

## **Interpol's Transnational Challenge** *How can Interpol be Strengthened?*

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### **Abstract**

This paper will examine the role of Interpol as an international organization and how this institution has adapted to the challenge of globalization. With the expansion of international organizations in world politics after World War II, and with the impact of globalization after the Cold War, international relations became increasingly transnational and less state-centered.<sup>1</sup> This reality has challenged traditional conceptions of world politics and forced academics to rethink international relations in a world increasingly dominated by international entities such as Interpol.

The analysis of Interpol will begin with a brief introduction of the organization, followed by an assessment of the impact of globalization and of the rise of transnational crime on the international police's capability to deter crime. The paper will then focus on an analysis of Interpol's weaknesses and major frailties in its response to transnational crime. Several multidimensional recommendations will then be proposed to strengthen Interpol, and balance the organization's effectiveness in light of the rise of criminal and terrorist non-state actors.

## Introduction

In the case of Interpol, the demand for international criminal cooperation due to the increase of transnational organized crime, as affirmed in the security agenda of the U.S. government, has brought a new sense of urgency and importance to the institution.<sup>2</sup> It has become essential to analyze the efficiency of Interpol as a major international organization in the fight against transnational crime so as to ensure that this institution has adequately adjusted to the impact of globalization.<sup>3</sup>

International law enforcement cooperation must be improved to combat the rise of international crime. Interpol should lead the concerted effort, but it faces considerable external challenges and suffers from internal weaknesses. Interpol would have to implement structural reforms to strengthen its mission of international police cooperation.

Both member states and non-state actors, such as non-governmental organizations (NGOs) and academic institutions, must engage in a multidimensional and global effort to advocate and pressure Interpol to reform and, most importantly, to alter its standards of participation, providing itself with the authority to review the legitimacy of its members' decisions within the organization.

Of particular note, regional and national actors that have previously pressured Interpol into changing its system, such as the Organization for Security and Co-operation in Europe (OSCE), the European Parliament, and the United States (as the most powerful member of Interpol), should continue to do so in an effort to address the organization's flawed red notices and diffusion mechanisms. This will be imperative to ensure that Interpol's illiberal members do not abuse the mechanisms that allow cooperating states to identify and detain international criminals and use it to their advantage.

Finally, Interpol will require both internal and external oversight mechanisms to guarantee the transparency of its decisions. This structural reform should focus either on the organization's current organs, or

introduce a separate legal chamber that provides judicial support in the case of a conflicting policy. This will allow red notices and diffusions to be carefully monitored, ensuring their legitimacy.

Strengthening Interpol is vital to face globalization in its various dimensions. The rise of non-state actors and the importance of these actors in the dynamics of international relations, the necessary reformulation of the principles of sovereignty and of non-interference, and the rise of international organized crime are all ways in which globalization has challenged Interpol's efficiency, and weakened its role as the primary international criminal police organization.

### **History of Interpol**

In 1914, the plan to establish an international police force was first presented by police officials and jurists at the invitation of Prince Albert I of Monaco.<sup>4</sup> This attempt, however, was interrupted by the start of World War I, and only in 1923 did it regain continuity at the second Criminal Police Congress in Vienna, where 138 delegates from 20 countries established the International Criminal Police Commission (ICPC), Interpol's first denomination. However, the rise of the Nazi Party in Germany in the 1930s threatened the legitimacy and future of the organization. In 1941, Reinhard Heydrich, director of the German police force, appointed himself president of the ICPC and moved its headquarters from Vienna to Berlin, politicizing the organization to the advantage of the Nazi regime.<sup>5</sup> It was only in 1946 that Belgium led the recreation of the ICPC, re-establishing what became Interpol as an apolitical organization.<sup>6</sup>

In 1948, the United Nations (U.N.) assigned ICPC the status of an NGO, and further legitimized the organization, allowing for an increase of its members.<sup>7</sup> The ICPC then shortened its name to International Criminal Police Organization (ICPO), or Interpol, and eventually moved to Lyon, France, where its headquarters remain to this day.

The U.N. granted Interpol the title of an intergovernmental organization (IGO) in 1975, which it conferred to an observer status in 1996, and has thus fully recognized Interpol as an international organization.

