



Arrangement on Co-operation

between

**the International Criminal Police
Organization-INTERPOL**

and

the United Nations

**in relation to
the activities of Peacekeeping Operations and Special Political Missions,
Supplementary to the Co-operation Agreement between the United Nations
and the International Criminal Police Organization-INTERPOL**

Whereas the United Nations, represented by the Department of Peacekeeping Operations, and the International Criminal Police Organization-INTERPOL (“INTERPOL”), (hereinafter collectively referred to as the “Parties” and individually as a “Party”), seek to co-operate in the field of crime prevention and criminal justice,

Whereas on 8 July 1997, the Parties concluded a Co-operation Agreement (the “Co-operation Agreement”), pursuant to article 9 of which the Parties may, if necessary, enter into supplementary arrangements for the implementation of the Co-operation Agreement,

Whereas on 22 December 2002, the Parties concluded a Memorandum of Understanding between INTERPOL and the United Nations Interim Administration Mission in Kosovo on Co-operation in crime prevention and criminal justice,

Whereas the Security Council and other United Nations legislative bodies have identified tasks to be undertaken by the United Nations in the field of crime prevention and criminal justice, including in relation to the activities of the police components of United Nations peacekeeping operations and special political missions, and

Whereas the General Assembly of INTERPOL has adopted several resolutions pertaining to matters in the field of crime prevention and criminal justice, including Resolution AG-2001-RES-08 on Co-operation with UN CIVPOL and rules governing access by an intergovernmental organization to the INTERPOL telecommunications network and databases, adopted at its 70th session held in in Budapest from 24 to 27 September 2001; and Resolution AG-2005-RES-06 on the Delegation of powers to the Executive Committee to grant temporary access to the INTERPOL telecommunications network and databases to the United Nations Peacekeeping Mission in Liberia (UNMIL), adopted at its 74th session held in Berlin from 19 to 22 September 2005.

Now, for the purposes of enhancing this cooperation and in further fulfillment of the aims of the Cooperation Agreement, the Parties hereby agree as follows:

SECTION 1 **DEFINITIONS**

- 1.1 For the purposes of this Supplementary Arrangement, the following definitions shall apply:
 - (a) “National police and other law enforcement agencies” means all national security agencies, such as the police, customs and border services and agencies with military status such as the gendarmerie, which exercise police powers, especially the powers of arrest and detention;

- (b) "National police and other law enforcement officials" means all officers of the law, whether appointed or elected, who exercise police powers, especially the powers of arrest or detention, including members of customs and border management services. In countries where police powers are exercised by military authorities, whether uniformed or not, or by State security forces, the definition of police and other law enforcement officials shall be regarded as including such services;
- (c) "Peacekeeping operations or special political missions" means those operations established by the competent organ of the United Nations and conducted under United Nations authority and with policy direction and operation guidance and support by the United Nations Department of Peacekeeping Operations;
- (d) "Police components" means the police components of peacekeeping operations or special political missions.

SECTION 2 **PURPOSE**

- 2.1 The purpose of the present Supplementary Arrangement is to supplement the framework for co-operation between the Parties in the field of crime prevention and criminal justice, in relation to the implementation of the mandated activities of peacekeeping operations or special political missions. This includes co-operation regarding activities pertaining to interim law enforcement, security support to national police and other law enforcement agencies and support for the development of national police and other law enforcement agencies.

SECTION 3 **EXCHANGE OF INFORMATION**

- 3.1 The Parties agree to combine their efforts within their respective mandates and capacities to achieve the best use of all available information in the field of crime prevention and criminal justice.
- 3.2 Subject to such arrangements as may be necessary for safeguarding of confidential information, the Parties agree to the exchange of information and documents concerning matters of common interest, within the framework of activities and objectives of each Party.
- 3.3 Information exchanged between the Parties shall be used exclusively for the purposes of the present Supplementary Arrangement.

- 3.4 The provision of information by INTERPOL to the United Nations Department of Peacekeeping Operations shall be subject to INTERPOL's regulations, rules and procedures. The provision of information by the United Nations to INTERPOL shall be subjected to United Nations regulations, rules, and procedures.
- 3.5 INTERPOL shall facilitate access by the United Nations Department of Peacekeeping Operations to INTERPOL's police information systems under such specific terms and conditions to be agreed by the Parties on a case-by-case basis, including through exchange of letters.

SECTION 4 **INTERIM LAW ENFORCEMENT**

- 4.1 The United Nations may notify INTERPOL of any peacekeeping operations or special political missions, mandated to perform interim law enforcement functions, which are to be granted direct access to INTERPOL's police information system.
- 4.2 Upon receipt of the notification and subject to the completion of its internal requirements, and subject to section 4.3 below, INTERPOL shall grant to the concerned peacekeeping operation or special political mission such direct access. The Parties agree to review regularly the arrangement for such direct access in the light of any amendment to the mandate of the concerned peacekeeping operation or special political mission.
- 4.3 The specific terms and conditions under which a peacekeeping operation or special political mission shall have direct access to and use of INTERPOL's police information systems shall be agreed by the Parties on a case-by-case basis, including through exchange of letters.
- 4.4 Where appropriate and subject to the completion of its internal requirements, INTERPOL shall grant to the concerned peacekeeping operation or special political mission the right to request the issuance and circulation of INTERPOL notices of all types, including red notices.

