



# Resolution No. 1

GA-2017-86-RES-01

**Subject:** The process for membership of INTERPOL

The ICPO-INTERPOL General Assembly, meeting in Beijing, People's Republic of China, from 26 to 29 September 2017 at its 86th session:

CONSIDERING the report submitted by Mr Hans Corell, Adviser to the Organization, on the study on the process for membership of INTERPOL upon the request of the Executive Committee,

NOTING that the Adviser's conclusion, based on the views of the General Secretariat, the Executive Committee, the responses from Members of INTERPOL, and a detailed analysis of the relevant provisions in the Constitution, is that the most appropriate way to achieve transparency and clarity on the criteria and procedure for membership to INTERPOL is for the General Assembly to adopt an interpretative resolution,

RECALLING Resolution AG-2016-RES-01 adopted by the INTERPOL General Assembly at its 85th session (Bali, Indonesia, 2016) whereby the Executive Committee was asked to submit to the General Assembly at its 86th session proposals to improve the process for membership of INTERPOL,

NOTING that the Executive Committee, at its 194th session, endorsed the conclusions drawn up by the Adviser and detailed in his Report,

RESOLVES to:

1. Confirm the resolution adopted by the General Assembly at its meeting in Rio de Janeiro, Brazil, from 19 to 22 September 2006 at its 75th session (AG-2006-RES-04), entitled "Statement to Reaffirm the Independence and Political Neutrality of Interpol";
2. Confirm that the word "country" in Article 4 of the Constitution shall be interpreted as "state" and that, as of 27 September 2017, the INTERPOL membership shall be open to "states" as Members of the Organization;
3. Adopt the following Guidelines for requests for membership of INTERPOL (see [Annex 1](#));
4. Adopt the following Procedures for joining INTERPOL in order to enhance transparency and consistency of the process (see [Annex 2](#)).



## **Annex 1**

### **Guidelines for requests for membership of INTERPOL**

To achieve transparency, consistency and clarity in the process, these Guidelines are designed to assist countries requesting INTERPOL membership in preparing their requests. If the Guidelines are followed, this will also assist the General Secretariat, the Executive Committee, and the General Assembly of INTERPOL in conducting their assessments as bodies of the Organization.

It should be clearly understood that requesting countries are free to submit all information that they consider relevant for a successful assessment by INTERPOL. However, the following elements are of special importance for this assessment:

#### Timing

In order for the General Assembly to be able to consider a membership request at its meeting in a particular year, a request for membership must be received by the Secretary General at the latest on 31 January of the same year.

#### The Requesting Country

Under this heading the requesting country should explain that it meets the conditions for statehood: a territory; a population; a government; and capacity to enter into relations with other states. An important element is also that the requesting country mentions if it is a member of other intergovernmental organizations and, in particular, if the country is a Member of the United Nations or an Observer State recognized by the United Nations.

#### The INTERPOL Constitution, Regulations and Rules

Under this heading the requesting country should explain that the INTERPOL Constitution has been studied and specifically that the obligations under Articles 2-7 and 31-33 are understood. The requesting country should also declare that it will respect these provisions in order to make certain that INTERPOL can contribute effectively to the prevention and suppression of ordinary law crimes. The requesting country should also commit to abide by the INTERPOL Constitution, regulations and rules, including but not limited to INTERPOL's Rules on the Processing of Data.

#### Appropriate Governmental Authority

Under this heading the requesting country should explain on the basis of its national law which body is to represent it under the second paragraph of Article 4 (unless the request for membership on behalf of the country is made by the Head of State, the Head of Government or the Minister for Foreign Affairs), as well as under Article 6 and under the first paragraph of Article 7.

### Official Police Body

Under this heading the requesting country should name the body to which it intends to delegate the task of being its representative in INTERPOL in accordance with the first paragraph of Article 4, that the functions of this body come within the framework of the activities of the Organization, and that the body is competent to perform these functions.

In addition to the obligation to promote the widest possible mutual assistance between all criminal police authorities within the limits of the laws existing in the different countries and in the spirit of the Universal Declaration of Human Rights as prescribed in the first paragraph of Article 2 of the Constitution of INTERPOL, the organs of the Organization will take into consideration the following elements in assessing the request, namely that the Official Police Body:

- meets the high standards of the INTERPOL Constitution and demonstrates that it is able to comply with its mandates;
- is a body established and regulated under the laws existing in the country;
- has the requisite competence, jurisdiction, authority and resources to effectively assist the INTERPOL Member that it represents;
- will be able to engage in broad cooperation with the representatives of other INTERPOL Members and competent to share relevant information;
- will be able to grant effective day-to-day cooperation in the INTERPOL community;
- is the national police authority that is competent to effectively engage in prevention, suppression and investigation of crimes; to take coercive measures relating to such activities; and to engage in other matters regarding maintenance of public safety and order – in other words, policing capabilities which concur with INTERPOL's needs.

### National Central Bureau (NCB)

Under this heading the requesting country should explain that it is informed about the functions of the NCB and that it is aware of the requirements in Articles 31 and 32. In case the requesting country is unable to apply the provisions of Article 32, the request for membership should contain information about the fact that the country may invoke Article 33 of the Constitution.

## Annex 2

### Procedures for joining INTERPOL

In order to ensure transparency and consistency of the process, the following procedures for joining the Organization shall apply:

1. Upon receipt of a membership request by the Secretary General, the General Secretariat sends an acknowledgement to the requesting country, and then examines the request for completeness, bearing in mind the criteria set out in INTERPOL's Constitution, regulations and rules.
2. The Secretary General shall inform the President that a request has been received. Members of the Executive Committee and the INTERPOL membership are also informed.
3. If necessary, the General Secretariat seeks additional information from the requesting country, as well as from INTERPOL Members and other international organizations.
4. Once the information is received, the Secretary General provides observations to the Executive Committee as to whether the request meets INTERPOL's criteria and asks the Executive Committee to include the request as an item on the agenda for the General Assembly.
5. The Executive Committee discusses the request and any additional information provided together with the Secretary General's observations, and adds the request to the draft (provisional) agenda of the General Assembly, accompanied by the observations made by the Secretary General and/or the Executive Committee, as the case may be, about the applicant's eligibility.
6. The items may be added on the agenda with an indication of whether it is "for decision" or "for information". An alternative, if the request is not ready for a decision, is that the Executive Committee issues a formal document relating to the status of the request for membership, which is circulated by the Secretary General to the INTERPOL membership.
7. If it is not clear whether the request meets INTERPOL's criteria, the Executive Committee may seek additional information from the requesting country, or others, or advise the General Assembly to delay consideration of the request pending clarification of the circumstances which raises questions about the compliance of the request with INTERPOL's Constitution, regulations or rules.
8. The General Secretariat then prepares a report presenting the request to the General Assembly. The report is circulated to INTERPOL's Members at least 30 days before the opening of the General Assembly. Any objection raised by a Member to an application is brought to the attention of the Executive Committee and of the General Assembly and, subject to deadline constraints, it is included in the report itself.
9. The General Assembly shall consider the observations of the Executive Committee, in particular if the Committee has expressed doubts about the eligibility for membership of the requesting country or the Committee is of the opinion that the requesting country does not qualify as a Member of the Organization.
10. If a vote is taken, the request is subject to approval by a two-thirds majority of the General Assembly.

**Adopted**