



Arrangement on Co-operation

between

**the International Criminal Police
Organization-INTERPOL**

and

the United Nations

**in relation to
the United Nations Security Council Sanctions Committees
Supplementary to the Cooperation Agreement between the
International Criminal Police Organization-INTERPOL
and the United Nations**

Whereas the International Criminal Police Organization-INTERPOL (“INTERPOL”), and the United Nations, collectively referred to as the “Parties”, have undertaken to cooperate to respond to the needs of the international community in the face of both national and transnational crime,

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

Recalling the exchange of letters of 8 December 2005 and 5 January 2006 between Parties, supplementing the Cooperation Agreement, prepared pursuant to United Nations Security Council Resolution 1617 (2005), which requested the Secretary-General of the United Nations to “take the necessary steps to increase cooperation between the United Nations and INTERPOL in order to provide the Committee established by Security Council Resolution 1267 (1999) with better tools to fulfil its mandate more effectively” ,

Recalling the exchange of letters of 28 and 29 December 2006 between the Parties, supplementing the Cooperation Agreement, prepared pursuant to Security Council Resolution 1699 (2006), in which the Security Council welcomed the constructive role that INTERPOL had played to help the 1267 Committee fulfil its mandate through the creation of the INTERPOL-United Nations Security Council Special Notices; noted that such cooperation with INTERPOL could also benefit the other sanctions committees - further noting that each committee might come up with its own conclusion in this regard; and requested the Secretary-General to take the necessary steps to increase cooperation between the United Nations and INTERPOL in order to provide the other sanctions committees with better tools, to fulfil their mandates more effectively;

Recalling Resolution No. AG-2005-RES-05 (Berlin, 2005) and Resolution No. AG-2006-RES-22 (Rio de Janeiro, 2006) of INTERPOL General Assembly which requested the Secretary General of INTERPOL to take the necessary steps to increase cooperation between the United Nations and INTERPOL in relation to the United Nations Security Council Sanctions Committees,

Considering that enhanced procedures for the issuance and circulation of INTERPOL-United Nations Security Council Special Notices and the provision of access by the sanctions committees and their expert monitoring groups to INTERPOL’s telecommunications network and databases, may provide the sanctions committees with better tools, to fulfil their mandates more effectively, and to give Member States better optional tools to implement those measures,

Now, for the purposes of enhancing this cooperation and in further fulfilment of the aims of the Cooperation Agreement and the above-mentioned exchanges of letters, INTERPOL and the United Nations Secretariat hereby agree as follows:

SECTION 1

PURPOSE

- 1.1 The purpose of the present Supplementary Arrangement is to detail the areas of cooperation between the Parties in relation to the provision of optional tools by INTERPOL, in accordance with its mandate, to United Nations Security Council Sanctions Committees ("the Committees") and their expert monitoring groups to assist them in fulfilling their mandates, including (i) the exchange of information; (ii) the issuance and circulation of INTERPOL-UN Security Council Special Notices; and (iii) access to INTERPOL's telecommunications network and databases.
- 1.2 The present Supplementary Arrangement is further to, and without prejudice to, the Cooperation Agreement, the exchanges of letters of 8 December 2005 and 5 January 2006, and 28 and 29 December 2006 between the United Nations and INTERPOL, and the Revised Action Plan for INTERPOL United Nations Security Council Special Notices, which are all supplemental to the Cooperation Agreement.

SECTION 2

EXCHANGE OF INFORMATION

- 2.1 Subject to such arrangements as may be necessary for safeguarding the security, and confidentiality of information exchanged between the Parties, the Parties agree to exchange information and documents to achieve the best use of available information related to issues of common interest, within the framework of their respective activities and objectives.
- 2.2 Information exchanged between the Parties shall be used exclusively for the purposes for which it is provided with due respect for national laws and international law.
- 2.3 The provision of information by each Party shall be in accordance with the relevant regulations and rules applicable to each Party.
- 2.4 When providing information, each Party shall ensure that such information is accurate, and relevant at the time it is provided. Prior to using any information provided by one Party, the other Party shall check with the providing Party that the information is still accurate and relevant.
- 2.5 Pursuant to the exchange of letters of 28 and 29 December 2006 between the Parties, the procedures for requesting information shall be agreed upon by INTERPOL and the United Nations Secretariat, in consultation with the Committees and or their expert monitoring groups.

SECTION 3

ISSUANCE AND CIRCULATION OF INTERPOL – UNITED NATIONS SECURITY COUNCIL SPECIAL NOTICES

- 3.1 INTERPOL shall grant the Committees the right to request the issuance and circulation of an INTERPOL-United Nations Security Council Special Notice to alert States and their law enforcement authorities that an individual or entity is subject to sanctions established by the Security Council.
- 3.2 Such co-operation shall be in accordance with the provisions of the exchanges of letters of 8 December 2005 and 5 January 2006, and 28 and 29 December 2006 between the United Nations and INTERPOL, supplemental to the Cooperation Agreement.
- 3.3 Pursuant to the exchange of letters of 28 and 29 December 2006 between the Parties, the procedures by which the Committees shall submit requests for the issuance and circulation of INTERPOL-United Nations Special Notices shall be agreed upon by the United Nations Secretariat and INTERPOL in consultation with the relevant Committees.

