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## Activating the Role of INTERPOL in Combating Organized Crime

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### Abstract

The International Criminal Police Organization (INTERPOL) is one of the international bodies responsible for combating organized crime, including the crime of money laundering, which has become a threat to international peace and security. It also tracks criminals at both the national and international levels through National Central Bureaus in order to arrest and extradite them for prosecution. Therefore, states are committed to cooperating and coordinating with the International Criminal Police Organization and facilitating its work, thereby promoting international harmony, whether among states themselves or between states and the International Criminal Police Organization. All of this serves to achieve the objective for which the organization was established.

**Keywords:** Money Laundering Crime, INTERPOL, Organized Crime, Extradition of Criminals.

### Introduction

The world has witnessed, in recent decades, an unprecedented development in the nature of organized crime. It is no longer confined to traditional activities such as drug trafficking or arms trafficking; rather, it has assumed new forms that are more complex and innovative, thanks to technological progress and economic globalization. Criminal networks have today become transnational entities operating according to precise hierarchical structures and exploiting legal loopholes among states to expand their illicit activities and generate enormous profits that, in some cases, exceed the budgets of developing countries.

The organization operates within a clear legal framework, relying on voluntary cooperation among police agencies without infringing upon the sovereignty of any state, whereby each state remains responsible for enforcing laws within

its territory, while the role of INTERPOL is limited to facilitating communication and the exchange of information, and coordinating efforts in cases that extend beyond the national scope. From this standpoint, the following main research question is raised:

**To what extent does INTERPOL contribute to combating organized crime?**

To answer this main question, the first section examines the traditional and emerging role of INTERPOL in combating organized crime, while the second section addresses the difficulties facing INTERPOL in combating organized crime and the means of enhancing its effectiveness.

## **Section One: INTERPOL Mechanisms in Combating Organized Crime**

INTERPOL is based on the fundamental idea that combating crime is no longer a purely domestic responsibility; rather, it has become a shared responsibility that requires global coordination and the effective exchange of information and expertise among states in order to pursue criminals and track illicit activities that threaten public security and social peace. In the modern era, criminals no longer adhere to geographical or legal boundaries; instead, they move freely, exploiting legal loopholes and legislative disparities among states, which has made the existence of INTERPOL an imperative necessity for strengthening international cooperation in the field of law enforcement.

Accordingly, in the first subsection, we address the traditional mechanisms employed by INTERPOL in combating organized crime; in the second subsection.

### **Subsection One: Traditional Mechanisms for Combating Organized Crime by INTERPOL**

The official name of the organization is the International Criminal Police Organization (INTERPOL), and its official abbreviated name in English is ICPO, representing the initials of the phrase International Criminal Police Organization. The organization was established in 1914 when the First International Criminal Police Congress was held in Monaco with the participation of police officers, legal experts, and judges from 24 countries. The participants examined arrest procedures, central records of international criminals, and extradition procedures.

In 1923, the International Criminal Police Commission was established, and the Austrian capital, Vienna, was selected as its headquarters. For the first time, notices concerning wanted persons were issued in the International Public Safety Journal published by INTERPOL.<sup>1</sup>

The traditional mechanisms adopted by INTERPOL in combating organized crime constitute the foundation upon which the organization's effectiveness has been built since its establishment. These mechanisms represent the operational framework that enables police agencies in member states to cooperate and exchange information in an organized and secure manner. Before the emergence of advanced digital tools and modern data-sharing systems, INTERPOL relied on a network of traditional procedures and instruments that proved effective in tracking and pursuing criminals across borders through close coordination among National Central Bureaus, the issuance of international notices, and the exchange of police reports and memoranda among member states.<sup>2</sup>

INTERPOL notices are requests for cooperation or international alerts that enable police authorities in member countries to exchange important information related to a crime. The General Secretariat issues these notices upon the request of a National Central Bureau in one of its member countries, and they are made available through INTERPOL's Notices Database for access by all member countries. These notices include the following:

**Red Notice:** Its purpose is to locate and provisionally arrest a person sought by a legal authority or an international court with a view to extradition. The legal basis of a Red Notice is

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<sup>1</sup>Montaser Saeed Hamouda, \*The International Criminal Police Organization\*, First Edition, Faculty of Law, Dar Al-Fikr Al-Jami'i, Alexandria, 2008, p. 08.

