



INTERPOL Washington Commemorates 100 Years of INTERPOL's Work to Build a Safer World for All



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Abstract

Aim: The aim of the study is to examine the past, present, and future role of international law enforcement cooperation through INTERPOL in combatting transnational crime.

Methodology: The author of this study is the Director of INTERPOL Washington, who conducts a thorough review of the challenges the agency confronts in its efforts to advance homeland security and build a safer world for all.

Findings: INTERPOL has made many advances and had many successes throughout the first 100 years of its existence. But the work is far from done. The world faces new and emerging threats from transnational criminal organizations that take nothing less than a lockstep approach between partners to keep our countries safe. The only way to effectively combat transnational crime is through international police partnerships.

Value: This study should convey that now, more than ever, we must continue to work together to build strong partnerships, harness the power of ever-changing technology, and invest in our people to ensure that we can stay ahead of the growing number of threats that our countries and communities face every day.

Keywords: INTERPOL, police partnerships, transnational crime, USNCB

Transnational crime and terrorism pose formidable threats to public safety and national security worldwide. Offenses with an international nexus have evolved from predominantly simple acts of ordinary law crime committed by

The Hungarian version of the publication was published in *Belügyi Szemle* 2023/11. DOI: <https://doi.org/10.38146/BSZ.2023.11.10>. The publication was submitted to the Editorship in English.

small groups of individuals into large-scale, highly networked criminal enterprises that span many countries, generate enormous illicit proceeds, threaten economic stability and national sovereignty, and, in some instances, claim thousands of innocent lives. Further enabling their ability to operate, offenders oftentimes exploit lax or non-existent laws to commit crimes and then flee beyond the affected country's geographical and legal jurisdiction to escape apprehension and punishment.

Compounding this problem, many of today's criminal and terrorist organisations utilise sophisticated information and communication technologies whose rapid evolution and access-limiting capabilities such as digital encryption, anonymisers, and gated chatrooms have outpaced law enforcement's ability to develop and deploy effective countermeasures. Consequently, the same advances in technology that facilitate legitimate communication and commerce also enable criminals and terrorists to cross international borders undetected; conduct and mask illicit financial transactions; defraud single individuals and entire institutions; move illegal drugs, weapons, and other forms of contraband; and incite, facilitate, and carry out violent attacks against innocent civilian populations from a safe distance and with a high degree of anonymity.

In order to contend with these challenges, law enforcement authorities must be able to overcome a multitude of political, legal, cultural, and linguistic barriers that complicate the exchange of criminal investigative information and support across national borders and administrations – barriers that are especially problematic when the failure to detect even a single individual, device, or illicit substance such as fentanyl or other chemical or biological agent carries with it the potential to harm or kill hundreds or even thousands of our citizens.

The transnational threats we face today are present, both physically as well as virtually, in communities of all sizes. Consequently, we must be able to achieve and maintain an unprecedented level of international law enforcement cooperation if we are to prevail against them. Now entering its 100th year, the International Criminal Police Organization – INTERPOL, provides its member countries with the necessary communications framework and essential tools and services that lead to timely results for all law enforcement partners engaged in the fight. For the United States, the information sharing capabilities made available through INTERPOL are today more important than ever in achieving our public safety and national security objectives, as well as those of our international counterparts.

Information Sharing: The Key to International Law Enforcement Cooperation

The sharing of criminal investigative information has long been recognised as being essential to achieving true international law enforcement cooperation. As early as 1914, in the *'Summary of Wishes'* compiled during the First International Criminal Police Congress in Monaco, the first wish expressed by the representatives in attendance was to see: *'...direct, official contacts between police forces of the different countries generalised and improved, so as to allow investigations likely to facilitate the action of criminal justice'*.

To that end, the members' second wish was: *'...for Governments to agree to allow judicial and police authorities to use international post, telegram and telephone services free of charge in order to facilitate the arrest of criminals'*.

