

**United Nations Personnel Act
(CHAPTER 339A)**

Table of Contents

Long Title

1 Short title

2 Interpretation

3 UN workers

4 Offences committed against UN workers

5 Offences committed against premises or vehicles

6 Making threats

7 Attempt, abetment and conspiracy punishable as offences

8 Presumption of knowledge

9 Information relating to offence

10 Assistance under Mutual Assistance in Criminal Matters Act

11 Extradition to and from Convention countries

12 Extradition to Protocol countries

13 No prosecution without Public Prosecutor's consent

14 Amendment of Schedules

FIRST SCHEDULE Offences against UN workers

SECOND SCHEDULE Offences against premises or vehicles

Legislative Source Key

Legislative History

Comparative Table

UNITED NATIONS PERSONNEL ACT

(CHAPTER 339A)

(Original Enactment: Act 11 of 2011)

REVISED EDITION 2012

(31st May 2012)

An Act to give effect to certain provisions of the Convention on the Safety of United Nations and Associated Personnel and the Optional Protocol to the Convention, and for matters connected therewith.

[5th April 2011: except sections 3(3) and 12 ;
23rd May 2011: sections 3(3) and 12]

Short title

1. This Act may be cited as the United Nations Personnel Act.

Interpretation

- 2.—(1) In this Act, unless the context otherwise requires —

“Convention” means the Convention on the Safety of United Nations and Associated Personnel adopted by the General Assembly of the United Nations on 9th December 1994;

“Convention country” means a foreign country that is a Party to the Convention;

“country” includes a State or territory, as the case may be;

“offence against a UN worker” means —

- (a) an offence under section 4, 5 or 6; or
- (b) an abetment of, or a conspiracy or an attempt to commit, an offence under section 4 or 5;

“Protocol” means the Optional Protocol to the Convention adopted by the General Assembly of the United Nations on 8th December 2005;

“relevant premises” means premises at which a UN worker resides or is staying or which he uses for the purpose of carrying out his functions as such person;

“UN worker” has the meaning given to that expression in section 3;

“vehicle” includes any means of conveyance.

(2) In this Act, “abetment”, in relation to an offence, includes an abetment of —

- (a) an abetment of the offence; or
- (b) an attempt to commit the offence.

[IPPA, s. 2; UK UNPA, s. 2(3)]

UN workers

3.—(1) In this Act, “UN worker” means a person who is —

- (a) engaged or deployed by the Secretary-General of the United Nations as a member of the military, police or civilian component of a UN operation;
- (b) in his capacity as an official or expert on mission of the United Nations, a specialised agency of the United Nations or the International Atomic Energy Agency, present in an area where a UN operation is being conducted;
- (c) assigned, with the agreement of an organ of the United Nations, by the government of any State or by an intergovernmental organisation to carry out activities in support of the fulfilment of the mandate of a UN operation;
- (d) engaged by the Secretary-General of the United Nations, a specialised agency or the International Atomic Energy Agency to carry out such activities; or
- (e) deployed by a humanitarian non-governmental organisation or agency under an agreement with the Secretary-General of the United Nations, with a specialised agency or with the International Atomic Energy Agency to carry out such activities.

(2) In this section, “UN operation” means an operation —

- (a) which is established, in accordance with the Charter of the United Nations, by an organ of the United Nations;
- (b) which is conducted under the authority and control of the United Nations; and
- (c) which —
 - (i) has as its purpose the maintenance or restoration of international peace and security; or
 - (ii) has, for the purposes of the Convention, been declared by the Security Council or the General Assembly of the United Nations to be an operation where there exists an exceptional risk to the safety of the participating personnel.

(3) In this section, “UN operation” also includes an operation —

- (a) which is established, in accordance with the Charter of the United Nations, by an organ of the United Nations;
- (b) which is conducted under the authority and control of the United Nations; and
- (c) which is for the purpose of —
 - (i) delivering humanitarian, political or development assistance in peacebuilding; or
 - (ii) delivering emergency humanitarian assistance.

(4) In this section, “UN operation” does not include any operation —

- (a) which is authorised by the Security Council of the United Nations as an enforcement action under Chapter VII of the Charter of the United Nations;
- (b) in which UN workers are engaged as combatants against organised armed forces; and
- (c) to which the law of international armed conflict applies.

(5) If in any proceedings, a question arises as to whether —

- (a) a person is, or was at any time or in respect of any period, a UN worker; or
- (b) an operation is or was a UN operation,

a written certificate issued under the hand of the Minister charged with the responsibility for foreign affairs and stating any fact relevant to the question shall be admissible as evidence of that fact until the contrary is proved.

[IPPA, s. 3(2); UK UNPA, s. 4(1), (2) and (3)]

Offences committed against UN workers

4.—(1) Any person who commits outside Singapore any act —

- (a) to or in relation to a person whom he knows to be a UN worker; and
- (b) which, if committed in Singapore, would have constituted an offence specified in the First Schedule,

shall be guilty of that offence and shall be liable on conviction to the same punishment to which he would have been liable had he been convicted of that offence.

(2) That person may be dealt with as if the offence had been committed in Singapore.

[IPPA, s. 4]

Offences committed against premises or vehicles

5.—(1) Any person who commits outside Singapore any act —

- (a) to or in relation to —
 - (i) premises which he knows to be relevant premises; or
 - (ii) a vehicle which he knows is used by a UN worker;
- (b) which is likely to endanger the person or liberty of the UN worker; and
- (c) which, if committed in Singapore, would have constituted an offence specified in the Second Schedule,

shall be guilty of that offence and shall be liable on conviction to the same punishment to which he would have been liable had he been convicted of that offence.

(2) That person may be dealt with as if the offence had been committed in Singapore.

[IPPA, s. 5]

Making threats

6.—(1) Any person who, in or outside Singapore, threatens to commit an act which is —

- (a) an offence specified in the First Schedule or under section 4 to or in relation to a person whom he knows to be a UN worker; or