



Remarks

INTERPOL Secretary General Jürgen Stock

**COMMITTEE ON
CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS
OF THE EUROPEAN PARLIAMENT**

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Thank you, Mr Chairman, for your introduction and for inviting me to speak at today's meeting. Honourable members; ladies and gentlemen.

It is a privilege to be here at the European Parliament and to have the opportunity to speak about INTERPOL's work to the Committee on Civil Liberties, Justice and Home Affairs.

I appreciate the interest that this Committee has shown in INTERPOL's role within the European Union's security architecture, our mechanisms for sharing information and alerts, and the safeguards we have put in place to protect these processes.

The 27 countries and almost 450 million citizens, which you were elected to represent, are also served by INTERPOL.

It is our goal, like yours, to keep them safe and to protect their rights. Like you, we are working to fight against international crime and terrorism, and uphold the rule of law, security, and justice.

INTERPOL's systems are today integrated into those of the European Union's member states – at your borders, in your police officers' mobile devices, in your national criminal information systems.

Our databases currently contain over 127 million pieces of information – names, number plates, passports, ballistics markings, fingerprints – which our 195 member countries have shared. This data is queried 7.4 million times per day by EU member countries. That is 86 checks per second, every day.

These checks – whether at borders or in the context of investigations - allow us to protect EU citizens from those who would pose a threat to their safety.

A few weeks ago, a Red Notice prevented a dangerous murder suspect from boarding a flight from South America to the EU. After allegedly shooting his victim fourteen times in the back, the fugitive crossed an international border and fled to an airport. Fortunately, he was arrested before he could get on the aeroplane, thanks to the quick cooperation of the police forces.

Another Red Notice, issued at the request of the Brazilian Federal Police, led to the recent arrest in Hungary of one of the world's biggest international drug traffickers. With strong links to organized crime, this fugitive was accused of money laundering, document fraud, and homicide, and was travelling using various aliases and travel documents.

It was also an INTERPOL Notice which enabled the arrest of an Afghan national, who was illegally crossing a border between two EU member states. His latent fingerprints had been detected on an improvised explosive device ten years before his arrival at Schengen borders, on his way to Italy, before an INTERPOL Notice brought his terrorist past to the attention of national authorities.

There are other crimes which are committed where no international borders are crossed. Such is the case of online child sexual exploitation and abuse, which is often perpetrated locally, facilitated digitally and shared globally.

Here, INTERPOL's International Child Sexual Exploitation (ICSE) database stands as a global reference in the fight against this horrifying crime. Through ICSE, abuse material is being shared by law enforcement in 68 countries, and analysed for clues in investigations worldwide. A quarter of the material comes from European Union member states' national specialised agencies and Europol.

This is how on average, 13 victims of abuse are identified globally through INTERPOL every day. And investigators across the European Union have used ICSE to identify more than 6,000 victims and 2,500 offenders.

This is how images shared by Australian police were identified as having been taken in Madrid, Spain. Details in the background of pictures – a canvas sheet, a tattoo – led to surveillance, a search of the premises, and the arrest of a suspect by Spanish police and the rescue of five children from further abuse.

Indeed, protecting EU citizens at home is a central element of INTERPOL's contribution to the security of the European Union. Another is to expand the reach of law enforcement in EU member states, and their national security perimeter.

This is where EU member states, while being leading users of INTERPOL databases, are also leading sources of the criminal information they contain - often in the form of INTERPOL notices and diffusions.

This year alone, more than 15,000 such INTERPOL alerts were issued at the request of EU member states to date. The vast majority of these – over 11,000 – were for wanted persons. That brings the total of valid notices and diffusions from EU members in circulation today to almost 56,000 – of which 41,000 are for wanted individuals.

The primary function of Red Notices is to bring criminals wanted by your countries to justice, and prevent them from doing more harm.

Just recently, a Red Notice enabled the arrest in South America of a drug smuggler wanted by authorities in France. He was extradited a few days ago, and will now account for his crimes back in the European Union. Earlier this month, an Eastern European fugitive, subject to a Red Notice for murder and who escaped from prison in 2007, was arrested with a view to extradition back to an EU member state.

In a high profile case this summer, a notorious 'Ndrangheta mafia fugitive, subject of a Red Notice after his prison escape in 2019, was arrested in Brazil and extradited to Italy following a joint operation supported by INTERPOL.

Earlier this month, Polish and German suspects with Red Notices were arrested in Greece and Italy and extradited to Korea, where they will stand trial accused of embezzling 28 million euros from 2,000 victims.

As well as capturing criminals, notices can help victims or vulnerable people. Recently, an EU national was rescued and repatriated after being kidnapped in West Africa, thanks to a Notice issued for missing persons and the concerted efforts of European and African law enforcement through INTERPOL channels.

