



Committee recommends ratifying treaty protecting UN personnel

The Parliament's Treaties Committee has recommended that Australia ratify the *Optional Protocol to the Convention on the Safety of UN Personnel*, taking a significant step towards protecting Australians working for the United Nations in troubled parts of the world.

"Significant numbers of Australians are working for the United Nations delivering humanitarian, political or development assistance in peace building, and delivering emergency humanitarian assistance," the Committee Chair, Mr Kelvin Thomson MP, stated. "At the moment, these Australians are not specifically protected from crimes including murder, manslaughter, assault, rape, theft and destruction of property."

"The Optional Protocol will extend to these people the protections already in place for Australians serving in peacekeeping operations, but it is not yet in force."

"While Australia is unlikely to need to use these laws, ratification by Australia brings the Optional Protocol one step closer to coming into force," Mr Thomson said. "Ratification by Australia will also send a message to the international community about Australia's commitment to the safety of UN and associated personnel."

The Optional Protocol will require Australia to criminalise attacks against UN personnel involved in humanitarian, political or development assistance in peace building, and delivering emergency humanitarian assistance within Australia's jurisdiction.

While the Optional Protocol cannot prevent attacks, it will strengthen the rule of law and create an additional sense of obligation on nations where UN personnel are delivering humanitarian assistance.

"If Australia's ratification of this treaty results in another country using similar provisions to prosecute someone who has attacked an Australian working for the UN, it will have been well worth the effort," concluded Mr Thomson.

Report 105 also recommends Australia ratify the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters. Australia's ratification of the Convention comes at a time when cross border transactions and greater mobility mean there is an increasing need for certainty in arrangements for conducting transnational litigation.

The Hague Service Convention has the potential to replace a slow, complex process with a transparent and timely procedure more appropriate to the globalised world in which we live.

Report 105 is available on the Committee's website:

www.aph.gov.au/house/committee/jsct/reports.htm or by contacting the Committee Secretariat on (02) 6277 4002.

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