

RESOLUTION

Subject: Interim guidance to the General Secretariat in cases of membership in a terrorist organization

The ICPO-Interpol General Assembly, meeting in Cancún from 5 - 8 October 2004 at its 73rd session:

RECALLING Article 3 of Interpol's Constitution, under which "it is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character",

RECOGNIZING that the General Secretariat, in applying Article 3 as interpreted by AGN/53RES/7, drew a distinction between cases that involve mere membership in a terrorist organization (which were considered as barred under Article 3) and those cases that involve the commission of criminal acts on behalf of a terrorist organization (which were not so considered),

ACKNOWLEDGING that the General Secretariat, declined until November 2003 to publish red notices when the sole criminal conduct charged was membership in a terrorist organization,

AWARE that the General Secretariat, pursuant to a commitment given at the 72nd General Assembly, engaged in a careful re-examination of how to aid member countries fight terrorism while respecting the prohibitions of Article 3, has considered on a case-by-case basis applications for red notices charging or alleging membership in a terrorist entity,

ENDORSES the interim measures taken by the General Secretariat on this issue and encourages the Working Group on Article 3 of Interpol's Constitution set up by the Executive Committee at its 138th session to complete their work on a formal proposal prior to the 74th General Assembly.

Adopted.