We are all unfortunately aware of the human traffickers and smugglers who prey upon desperate migrants. INTERPOL works with its members to strengthen border security and protect vulnerable people from criminal networks. Our recent intelligence-led Operation Neptune IV targeted terrorist suspects and other criminals involved in serious organized crime travelling via maritime routes between North Africa and Southern Europe.

The operation involved eight countries – including France, Italy, and Spain – along with experts from Europol, Frontex, and the WCO. It resulted in the arrests of two terrorist suspects with Red Notices, as well as the seizure of firearms, drugs, stolen vehicles, and undeclared cash at EU borders.

So: these databases and notices are clearly powerful tools, with potent results. Our EU members have understood this, and the EU has also recognized the value of integrating INTERPOL's capabilities into its security strategy.

The Commission's 2020 EU Security Strategy calls on the member states to step up multilateral cooperation and coordination between the EU and INTERPOL. The EU's legal framework contains regulations calling upon member states to ensure that their borders have access and carry out systematic checks against INTERPOL's Stolen and Lost Travel Documents database.

As you know, we are presently negotiating a cooperation agreement with the European Commission to deepen and structure our work with Justice and Home Affairs agencies. We look forward to even closer and more integrated data exchange and joint activities with Frontex, Europol, Eurojust and others.

It is hoped that the agreement will establish stronger coordination mechanisms, increase reciprocity of data exchange, and build an architecture which will avoid duplication and fragmentation.

These powerful tools – which we have developed, and which our members use - are subject to strict rules, and systematic compliance checks by the General Secretariat that I lead in its daily operations. We are fully aware of the potential impact of INTERPOL notices and diffusions on the individuals concerned. This is why it is imperative that notices and diffusions never be used for unintended purposes.

INTERPOL has long been aware of this potential, and has been making efforts throughout the years to safeguard against it.

First, our Constitution affirms INTERPOL's neutrality. Under its Article 3, Red Notice requests must not be of a predominantly political, military, religious or racial character. Should any case present such features, the General Secretariat will decline from the outset publication of such a Red Notice.

If such a Red Notice was previously published, but new information brought to the attention of the General Secretariat demonstrates non-compliance with Article 3, the General Secretariat promptly proceeds to delete the Red Notice and advise all member countries so that they can update their national databases.

Under the Constitution's Article 2, the Organization must conduct its activities within the spirit of the Universal Declaration of Human Rights. For example, a Red Notice may not be published for the holder of refugee status who has fled a country and fears persecution.

This refugee policy was adopted as a resolution at our General Assembly in Beijing in 2017. The resolution aimed at striking a balance between enhancing international police cooperation by preventing misuse of refugee protection by terrorists and other criminals, on the one hand, while providing adequate and effective safeguards to protect the rights of refugees, on the other.

Since its adoption in 2017, the Refugee Resolution has been successfully implemented in the context of the review of Notices and Diffusions by the General Secretariat or the Commission for the Control of INTERPOL's Files (CCF).

Second, our legally binding Rules of the Processing of Data (RPD), entered into force in 2012, is a comprehensive legal framework which reflects data protection principles recognized internationally. The RPD set out specific conditions for the publication of Notices and Diffusions. For example, for Red

Notices the offence concerned must be a serious, ordinary law crime, with minimum penalty requirements and identifiers.

To protect the data of the individuals concerned, the RPD provide additional safeguards. For example, data retention timeframes are set to expire automatically, unless the source country explicitly requests an extension.

These Rules govern all data processing in the INTERPOL Information System, and are continually amended together with our member countries – and this includes EU member states – to ensure that they keep pace with technological and legislative developments. The standing Committee on the Processing of Data, set up by INTERPOL's General Assembly in 2019, is a way for our member countries to support and direct this important work.

Third, proactive and systematic compliance checks are in place. At my initiative in 2016, INTERPOL created a Notices and Diffusions Task Force (NDF). This group of specially trained lawyers, police officers, and analysts assesses every incoming notice request, and any diffusion on wanted individuals, to ensure it is compliant with INTERPOL's rules. Since 2018, the NDF has also been reviewing existing red notices to ensure they continue to meet INTERPOL's rules.

At this juncture, I would like to address a few misconceptions about the Red Notice. I have seen them reiterated in the public discourse time and again, and this Committee should beware such inaccuracies in its deliberations.

The first misconception is that the Red Notice is an international arrest warrant. It is not. A Red Notice is a notification sent to countries by which a national arrest warrant is circulated for their attention and any action deemed appropriate under their national laws.

INTERPOL does not have the mandate to issue arrest warrants, it neither arrests fugitives, nor instructs its member countries to do so. National sovereignty is preeminent, and each member country will take action at its own discretion.

