

**RESOLUTION**

**Subject:** Special Arrangement with UNESCO

The ICPO-Interpol General Assembly, meeting in Benidorm, Spain, from 29 September to 2 October 2003 at its 72nd session:

MINDFUL OF Report AG-2003-RAP-23 concerning the Special Arrangement concluded on 8 July 2003 with UNESCO to implement a specific project concerning cultural property in Iraq,

NOTING that this Special Arrangement allows for the possibility of UNESCO having direct access to Interpol's Stolen Works of Art Database, notably to enable UNESCO to check the conformity of the information forwarded with that already recorded in the Database,

RECALLING that under the terms of Article 2(1) of the Rules governing access by an intergovernmental organization to the Interpol telecommunications network and databases, adopted in 2001 (cf. Resolution AG-2001-RES-08), the General Assembly is empowered to approve such direct access,

NOTES, on the one hand, that the Special Arrangement, and in particular its Appendix, conforms to the requirements of the Rules governing access by an intergovernmental organization to the Interpol telecommunications network and databases and that UNESCO has thereby undertaken to respect these requirements,

ENDORSES, on the other hand, the conclusions of Rapport AG-2003-RAP-23 regarding the usefulness of granting UNESCO direct access to Interpol's Stolen Works of Art Database,

NOTING, however, the ambiguous wording of Article 3(c) of the Special Arrangement concluded on 8 July 2003, which reads: "*Identify from a legal perspective the 'missing' objects as stolen and/or illicitly exported, according to the Iraqi law at the time of the event (theft and/or illicit exportation);*",

CONSIDERS, consequently, that it is necessary to specify the role of the Organization and ASKS the Secretary General, with UNESCO's agreement, to amend Article 3(c) of the Special Agreement to read as follows: "*Identify the 'missing' objects as stolen and/or illicitly exported on the basis of representations made by UNESCO and/or Interpol NCBs or member countries*";

APPROVES, subject to the above amendment, Article 3(e) and Article 4(b) of the Special Arrangement concluded on 8 July 2003 with UNESCO and consequently AUTHORIZES its implementation.

**Adopted.**