<sup>2</sup> KAWADA (A), INTERPOL and the Fight Against Drug Trafficking: 60 Years of International Experience, in RIPC, No. 469–471, 1998, p. 25.

an arrest warrant or judicial order issued by the judicial authorities of a country. Many INTERPOL member countries regard a Red Notice as a legally valid request for provisional arrest. In addition, INTERPOL serves as an official channel for transmitting requests for provisional arrest under a number of bilateral and multilateral extradition treaties.

**\_Green Notice:** Its purpose is to provide warnings and intelligence about persons who have committed criminal offences and are considered likely to pose a potential threat to public safety. Accordingly, it serves as a warning regarding the activities of a person deemed a potential danger to public safety, whether within the country in which the person resides or abroad. This notice is used when an individual has a criminal record and a history of committing particular offences, such as fraud, assault, or violent crimes, and is likely to repeat such criminal behavior in other countries.

**\_Black Notice:** It is issued in cases where the objective is to identify unknown deceased persons, whether they are victims of crimes, disasters, or accidents<sup>1</sup>. This notice is used when a country discovers a body whose identity cannot be established locally and therefore submits detailed descriptive information about it, such as distinctive physical characteristics, tattoos, clothing, and fingerprints.

**\_Orange Notice:** Its purpose is to warn of an event, person, object, or act that poses an imminent danger to persons or property, or an imminent threat thereto. It aims to alert member countries to the existence of an imminent or potential threat that poses a risk to public safety. Such threats may include persons, materials, or methods that could be used in the commission of crimes or terrorist acts.

**\_Special Notices:** Their purpose is to inform INTERPOL member countries that a person or entity is subject to sanctions imposed by the United Nations. The INTERPOL Special Notice was introduced in 2005 to provide enhanced tools to assist the United Nations Security Council in carrying out its mandate concerning asset freezes, travel bans, and arms embargoes targeting individuals and entities associated with Al-Qaeda and the Taliban.

## **Section Two: Modern Mechanisms for Combating Organized Crime**

It has become clear that organized crime is not merely a behavioral deviation of limited groups; rather, it is an integrated system of illicit activities operating according to an organized economic logic and benefiting from the tools of modern globalization to achieve its interests. Therefore, combating it requires a comprehensive strategic awareness that combines security, legal, and social approaches, and relies on international cooperation as a fundamental pillar in protecting societies from its destructive effects. This extensive development in the field of organized crime has prompted INTERPOL to develop means that correspond to these technological advances in order to combat crime, including the following:

### **First: Secure Communication System**

INTERPOL connects all countries through what is known as the Global Police Communications System (I-24/7), a modern means of communication that keeps pace with technological advancement. Countries use this secure network to communicate with one another and with the

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<sup>1</sup> Hassanein Al-Mohamady Bawady, *International Terrorism: Criminalization and Counter-Terrorism*, Dar Al-Matbouat Al-Jami'iyya, Alexandria, 2007, p. 54.

INTERPOL General Secretariat. This system also enables countries to access INTERPOL's databases and services in real time. In addition, it coordinates networks of liaison officers Police officers and experts in various fields of crime<sup>1</sup>, who meet in working groups and at conferences to exchange expertise and ideas. It enables INTERPOL to establish instant communication and exchange criminal and judicial messages and information between the Organization's General Secretariat and the National Central Bureaus of member countries through a secure system in accordance with international legal standards and regulations.

### **Second: Operation INFRA for Locating and Arresting International Fugitives**

INFRA is one of INTERPOL's most important international operations for tracking down and arresting fugitives. The objectives of this operation include enhancing the global exchange of information regarding the whereabouts of fugitives wanted for serious crimes who are believed to be living outside their home countries, in order to verify their location and status. It also aims to improve networking among investigators and specialized fugitive units, increase the number of INTERPOL notices concerning wanted fugitives involved in serious crimes and enhance their quality, as well as improve the quality of data stored in INTERPOL's databases on wanted fugitives.