SECTION 4

ACCESS TO INTERPOL'S POLICE INFORMATION SYSTEM

- 4.1 Upon the request for assistance by any of the Committees or their expert monitoring groups pursuant to Section 7 below, INTERPOL shall facilitate direct access by the United Nations Department of Political Affairs ("UNDPA"), acting as Secretariat to the Committees and the associated sanctions monitoring groups, to INTERPOL's police information system so as to allow more efficient transmission of information between the Committees, their expert monitoring groups and INTERPOL. In particular, UNDPA shall be entitled to:
 - (i) use the INTERPOL telecommunications network to request INTERPOL's General Secretariat to issue and circulate INTERPOL – United Nations Security Council Special Notices upon the request of the Committees;
 - (ii) consult INTERPOL's databases for information on individuals subject to United Nations Security Council sanctions regimes or who are suspected of violating the Security Council's relevant sanctions measures so as to improve the quality of information included in the lists of the Committees.

- 4.2 The terms and conditions under which UNDPA shall have direct access to and use of INTERPOL's police information system are specified in the Annex to the present Arrangement.
- 4.3 Pursuant to the exchange of letters of 28 and 29 December 2006 between the Parties, the procedures for accessing INTERPOL's police information system shall be agreed upon by the INTERPOL and the United Nations Secretariat, in consultation with the Committees and or their expert monitoring groups.

SECTION 5

OTHER ASSISTANCE FROM INTERPOL

Any Committee which requests assistance from INTERPOL pursuant to Section 7 may seek the expertise of the INTERPOL General Secretariat's specialized staff.

SECTION 6

CONSULTATION, CO-ORDINATION, FINANCIAL ARRANGEMENTS AND LIABILITY

- 6.1 The Parties shall each designate a focal point with a view to ensuring implementation of the provisions of the present Arrangement.
- 6.2 The Parties shall maintain contact on a regular basis and exchange information on matters of mutual interest.
- 6.3 The Parties may monitor and evaluate the cooperation under the present Arrangement.
- 6.4 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.
- 6.5 Neither Party shall accept any liability arising out of any of the acts or omissions of the other Party, its officials, employees, agents or contractors under this 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 Section do not lapse upon termination of this Arrangement.

SECTION 7

REQUESTS FOR COOPERATION

- 7.1 Each Committee and/or relevant expert monitoring group wishing to benefit from the provisions of the present Arrangement may, in accordance with its specific requirements and mandate, seek assistance from INTERPOL.
- 7.2 As the Secretariat to the Committees, UNDPA shall, upon the request, and on the behalf of a given Committee and/or expert monitoring group, submit a request to INTERPOL specifying the nature of the assistance requested. Upon receipt of the request, and subject to the completion of its internal requirements, INTERPOL shall provide assistance to the said Committee as defined in the present Arrangement.

SECTION 8

SETTLEMENT OF DISPUTES

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

SECTION 9

SCOPE

This Arrangement is supplementary to the Cooperation Agreement between the United Nations and INTERPOL dated 8 July 1997. If there are any differences or conflicts between the Cooperation Agreement and the present Arrangement, the Cooperation Agreement shall prevail.

SECTION 10

AMENDMENT, ENTRY INTO FORCE AND TERMINATION

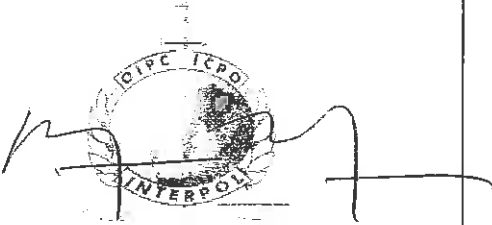


- 10.1 This Arrangement may be amended by mutual consent between the Parties expressed in writing.
- 10.2 This Arrangement shall enter into force following the exchange of written notifications confirming the completion by the Parties of their internal requirements in this respect.

10.3 Either Party may terminate the present Arrangement by giving six months written notice to the other Party. The termination of the Cooperation Agreement shall immediately terminate this Arrangement.

10.4 The obligations concerning the exchange of information referred to in the present Arrangement and its Annex shall continue to be binding on both Parties after the termination of the present Arrangement.

IN WITNESS WHEREOF, the undersigned, being fully authorized thereto, have on behalf of the Parties signed the present Arrangement.

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

For the International Criminal Police Organization-INTERPOL	For the United Nations
  Ronald K. Noble Secretary General	 Alain Le Roy Under-Secretary-General for Peacekeeping Operations

ANNEX

**FRAMEWORK FOR CO-OPERATION BETWEEN THE PARTIES
WITH REGARD TO DIRECT ACCESS BY UNDPA TO
INTERPOL'S POLICE INFORMATION SYSTEM**

UNDPA acting as Secretariat to the Committees and the associated sanctions monitoring groups may be granted direct access to and use of INTERPOL's police information system pursuant to the procedure set out in Section 7 of the present Arrangement, under the following terms and conditions:

1. Direct access to and use of INTERPOL's police information system is subject to the following rules:
 - a. Rules on the Processing of Information for the Purposes of International Police Co-operation;
 - b. Implementing Rules for the Rules on the Processing of Information for the Purposes of International Police Co-operation;
 - c. Rules Governing Access by an Intergovernmental Organization to the INTERPOL Telecommunications Network and Databases;
 - d. Rules on the Control of Information and Access to INTERPOL's Files.
2. INTERPOL shall provide UNDPA with a copy of these rules and with new and/or updated rules as they become available.
3. UNDPA accepts and agrees to comply with these rules.
4. UNDPA, acting as secretariat of a given Committee, shall be considered as an authorized international entity as defined in the Rules on the Processing of Information for the Purposes of International Police Co-operation.
5. Direct access to INTERPOL's police information system under the present Arrangement shall be granted solely to a designated unit within UNDPA.
