



18 April 2019

Secretary-General's bulletin**Records and archives of the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism**

The Secretary-General, for the purpose of establishing a regime for the management, care, preservation, storage, disposition of and access to the records and archives of the Organisation for the Prohibition of Chemical Weapons (hereinafter "OPCW")-United Nations Joint Investigative Mechanism (hereinafter "Joint Investigative Mechanism"), promulgates the following:

Part I
General provisions**Section 1**
Scope of the present bulletin

The present bulletin shall apply to the records and archives, in all forms and media, which came into the possession of the Joint Investigative Mechanism or were generated by the Joint Investigative Mechanism and were transferred to the custody of the Archives and Records Management Section of the Department of Operational Support.

Section 2
Transfer of records and archives to the Archives and Records Management Section

2.1 The Archives and Records Management Section of the Department of Operational Support shall provide secure and separate storage for the records and archives of the Joint Investigative Mechanism within the premises of the United Nations, which are within the Headquarters district as defined in the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, done at Lake Success on 26 June 1947, as from time to time supplemented.

2.2 Subsequent to their transfer to storage pursuant to section 2.1, the Archives and Records Management Section of the Department of Operational Support shall take such steps as may from time to time be necessary to maintain and store Joint Investigative Mechanism information for continued use, preservation and disposition. For this purpose, only the Chief of the Archives and Records Management Section and such officials of the Section as he or she may designate in writing may have



access to “confidential” and “strictly confidential” Joint Investigative Mechanism information for the maintenance, preservation and disposition thereof.

Part II

Access to and disposition of Joint Investigative Mechanism information

Section 3

Access to Joint Investigative Mechanism information

3.1 Access to and use of Joint Investigative Mechanism information that has not been classified shall be governed by the general rules and procedures laid down in Secretary-General’s bulletins or in other administrative issuances regarding access to and use of the records and archives of the United Nations.

3.2 Access to information classified by the Joint Investigative Mechanism as “confidential” shall be prohibited for a period of 30 years and access to information classified by the Joint Investigative Mechanism as “strictly confidential” shall be prohibited for a period of 60 years. Both periods shall start from 17 November 2017.

Section 4

Procedures for early access to classified Joint Investigative Mechanism information

4.1 The Office for Disarmament Affairs, in consultation with the Department of Political and Peacebuilding Affairs and the Office of Legal Affairs, as necessary, shall be responsible for considering requests by Member States and relevant international organizations for early access to classified Joint Investigative Mechanism information prior to the expiration of the 30- and 60-year classification periods and for making recommendations to the Secretary-General on eligible requests.

4.2 The Office for Disarmament Affairs shall be assisted in its work by the Archives and Records Management Section of the Department of Operational Support and such other offices of the Secretariat as the Office requires. It shall also be able to draw upon expert advice and assistance from the organizations of the United Nations system and, as necessary, from former personnel of the Joint Investigative Mechanism. In doing so, the Office for Disarmament Affairs will ensure that access to classified Joint Investigative Mechanism information by such organizations and individuals is granted only under conditions of strict confidentiality. Such access shall be monitored by the Archives and Records Management Section of the Department of Operational Support to prevent unauthorized copying or removal of material from the archives.

4.3 On a case-by-case basis, the Secretary-General may, following careful consideration of the reasons for allowing such access, grant early access to Joint Investigative Mechanism information, in accordance with the conditions and procedures set out below.

4.4 Any request for early access shall be forwarded to the Office for Disarmament Affairs for review.

4.5 Where the review includes classified information obtained by the Joint Investigative Mechanism from a Member State, the review process shall include consultation between the Secretary-General and that Member State.

4.6 Where the review includes classified information obtained by the Joint Investigative Mechanism from OPCW, the review process shall include consultation between the Secretary-General and the Director General of OPCW, in accordance

with the arrangements reached between the Joint Investigative Mechanism and OPCW regarding the provision of access, storage and handling of information referenced in paragraphs 9 and 12 of Security Council resolution [2235 \(2015\)](#).

4.7 The Office for Disarmament Affairs shall weigh the following considerations in deciding on whether to recommend that access to classified information should be granted:

- (a) The purpose for which access is sought;
- (b) The sensitive nature of the information;
- (c) The sensitivity of sources;
- (d) The safety of individuals;
- (e) Whether disclosure may be necessary for or interfere with official ongoing investigations by competent authorities.

4.8 The Office for Disarmament Affairs shall determine which information, if any, is relevant to the request. Should the Office for Disarmament Affairs recommend to the Secretary-General that access be granted to the information requested, in whole or in part, it shall specify the conditions under which access to, viewing of and use of the information may be permitted. The Office for Disarmament Affairs shall consult with the Office of Legal Affairs on the preparation of an appropriate confidentiality undertaking to be provided by the requestor.

4.9 Should the Secretary-General approve a recommendation to grant early access to information, the Archives and Records Management Section of the Department of Operational Support shall notify the requestor accordingly and prepare the relevant information for access and use by the requestor under the conditions approved by the Secretary-General.

4.10 The United Nations may charge the requestor reasonable fees for complying with any request for access to any Joint Investigative Mechanism information.

Section 5

Declassification review of classified Joint Investigative Mechanism information

5.1 Following the expiration of the 30- and 60-year classification periods, a review of the “confidential” and “strictly confidential” information will be conducted by the Office for Disarmament Affairs, which shall recommend to the Secretary-General whether all or part of the information should be declassified. In conducting its review, the Office for Disarmament Affairs shall consider the continued relevance and impact of the criteria specified in section 4.7 (b), (c), (d) and (e) above with regard to the information under review, as well as the commitments made by the Joint Investigative Mechanism with respect to its receipt of information in confidence.

5.2 Should the determination be that information shall remain classified, a further review shall be initiated five years from the date of expiration of the relevant classification period and at successive five-year intervals thereafter, as necessary.

Section 6

Disposition

In respect of the activities outlined in section 3.1 above, the Chief of the Archives and Records Management Section of the Department of Operational Support shall, in consultation with the Office for Disarmament Affairs and in compliance with the approved retention schedule, advise the schedule for disposal of the records that no longer have sufficient historical or other value. The Section shall dispose of

records so stored upon receipt of written confirmation from the designated successor office.

Part III

Final provisions

Section 7

Final provisions

The present bulletin shall enter into force on the date of its issuance.

(Signed) António **Guterres**
Secretary-General