Interpol is an international organization whose mission is to “facilitate cross-border police co-operation, and support and assist all organizations, authorities and services whose mission is to prevent or combat international crime.”<sup>8</sup> Interpol is considered the largest police cooperation body and is composed of 190 member nations.<sup>9</sup> It has an annual budget of around \$95 million and is led by three bodies: the General Assembly, the Executive Committee, and the General Secretariat.<sup>10,11</sup>

The General Assembly is Interpol’s supreme body, representing the only internal oversight capacity of the organization.<sup>12</sup> It is composed of delegates from each member nation and meets annually. The Executive Committee, which carries out the General Assembly’s plans, has 13 members, including the President, and meets three times a year. The General Secretariat is Interpol’s permanent administrative body, and implements the decisions of both the General Assembly and the Executive Committee.

The General Secretariat directly contacts Interpol member nations’ National Central Bureaus (NCBs), which are liaison offices through which local and national law enforcement agencies maintain contact with Interpol.<sup>13</sup> The Department of Justice (DOJ) and the Department of Homeland Security (DHS) jointly manage the U.S. National Central Bureau; these Departments and the Executive Committee are responsible for NCB oversight in the United States.<sup>14</sup>

Finally, the politicization suffered in 1941 during World War II has greatly affected Interpol as an international organization, as it has struggled to ensure that it maintains an independent, nonpolitical role in combating international crime ever since. The post-Cold War era of international relations theory that has placed the state in the center of world politics, emphasizing the principles of sovereignty and of non-interference, has contributed to Interpol’s flawed membership criteria,

permitting the inclusion of nondemocratic and authoritarian governments over requirements that reinforce democracy and rule of law.<sup>15</sup>

Interpol's historical legacy and its current structure continue to directly challenge both its effectiveness as an international police organization and its ability to combat the rise of 21st-century transnational crime.

### **Interpol and the Challenge of Globalization in International Relations**

In the years after World War II, the world's leaders planned a new construction of world politics that elevated the role of international organizations vis-à-vis the role of states. The main idea behind this new interpretation of international relations was to "base its principles on limited government, private property, individual rights and international institutions," placing cooperation between states in the forefront, in the hope of preventing another attempt at the accumulation of state power, as had happened in the two previous world wars.<sup>16</sup>

As the globalization of markets and of free trade spread throughout the world with the victory of neoliberal economic standards in the early 1990s, the number of non-state actors increased and began operating transnationally, as "disillusion with state action ... led governments to contract out public functions to private actors, converting companies and NGOs into agents in providing public services."<sup>17</sup> As states became increasingly reliant on non-state actors and transnational networks to operate, the world of international relations underwent a transformation; political science theory had to adapt to the importance of these new actors in world politics.<sup>18,19</sup>

The significance of non-state actors such as Interpol rose in international relations but outpaced academic acknowledgment. In academic circles, state-centric paradigms that did not recognize the complexity of the transnational system ruled.<sup>20</sup> This gap in the field of international relations studies left a door open for "any new theoretical and conceptual approaches to international relations (that) have to take non-state actors and new conditions into account in order to be able to make sound

analysis about world politics.”<sup>21</sup> In this regard, a new generation of political scientists has since emerged to propose a re-definition of international relations, one that incorporates the complexity of transnational actors such as Interpol, albeit still a project in development.<sup>22,23</sup>

Interpol, hence, as an international organization that has been around since 1923, has been affected by globalization and by the state-centric approach to international relations. As a non-state actor itself, Interpol is still dominated by the principle of sovereignty in its relations with nation-states, making it a secondary figure when it comes to the policies of its members. This constitutes a fundamental cause of inefficiency for Interpol.

Adding to this aspect of the principle of sovereignty is the historical experience of politicization that Interpol suffered in the era of the Nazi regime. In this sense, both realities have shaped the organization in a unique way, contributing to its strong apolitical stance on its relations with nation-states.

### **Interpol and the Challenge of the Rise of Transnational Crime**

Globalization and the rise of non-state actors have affected more than just international relations in a structural way. Just as globalization has created the conditions for the growth of non-state actors concerned with the common good, such as NGOs, it has also contributed to the rise of criminal and terrorist networks, such as the drug cartels in Mexico and al-Qaida in the Middle East.<sup>24</sup>

Moreover, the increase of transnational crime, and particularly of transnational organized crime, have led some authors to consider this the “the defining security concern of the 21st century,” as nations and international organizations such as Interpol are faced with a threat that knows no borders and is insufficiently addressed by anti-crime strategies that “often prioritize national sovereignty, failing to pivot to strategies designed to limit the spread of transnational crime.”<sup>25,26,27</sup>

