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Optional Protocol

to the Convention on the Safety of United Nations and Associated
Personnel

Adopted in New York, 8 December 2005

[The Optional Protocol was acceded to by the United Kingdom on the 20 July 2010
and entered into force on the 19 August 2010]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
January 2012*

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OPTIONAL PROTOCOL TO THE CONVENTION ON THE SAFETY OF UNITED NATIONS AND ASSOCIATED PERSONNEL¹

The States Parties to this Protocol,

Recalling the terms of the Convention on the Safety of United Nations and Associated Personnel, done at New York on 9 December 1994,

Deeply concerned over the continuing pattern of attacks against United Nations and associated personnel,

Recognizing that United Nations operations conducted for the purposes of delivering humanitarian, political or development assistance in peacebuilding and of delivering emergency humanitarian assistance which entail particular risks for United Nations and associated personnel require the extension of the scope of legal protection under the Convention to such personnel,

Convinced of the need to have in place an effective regime to ensure that the perpetrators of attacks against United Nations and associated personnel engaged in United Nations operations are brought to justice,

Have agreed as follows:

ARTICLE I

Relationship

This Protocol supplements the Convention on the Safety of United Nations and Associated Personnel, done at New York on 9 December 1994 (hereinafter referred to as "the Convention"), and as between the Parties to this Protocol, the Convention and the Protocol shall be read and interpreted together as a single instrument.

ARTICLE II

Application of the Convention to United Nations Operations

1. The Parties to this Protocol shall, in addition to those operations as defined in article 1 (c) of the Convention, apply the Convention in respect of all other United Nations operations established by a competent organ of the United Nations in accordance with the Charter of the United Nations and conducted under United Nations authority and control for the purposes of:

¹ Treaty Series No. 92 (2000) Cm 4803

- (a) Delivering humanitarian, political or development assistance in peacebuilding, or
 - (b) Delivering emergency humanitarian assistance.
2. Paragraph 1 does not apply to any permanent United Nations office, such as headquarters of the Organization or its specialized agencies established under an agreement with the United Nations.
3. A host State may make a declaration to the Secretary-General of the United Nations that it shall not apply the provisions of this Protocol with respect to an operation under article II (1) (b) which is conducted for the sole purpose of responding to a natural disaster. Such a declaration shall be made prior to the deployment of the operation.

ARTICLE III

Duty of a State Party with Respect to Article 8 of the Convention

The duty of a State Party to this Protocol with respect to the application of article 8 of the Convention to United Nations operations defined in article II of this Protocol shall be without prejudice to its right to take action in the exercise of its national jurisdiction over any United Nations or associated personnel who violates the laws and regulations of that State, provided that such action is not in violation of any other international law obligation of the State Party.

ARTICLE IV

Signature

This Protocol shall be open for signature by all States at United Nations Headquarters for twelve months, from 16 January 2006 to 16 January 2007.

ARTICLE V

Consent to be Bound

1. This Protocol shall be subject to ratification, acceptance or approval by the signatory States. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations.

2. This Protocol shall, after 16 January 2007, be open for accession by any non-signatory State. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

3. Any State that is not a State Party to the Convention may ratify, accept, approve or accede to this Protocol if at the same time it ratifies, accepts, approves or accedes to the Convention in accordance with articles 25 and 26 thereof.

ARTICLE VI

Entry Into Force

1. This Protocol shall enter into force thirty days after twenty-two instruments of ratification, acceptance, approval or accession have been deposited with the Secretary-General of the United Nations.

2. For each State ratifying, accepting, approving or acceding to this Protocol after the deposit of the twenty-second instrument of ratification, acceptance, approval or accession, the Protocol shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification, acceptance, approval or accession.

ARTICLE VII

Denunciation

1. A State Party may denounce this Protocol by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations.

ARTICLE VIII

Authentic Texts

The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

Done at New York this eighth day of December two thousand and five.

RATIFICATIONS, ACCESSIONS, EFFECTIVE DATES AND
DECLARATIONS

(as of November, 2010)

<i>State</i>	<i>Action</i>	<i>Date</i>	<i>Effective Date</i>
AUSTRALIA	Signature	19 September 2006	
AUSTRIA	Signature	14 March 2006	
AUSTRIA	Ratification	1 October 2007	19 August 2010
AZERBAIJAN	Signature	26 September 2006	
AZERBAIJAN	Ratification	18 March 2010	19 August 2010
BELGIUM	Signature	15 September 2006	
BOLIVIA	Signature	3 August 2006	
BOSNIA & HERZEGOVINA	Accession	1 October 2009	19 August 2010
BOTSWANA	Accession	13 June 2007	19 August 2010
BULGARIA	Signature	20 September 2006	
CENTRAL AFRICAN REPUBLIC	Signature	27 February 2006	
CHILE	Signature	15 September 2006	
CYPRUS	Accession	13 September 2006	
CZECH REPUBLIC	Signature	20 September 2006	
CZECH REPUBLIC	Ratification	23 September 2008	19 August 2010
FINLAND	Signature	15 January 2007	
FRANCE	Accession	8 August 2008	19 August 2010
GERMANY	Signature	13 September 2006	
GERMANY	Ratification	17 December 2007	19 August 2010
GUATEMALA	Accession	11 November 2008	19 August 2010
JAMAICA	Accession	5 May 2009	19 August 2010
KENYA	Signature	12 January 2007	
KENYA	Ratification	12 January 2007	19 August 2010
KOREA REPUBLIC OF	Signature	20 September 2006	
LEBANON	Signature	14 March 2006	
LIBERIA	Signature	21 September 2006	
LIECHTENSTEIN	Signature	16 January 2006	
LIECHTENSTEIN	Ratification	4 May 2007	19 August 2010
LUXEMBOURG	Signature	16 January 2006	
MALI	Signature	5 January 2007	

MALI	Ratification	5 November 2009	19 August 2010
MONACO	Accession	19 April 2007	19 August 2010
NETHERLANDS THE	Signature	19 September 2006	
NETHERLANDS THE	Acceptance	12 September 2007	19 August 2010
NEW ZEALAND	Signature	20 September 2006	
NORWAY	Signature	20 January 2006	
NORWAY	Approval	24 February 2006	19 August 2010
POLAND	Signature	15 September 2006	
POLAND	Ratification	1 November 2010	1 December 2010
ROMANIA	Signature	20 September 2006	
SENEGAL	Signature	17 January 2006	
SIERRA LEONE	Signature	21 September 2006	
SLOVAK REPUBLIC	Signature	22 September 2006	
SLOVAK REPUBLIC	Ratification	7 May 2007	19 August 2010
SLOVENIA	Signature	13 October 2006	
SLOVENIA	Ratification	20 April 2009	19 August 2010
SPAIN	Signature	19 September 2006	
SPAIN	Ratification	27 September 2007	19 August 2010
SWEDEN	Signature	7 July 2006	
SWEDEN	Ratification	30 August 2006	19 August 2010
SWITZERLAND	Signature	19 September 2006	
SWITZERLAND	Ratification	9 November 2007	19 August 2010
TUNISIA	Signature	19 September 2006	
TUNISIA	Ratification	31 January 2008	19 August 2010
UKRAINE	Signature	19 September 2006	
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	Accession	20 July 2010	19 August 2010
UKRAINE	Signature	15 September 2006	



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