



INTERPOL

## List of specific offences for which Red Notices may not be issued

(Updated as of 28 January 2022)

Article 83 of INTERPOL's Rules on the Processing of Data (RPD) sets out the specific conditions for the publication of Red Notices. Article 83(1) sets out the minimum criteria to be met in a request for the publication of a Red Notice, and includes the following provision:

"(a) Red notices may be published only if the following cumulative criteria are met:

(i) The offence concerned is a serious ordinary-law crime.

Red notices may not be published for the following categories of offences:

- offences that in various countries raise controversial issues relating to behavioural or cultural norms;
- offences relating to family/private matters;
- offences originating from a violation of laws or regulations of an administrative nature or deriving from private disputes, unless the criminal activity is aimed at facilitating a serious crime or is suspected of being connected to organized crime.

The General Secretariat shall keep, update and share with National Central Bureaus and international entities a non-exhaustive list of specific offences that fall within the above categories."

### List of specific offences for which Red Notices may not be issued (Article 83(1)(a)(i) of the RPD)

**First category: offences that, in various countries, raise controversial issues relating to behavioural or cultural norms**

- Prostitution;
- Offences related to gestational surrogacy;
- Offences related to pornography or the sale of sexual aids – for example, the production and distribution of pornography – unless the criminal activity is aimed at facilitating a serious crime such as child sexual exploitation, sexual assault or rape, or is suspected of being connected to organized crime;
- Offences related to damaging honour, unless the criminal activity is aimed at facilitating a serious crime or is suspected of being connected to organized crime;
- Possession of drugs for personal use.

**Second category: offences relating to family/private matters**

- Adultery;
- Bigamy/polygamy;
- Homosexual acts;
- Leaving home without parental permission;
- Defloration of a woman;
- Dowry-related crimes;
- Abortion;
- Carrying out euthanasia;
- Offences related to a failure to pay child support or any form of alimony;
- Offences related to the abduction of a child by a parent where conflicting custody decisions have been issued in two countries and at least one of the following additional conditions is present:
  1. Both parents participated in the proceedings in both countries;
  2. The conflicting decisions are subject to ongoing proceedings in accordance with the Hague Convention on the Civil Aspects of International Child Abduction, or were subject to such proceedings, the outcome of which was a decision to grant custody to the parent who is the subject of the Red Notice request.

**Third category: offences originating from a violation of laws or regulations of an administrative nature or deriving from private disputes, unless the criminal activity is aimed at facilitating a serious crime or is suspected of being connected to organized crime**

- Traffic violations (e.g. driving without a valid licence);
- Violations of licensing regulations related to buildings/constructions (e.g. building a house without a permit);
- Violations of labour laws or regulations (e.g. participation in an illegal strike);
- Defamation;
- Driving under the influence of alcohol or other substances unless such behaviour led to physical harm of other individual(s) and/or serious damage to property;
- Offences related to the abandonment of employment;
- Offences related to causing damage to public funds, for example contracts concluded in violation of internal procedures or negligence in the performance of duties where there is no personal gain – whether direct or indirect – and/or no physical harm to individuals, and there is no gross negligence or evidence of corruption or fraud;
- Offences related to usury unless the criminal activity is aimed at facilitating a serious crime or is suspected of being connected to organized crime;
- Issuing unfunded cheques.

[Please note that some of the offences listed above may fall within multiple categories]