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**ANALYSIS OF CHALLENGES OF THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION (INTERPOL) IN POLICING THE WORLD\***

**Abstract**

*It is trite that crimes and criminalities are no longer national issues. While some criminals specialize in carrying out criminal activities within some national boundaries, others chose to be international criminals. The need to have a common front in the fight against crimes and criminalities led to the formation of the international criminal police organization (INTERPOL) in 1923. The crux of this work is to analyze Interpol pointing out some challenges that bedevil the organization in policing the world. This paper adopted doctrinal research method, with reliance place on primary materials like: relevant statutes, conventions and legal instruments. Secondary materials like: text books, journal articles, print and electronic media including internet as well as case laws were also used. The primary task of this paper is to analyze the Interpol pointing out some of the challenges of the organization. The analysis justifies the claim that Interpol has performed creditably well in policing the world. However, there is still room for improvement.*

**Keywords:** INTERPOL, Policing, Challenges, International Crimes

**1. Introduction**

It is trite that crime and criminal activities are no longer national issues but are now more globalised than ever before. The approach of some states in prosecution of crime is propitious, they pay lip service to heinous crimes, and at best play to the gallery.<sup>1</sup> This unimpressive disposition in attitude towards arrest, investigation and prosecution of criminals may not be farfetched from the way states relate with the suspected criminals. But a quick voyage into the history and evolution of the International criminal police organization (INTERPOL) likely creates positive metamorphosis in the minds of readers, as well as broaden policing horizon so that states, international organizations, agencies and even international criminals would know that the Interpol is there for Transnational policing.

Taking the narrative from the wave of revolutions that swept through Europe in 1848, the continent's autocrats began to take interest in cooperating to suppress anarchists and revolutionaries. After the assassination of Empress Elizabeth of Austria by an Italian anarchist in 1898, delegates from 21 countries of the world assembled for the first international anti-anarchist conference in Rome. Shortly before the outbreak of the first world, Johannes Schober, leader of Vienna police and Prince Albert of Monaco, France convened the international criminal police congress. This gathering, among other things, formulated a set of goals later embraced by Interpol.<sup>2</sup> Initially titled the international criminal police commission, Interpol was founded in Vienna in 1923, thus making a new era where policing is brought within the purview of international domain. With the consensus among the delegates from twenty-one countries that assembled at the Anti-Anarchist Conference in Rome, the ground was set for formation of Interpol. Most draft proposal submitted were well taken and that has led to a strong and formidable Interpol saddled with the responsibility of policing the world.

**2. The Meaning, Rationale and Objectives of Interpol**

It is important at this juncture to attempt conceptualizing the term Interpol. Interpol is an international organization that facilitates worldwide police cooperation and crime control. It is the world's largest international police organization, with seven regional bureaus worldwide and a national central Bureau in all 194 member states.<sup>3</sup> It is the 'police of the world'. The powers, duties and other activities of Interpol is felt by its 194 member states. It gained

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<sup>1</sup> The attitude of the Federal Government of Nigeria (FGN) in the recent case of monumental fraud involving one Roman Olorunwa Abbas alias Hush Puppi; wherein a Deputy Commissioner of Police (DCP) Abba kyari former head of the Inspector General of Police (IGP) Intelligence Response Team (IRT) was seriously indicted readily comes to mind. Uptil date the self-acclaimed defused to honor the invitation by the INTERPOL and the Federal Bureau of Investigation (FBI) and onward movement to the United State (US) District court for the central District of California where he has been indicted in the popular Hush Puppi case. To make matter worse the FGN is now mute on a criminal matter of such magnitude while all the IGP in alliance with the Police service Commission (Polscm) could do was to suspend the 'super cop' without minding whose ox is gored. What a responsible and responsive government ought to have done in the circumstance is to take the man to USA to answer to the retinue of allegations which includes but not limited to receiving bribe to detain one Kelly Chibuzor Vincent his partner in crime who eventually got locked in a dispute with hush puppi over how to share \$1.1 million dollar loot obtained by fraudulent intent and means from a Quataric business person, taking directives from Hush Puppi through telephone conversation on how to deal with Kelly Chibuzor Vincent; refusing to release Kelly Chibuzor on bail in an offence that even hush puppi was a suspect an offence that even a person with the minutest knowledge of law knows that it is bailable. Yet the 'super cop' in his wisdom detained the suspect for .... days and continue taking instruction from Hush puppi. (prov. 13 vs 14).

<sup>2</sup> Interpol past and present in weaponizing Interpol available at < <http://www.journal of democracy.org/articles/weaponizing-interpol> > accessed on 11 September 2021.

