



THE PERMANENT REPRESENTATIVE
OF AUSTRALIA
TO THE UNITED NATIONS

6 February 2015

H.E. Mr Ban Ki-moon
Secretary-General
United Nations
United Nations Headquarters
New York

Your Excellency

The Australian Government is concerned by the Palestinian Authority's lodgement of instruments of accession to a range of multilateral treaties, particularly the Rome Statute of the International Criminal Court. Such unilateral actions are provocative and unhelpful, and undermine prospects for a return to direct peace process negotiations. The consequences of the Palestinian Authority acceding to the Rome Statute of the International Criminal Court, its lodgement of a declaration under Article 12(3) of the Rome Statute, and Israel's reaction demonstrates this.

The Australian Government notes the technical and administrative nature of your role as the Depositary of some of the aforementioned treaties and the fact that it is for the States Parties to those treaties, not the Depositary, to make determinations with regard to any legal issues raised by instruments of accession circulated by the Depositary.

The Australian Government does not recognise the 'State of Palestine'. As such, Australia does not recognise the right of the Palestinian Authority to lodge instruments of accession under the entry into force provisions of the aforementioned treaties.

The Australia Government remains a committed supporter of the Palestinian people and their aspirations to statehood. Australia's long-standing position is that a negotiated settlement is the only way to ensure the creation of a future Palestinian state, living side-by-side with Israel in peace and security, within internationally recognised borders.

Please accept, Excellency, the assurances of my highest consideration.

Gillian Bird

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