant topic. We thank Special Rapporteur Mr Sean Murphy for his detailed and comprehensive third report and for the preparation of the respective draft articles with their comments, which represents an important step towards the future convention for crimes against humanity.

Since crimes against humanity still occur in today's world, strong legal measures are needed to prevent such crimes and punish the perpetrators. Regrettably, among the three core international crimes only crimes against humanity still lack a treaty that

Estonia welcomes the formulations of these draft articles that we consider appropriate and well balanced. We underline the importance of the Special Rapporteur's proposal to include draft article 12, setting out states' obligations in relation to victims, witnesses and others, including access to justice, protection

ultimately realised, we consider it, however, important to include a definition for the term *victim*, as it may appear to be a gap for determining exactly which persons qualify as "*victims of a crime against humanity*"

example, Section 23 of the Estonian Foreign Relations Act states that the performance of a treaty shall be guaranteed by the Government or a governmental authority authorised therefor. The Government may temporarily (*i.e* provisionally)

