

**No 1284/2000**

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**Act  
on the implementation of the provisions of a legislative nature of the Rome Statute of the  
International Criminal Court  
and on the application of the Statute**

In accordance with the decision of Parliament, which has been made as provided for in section 95, paragraph 2 of the Finnish Constitution, the following is enacted:

*Section 1*

The provisions of the Statute of the International Criminal Court, done at Rome on 17 July 1998, insofar as they are of a legislative nature, shall be in force as applicable law in accordance with the commitments of Finland.

*Section 2*

- (1) The Ministry of Justice shall have the authority to receive requests for cooperation made by the International Criminal Court, concerning the investigation and prosecution of crimes within the jurisdiction of the Court, including requests for the arrest and surrender of persons and for the enforcement of orders of the Court, and shall execute the requests either itself or with the help of other competent authorities.
- (2) Replies to the International Criminal Court shall be delivered through the Ministry of Justice even in cases where the Ministry of Justice has not itself executed the request, unless otherwise provided in the request for cooperation.
- (3) Notwithstanding the provisions of paragraphs (1) and (2), the International Criminal Court may also contact competent Finnish authorities directly or through the diplomatic channels, or through the International Criminal Police Organization or any other appropriate regional organization.

*Section 3*

- (1) Upon a request made by the International Criminal Court, a person found in the territory of Finland must be arrested and surrendered to the Court in accordance with the request.
- (2) The procedure applied to the surrender of persons shall otherwise be governed by the provisions of the Extradition Act (456/1970), where applicable.

- (1) The competent Finnish authorities shall be under an obligation to give judicial assistance to the International Criminal Court, as requested by the Court, for the investigation and prosecution of crimes within the jurisdiction of the Court.
- (2) Judicial assistance shall be given in accordance with the provisions of the Act on International Legal Assistance in Criminal Matters (4/1994), where applicable, unless otherwise provided in the request. In the provision of judicial assistance, coercive measures may be resorted to as provided for in the Coercive Measures Act (450/1987).

*Section 5*

- (1) A witness, on whom a summons to appear issued by the International Criminal Court has been served in Finland, for the purpose of hearing before the Court, shall be under an obligation to comply with the summons.
- (2) The Finnish authorities must take the necessary measures in order to facilitate the possibility of the witness to comply with the summons.

*Section 6*

- (1) A witness, who has been summoned in Finland to be heard before the International Criminal Court, shall have a right to compensation in advance in accordance with the provisions on advance compensation in the State Compensation for Witnesses Act (666/1972), where applicable.
- (2) A request for advance compensation shall be made to the district court which served the summons on the witness. A decision on the award of compensation in advance shall be made by the Ministry of Justice on the basis of a request of the district court.
- (3) A compensation paid in advance may only be recovered from a witness who fails to appear before the Court or otherwise fails to fulfil his duties before the Court. A decision on the recovery of compensation shall be made by the district court referred to in paragraph (2) on the basis of a request of the Ministry of Justice.

*Section 7*

- (1) A sentence of imprisonment imposed by the International Criminal Court shall be enforced in Finland, as requested by the Court, in accordance with the provisions of the Act on International Cooperation in the Enforcement of Certain Penal Sanctions (21/1987). However, the provisions in section 3 of the Act, concerning the conditions for enforcement, shall not be applied.
- (2) The sentences shall be enforced by giving the necessary enforcement orders as provided for in section 7 of the Act referred to in paragraph (1).

*Section 8*

- (1) The enforcement of forfeiture of proceeds, property and assets derived from the crime, ordered by the International Criminal Court, shall take place in Finland in accordance with the provisions of the Act on International Cooperation in the Enforcement of Certain

- Penal Sanctions (21/1987) where applicable. However, the provisions in section 3 of the <sup>3</sup> Act, concerning the conditions for enforcement, shall not be applied.
- (2) Upon an order given by the Ministry of Justice, the proceeds, property and assets derived from the crime shall be transferred as requested by the Court.

*Section 9*

The enforcement of fines and reparations to victims ordered by the International Criminal Court shall take place in Finland as requested by the Court.

*Section 10*

Further provisions on the implementation of this Act may be given by a Decree issued by the President of the Republic.

*Section 11*

The provisions on the entry into force of this Act shall be given in a Decree issued by the President of the Republic.