This reality only intensifies the importance of Interpol as the leading international criminal justice organization in the fight against transnational crime, as policymakers and political analysts continuously reiterate the need for increasing cooperation between nation-states across the world. This need for a global strategy to “collectively address transnational organized crime problems” is an expression of a new dimension to international relations that, as previously mentioned, places non-state actors in the forefront of world politics, challenging traditional conceptions of sovereignty and the central role of states in the field of international security.<sup>28,29</sup>

As for the fight against terrorism, Interpol has struggled with the definition of the political content of terrorism, avoiding involvement in counterterrorism as early as the 1950s.<sup>30</sup> In this sense, Interpol kept committed to its ingrained apolitical nature expressed in Article 3 of its constitution, defying the push by nation-states such as the United States to include the fight against terrorism as a goal of the organization.<sup>31,32</sup> Increasing pressures eventually led Interpol to reinterpret the meaning of the term “political” in 1984 in regard to acts of terrorism, “allowing itself to work in cases where the action was preponderantly criminal instead of political.”<sup>33</sup> This move by Interpol was essential to preserve the organization, as nation-states were beginning to keep their distance from the organization, even creating new police organizations mandated to operate in counterterrorism roles.<sup>34,35</sup> To be sure, the size, technological capabilities, and the number of members make Interpol the organization with the best potential to lead the “growing challenges of fighting crime in the 21st century,” as soon as its frailties are addressed and its effectiveness improved.<sup>36</sup>

### **Interpol's Internal Weaknesses**

The inclusivity of globalization has also impacted Interpol's membership. The twin principles of sovereignty and non-interference have dominated the relationship between the organization and its members.<sup>37</sup> This has meant that Interpol “does not discriminate in its membership.”<sup>38</sup> Put

differently, Interpol lacks membership criteria. Thus, nation-states looking to join Interpol face no burden for the benefits they receive.

Moreover, the lack of accountability criteria reduces Interpol's efficiency. As Interpol can only operate "when the participating states are willing to cooperate and fully engage in the activities of the organization," it is hindered because "some member states lack a complete commitment to Interpol."<sup>39,40</sup> Essentially, members have no incentive for allegiance to Interpol. Interpol, however, is incentivized to be inclusive.

Interpol benefits from the variety and number of its members. Each associated nation shares information with Interpol from within that nation's own network. But each nation also decides what information to share. Thus Interpol needs to strike a balance of adverse interests: retain the broadest information variety through maximum membership, yet bridle the members' conduct through common participation standards.

The collusion of authoritarian members or weaker nation members with criminal and terrorist networks contradicts the trust and cooperation within Interpol, thus challenging the presumption of allegiance to the organization.<sup>41</sup> Loyalty to Interpol becomes more significant as globalization threatens traditional nation-state allegiance; as crime becomes more organized and transnational, so too must the response become more coordinated and global.<sup>42</sup> Thus, as globalization propels these violent non-state actors further onto the world stage, the collusion of any Interpol member poses even greater danger.

The problem is a nexus created by globalization, transnational crime and Interpol's lack of membership criteria. Alone, none of these issues has the negative effect of the whole. Collectively, globalization and the rise of transnational crime have deepened the impact of Interpol's lack of membership criteria. These factors have eroded the crucial efficiency and trust Interpol members need to cooperate together against global crime. Yet the solution lies with Interpol.

## INTERPOL'S TRANSNATIONAL CHALLENGE

Interpol's mission is to combat transnational crime, but the organization is hampered by inefficiency and mistrust. If Interpol establishes effective membership criteria, then it will improve the efficiency of its mission. As Interpol becomes more efficient, globalization will become a less relevant concern, and transnational crime will be mitigated.

In addition to Interpol's absence of initial membership criteria, the organization further lacks the ability to police its members, because the dual supremacy of sovereignty and noninterference in international relations engenders deference to the member state over the organization. This manifests in abuse of the alert system, which is part of the way member nations exchange information. The data collaboration is intended to facilitate the capture of transnational criminals, but is subject to abuse. Some nations use the alert system as a tool to gather information on illegitimately targeted, non-criminal actors. The two notice requests these members typically abuse are red notices and diffusions. Unfortunately, Interpol cannot reclassify either of these alerts before they are promulgated.<sup>43,44</sup>

Interpol "operates on the basis of the sovereign equality of all its members, and thus on the assumption that all of their notice requests should be presumed to have equal validity." Each member is then free to use the Interpol alert system without limitation or reservation, thereby endangering the fair trial guarantees that are protected in the laws of criminal procedure, such as the right to information, or the presumption of innocence. The level status exposes the biggest issue within Interpol: the abusive promulgation of alerts.

