



Updated August 2, 2024

# Transnational Crime Issues: INTERPOL

The International Criminal Police Organization (ICPO)-INTERPOL is the world's largest international police organization. Its purpose is to enable cooperation on crime fighting and prevention matters worldwide. Congress authorized the United States to be an INTERPOL member in 1938 (22 U.S.C. 263a) and has long maintained interest in several aspects of INTERPOL's activities, including its funding, governance and membership, the scope of its policing authorities, and the functioning of its system of international lookouts and advisories (e.g., Red Notices), through which members share law enforcement information.

## Structure and Governance

INTERPOL, headquartered in Lyon, France, has 196 member countries, including the United States. Countries interface with INTERPOL headquarters through National Central Bureaus (NCBs). INTERPOL Washington, which is the primary NCB for the United States, is organizationally a component of the U.S. Department of Justice (DOJ) and located in Washington, DC. INTERPOL Washington's leadership rotates among DOJ and U.S. Department of Homeland Security (DHS) personnel.

INTERPOL's activities are governed by the decisions of its General Assembly, which meets annually, and by a 13-member panel of vice presidents and delegates, called the Executive Committee. For the 2021-2024 term, the Executive Committee delegate for the Americas is Michael Hughes of the United States, formerly the Director of INTERPOL Washington. The president of the Executive Committee is Ahmed Naser Al-Raisi of the United Arab Emirates, whose term ends in 2025. The General Secretariat serves as INTERPOL's permanent administrative body and is led by Secretary General Jürgen Stock of Germany. The 92<sup>nd</sup> General Assembly, scheduled to be held in Glasgow, Scotland, in November 2024, is to include elections for a new Secretary General and nine members of the Executive Committee.

The Commission for the Control of Files (CCF) conducts oversight and monitoring of INTERPOL's activities. Its primary task is to ensure that the processing of personal data (e.g., names, fingerprints, and DNA profiles, including data contained in INTERPOL notices) is in compliance with applicable INTERPOL rules. These rules are intended in part to ensure its activities are guided by the Universal Declaration of Human Rights (as Article 2 of INTERPOL's constitution states). The CCF also is responsible for ensuring that INTERPOL data and activities are consistent with Article 3 of its constitution, which stipulates that "it is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character."

## Policing Authorities

INTERPOL's General Secretariat is staffed in part by law enforcement personnel on loan from national police entities. INTERPOL does not retain or globally deploy its own police force with autonomous authority to arrest or detain anybody in any country. Its primary functions center on law enforcement information sharing through its worldwide encrypted communications platform, and maintenance of its criminal databases on dangerous criminals, fugitives, missing persons, and other transnational threats. INTERPOL also facilitates police capacity building and training, as well as technical assistance in specialized areas, such as forensics and criminal intelligence analysis. At the request of member countries, INTERPOL may also provide response teams or operations support; INTERPOL's role in such activities is to promote international cooperation by facilitating access to INTERPOL's tools and services.

## INTERPOL's System of Notices

INTERPOL facilitates member state requests to share crime-related information through a system of notices and diffusion messages. Member states prepare such messages for publication and dissemination on INTERPOL's communications platform, known as I-24/7. There are several types of notices, including

- **Red Notices**, which seek the location and arrest of wanted persons with a view to extradition or similar action;
- **Yellow Notices**, which seek help in locating missing persons, including minors;
- **Blue Notices**, which seek additional information about a person's identity, location, or activities in relation to a crime;
- **Green Notices**, which provide warnings about criminals who are likely to repeat crimes in other countries;
- **Black Notices**, which seek information on unidentified bodies;
- **Orange Notices**, which warn of a serious and imminent threat to public safety;
- **Purple Notices**, which seek information or provide information on methods, technologies, and modus operandi used by criminals; and
- **INTERPOL-United Nations (UN) Security Council Special Notices**, which identify targets of UN Security Council Sanctions Committees.

At the 91<sup>st</sup> General Assembly in November 2023, INTERPOL adopted a resolution to carry out a two-year pilot program for a new Silver Notice. This notice would be dedicated to the tracing and recovery of criminal assets.