SECTION 5 **SECURITY SUPPORT TO NATIONAL POLICE** **AND OTHER LAW ENFORCEMENT AGENCIES**

- 5.1 When peacekeeping operations or special political missions are mandated to provide security support to national police and other law enforcement agencies, the Parties may undertake joint programmes to provide direct support to national police and other law enforcement agencies including, but not limited to, efforts to combat serious transnational crime, terrorism, organized criminal groups, the

illegal exploitation of natural resources, trafficking in small arms and other weapons, human trafficking, money laundering, drug trafficking as well as violations of international criminal law.

SECTION 6
SUPPORT FOR THE DEVELOPMENT OF NATIONAL POLICE
AND OTHER LAW ENFORCEMENT AGENCIES

- 6.1 The Parties recognize the importance of supporting national police and law enforcement authorities, when so mandated in conflict and post-conflict situations, in developing the capacity and integrity of their national police and other law enforcement agencies with a view to reinforcing the rule of law.
- 6.2 The Parties agree that they may undertake jointly the following activities, when appropriate and in accordance with the relevant internal regulations and rules applicable to each Party, in support of the development of the capacities of national police and other law enforcement agencies:
- (a) Assessment of national police and other law enforcement agencies and related oversight bodies, including at the organizational, financial, management and performance levels;
 - (b) Training of national police and other law enforcement officials, including the development and delivery of programmes and activities that contribute to short, medium and longer-term development of the capacities of national law enforcement officials. This includes, but is not limited to, training programmes related to combating serious transnational crime, terrorism, organized criminal groups, the illegal exploitation of natural resources, trafficking in small arms and other weapons, human trafficking, money-laundering, drug trafficking and violations of international criminal law;
 - (c) Provision of advice, including through co-location as appropriate, with national police and other law enforcement officials, particularly those officials in a lead role in international police co-operation;
 - (d) Support for the institutional development of national police and other law enforcement agencies including development of policy and legal frameworks, administrative procedures, personnel management and other operational and administrative systems that may affect the capacity of such agencies;
 - (e) Support for the development of National Central Bureaus, from a legislative, statutory and resources perspective, to further enhance their role as national policing bodies responsible for liaising with national administrations and as focal points for international police co-operation;
 - (f) Provision of financial and in-kind assistance to the national police and other law enforcement agencies, based on the availability of resources for this

purpose, in accordance with the regulations and rules applicable to each Party.

- 6.3 The Parties may establish permanent or *ad hoc* mechanisms to monitor and evaluate their joint programmes in consultation with national law enforcement authorities.

SECTION 7

CONSULTATION, CO-ORDINATION, FINANCIAL ARRANGEMENTS AND LIABILITY

- 7.1 The Parties shall each designate a person to act as a focal point for the implementation of the provisions of the present Supplementary Arrangement.
- 7.2 Subject to specific arrangements to be agreed between the Parties, INTERPOL may deploy, on a temporary basis, staff to peacekeeping operations or special political missions to facilitate the implementation of the present Supplementary Arrangement. Such staff may be co-located with United Nations personnel subject to the conclusion of specific arrangements between the Parties and in accordance with the relevant internal regulations, rules and procedures.
- 7.3 The Parties shall agree in writing concerning the costs arising out of the implementation of the present Supplementary Arrangement, including specific projects arising out thereof.
- 7.4 Neither Party shall accept any liability arising out of any acts or omissions of the other Party, its officials, employees, agents or contractors under this Supplementary Arrangement. This provision shall extend, *inter alia*, to claims and liability in the nature of workmen's compensation, and liability arising out of the use of copyrighted material or other intellectual property by either Party, its officials, employees, agents, or contractors. The obligations under this Article do not lapse upon termination of this Arrangement.

SECTION 8

SETTLEMENT OF DISPUTES

- 8.1 Any disputes or disagreements between the Parties concerning the interpretation, implementation and application of this Supplementary Arrangement shall be settled amicably by good faith negotiations between the Parties.

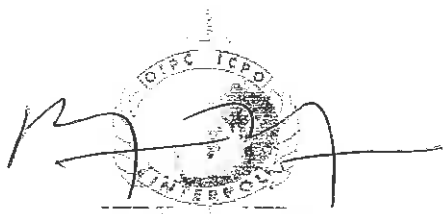

SECTION 9
SCOPE

9.1 This Arrangement is supplementary to the Co-operation Agreement between the United Nations and INTERPOL concluded on 8 July 1997. If there are any differences or conflicts between the Co-operation Agreement and the present Arrangement, the Co-operation Agreement shall prevail.

SECTION 10
AMENDMENT, ENTRY INTO FORCE AND TERMINATION

- 10.1 This Supplementary Arrangement may be amended by mutual consent between the Parties expressed in writing.
- 10.2 This Supplementary Arrangement shall enter into force upon signature by the Parties.
- 10.3 Either Party may terminate the present Supplementary Arrangement by giving six months' written notice to the other Party. The termination of the Co-operation Agreement shall immediately terminate this Supplementary Arrangement.
- 10.4 The Parties shall take the necessary steps to ensure that the activities carried out under the present Supplementary Arrangement are brought to a prompt and orderly conclusion, and they shall wind up their obligations hereunder, including the disbursement of any funds received and the provision of any information, reports, documentation, financial statements or other materials.

Done in this 11 day of October 2009, in two original copies in English.

For the International Criminal Police Organization-INTERPOL	For the United Nations
 <p data-bbox="375 1892 630 1960">Ronald K. Noble Secretary General</p>	 <p data-bbox="853 1892 1268 1993">Alain Le Roy Under-Secretary-General for Peacekeeping Operations</p>