Disreputable members access two kinds of query tools that circumvent Interpol's direct involvement. The first is the I-24/7 system. Born from the information revolution, I-24/7 is Interpol's NCB-to-NCB information request system. It allows an NCB to "contact other NCBs and directly query a number of databases maintained by Interpol without routing the query through it."<sup>45</sup> The second is the MIND/FIND network. MIND/FIND allows a member country's local law enforcement to access Interpol's databases directly. Disreputable members use these tools together "as a

mechanism of targeting legitimate activists, journalists, and political opponents under the guise of crime fighting.”<sup>46,47</sup> This despotic manipulation of Interpol resources is harmful because it threatens the non-criminal actors targeted and damages the principles on which Interpol was founded. Such behavior is anathema to the organization’s apolitical nature and Article 3 of the constitution, and these abuses compromise Interpol’s commitment to human rights established in Article 2.<sup>48</sup>

When the media reports on these violations, there are kneejerk reactions. One view being that Interpol’s supreme deference to the sovereignty-of-nations principle and state-centered international law standards is a flawed approach that has weakened Interpol.<sup>49</sup> But this falls short. The problem is too complex for mere assertions about “the need to respect the rule of law or to uphold Interpol’s Constitution, but [must be about] deciding how to apply these needs when Interpol has many autocratic member nations.”<sup>50</sup> Overly broad responses fail to address the whole issue. Solving the problem requires understanding the harmful effect, as much as it requires understanding the cause.

As with any harm, there are micro- and macro-orders of effect. The micro-level effect is to the non-criminal actors targeted. Fair Trials International has analyzed the human impact of an illegitimate red notice or diffusion; it implies individual arrests and extradition, resulting in employment, reputational, and financial harms to certain people.<sup>51,52</sup> As Fair Trials International points out, illegitimate alerts deprive non-criminal targets of basic freedoms. But the harm goes beyond the alert itself: An innocent target has no recourse. The victims endure due process violations by “not having a right to a hearing, by not being told what the country says in response to a request and by not being given reasons for the decisions reached.”<sup>53</sup>

At the macro-scale the harm is systemic. The abusive alert emissions create great inefficiencies within the international criminal cooperation network: National law enforcement agencies waste resources arresting refugees and political exiles instead of capturing actual criminals.<sup>54</sup> Dissecting this example reveals layers of damage. Illegitimate alerts

become the “cry-wolf story” of international law enforcement. Interpol’s reputation plummets with the diminishing credibility of its alerts. Mistrust of the alert system increases and international criminal cooperation is challenged, undermining Interpol’s fundamental purpose. To make matters worse, Interpol’s process for alerts facilitates the harm.

Interpol’s alert program creates an environment ripe for abuse throughout an alert’s lifecycle. First, red notices are not monitored before they are emitted, and when reviews do occur, they are slow, nontransparent, and misaligned to extradition and asylum laws.<sup>55,56</sup> Second, post-emission, Interpol provides no substantial due process guarantees to victims of the alerts system: The Commission for the Control of Interpol’s Files (CCF), a body that “conducts spot checks of files and handles requests to access or delete information from individuals<sup>57</sup> while advising the General Secretariat” alone decides whether to accept or to reject a complaint.<sup>58, 59</sup>

Even in the case of a rejection by the CCF, Interpol will only consider a redress if an NCB files a protest. As a last resort, the protesting NCB may refer the process to the General Assembly, which then has the final decision in the matter. Finally, there is no external judicial oversight of Interpol’s decisions. In spite of principled recognition that “an organization immune from judicial oversight must provide alternative venues of redress and effective remedies for those it affects,” the CCF, though filling this role, fails its duty to “adequately perform this responsibility [since it lacks] essential safeguards and indicators of procedural fairness.”<sup>60,61,62</sup>

In sum, the exploitation of Interpol’s weaknesses by despotic members results in individual harms for the victims of the abuses, such as the limitation of their freedoms and the damages to their reputations and organizational harms, which contributes to a lack of transparency and a diminished trust between the members of the organization. Interpol is without recourse to intervene at any stage. Interpol cannot screen prospective members, thus autocrats and democracies alike are given equal status. After joining, each member country has equal access to

Interpol's information resources and alert systems. Such access means Interpol participants can issue alerts without scrutiny or review. Even after an alert is issued, there are limited options to contest it. Interpol's systematic breakdown in accountability creates systemic flaws in functionality. Of course, recognizing the problems leads to identifying the solutions.

