

RESOLUTION

Subject: The United Nations Security Council's request to Interpol to assist the UN's anti-terrorism fight

The ICPO-Interpol General Assembly, meeting in Berlin, Germany, from 19 to 22 September 2005 at its 74th session;

NOTING THAT:

The United Nations has identified terrorism as a threat to international peace and security that it stands for, i.e. respect for human rights, the rule of law, the protection of civilians, tolerance among peoples and nations, and the peaceful resolution of conflict, and that it considers it as a threat that has grown more urgent in the last five years.

The United Nations Security Council is seized of the question of terrorism as a threat to international peace and security; in resolutions passed since Resolution 1267 (1999), including Resolution 1526 (2004) and Resolution 1617 (2005) the Security Council obliged all States to freeze the assets, prevent the entry into or the transit through their territories, and prevent the direct or indirect supply, sale and transfer of arms and military equipment with regard to the individuals/entities included on the United Nations consolidated list of Al-Qaeda and Taliban members and those associated with them; and the 1267 Committee which was established pursuant to Resolution 1267 (1999) oversees the implementation by States of the sanctions imposed by the Security Council.

RECALLING ALSO United Nations General Assembly Resolution 51/1 of 15 October 1996, and Interpol General Assembly Resolutions AGN/64/RES/11 and AGN/65/RES/14 calling for the promotion of co-operation between the two Organizations, as well as Resolution No AGN/66/RES/5, which approves the Co-operation Agreement with the United Nations.

CONSIDERING that Interpol has been requested by the United Nations to increase co-operation between the two organizations, within the framework of the aforementioned co-operation agreement, to provide better tools to assist the United Nations Security Council 1267 Committee in carrying out its mandate regarding freezing of assets, travel bans and arms embargoes aimed at groups and individuals associated with Al-Qaeda and the Taliban.

ACKNOWLEDGING THAT

Whenever the UN Security Council imposes travel bans on terrorists and those associated with them, law enforcement authorities worldwide should be alerted.

Similarly, whenever the Security Council orders the freezing of assets of terrorists and their associates, including those who financing terrorists, law enforcement authorities worldwide should be alerted.

Moreover, whenever the Security Council determines that certain persons or entities should not have access to arms and certain materials that could be used for terrorism purposes, law enforcement authorities worldwide should be made aware.

HAVING REGARD TO THE FACT THAT:

Interpol's notices system, combined with the Organization's global secured police communication system, and the various databases, is the only global system available that could be used in order to ensure that police and other law enforcement authorities are alerted and that they can act when it becomes necessary, but that the Interpol's notices system does not include notices for specific law enforcement actions with regard to travel bans, freezing orders, and arms embargoes.

The primary function of the General Secretariat is to serve as a centre of information for law enforcement authorities worldwide, and that it is therefore incumbent upon the General Secretariat to ensure that law enforcement authorities worldwide are made aware of these measures whenever they are adopted by the United Nations;

WELCOMING Security Council Resolution 1617 of 29 July 2005.

ACTING under Article 41(2) of the Constitution:

1. Approves that Interpol's General Secretariat devise ways to increase co-operation with the United Nations in the fight against terrorist acts by Al-Qaeda and the Taliban and associated individuals and entities, and that for that purpose it:
 - (a) Creates a special Interpol International Notice for persons on the Committee's list of Al-Qaeda and the Taliban and Associated Individuals and Entities that Interpol could issue at the request of the 1267 Committee, in order to alert States that certain individuals are the target of United Nations sanctions and are therefore, subject to an assets freeze, arms embargo and travel ban.
 - (b) Adds a reference to the fact that a person is on the Committee's List to any currently existing Interpol notice.
 - (c) Provides nominal data, if available, about specific persons on the Committee's List to the 1267 Committee and its expert group, the Monitoring Team, established pursuant to Resolution 1526 (2004) and 1617 (2005) to improve the accuracy of the Committee's List.
 - (d) Adds, upon request of the 1267 Committee, names and related data with respect to persons on the Committee's List to the Interpol database, which is accessible by Interpol Member States.
 - (e) Processes, to the extent feasible, available background information on specific persons on the Committee's List, in conformity with the Rules on the Processing of Information for the Purposes of International Police Co-operation.

2. Approves the following general provisions:

The United Nations shall ensure that persons who allege that their rights as reflected in the Universal Declaration of Human Rights have been violated as a consequence of information duly processed by Interpol on the request of the Security Council via Interpol's channels pursuant to the present provisions shall have recourse, whether direct or indirect, to a remedy pursuant to the procedures as set forth by the 1267 Committee in its "Guidelines of the Committee for the Conduct of its Work".

3. Authorizes the Secretary General to enter into a special arrangement pursuant to Article 8 of the 1997 Co-operation Agreement between the United Nations and ICPO-Interpol, in conformity with the above general provisions, and reach understanding with the United Nations on the procedures for the submission of requests, the processing of information, including modification and deletion, as well as - to the extent necessary - the resources necessary in order to support the enhanced co-operation.

Adopted.