Since that time, a succession of technological developments ranging from telegraphy to radio broadcasts to the Internet have raised police-to-police communications capabilities from the most basic exchange of coded, text-based messages to the real-time, global transmission of biometric data – fingerprints, photographs, DNA profiles – that can be used in investigations ranging from a local homicide with an international connection to war crimes and crimes against humanity. In order to keep pace with these advances, INTERPOL has continuously developed and expanded both its technical capacity and the legal framework under which its member countries can share actionable criminal investigative information through its communications systems in a manner that upholds the Organisation's foundational principles of neutrality, respect for human rights, and the rule of law.

Among its most important provisions, *INTERPOL's Rules on the Processing of Data* (RPD) entitles each National Central Bureau to direct access to the INTERPOL Information System *'...in the performance of their functions pursuant to the Constitution'*.¹ Further, the RPD entitles NCBs alone *'...to authorise the institutions of their countries to access the INTERPOL Information System and determine the extent of their access and processing rights'* and charges them with taking *'...to the extent possible, all the necessary measures to allow the criminal investigation authorities involved in international police cooperation in the countries...'* to have access to the system.² Consequently, through the strategic application of each of these authorities and responsibilities, INTERPOL

1 Article 6: Access to the INTERPOL Information System.

2 Article 21: Granting authorisations to directly access the INTERPOL Information System at the national level.

Washington, the U.S. National Central Bureau (USNCB), has today made the sharing of INTERPOL data a cornerstone of our Nation's efforts to obtain international law enforcement cooperation all over the world.

Law Enforcement Information Sharing in the United States: The Role of the USNCB

Unlike many countries, the United States does not have a central national police authority. Instead, law enforcement services are provided by nearly 18,000 individual agencies and departments divided along jurisdictional lines: local, state, federal, tribal, and territorial. However, no matter an agency's size or mission, when crime crosses our national borders, these agencies all need access to timely and actionable criminal investigative information from our international counterparts regarding the subject, object, or activity of official concern. In order to satisfy this need, the USNCB has optimised the information sharing tools and authorities made available to it by INTERPOL.

As the United States' National Central Bureau, the USNCB serves as the official point of contact and coordination in INTERPOL's global law enforcement information and communications network, ensuring liaison with U.S. law enforcement authorities, the NCBs in other member countries, and INTERPOL's General Secretariat in Lyon, France. A component of the U.S. Department of Justice (DOJ), the USNCB is co-managed by the U.S. Department of Homeland Security (DHS) under a Memorandum of Understanding (MOU) whose purpose in part is to ensure that INTERPOL's global criminal investigative data and resources are made available across the entire U.S. law enforcement community.

Established in 1969, the USNCB operates 24 hours a day, 7 days a week, 365 days a year responding to requests for international law enforcement assistance and cooperation submitted by both our domestic and international law enforcement partners – a role and responsibility codified under the U.S. Code of Federal Regulations, which charges the USNCB in relevant part to *'transmit information of a criminal justice, humanitarian, or other law enforcement related nature between National Central Bureaus of INTERPOL member countries, and law enforcement agencies within the United States and abroad; and respond to requests by law enforcement agencies, and other legitimate requests by appropriate organisations, institutions and individuals, when in agreement with the INTERPOL constitution'*.³

3 Code of Federal Regulations (CFR): Title 28 Subpart F-2 INTERPOL-United States National Central Bureau §0.34 General Functions.

Supported by a multi-sector workforce comprised of permanent DOJ employees, government contractors, and law enforcement personnel seconded to it by agencies from across the government, the USNCB's blended staffing structure contributes to a dynamic working environment that fosters and supports interagency collaboration and a 'whole of government' approach to combating transnational criminal and terrorist threats.

The USNCB's Strategic Approach to Information Sharing

Guided by principles first set forth in its 2012 *Law Enforcement Information Sharing Strategy*, the USNCB has leveraged existing national information sharing environments to provide query access to select INTERPOL data sets to all U.S. law enforcement authorities. Having first made this access available to the individual officer or agent working at street level, the USNCB has since established integrated information sharing platforms that today enable key interagency partners to conduct hundreds of millions of queries of INTERPOL data annually for purposes that include criminal investigation, traveller screening, terrorist watch listing, and immigration and border security.