National law and national operating procedure determine how a Red Notice is treated in that country – whether it is merely an alert, or if it can lead to a decision to detain in a particular case, for example if there is an extradition agreement with the requesting country.

Second, there is a mistaken belief in some quarters that INTERPOL is overwhelmed with non-compliant Red Notice requests, or that these dominate the picture. This is quite simply not the case.

The numbers, which are freely accessible on our public website, are very clear: almost 24,000 Red Notices and Wanted persons diffusions were published last year. A further 1,270 were refused or cancelled. That is 5 per cent of the total, which means that 95 per cent of requests met the robust requirements of our Constitution and Rules, based on the information available to the General Secretariat at the time the requests were reviewed.

Lastly, there is a misapprehension that INTERPOL's Red Notices are somehow shrouded in secrecy.

Now, operational security in police investigations is an obvious imperative for INTERPOL. It is also true that we abide by strict data ownership rules, whereby only the source country can authorize disclosure of its own criminal information. And we have strong data protection rules to ensure the privacy of the individual.

However, INTERPOL works to enhance transparency in its processes, which are all described publicly. For example, all INTERPOL's General Assembly Resolutions are publicly available; some policies concerning red notices – for instance, the refugee policy and a list of offences for which Red Notices may not be issued – are available on INTERPOL's public website.

Under our Rules of Processing Data, any National Central Bureau can request information on how other countries are using its data. We publish on INTERPOL's website a repository of practice on Article 3, and are working on another on Article 2 regarding our compliance with the Universal Declaration of Human Rights. Our rules, policies and procedures are public documents available to peruse on our website.

Further, based on our rules, if we identify repeated issues of non-compliance with our Rules or otherwise doubts on an NCB ability to function in application of the rules, then we may decide to apply interim or corrective measures. Depending on the situation and issues identified, these can range from enhanced supervision measures to a full suspension of a member country's access to the system and processing rights.

There are currently five countries which are subject to different levels of corrective measures, and we have found it an effective way to deter non-compliance and prevent any attempts at misuse of our system.

In parallel, the right to effective remedy by individuals subject of data processed via INTERPOL channels is protected by a dedicated, independent supervisory body: the Commission for the Control of INTERPOL Files, or CCF.

The CCF is an independent supervisory body, created in 1982 and governed by a new statute since 2017, which enables individuals to apply for access, correction, or deletion of data. Submissions to the CCF are free of charge and confidentiality requirements are fully respected.

The CCF's decisions are impartial, reasoned, final, and binding on the Organization whenever deletion of personal data is required. For the purpose of transparency, the rules and procedures governing the CCF's work are made available on the CCF website. The website also contains selected CCF's anonymized decisions and further information on CCF's work.

Yet while we are confident that our measures and safeguards are successful, we are not complacent. INTERPOL is continuing to improve our systems and processes, including through internal streamlining and the use of technological solutions to permit better detection of cases.

We are constantly updating our tools in response to feedback from our member countries. We strive to keep all our stakeholders updated and informed. INTERPOL runs regular training courses for our National Central Bureaus, national prosecuting authorities, and judicial bodies to raise awareness.

We also depend on our member countries to help INTERPOL improve its work. We are always looking to strengthen our Notices and Diffusions Task Force, and would welcome secondments of national experts from our EU members.

We also call for greater information exchange, particularly related to vulnerable individuals and categories, which may be known to EU member states and EU agencies as at risk of targeting by non-compliant INTERPOL alerts from abroad. Sharing such information, whether proactively at the initiative of a country or in response to inquiries from the General Secretariat or the CCF, is key for the review of compliance of notices and diffusions.

Mr. Chair; distinguished members,

At a meeting two weeks ago of the United Nations General Assembly, an updated resolution on the UN's cooperation with INTERPOL was adopted by consensus.

It calls upon all UN member states to populate, update, and query INTERPOL databases, and publish INTERPOL notices and diffusions in order to advance international security and stability.

The European Union member states are the lead users of INTERPOL's system. Key law enforcement decisions and actions are being taken every single day in the streets of your countries. Dangerous individuals are being apprehended and lives are being saved – thanks to information shared via INTERPOL channels

There has never been such heavy reliance on INTERPOL in the EU. Today, our capabilities and data are deeply embedded into the EU security architecture.

With this reliance comes great responsibility – one we are fully aware of, and one which I embrace, as Secretary General. That responsibility is being met on a daily basis, with strong safeguards, and independent supervision of our data processing.

These efforts are the foundation of an even wider and deeper cooperation between INTERPOL and the European Union, in the defence of EU citizens.

With accurate data and secure channels, committed police work and durable political support, we can work together for a safer Europe and a safer world.

Thank you.