### **Strengthening Interpol: Recommendations**

Reform requires advocacy. Improving Interpol's effectiveness depends on adopting policies that strengthen core functions of the organization. Such policies should include a multilateral, international advocacy for reform. Specifically, Interpol must reform its membership criteria and strengthen the CCF. These reforms will be best accomplished with vigorous support from a range of actors, but the United States is positioned to provide the strongest and most effective advocacy, and should take the lead in implementing them.

The first step to strengthen Interpol is to equip it with the correct tools to fight the rise of transnational crime through a graduated process. But lone cries for improvement often fall on deaf ears. Thus Interpol reform must be a multidimensional and global advocacy approach. It should include academics of the international relations field, national policymakers, Interpol's General Assembly, NGOs, and all other stakeholders. Such a united front would signal not only a desire for reform, but also the commitment to investment in a reform that ultimately allows the organization to deter crime instead of contributing to the political persecution initiated by its despotic members.

In this respect, it would firstly be recommended that the organization reform the standards to the membership of the organization. This would imply ensuring that only democracies with respect to the rule of law are members of Interpol, blocking despotic regimes of any access to information that may lead to unjustified detentions and to a waste of the organization's mechanisms and resources, rendering it less efficient.

## INTERPOL'S TRANSNATIONAL CHALLENGE

The international relations scholars should continue to develop new ideas regarding the important role of international organizations in world politics. These studies should explore how states and international organizations should cooperate with each other and how international law should be adapted to the transnational dimension of non-state actors.<sup>63</sup> For its part, Interpol should improve its engagement with academics to understand this scholarship and implement useful ideas that it generates.

As to the role of other non-state actors, it is essential that NGOs such as Fair Trials International continue to fight for the victims of abusive Interpol alerts, which must be denounced by publicizing reports and briefs in international conferences.<sup>64</sup> More specifically, Fair Trials International should maintain direct contact with Interpol, such as the unilateral reform proposals Fair Trials International has offered to contribute to in the past.<sup>65</sup>

In addition, national governments, as the incorporated members of Interpol, must recognize the problems and encourage Interpol to adopt solutions. For example, the OSCE, the European Parliament, and the U.S. Senate have already identified Interpol's problems and have begun to pressure the organization regarding its red alerts and diffusions. These institutions have maintained a multilayered effort to improve Interpol.<sup>66</sup>

The United States in particular should be directly involved. As a member of Interpol, the United States should want to strengthen the organization since "participation in the organization serves U.S. national interests."<sup>67</sup> By itself, the United States should enhance Interpol by increasing internal communication, restrict information access, and promote the reforms through diplomatic channels.

The U.S. Department of Justice and the Department of Homeland Security should lead internal communication improvements. The DOJ and DHS efforts should focus reform on the U.S. National Central Bureau. Suggested reforms include increasing oversight, as well as ensuring the U.S. NCB Executive Committee meets more often and reports back to the Departments.<sup>68</sup> This will improve the communications network between the U.S. NCB and the Departments regarding information exchanged with

Interpol concerning U.S. citizens. This would enhance the protection of U.S. citizens on the Interpol database and also contribute to a better police cooperation within the United States' local law enforcement agencies.<sup>69</sup> A greater partnership with the U.S. NCB will benefit Interpol too, because the U.S. NCB is the largest and most influential NCB within Interpol.<sup>70</sup>

In the meantime, the United States should also further limit the access to its electronic database through the I-24/7 and MIND/FIND network. In particular, access by untrustworthy member nations should be limited. Such access should also require the U.S. NBC to challenge unjust notices and diffusions.<sup>71,72,73</sup>

In addition, the U.S. government should adopt a two-pronged diplomatic strategy for Interpol. One prong would be to promote reform to Interpol's diffusion system in cooperation with other democracies. Such foreign policy advocacy should emphasize the dangers of the abuses of the system.<sup>74</sup> The other prong would be to cooperate financially with Interpol in developing the CCF. This would promote the CCF's efficiency when dealing with a complaint of a red notice or diffusion, but also pressure Interpol to review its membership standards to the CCF.<sup>75</sup>

The most important policy recommendation is that Interpol accepts and adopts reform. It should look to consider the international community's proposals, be open to exchange ideas, and commit to improvements. Specifically, Interpol should begin by reforming its constitution and by providing a deeper interpretation of the term "political" as it stands in its Article 3.<sup>76</sup> What counts as "an intervention or activities of a political nature" needs to be defined; such a definition should include abusive queries and notices as prohibited political activities. This will reinforce Interpol's commitment to justice, while providing a normative framework for the strengthening of the CCF — or even the creation of a new, separate legal chamber to handle such conflicts.<sup>77,78</sup>

The CCF is ineffective in handling Interpol alert disputes. It fails to provide an adequate judicial review of complaints, a transparent process, or due process to individual citizens who have been abused by the system.