<sup>3</sup> < <http://en.m.wikipedia.org/wiki/1> > Accessed on 12 September 2021.

prominence as a result of the increase in international crimes after the First World War. But in 1956 a new constitution was derived and the name Interpol which was derived from its telegraphic address used since 1946 was more pronounced and has eventually become the name with which the organization is known till date.

Interpol is an international organization that facilitates worldwide police cooperation and crime control. While construing Interpol Tomasz Safjanski has this to say 'Interpol is one of members of international instruments for fighting cross-border crimes. The functioning of Interpol fits into the broader context of creating an international community of effective mechanisms of cooperation to combat cross boarder threats that develop with the progress of globalization and necessitate the combined efforts of police'<sup>4</sup>. Activities of Interpol are protected by law and have formed part of the local laws of member states. Interpol has made serious and quite commendable efforts in fighting international crimes and criminalities yet there are still wide rooms for future achievements in combating international crimes. Policing responsibilities are the same everywhere however mode of operation and availability of modern crime prevention and crime fighting tools varies from country to country.

Interpol is an inter-governmental organization made up of 194 member countries that have agreed to work together with the aim of cooperating among themselves and make the world a safer place where crimes and criminalities are drastically reduced. Basically, it has the General Secretariat which coordinates the day-to-day activities of the organization. The Secretary General staffed by police and civilians with the headquarters at Lyon, France a global complex for innovation in Singapore and several satellite offices in different regions of the world. It also has National Central Bureau (NCB) in each country. The NCB provides central point of contact for the General Secretariat and other NCBs. Noteworthy is the fact that an NCB is run by national police officials.<sup>5</sup> NCBs are simply the state focal points that act to enable member states participate in every of the function of the organization. NCBs work with police from other countries by way of gathering and disseminating information relating to crimes and criminal activities all over the world.

### Why Interpol?

At this point, the paper deems it not just necessary but expedient to interrogate the rationale behind the Interpol. This more so, when a good number of countries if not all the countries of the world have domestic or national police within their various jurisdiction-national boundaries to police their area. Starting with the United Nations (UN) while enumerating its purpose it is deductible inter alia that the UN is to be actively involved in maintenance of international peace and security; develop friendliness among nations based on the principles of equal rights and self determination of peoples, the achievement of international co-operation in the solution of international problems of an economic, social, cultural or humanitarian character and in the promotion and encouragement of respect for human rights and fundamental freedoms for all without discrimination, and the UN shall serve as a centre for harmonizing actions for attaining the common objectives.<sup>6</sup> To achieve these lofty objectives there is need for police of global statues. The attempt was made by the UN, by providing police known as the UN police saddled with enhancing international peace and security by supporting member-states in conflict, post conflict and other crises situations. The goal of the UN police is to realize, effective, efficient, representative, responsive and accountable police services that serve and protect the population.<sup>7</sup> To that end, the UN police build and support or where mandated, act as a substitute for host-state police capacity to prevent and detect crime, protect life and property and maintain public orders and safety<sup>8</sup>, in adherence to the rule of law and international human rights.

However, the UN police cannot effectively police the world. This is so because it does appear that UN has no permanent police but temporary police usually sent by member nations to participate in international peace keeping under the UN with a view to restoring peace to an area torn with crisis.<sup>9</sup> Conversely, it was the inability of the League of Nations to provide a permanent police force that will police the world, the noticeable increase in international crimes and the need to nip the crimes in the bud that lead to the formation of Interpol. Going further, it is pertinent to note that the Interpol being an integral global security network is not insulated from verbal and written attacks. Though Interpol claims to offer individuals a broad 'right of access' if their personal information appears in the organization's databases, in practice however, such access is quite limited. Again, in a critical assessment of Interpol's activities, it has been observed that it was often used by the authoritarian states as a potent instrument of repression against political enemies. Ideally, developments that ensure, encourage and uphold the fight against international crime has always

<sup>4</sup> Tomasz Safjanske, 'Crucial problems in the functioning of Interpol on the Threshold of the 21<sup>st</sup> century'

<sup>5</sup> < <https://www.interpol.int/who> > we are accessed 23 September 2021.

<sup>6</sup> Article 1 of the charter of the UN.

<sup>7</sup> < <http://police.un.org> > accessed 24 September 2021.

