

(Translation of an extract published in the official gazette of the French Republic)

Decrees, orders, circulars

GENERAL TEXTS

MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT

Decree No. 2016-326 of 17 March 2016 promulgating the additional protocol in the form of an exchange of letters between the Government of the French Republic and the International Criminal Police Organization – INTERPOL on the interpretation and application of Article 24 of the Agreement of 14 and 24 April 2008 regarding INTERPOL’s headquarters in France, signed in Paris on 9 February 2016 and in Lyon on 12 February 2016 ⁽¹⁾.

NOR : MAEJ1606752D

The President of the French Republic,

Considering the report of the Prime Minister and the Minister of Foreign Affairs and International Development,

Having regard to the Constitution, in particular Articles 52 to 55 thereof;

Having regard to Decree No. 53-192 of 14 March 1953 modified in relation to the ratification and the publication of international commitments undertaken by France;

Having regard to Decree No. 2009-1098 of 4 September 2009 promulgating the Agreement between the Government of the French Republic and the International Criminal Police Organization – INTERPOL regarding the Organization’s headquarters in France (together forming an appendix), signed in Lyon on 14 April 2008 and in Paris on 24 April 2008,

Decrees:

Article 1 – The additional protocol in the form of an exchange of letters between the Government of the French Republic and the International Criminal Police Organization – INTERPOL on the interpretation and application of Article 24 of the Agreement of 14 and 24 April 2008 regarding INTERPOL’s headquarters in France, signed in Paris on 9 February 2016 and in Lyon on 12 February 2016, shall be published in the official gazette of the French Republic.

Article 2 – The Prime Minister and the Minister of Foreign Affairs and International Development shall each be responsible, in their respective domains, for implementing this Decree which shall be published in the official gazette) of the French Republic.

Done on 17 March 2016.

FRANÇOIS HOLLANDE

By the President of the Republic:
The Prime Minister,

MANUEL VALLS

*The Minister of Foreign Affairs and
International Development, JEAN-
MARC AYRAULT*

(1) Entry into force: 16 February 2016.

ADDITIONAL PROTOCOL

IN THE FORM OF AN EXCHANGE OF LETTERS BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION – INTERPOL ON THE INTERPRETATION AND APPLICATION OF ARTICLE 24 OF THE AGREEMENT OF 14 AND 24 APRIL 2008 REGARDING INTERPOL'S HEADQUARTERS IN FRANCE, SIGNED IN PARIS ON 9 FEBRUARY 2016 AND IN LYON ON 12 FEBRUARY 2016

REPUBLIC OF FRANCE

MINISTRY OF FOREIGN AFFAIRS

AND

INTERNATIONAL DEVELOPMENT

The Minister

Paris, 9 February 2016

*Mr Jürgen Stock
Secretary General
International Criminal
Police Organization -
INTERPOL
200, quai Charles-de-Gaulle
69006 LYON*

Ref. 001028CM

Dear Secretary General,

I have the honour to refer to the Agreement signed between the Government of the French Republic and the International Criminal Police Organization – INTERPOL regarding INTERPOL's headquarters in France, signed on 14 April 2008.

The Government considers, as does the International Criminal Police Organization, that the arbitration channel provided for in paragraph 1 of Article 24 of the abovementioned Agreement does not apply either to disputes regarding the processing of data in INTERPOL's Information System – such as INTERPOL notices, diffusions or messages – which may be brought before the Commission for the Control of INTERPOL's Files, or to disputes regarding the employment conditions of INTERPOL's officials, which may be brought before the Administrative Tribunal of the International Labour Organization.

I therefore have the honour, on the instructions of my Government, to propose an amendment to paragraph 3 of Article 24 which reflects our mutual interpretation of its provisions. The paragraph would henceforth read as follows:

“3. The procedure specified in paragraph 1 of the present Article shall not be applicable to disputes whose origins lie in the application or interpretation of the Organization's Constitution or its appendices, including those disputes relating to the processing of data in INTERPOL's Information System and those relating to the employment conditions of the Organization's officials.”

I should be most grateful if you would kindly advise me of your Organization's agreement with the content of this letter.

In the affirmative, this letter and your reply shall constitute an additional protocol between the Government of the French Republic and the International Criminal Police Organization, concluded in the form of an exchange of letters, regarding the application and interpretation of Article 24 of the aforementioned Agreement signed on 14 April 2008, which will enter into force on the day of receipt of your reply.

Yours sincerely,

LAURENT FABIUS

INTERNATIONAL CRIMINAL POLICE ORGANIZATION
INTERPOL
The Secretary General

Lyon, 12 February 2016

*Mr Jean-Marc Ayrault
Minister of Foreign Affairs and
International Development
37, quai d'Orsay
75351 Paris*

Our ref. LA/58796-5/2.1/OLF/II

Subject: Agreement between the Government of the French Republic and the International Criminal Police Organization – INTERPOL

Dear Minister,

I have the honour to acknowledge receipt of the letter from Mr Laurent Fabius dated 9 February 2016, which reads as follows:

“I have the honour to refer to the Agreement between the Government of the French Republic and the International Criminal Police Organization – INTERPOL) regarding INTERPOL’s headquarters in France, signed on 14 April 2008.

The Government considers, as does the International Criminal Police Organization, that the arbitration channel provided for in paragraph 1 of Article 24 of the abovementioned Agreement does not apply either to disputes regarding the processing of data in INTERPOL’s Information System – such as INTERPOL notices, diffusions or messages – which may be brought before the Commission for the Control of INTERPOL’s Files, or to disputes regarding the employment conditions of INTERPOL’s officials, which may be brought before the Administrative Tribunal of the International Labour Organization.

I have the honour, on the instructions of my Government, to propose an amendment to paragraph 3 of Article 24 which reflects our mutual interpretation of its provisions. The paragraph would henceforth read as follows:

“3. The procedure specified in paragraph 1 of the present Article shall not be applicable to disputes whose origins lie in the application or interpretation of the Organization’s Constitution or its appendices, including those disputes relating to the processing of data in INTERPOL’s Information System and those relating to the employment conditions of the Organization’s officials.”

I should be most grateful if you would kindly advise me of your Organization’s agreement with the content of this letter.

In the affirmative, this letter and your reply shall constitute an additional protocol between the Government of the French Republic and the International Criminal Police Organization, concluded in the form of an exchange of letters, regarding the application and interpretation of Article 24 of the aforementioned Agreement signed on 14 April 2008, which will enter into force on the day of receipt of your reply.”

I am pleased to confirm that the content of this letter is acceptable to the International Criminal Police Organization.

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

JÜRGEN STOCK