Creating a court inside the CCF to handle such disputes addresses several requirements.<sup>79</sup> The court would be separate from the other structures of the organization. It should require the rules and procedures for its nomination of judges to involve all three structures of Interpol. It would then be up to member nations to nominate legal experts who would be investigated by the General Secretariat for suitability and subjected to a vote by the General Assembly. The investigation would verify the ethical record of the judges, and the voting would allow the majority of members to nominate and ratify the judges. The court would incorporate the principle of precedent for stability and effectiveness, but it would also formulate non-binding solutions to conflicts regarding transnational police cooperation between member nations.<sup>80</sup> It would promote the autonomy of Interpol vis-à-vis its members and “increase member compliance due to the reputational costs associated with states not abiding by its decisions.”<sup>81</sup>

Nevertheless, it is difficult to ascertain the legitimacy of the eventual judges by the General Assembly when this structure comprises authoritative and illiberal regimes. Creating a separate legal chamber requires consideration of the structural problem of illegitimate membership to the organization. In this sense, and as stated, it would first be necessary to reform the standards of membership to the organization before creating a separate legal chamber or court to assist the CCF. This reform should take form in the requirement of judges to come from a liberal democracy before being subjected to any nomination.

In addition, just like the International Criminal Court (ICC) is considered weak for not being subjected to sufficient backing by the U.N. and all of its members, so would the CCF benefit from an oversight mechanism with the endorsement and recognition of the U.N. to strengthen the credibility of Interpol. It is thus important that in addition to reforming its red notices and diffusion systems, reinterpreting the meaning of a political action and restructuring the CCF, Interpol must evaluate the *bona fides* of its member nations for participation in these proposed reforms.

### **Conclusion**

The challenge of globalization has impacted Interpol's efficiency in various ways. It has placed international organizations and non-state actors in a larger role within the dynamics of international relations, questioning state-centered interpretations of world politics. In this regard, it has deepened the lines that divide Interpol and its member nations, necessitating a reformulation of the principles of national sovereignty and non-interference that have ruled the organization since its conception. Globalization has also impacted Interpol by provoking the expansion of transnational criminal networks with increasing capabilities, as well as the growth of terrorist organizations around the world. Moreover, the rise of corruption, governmental ties to criminal organizations, and terrorist networks that are associated with illiberal governments have all enhanced the problem of assuring the allegiance of Interpol's member nations. This has resulted in the increasing abuse of Interpol's red notices and diffusions systems, only adding to the mistrust between its member nations, and directly affecting the efficiency of the organization.

The rise of transnational crime has elevated the urgency for an organization such as Interpol to fight this growing global threat and to provide the mechanisms for police cooperation between local law enforcement agencies. As such, Interpol's importance can only be expected to increase, and it is subsequently imperative that its weaknesses are identified and that solutions are proposed, analyzed, and implemented. The potential of the organization to fight international crime should motivate all stakeholders to improve its effectiveness.

The solutions proposed should be further discussed and should incorporate a multilevel approach to the inefficiencies of Interpol, involving non-state actors, national governments, international organizations, and academics.

In sum, Interpol can be strengthened by rethinking international relations in order to create new frameworks for analyzing world politics, incorporating the role and importance of non-state actors, by reviewing its membership criteria and the composition of its General Assembly, and by addressing its red notices and diffusions policies to prevent the political abuses of these alerts. In addition, Interpol can be strengthened by

providing adequate guarantees of due process and justice to its CCF, whether by re-structuring it, or by creating a new legal chamber, under conditions of legitimacy and transparency, to better promote a clearer judicial process that safeguards the human rights of the victims of political persecution.

In a world where globalization is empowering criminals, it is now crucial to strengthen Interpol so that the rise of transnational criminal and terrorist networks is effectively contained and addressed.

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<sup>1</sup> Daphné Josselin and William Wallace, *Non-state Actors in World Politics: A Framework* (New York: Palgrave, 2001), 6.