### **Third: Operations and Coordination Center**

The Operations and Coordination Center serves as INTERPOL's primary operations room. It is located in the city of Lyon, France, and was established in 2003, with another center located in Buenos Aires, Argentina. Its staff operate 24 hours a day and are proficient in several languages to avoid language-related difficulties<sup>2</sup>. The Center constitutes the backbone of INTERPOL's operations, serving as the first point of contact for obtaining urgent assistance when a person accused or convicted of a felony or misdemeanor under the laws of their country has fled. INTERPOL coordinates communications among member countries to apprehend fugitives from justice with a view to their extradition, in accordance with the procedures followed by the concerned states, through which the majority of such fugitives are arrested.

### **Fourth: Innovation Center**

The establishment of this Center came in response to the pressing need to expand INTERPOL's activities beyond its headquarters in Lyon, France, in order to ensure continuous coordination and communication around the clock among all member countries, while taking into account the time differences between continents, particularly in light of the growing security threats in the Asia-region and The Pacific ocean. The Center also brings together academics, analysts, law enforcement personnel, and technology specialists. The Center's areas of focus revolve around:

\_ Future forecasting, by anticipating challenges, developing new strategies, and shaping how law enforcement agencies should be organized.

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<sup>1</sup> Hamouni Mohamed, *The International Criminal Police Organization (INTERPOL) as a Mechanism for Combating Organized Crime*, published research in *Afaq Scientifique Journal*, Vol. 11, No. 04, 2019, p. 73.

<sup>2</sup> Abbassi Mohamed El Habib, *Transnational Organized Crime, Criminal Law Series: General Criminal Law*, National Office of University Publications, Algeria, 2019, p. 54.

\_Emerging technologies, through understanding their impact on crime and helping law enforcement agencies benefit from technological advances in serving their interests.

\_Public policy, which consists of establishing global standards for policing activities in accordance with the needs of member countries.

\_Tangible outcomes, aimed at providing technical solutions (such as digital forensics) to member countries according to their immediate needs.

The Center plays a fundamental role in receiving information from various member countries, analyzing it, and distributing it according to specific priorities, thereby enabling rapid communication among police agencies across different continents through INTERPOL's secure communications network known as "I-24/7".

The Operations and Coordination Center can connect the National Central Bureaus of member countries within a short period of time, allowing the immediate and secure exchange of sensitive information. This includes data on wanted criminals, forged documents, stolen vehicles, and suspicious movements that may be linked to organized crime, terrorism, or cybercrime.

### **Section One: Activating the Role of INTERPOL in the Field of Extradition of Criminals.**

The International Criminal Police Organization plays an important role in combating organized crime by carrying out coordination, investigation, intelligence gathering, and the provision of expertise and guidance. It also seeks to improve cooperation among police agencies and enhance the performance of organizations responsible for combating organized crime. INTERPOL's role is not limited to the technical aspect alone; it also extends to the analytical and strategic fields through the preparation of periodic reports on the patterns and global trends of organized crime, thereby helping member countries understand the nature of modern security threats and develop their preventive policies. Accordingly, in the first section, we will examine the difficulties facing the effective implementation of international police cooperation mechanisms. And in the second section, we will address the means of enhancing INTERPOL's role in the field of extradition of criminals.

### **Section One: Difficulties Facing the Activation of International Police Cooperation Mechanisms**

The International Criminal Police Organization is considered one of the most prominent international organizations specializing in police cooperation and the fight against transnational crime. It serves as a link between law enforcement agencies around the world with the aim of enhancing information exchange and assisting in the pursuit of criminals fleeing justice. This organization was established in response to the urgent need for an effective international mechanism enabling states to coordinate their efforts in confronting crimes that transcend national borders, such as terrorism, drug trafficking, organized crime, money laundering, cybercrime, and other emerging criminal phenomena. However, INTERPOL faces several obstacles in the field of combating organized crime, including the following:

**1\_The Absence of a Unified Definition of Organized Crime:** The lack of a unified definition of organized crime is one of the most significant factors complicating the work of the International Criminal Police Organization and limiting its effectiveness in combating this type of crime at the global level. Despite international efforts made over decades to unify legal

concepts and standards relating to organized crime, substantial differences among states in defining its nature and legal elements continue to constitute a major obstacle to establishing integrated police and judicial cooperation. Each state defines organized crime according to its own legal and legislative framework<sup>1</sup> and the nature of the threats it faces domestically, resulting in clear disparities in concepts and practices. This negatively affects INTERPOL's ability to coordinate international efforts effectively.

