



CO-OPERATION AGREEMENT

BETWEEN

THE INTERNATIONAL

CRIMINAL POLICE ORGANIZATION - INTERPOL

AND

THE SPECIAL COURT FOR SIERRA LEONE



Whereas the International Criminal Police Organization – Interpol (“Interpol”) and the Special Court for Sierra Leone (“Special Court”), collectively referred to as the “Parties”, seek to co-operate in the field of crime prevention, criminal justice within the scope of their respective mandate;

Considering the provisions of the Constitution of the International Criminal Police Organization, which provides that Interpol’s aims are to ensure and promote the widest possible mutual assistance between international organizations dedicated to criminal justice within the limits of the laws existing in the different countries and in the spirit of the Universal Declaration of Human Rights;

Noting the International Criminal Police Organization’s Co-operation Agreement with the United Nations and Interpol’s commitment to co-operating, where appropriate, in the implementation of the mandates of international judicial institutions which have been established by the United Nations;

Considering the establishment of the Special Court for Sierra Leone by an Agreement between the United Nations and the Government of Sierra Leone to prosecute persons who bear the greatest responsibility for:

- Crimes against humanity including widespread and systematic attacks on civilian populations,
- Violations of Article 3 common to the Geneva Conventions and of Additional Protocol II,
- Other serious violations of international humanitarian law, and
- Specified crimes under Sierra Leonean law,

committed on the territory of Sierra Leone since 30 November 1996;

Considering Security Council Resolution 1478 (2003) which urges the co-operation of states with the Court, and the need of the latter to co-operate with international organizations;

Recognizing the Special Court’s aims of contributing to international justice, ending impunity and punishing those responsible for crimes under its jurisdiction;

Taking into consideration the specific methods available to the Parties to combat crime and take mutually supportive measures in respect of the mandate of the Special Court for Sierra Leone;

The Parties have agreed as follows:

Article 1

Purpose

1. The International Criminal Police Organization - Interpol and the Special Court for Sierra Leone undertake to establish a framework of co-operation including the exchange of police information and the publication and circulation of Interpol notices.
2. Subject to such arrangements as may be necessary for the safeguarding of confidential information, Interpol and the organs of the Special Court shall ensure full and prompt exchange of information and documents concerning matters of common interest.

Article 2

Modalities of Co-operation

1. Considering the different and respective functions of the organs of the Special Court, a separate point of contact shall be nominated within the Office of the Prosecutor and the Registry for the fulfillment of functions in co-operation with Interpol.
2. The Parties shall maintain contact on a regular basis and exchange information on matters of mutual interest, to include the exchange of police information, intelligence, information with regard to assets and any asset- or fugitives-tracking activities Interpol may be involved in.

Article 3

Publication and Circulation of Interpol Notices

1. The Special Court shall have the right to request the Interpol General Secretariat to publish and circulate Interpol notices of all types, including red notices. The Registrar shall serve and transmit arrest warrants in execution of orders issued by the Court.
2. Should the Special Court request a notice under 3.1 above, it will also transmit the appropriate documents to the Interpol NCB in Sierra Leone for the purpose of information.

3. Whenever the Interpol NCB of Sierra Leone asks the Interpol General Secretariat to circulate a warrant of arrest, a general broadcast or a notice relating to a person wanted for crimes covered by the Special Court mandate, the General Secretariat will immediately inform the Prosecutor of the Special Court to ensure that it is not in conflict with an investigation being conducted by the Special Court. The Special Court has primacy over the national courts of Sierra Leone and may formally request a national court to defer to the competence of the Special Court in accordance with Article 8(2) of its Statute and Rule 10 of its Rules of Procedure. If no deferral order is issued by the Court, the request of the NCB of Sierra Leone shall not be affected.
4. Notices issued by the General Secretariat, in the respect of the Special Court's mandate, at the request of any other Interpol's member countries, shall be provided to or may be accessed by the Special Court for Sierra Leone.
5. Practical modalities of exchange of information shall be determined in special arrangements when needed.

Article 4
Amendment

The present Co-operation Agreement may only be amended by written agreement of the Parties.

Article 5
Settlement of Disputes

Any disputes or disagreements between the Parties with respect to the interpretation or implementation of the present Co-operation Agreement shall be resolved amicably by good-faith negotiations between the Parties.

Article 6
Entry into Force

The present Co-operation Agreement shall enter into force immediately upon signature by the duly authorized representatives of the Parties, and shall remain in force for the duration of the Special Court's mandate unless terminated in accordance with Article 7.



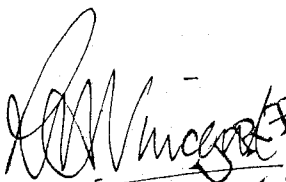
Article 7
Termination

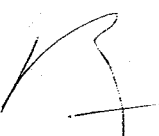
1. Either Party may terminate the present Co-operation Agreement by delivering a written request for termination to the other Party. The termination shall be effective 30 days after it is delivered to the receiving Party, unless otherwise agreed to by the Parties in writing.
2. If and when the present Agreement is terminated in accordance with paragraph (1) above, all information communicated by the Special Court to Interpol shall be deleted from Interpol's files and Interpol member countries shall be consequently informed.

In witness whereof, the Secretary General of the International Criminal Police Organization – Interpol and the Registrar of the Special Court for Sierra Leone have signed the present Co-operation Agreement in duplicate, in English, on the dates appearing under their respective signatures.

For the Special Court for Sierra Leone

For the International Criminal Police
Organization – INTERPOL


Robin A. Vincent
Registrar


Ronald K. Noble
Secretary General



DATE: 3/11/03

DATE: 2/10/03