In addition to their investigative and deterrent value, the integrated information sharing solutions developed by the USNCB generate important criminal intelligence regarding the identities, origins, migratory movement, and associates of transnational criminals and terrorists. Moreover, because it does not contain classified national security information, the information that is produced can and is being readily and securely shared through the INTERPOL Information System with both our domestic law enforcement partners and their counterparts in other INTERPOL member countries for their use in determining the threat potential of persons located in, or attempting to enter, their respective jurisdictions.

A New and Vital Mission: Building Foreign Partner Capacity

The USNCB's strategy for integrating access to INTERPOL data is based on tools and authorities available to all NCBs under the terms of INTERPOL's Constitution and the RPD. Consequently, in partnership with the U.S. Department of State's Bureau of Counterterrorism and INTERPOL, the USNCB's International Capacity Building Programme is working to provide partner countries with the hardware, software, and technical expertise required to implement

the integrated information sharing and screening measures in operation in the United States today.

Of critical importance, the implementation of the solutions pioneered by the USNCB is opening a channel to actionable criminal investigative intelligence and information developed by our international counterparts regarding the identity, location, and movement of known and suspected threat actors. Thus, while at the same time increasing our partners' capacity to identify and respond to potential transnational threats, the use of these USNCB-developed solutions is producing information that redounds directly to the public safety and national security of the United States, directly underscoring the critical importance of the global information sharing capabilities available through INTERPOL.

The adoption of the USNCB's integrated information sharing model by a growing number of INTERPOL member countries is today helping deny transnational criminals and terrorists the mobility, anonymity, and safe haven they require in order to train and operate. Additionally, it has proven to be a proactive measure that is helping propel INTERPOL toward the realisation of the '*Global architecture of security*' articulated by Secretary General Jürgen Stock at the 2014 General Assembly in Monaco.

The Road That Lies Ahead

As stated in Article 2 of its Constitution, the aims of INTERPOL are '*to ensure and 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*', and '*to establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes*'.

To that end, INTERPOL has made many advances and had many successes throughout the first 100 years of its existence. But the work is far from done. As the threats from transnational crime and terrorism continue to evolve – and as we look with both optimism and concern at the potential that lies ahead with the use of technological developments that include Artificial Intelligence (AI) and the Internet of Things (IoT) – we must remain vigilant and adaptable in our law enforcement response. Now, more than ever, we must continue to work together, domestically and internationally, and remain committed to building strong partnerships, harnessing the power of ever-changing technology, and investing in our people to ensure that we can stay ahead of the growing number of threats we face today. We need to ensure that our INTERPOL organisation

remains faithful to its foundational principles of neutrality, respect for human rights, and the rule of law, by continuing to strengthen the governance of the organisation and ensuring strong leadership that values democracy.

At the USNCB, our success is due to our people, the true backbone of our agency who, 24 hours a day, 7 days a week, every day of the year, work to ensure that we achieve our mission objectives. To them, I extend my heartfelt thanks. It is also on their behalf, as well as on behalf of the United States law enforcement community we serve, that I wish to express my deepest gratitude to our INTERPOL partners for their unwavering support and collaboration in the pursuit of effective international law enforcement cooperation. There is much that we have already accomplished, and I am confident that through INTERPOL we will continue to do so in the years to come.

Laws and Regulations

Code of Federal Regulations

INTERPOL's Rules on the Processing of Data

Reference of the article according to APA regulation

Hughes, M. A. (2023). INTERPOL Washington Commemorates 100 Years of INTERPOL's Work to Build a Safer World for All. *Belügyi Szemle*, 71(SI3), 112–119. <https://doi.org/10.38146/BSZ.SPEC.2023.3.10>