**2\_The Issue of Double Criminality:** Double criminality is considered one of the most important conditions governing the extradition of criminals. It is stipulated in most national legislations and international instruments relating to extradition. Despite its importance, it constitutes an obstacle to international cooperation in the field of extradition, particularly with regard to cybercrimes, as many states do not criminalize this type of criminal conduct. In addition, it is often difficult to determine whether the traditional legal provisions of the requested State can be applied to crimes committed through the Internet or classified as organized crimes. This situation hinders the implementation of international extradition agreements and consequently impedes the collection of evidence and the prosecution of perpetrators of transnational crimes.

**3\_ The Jurisdictional Issue:** The problem of jurisdiction in addressing organized crime is considered one of the most significant difficulties facing INTERPOL. While jurisdiction at the national or local level generally does not raise major issues, as it is governed by legally established criteria, the problem becomes more complex at the international level. Differences in legislation and legal systems often give rise to conflicts of jurisdiction among states with respect to organized crimes and, more generally, crimes of a transnational nature.

A crime may be committed within the territory of one state by a foreign national. In such a case, the crime falls under the criminal jurisdiction of the first state based on the principle of territoriality<sup>2</sup>. At the same time, it may also fall within the jurisdiction of the second state on the basis of the principle of personal jurisdiction in its various aspects. Furthermore, if the crime threatens the security or safety of another state, it may also come within that state's jurisdiction pursuant to the protective principle.

## **Section Two: Means of Enhancing INTERPOL's Role in the Field of Extradition of Criminals**

The importance of INTERPOL in the field of extradition stems from its ability to issue Red Notices, which are international alerts circulated to all member countries for the purpose of assisting in the location and provisional arrest of suspects or wanted persons pending the completion of legal procedures. These notices constitute an effective tool that supports judicial and security cooperation and helps bridge gaps that may arise due to differences in national laws or delays in judicial proceedings.

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<sup>1</sup> Casenave de Cheix, Money Laundering of Drug Proceeds, *International Review of Comparative Law*, Vol. 46, No. 01, January 1994, p. 147.

<sup>2</sup> Bushra Salman Hussein Al-Obaidi, International Crime in Light of the Statute of the International Criminal Court, *Journal of Legal Sciences*, College of Law, University of Baghdad, Vol. 22, No. 01, 2007, p. 322.

INTERPOL also maintains a central database that is considered one of the largest international information repositories, containing records of wanted persons, their descriptions, fingerprints, photographs, and any other data that may facilitate their identification or tracking wherever they may be found. With regard to the first obstacle, namely the absence of a unified model for organized criminal activity, the matter requires the harmonization of legal systems. Since such harmonization is difficult to achieve, it is necessary to seek alternative means that facilitate cooperation compatible with the nature of this emerging type of crime and reduce the wide disparities among domestic penal systems. One such means is the modernization of national legislation concerning transnational crimes and the conclusion of specific agreements that take into account the particular nature of these offenses.

As for the issue of dual criminality, legislative developments have tended toward relaxing the strict application of this requirement by adopting more flexible approaches that take into account the evolving nature of international crimes. Some conventions no longer require an exact correspondence in the legal definition of the act but merely require that the conduct for which extradition is sought constitutes a crime under the laws of both states, even if its legal designation or classification differs. Some states have also adopted lists of offenses that are inherently extraditable crimes, such as terrorism, money laundering, human trafficking, and drug trafficking, regardless of detailed differences in national legal provisions. Another approach has been to adopt a minimum penalty threshold as a criterion instead of strict dual criminality<sup>1</sup>, whereby extradition is permitted whenever the act is punishable in both states by a penalty involving deprivation of liberty for at least a specified minimum period. This approach is considered a significant step toward strengthening international cooperation and overcoming the procedural obstacles that have often hindered the extradition of offenders.

