



Kubo Macak <kubo.macak@gmail.com>

Research Project on Internationalisation of Armed Conflicts

Vahur Väljamäe <Vahur.Valjamae@mfa.ee>

Fri, Sep 30, 2011 at 3:56 PM

To: kubo.macak@gmail.com

Dear Jacub Macak,

Thank you for getting in touch and apologies for not responding earlier. Please find herewith answers to your questions.

(1) Estonia distinguishes between international and non-international armed conflicts in relations to the application of the law of armed conflicts.

(2) A - All rules governing international armed conflicts will apply in such a situation. In terms of the scope of applicable law, the situation is to be treated in the same manner as a full-fledged inter-State armed conflict involving the armed forces of two or more sovereign States.

Explanation: Estonia is of the opinion that International law prescribes what law should be applied to specific situation although identification of the nature of the conflict is sometimes difficult to make. However if there is clear evidence that situation is no longer a non-international armed conflict but rather international armed conflict rules of IAC must apply.

(3) B - The conflict is recognized as international only in relation to the "affected" territory of the State and in relation to those sub-conflicts that they satisfy the criteria of an international armed conflict.

Sincerely,

Vahur Väljamäe

Defence Attaché

Embassy of the Republic of Estonia