<sup>2</sup> The White House, "Transnational Organized Crime: A Growing Threat to National & International Security,"

<https://www.whitehouse.gov/administration/eop/nsc/transnational-crime/threat>

<sup>3</sup> Interpol was formally established in 1923, making it one of the oldest international organizations in the world. See Tom Tullett, *Inside Interpol* (Great Britain: Frederick Muller Limited), 1963, 24.

<sup>4</sup> *Ibid.*, 23.

<sup>5</sup> *Ibid.*, 28.

<sup>6</sup> *Ibid.*, 30.

<sup>7</sup> Colin McLaughlin, "An Introduction to Interpol," in *The Law of International Organizations 2nd Edition*, by Michael P. Scharf, (Durham: Carolina Academic Press, 2007).

<sup>8</sup> Interpol, "Environmental Crime Strategic Plan," 2009-2010, 4.

<http://www.interpol.int/Crime-areas/Environmental-crime/Resources>

<sup>9</sup> It is also considered the second largest international organization after the United Nations.

<sup>10</sup> Rebecca Shaeffer, "Interpol Red Notices: Towards Due Process and Human Rights Protection," *Georgetown Journal of International Affairs* (December 2013).

<http://journal.georgetown.edu/interpol-red-notice-towards-due-process-and-human-rights-protection-by-rebecca-shaeffer/>

<sup>11</sup> Theodore R. Bromund and David B. Kopel, "Necessary Reforms Can Keep Interpol Working in the U.S. Interest," *The Heritage Foundation* (December 2013), 3.

<http://www.heritage.org/research/reports/2013/12/necessary-reforms-can-keep-interpol-working-in-the-us-interest>

<sup>12</sup> Fooner, *Interpol: Issues in World Crime and International Criminal Justice*, (New York: Plenum Press, 1989), 80-93.

<sup>13</sup> Bromund and Kopel, 4.

<sup>14</sup> U.S. Department of Justice, “The U.S. National Central Bureau of Interpol, Audit Division,” 09-35, September 2009, 4.

<https://oig.justice.gov/reports/plus/a0935/final.pdf>

<sup>15</sup> Gustaaf Geeraerts, “Analysing Non-State Actors in World Politics,” *Pole Paper Series*, 1, no. 4, 1995.

<sup>16</sup> Josslein and Wallace 2001.

<sup>17</sup> *Ibid.*, 9.

<sup>18</sup> *Ibid.*, 15.

<sup>19</sup> *Ibid.*, 12.

<sup>20</sup> Ataman, Muhittin, “The Impact of Non-State Actors on World Politics: A Challenge to Nation States,” *Alternatives*, 2, no. 1, 2003, 42.

<sup>21</sup> *Ibid.*, 62.

<sup>22</sup> Political scientists such as Robert Keohane and Joseph Nye, for example.

<sup>23</sup> Geerarts 1995.

<sup>24</sup> Naim, Moises, “The 5 Wars of Globalization,” *Foreign Policy*, Jan/Feb 2003, 29.

[http://www.foreignpolicy.com/articles/2003/01/01/five\\_wars\\_of\\_globalization](http://www.foreignpolicy.com/articles/2003/01/01/five_wars_of_globalization)

<sup>25</sup> One example is the Russian mafia, which grew from the implementation of neoliberal economic standards in Russia after the Cold War. See Dina Siegel and Henk van Bunt *Traditional Organized Crime in the Modern World: Responses to Socioeconomic Change* (New York: Springer, 2012), 34.

<sup>26</sup> Authors such as Mark Galeotti.

<sup>27</sup> Juan Carlos Garzon Vergara, “The Criminal Diaspora: The Spread of Transnational Organized Crime and How to Contain its Expansion,” *The Wilson Center*, 2013, 7.

<http://www.wilsoncenter.org/publication/CriminalDiaspora>

<sup>28</sup> *Ibid.*, 24.

<sup>29</sup> UNODC, *The Globalization of Crime: A Transnational Organized Crime Threat Assessment*, 2010, 277.

<https://www.unodc.org/unodc/en/data-and-analysis/tocta-2010.html>

<sup>30</sup> Michael Barnett and Liv Coleman, “Designing Police: Interpol and the Study of Change in International Organizations,” *International Studies Quarterly*, no. 49, 2005, 610.

<sup>31</sup> Interpol Constitution, 1956, <http://www.interpol.int/About-INTERPOL/Legal-materials/The-Constitution>

Article 3: “It is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character.”

<sup>32</sup> Barnett and Coleman, 610.

<sup>33</sup> *Ibid.*, 613.

