



LEGAL FRAMEWORK GOVERNING THE 2025 SILVER NOTICE/SILVER DIFFUSION PILOT

The Silver Notice/Diffusion Pilot will be governed by the following legal framework:

1. INTERPOL's Constitution, notably Articles 2 and 3 of the Constitution;
2. INTERPOL's Rules on the Processing of Data (RPD), notably:
 - (a) Title 1, Chapter II: Principles concerning information processing (Articles 10-18, RPD);
 - (b) Title 3, Chapter II, Section 1: Notices and Diffusions – Provisions common to Notices (Articles 73-81, RPD);
 - (c) Title 3, Chapter II, Section 4: Notices and Diffusions – Diffusions (Articles 97-100, RPD);
3. Specific rules governing the publication/circulation of Silver Notices/Silver Diffusions;
4. Rules governing the work of the Commission for the Control of INTERPOL's Files (CCF), notably the INTERPOL Constitution and the Statute of the CCF, which shall apply to Silver Notices/Silver Diffusions in a manner similar to all other Notices and Diffusions.

The specific rules governing the publication/circulation of Silver Notices/Silver Diffusions are provided below as follows:

SPECIFIC RULES GOVERNING THE PUBLICATION/CIRCULATION OF SILVER NOTICES/SILVER DIFFUSIONS IN THE CONTEXT OF THE 2025 PILOT¹

Article 1

Purpose of Silver Notices or Silver Diffusions

1. Silver Notices/Silver Diffusions may be published/circulated at the request of a National Central Bureau for one or more of the following purposes:
 - (a) to locate assets;
 - (b) to identify assets;
 - (c) to obtain information about assets;
 - (d) to monitor assets discreetly and/or continuously.
2. The purpose of the Silver Notice/Silver Diffusion in the pilot phase shall be limited to non-coercive measures, notably requesting and sharing information with a view to facilitating follow-up bilateral cooperation.
3. Requesting and sharing information will be for the purposes of criminal and/or civil forfeiture, post-conviction and/or non-conviction-based forfeiture.

Article 2

Specific conditions for the publication of Silver Notices and the circulation of Silver Diffusions

1. Minimum criteria:
 - (a) Silver Notices/Silver Diffusions may be published/circulated at the request of a National Central Bureau only if the following cumulative criteria are met:
 - (i) The Silver Notice/Silver Diffusion relates to a natural person subject to a criminal investigation;
 - (ii) The Silver Notice/Silver Diffusion relates to serious crime punishable by a maximum deprivation of liberty of at least four years or a more serious penalty, as per Article 2(b) of the United Nations Convention against Transnational Organized Crime;
 - (b) A minimum threshold amount is not required for the publication/circulation of Silver Notices/Silver Diffusions.
2. Minimum data:
 - (a) Sufficient identifiers for the individual: family name, forename, sex, and date of birth (at least the year) and at least one of the following:
 - data contained in identity documents (for example, passport or national identity card); or
 - a photograph of good quality; or
 - physical description.

¹ The numbering of these specific rules governing the publication/circulation of Silver Notices/Diffusions in the context of the 2025 pilot is only for the purpose of the pilot and should not be confused with the numbering of provisions under the INTERPOL Constitution and/or the RPD.

(b) Judicial data:

Silver Notices/Silver Diffusions may be published/circulated only when sufficient data relating to the criminal investigation or judicial proceedings have been provided. Sufficient judicial data will be considered to include at least:

- (i) a summary of facts of the case, which must:
 - provide a succinct and clear description of the underlying criminal activities;
 - establish the link between the criminal activities and the person and/or the asset(s) derived from the offence(s);
 - specify whether the assets sought are the instrument, the object, the direct or indirect proceeds, or the value of benefits of the crime or the criminal conduct;
- (ii) reference to the criminal investigation or judicial proceedings related to a natural person subject to a criminal investigation indicating that that person's assets are:
 - sought for criminal restraint, including seizure and freezing orders, or a criminal confiscation/forfeiture order, and/or
 - sought for non-conviction-based restraint, including seizure and freezing orders, or a confiscation/forfeiture order;
- (iii) the charge(s) and/or law(s) covering the offence and associated penalty/ies.

3. Silver Notice extracts will not be published on INTERPOL's public website.

Article 3

Steps to be taken following the location of the asset(s)

If an asset belonging to an individual who is the subject of a Silver Notice/Silver Diffusion is located, the following steps shall be taken:

- (a) The country where the asset has been located shall:
 - (i) immediately inform the requesting National Central Bureau and the General Secretariat of the fact that the asset has been located, subject to limitations deriving from national law and applicable international obligations;
 - (ii) provide information concerning the appropriate procedures the requesting country should take to pursue further actions with regard to the asset;
- (b) The requesting National Central Bureau shall act immediately once it has been informed that the asset has been located in another country and, in particular, shall ensure the swift transmission – within the time limits defined for the case in question – of data and supporting documents requested by the country where the asset was located or by the General Secretariat;
- (c) The General Secretariat shall provide assistance to the relevant National Central Bureaus by, inter alia, facilitating the transfer of documents related to the monitoring, restraint, or confiscation order in accordance with the relevant national laws and international treaties.