With regard to the problem of jurisdiction, there is an urgent need to conclude international agreements, whether bilateral or multilateral, aimed at harmonizing views concerning the rules of judicial jurisdiction, particularly with respect to Internet-related crimes. This should be accompanied by updating both substantive criminal laws and procedural criminal legislation to keep pace with the rapid developments in information and communication technologies. The issue of judicial jurisdiction remains one of the most significant challenges facing international cooperation in combating crime, especially given the transnational nature that characterizes many modern offenses, particularly cybercrime. The tremendous technological development witnessed worldwide in the field of information and communication technologies. The rapid development of communications and information technology has led to the emergence of new forms of criminal behavior that national laws were not adequately prepared to address effectively. This situation has created conflicts of jurisdiction among states, as a crime may be committed in one country<sup>2</sup> while its effects occur in another, or its perpetrators and victims may be of different nationalities. Consequently, determining the judicial authority competent to hear the case becomes a complex matter involving issues of sovereignty, jurisdiction, and national interest.

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<sup>1</sup> Mohamed Cherif Bassiouni, *Introduction to International Criminal Law*, Bruylant Editions, Brussels, 2002, p. 145.

<sup>2</sup> Adel Akroum, *The International Criminal Police Organization and Organized Crime as a Mechanism for Combating Organized Crime: A Comparative Study*, New University Publishing House, Alexandria, 2013, p. 71.

The effectiveness of INTERPOL is not limited to the pursuit of criminals; it also extends to building networks of legal and institutional trust among states, enhancing their technical and analytical capabilities, and contributing to the development of common operational rules and the establishment of standards for cross-border police cooperation. Nevertheless, these efforts continue to face a number of legal and procedural challenges, such as the issue of dual criminality, conflicts of jurisdiction, and differences among national legal systems. These obstacles require collective solutions based on legislative harmonization and modern international agreements.

### **Conclusion**

The primary objective behind the establishment of INTERPOL is to promote and develop international police cooperation in combating transnational crimes and crime in general. Therefore, combating such crimes through the criminal police agencies of the various countries of the world most of which have become members of this international organization constitutes the fundamental goal sought by INTERPOL. From this perspective, a number of findings and recommendations have been reached.

### **First: Findings**

\_Organized crime, in its various forms and manifestations, has become widespread at an alarming and dangerous rate. Its severity has been further heightened by its international dimensions, which have prompted the international community to pay close attention to this phenomenon and make every effort to combat it.

\_INTERPOL is an international organization that ensures international criminal cooperation between the criminal police branches of its member states, through organizing coordination and international cooperation in combating crime in its various forms. Therefore, it uses tools that are consistent with the nature of the organization.

\_INTERPOL works to define and implement a plan of action aimed at eliminating criminal activities and contributing to bringing offenders before justice. In doing so, individuals and states can live in conditions of international peace and security. It is distinguished from other entities by its ability to establish an international police system, something that states alone are unable to achieve in confronting transnational crime.

### **Second: Recommendations**

\_Strengthening the legal framework governing INTERPOL's work is an urgent necessity to ensure the integrity and effectiveness of its interventions. Since INTERPOL is an international organization of a technical nature operating in a sensitive space where security requirements intersect with principles of justice and human rights, its Statute and regulatory provisions should be revised to become more consistent with legislative developments.

\_The inclusion in the Organization's Statute of provisions that clearly define its functions and competencies is essential, particularly its role in combating organized crime, as already indicated in Article 2 regarding its objectives.

\_Ensuring effective cooperation among member states in combating organized crime with the Organization itself is necessary. It is also important to promote cooperation with non-member states.

\_ Supporting and assisting National Central Bureaus in developing countries so that they can effectively exercise their assigned competencies related to enhancing and developing international police cooperation among member states, with the aim of combating all forms of organized crime and tracking offenders.

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- <sup>4</sup> Hamouni Mohamed, The International Criminal Police Organization (INTERPOL) as a Mechanism for Combating Organized Crime, published research in Afaq Scientifique Journal, Vol. 11, No. 04, 2019, p. 73.
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