



## Resolution No. 10

GA-2023-91-RES-10

**Subject:** Red Notices and Wanted Person Diffusions and their use for provisional arrest pending extradition

The ICPO-INTERPOL General Assembly, meeting in Vienna, Austria, from 28 November to 1 December, at its 91st session:

REAFFIRMING its Resolutions AGN-65-RES-12 (1996), AGN-66-RES-7 (1997), AG-2009-RES-11 (2009), AG-2011-RES-06 (2011), and AG-2015-RES-09 (2015),

CONVINCED that INTERPOL's Red Notices and Wanted Person Diffusions are effective tools for international police cooperation, and that they continue to contribute significantly to the capabilities of law enforcement of member countries by enabling them to locate and bring perpetrators to justice,

RECALLING that the General Assembly has recognized, through Resolution AGN-66-RES-7 (1997), that INTERPOL's Red Notices are documents intended for both the police and the judicial authorities and, as national legislation allows, can be considered valid requests for provisional arrest because they are issued on the basis of valid national arrest warrants,

UNDERSCORING the role of the General Secretariat in ensuring that the conditions for processing data, including Red Notices and Wanted Person Diffusions, are duly observed in accordance with the Constitution, in particular Articles 2 and 3, as well as the Rules on the Processing of Data,

RECALLING the role of the Executive Committee in supervising the implementation of the General Assembly's decisions, including in relation to INTERPOL's notices and diffusions system,

FURTHER RECALLING that INTERPOL's notices and diffusions system has been subject to a number of reforms in past years, including the creation of the Notices and Diffusions Task Force in 2016 in application of Resolution AG-2015-RES-09 (2015) to conduct quality and legal compliance review to ensure compliance with INTERPOL's Constitution and the Rules on the Processing of Data,

NOTING the conclusions of report GA-2023-91-REP-23 regarding the consultation on the value, effects and implementation of Red Notices and Wanted Person Diffusions,

EMPHASIZING the need to further conform to the highest standards of data communicated through INTERPOL channels, in particular Red Notices and Wanted Person Diffusions, to ensure that the member countries that receive such requests are provided with sufficient and necessary information to act on the requests or otherwise process the data in accordance with their national legislation,

1. URGES all National Central Bureaus to take measures to ensure that Red Notices and Wanted Person Diffusions conform to the highest standards including specifying in the requests all necessary information to facilitate international police cooperation (identity particulars such as, if available, biometrics and travel document information, details of the offence and the corresponding facts, charges and information concerning relevant judicial documents) and ensuring compliance with INTERPOL's Constitution and the Rules on the Processing of Data, in particular with Articles 2 and 3 of INTERPOL's Constitution;
2. ENCOURAGES all National Central Bureaus: (1) to ensure swift circulation at the national level, especially to first-line officers and border control authorities, of the data in notices and diffusions circulated by other countries; (2) to provide the requesting country and the General Secretariat with the relevant data concerning the person for whom the notice or diffusion is published; and (3) to provide the General Secretariat with any relevant information to ensure the compliance of notices and diffusions with INTERPOL's Constitution and the Rules on the Processing of Data;
3. REITERATES its request to all member countries to inform the General Secretariat of changes to their national laws and procedures concerning the status of Red Notices and Wanted Person Diffusions and their implementation at the national level;
4. REQUESTS all member countries to systematically inform the General Secretariat of the outcome of arrests and extradition proceedings with respect to wanted persons who have been arrested based on Red Notices and Wanted Person Diffusions;
5. CALLS UPON all National Central Bureaus to encourage the appropriate authorities in their countries to recognize Red Notices and Wanted Person Diffusions as valid requests for provisional arrest pending extradition or to enable similar lawful actions to be taken on the basis of such requests, while fully recognizing that it remains exclusively within the discretion of each country to decide, as permitted under its national laws, if and to what extent it can act on notices and diffusions published at the request of other countries;
6. ENCOURAGES all member countries to consider references to the use of INTERPOL channels as a means for transmitting requests for provisional arrest with a view to extradition in multilateral, regional, and bilateral treaties;
7. REQUESTS that the General Secretariat:
  - (1) Continues to apply and implement INTERPOL's Constitution and the Rules on the Processing of Data and the relevant General Assembly resolutions in this matter;
  - (2) Implements this Resolution to ensure that the publication and circulation of notices and diffusions conform to the highest standards;

- (3) Continues to provide training on the notices and diffusions system to National Central Bureaus and relevant police and judicial authorities;
- (4) Compiles information and statistics on the arrests and extraditions resulting from Red Notices and Wanted Person Diffusions;
- (5) Maintains, regularly updates and makes available to National Central Bureaus information provided by member countries regarding the consultation on the value, effects and implementation of Red Notices and Wanted Person Diffusions;
- (6) Regularly reports to the Executive Committee and the General Assembly on the implementation of this Resolution and other aspects related to the notices and diffusions system.

**Adopted**