<sup>34</sup> For Michael Barnett and Liv Coleman, this act of conformity to nation states ‘requests regarding Interpol’s involvement in terrorism was an act of acquiescence, part of a strategy by the organization to survive, representing the theory that non-state actors can and do adapt to changes in their surrounding political environment.’”

<sup>35</sup> Ibid., 611.

<sup>36</sup> Interpol, <http://www.interpol.int/About-INTERPOL/Overview>, last accessed 02/16/2015

<sup>37</sup> McLaughlin, 833.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid., 833-834.

<sup>41</sup> Robert Mandel, *Dark Logic: Transnational Criminal Tactics and Global Security* (California: Stanford University Press, 2011), 4.

<sup>42</sup> Katherine L. Herbig, *Allegiance in a Time of Globalization*, Department of Defense Technical Report, December 2008.

<sup>43</sup> Fair Trials International, *Report: Strengthening Respect for Human Rights, Strengthening Interpol*, November 2013, <http://www.fairtrials.org/wp-content/uploads/Strengthening-respect-for-human-rights-strengthening-INTERPOL4.pdf>

Definition of Red Notices: “electronic alerts published by the General Secretariat at the request of a National Central Bureau in order to seek the location of a wanted person and his/her detention, arrest or restriction of movement for the purpose of extradition, surrender, or similar lawful action.”

<sup>44</sup> Ibid.

Definition of Diffusions: “a request for international cooperation, including the arrest, detention or restriction of movement of a convicted or accused person, sent by a National Central Bureau directly to other National Central Bureaus and simultaneously recorded in a police database of Interpol.”

<sup>45</sup> Mandel, 4.

<sup>46</sup> Ibid., 5.

<sup>47</sup> Fair Trials International.

<sup>48</sup> Interpol, *Constitution*, Article 2: “Its aims are: 1- 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.”

<sup>49</sup> Cases such as the illegitimate arrest of Petr Silaev in Spain, a young activist who had protested in Moscow and was subjected to a red alert emitted by Russia, only to be later released but to still have restricted freedom of movement in consequence of the notice.

<sup>50</sup> Bromund and Kopel, 11.

<sup>51</sup> Fair Trials International, <http://www.fairtrials.org/publications/policy-report-interpol-and-human-rights>

<sup>52</sup> Ibid., 5.

<sup>53</sup> Jago Russell, “Interpol: Fighting Cross-Border Crime,” *Digital Development Debates* <http://www.digital-development-debates.org/issue-12-power--oppression--interpol-fighting-cross-border-crime.html>

<sup>54</sup> Ibid.

<sup>55</sup> Shaeffer.

<sup>56</sup> Ibid.

<sup>57</sup> Interpol, 3.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Claudio Grossman and Daniel D. Bradlow, “Are We Being Propelled Towards a People-Centered Transnational Legal Order?” *American University International Law Review*, 9, no. 1, 1993, 23.

<sup>64</sup> Fair Trials International is a U.K.-based NGO that promotes fair trials according to international standards of justice. The organization has directly intervened on behalf on victims of Interpol’s red alerts, such as Petr Silaev, Ilya Katsnelson, Magda Osipova, Rachel Baines, among many others: See Fair Trials International, *Report: Strengthening Respect for Human Rights, Strengthening Interpol*, November 2013.

<sup>65</sup> Fair Trials International.

<sup>66</sup> Ibid.

<sup>67</sup> Bromund and Kopel, 2.

<sup>68</sup> U.S. Department of Justice, 4.

<sup>69</sup> Bromund and Kopel, 1.

<sup>70</sup> Ibid., 4.

<sup>71</sup> Ibid., 24.

<sup>72</sup> Ibid., 20.

<sup>73</sup> Ibid., 23.

<sup>74</sup> For instance, the global security danger of having a regime that is colluding with terrorists and uses Interpol’s network to misinform and deceive local criminal authorities in the capture of terrorists, or to use the information to alert terrorists of the data concerning their identities and location.

<sup>75</sup> Interpol, 12.

<sup>76</sup> Scott Hudak and Christopher Morris, “Improving the Effectiveness of the ICPO,” *Reforming International Organizations*, 2013.

<http://reforminginternationalorganizations.wordpress.com/2013/05/02/improving-the-effectiveness-of-the-international-criminal-police-organization-by-scott-hudak-and-christopher-morris/>

<sup>77</sup> Interpol, *Constitution*.

<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

<sup>80</sup> Ibid.

<sup>81</sup> Ibid.