**Table 1. INTERPOL Notices Issued, Selected Years**

	2008	2013	2018	2023
Red	3,126	8,857	13,516	12,260
Yellow	385	1,889	2,397	2,687
Blue	304	1,691	4,139	3,546
Green	664	1,004	827	473
Black	91	117	134	282
Orange	7	43	52	17
Purple	0	102	97	72
INTERPOL-UN	26	79	19	10

**Sources:** INTERPOL annual reports and website (including archived versions of the INTERPOL website).

Similar to notices, INTERPOL diffusion messages are standardized requests for cooperation and alerts on specific law enforcement matters. Unlike notices, which INTERPOL publishes for broad disseminated across its entire membership, diffusions are circulated directly by an NCB to another member country or set of countries. The number of INTERPOL notices and diffusions in circulation has increased since 2009, when INTERPOL began allowing members to submit notices on an electronic communications platform.

### Selected Issues for Congress

As Congress continues its oversight of U.S. participation in INTERPOL, possible issues of interest may include the use and misuse of notices and diffusions, U.S. perspectives on INTERPOL membership and observer status, and costs of U.S. participation in INTERPOL.

**Misuse of INTERPOL's notices.** Congressional scrutiny of INTERPOL has focused on the vulnerability of INTERPOL's notice system to abuse by foreign governments. According to some government and nongovernment reporting, the misuse of red notices or diffusions for the purpose of targeting political opponents located abroad is a key form of "transnational repression" (i.e., efforts by governments to silence or exact reprisals against individuals located outside their territory). Section 6503 of the National Defense Authorization Act for Fiscal Year 2022 (NDAA, P.L. 117-81; 22 U.S.C. §263b) prohibits any U.S. government department or agency from extraditing an individual on the sole basis of an INTERPOL red notice or wanted persons diffusion. It also requires the Secretary of State and Attorney General to prepare biannual reports to selected congressional committees for four years on the misuse of INTERPOL communications. Several bills introduced in the 118<sup>th</sup> Congress also identify "INTERPOL abuse" as a form of transnational repression (e.g., H.R. 3654, S. 831, and H.R. 5907).

To address concerns of red notice misuse, INTERPOL established the Notices and Diffusions Task Force (NDTF) in 2016 and adopted new operating rules for the CCF in 2017. The NDTF screens red notices and wanted persons diffusions prior to publication for compliance with INTERPOL's constitution and "rules on processing data." Since 2018, the NDTF has been retrospectively reviewing previously issued red notices and wanted persons

diffusions. In 2023, the NDTF refused 1,603 red notices and diffusions due to noncompliance—of which it refused 304 notices or diffusions due to violations of Articles 2 or 3 of the INTERPOL constitution. The updated CCF operating rules strengthen the CCF's power to impose binding decisions over INTERPOL's activities.

In the United States, federal arrests may not be made on the basis of a red notice alone, according to DOJ's *Organizations and Functions Manual* (Section 3(A)). In 2023, U.S. Immigration and Customs Enforcement (ICE) issued ICE Directive 15006.1 to support broader DHS efforts to combat transnational repression and clarify that "ICE personnel will not rely exclusively on Red Notices or Wanted Person Diffusions to justify enforcement actions or during immigration proceedings." The U.S. Department of State has also reported on transnational repression in its annual *Country Reports on Human Rights Practices* since 2019. In its 2023 report, the State Department describes allegations of INTERPOL misuse, specifically, by the People's Republic of China (PRC), Russia, Turkey, and Venezuela.

### Membership and observer status at INTERPOL meetings.

The United States has expressed views on membership and participation in INTERPOL, with respect to Taiwan (P.L. 114-139 instructed the Secretary of State to develop a strategy to obtain observer status for Taiwan in INTERPOL; see also H.R. 8452 in the 118<sup>th</sup> Congress), the Palestinians (despite U.S. opposition, members admitted the "State of Palestine" into the organization in 2017), and Kosovo (not universally recognized as an independent state; its most recent bid in 2018 to join INTERPOL failed, despite U.S. support). The most recent additions to INTERPOL's membership include Pacific Island countries (Palau joined in 2023, the Federated States of Micronesia in 2021, Kiribati and Vanuatu in 2018, and the Solomon Islands in 2017). This trend appears in-line with some legislative efforts in the 118<sup>th</sup> Congress to address the role of Pacific Island country considerations in U.S. foreign policy.

### U.S. membership dues and other support to INTERPOL.

For FY2025, INTERPOL Washington requested \$47.7 million in Commerce, Justice, Science, and Related Agencies appropriations—an increase, due to base funding and technical adjustments, from an estimated annualized total for FY2024 of \$46.8 million. Approximately 36% of INTERPOL Washington's appropriated resources are allocated to paying the U.S. government's assessed contribution to the INTERPOL's General Secretariat. The U.S. government provides additional support to INTERPOL through the secondment of U.S. officials to Lyon, France (14 officials in 2022), and voluntary contributions.

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