<sup>8</sup> This is *in pari materia* with the duties performed by national police forces. For instance, these duties are provided for under section 4, part II of the police Acts and Regulation 2020 for the members of the Nigeria police force NPF. 4. UN police officers are authorized by the UN security council to serve in peace keeping operations and special political missions to implement the mandated policing tasks. < <http://police.un.org/information> >

<sup>9</sup> A. Zawisza Najwieksza polija Swiata Preglad 2010 No 40.

been supported by Interpol. Member states are always enjoined not just to ratify but to domestic and implement legal instruments of international flavour. Specifically, many member nations have ratified the United Nations Convention against Transnational Organized Crimes. This was adopted by the UN General Assembly in the year 2000 at the 55<sup>th</sup> session but came into force on 29 September 2003. This convention regulates issues like crime prevention, detection, prosecution and even punishments. Undoubtedly, an organization of this status must have rules and guiding principles. Hence, Interpol has a lot of rules. For instance, the organization rule of the processing of data article 5(1) provides 'The organization's members shall endeavour to exchange a minimum of information of interest for purpose of international police cooperation with due observance of the organization's political neutrality, independence and mandate, and of their respective national legislations and international conventions to which they are parties.

Summarily, Interpol was created to ensure and promote the widest possible mutual assistance between all criminal police authorities within the limits of the law existing in different countries worldwide and the spirit of the universal declaration of human rights, and to establish and develop all the prevention and suppression of ordinary law crimes.<sup>10</sup> As the World's third largest international organization, after the UN and the Federation of International Football Association (FIFA),<sup>11</sup> Interpol was created to ensure global cooperation among authorities saddled with policing responsibilities which includes but not limited to fight against transnational crimes. Its focus on international crimes and criminal activities around the globe. Agreeably, the principles and procedures governing international police cooperation have grown up gradually over the years to form the present Interpol system. The idea of Interpol was conceived during the first international criminal police congress held in Monaco, France from 14 to 18 April, 1914. During the congress, legal experts and numerous police officers from 14 countries and territories studied the possibility of establishing an international extradition procedure. Unfortunately, the First World War put this novel idea to a grinding halt. Eventually, the second international police congress was held in Vienna, Austria, where the International Criminal Police Commission (ICPC) with its own statues and headquarters in Vienna, Austria was established. The ICPC operated satisfactorily till the outbreak of the Second World War after which a conference was held in Brussels to revive the ICPC and the concept of international police cooperation. Ten years later, in 1956 the ICPC became the international criminal police organization-Interpol and that police organization till date.<sup>12</sup>

### **The Aims and Limits of Interpol<sup>13</sup>**

Aim simply means to have a purpose, the object, endeavour earnestly, with the infinitive: to aim to please. Aim is synonymous with aspiration, design, determination, direction, end, endeavour, goal, inclination, intention, mark, object, purpose, reason, and tendency.<sup>14</sup> Specifically, the Interpol has two aims under its constitution viz: to ensure and provide 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', to establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes. The limit of an organization has to do with the extent to which the organization can operate. In the instant situation with respect to the limits of Interpol 'it is strictly forbidden for the organization to undertake any intervention or activities of a political, military, religious or racial character.'<sup>15</sup> This amplifies the human rights intentions of Interpol and puts forward the undeniably glaring fact that Interpol is quite different from municipal police. Again, it shows that Interpol's duty is complementary, supportive and cooperative in nature as the organization cannot ordinarily assume the policing responsibilities of a member nation.

### **3. Interpol and the Meaning of Policing**

All over the world, societies that agree to live together by way of 'social contract', observing certain laid down rules usually have an established enforcement mechanism to enforce breach of the rules. Agreeably, the need for an enforcement mechanism gives rise to the formation of the police. Undoubtedly, this is the conceptual foundation of policing. This is in tandem with the idea of promoting a culture of lawfulness. Availability of duly trained law enforcement agents responsible for maintaining laws and order becomes a *conditio sine qua non* in a democratic society. In order to obviate the need for recourse to self-help, survival of the fittest and *homo homini lupus*, policing law and justice are then of utmost need to maintain equilibrium in human societies. In other words, policing entails maintaining, regulating or protecting order by the police itself or with the police by others. Policing responsibilities are carried out basically by police officers. That does not mean that other persons cannot perform some police duties. Officers shall at all times fulfill duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with high degree of responsibility required by their profession.<sup>16</sup>

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<sup>10</sup> *The statesman's year book 2016*, 52 available at < <http://link.springer.com>>chapter > accessed on 25 September 2021.

<sup>11</sup> < <http://www.cs.mcgil.ca>>wpcd>accessed > 25 September 2021.

<sup>12</sup> < <https://chi.gov.in>>links>interpol > accessed 26 September 2021.

<sup>13</sup> Article 2 (1) and (2) of the constitution of Interpol provides for the aim of this great police organization in the world.

<sup>14</sup> Henry Alexander and others, *The new International Webster's Comprehensive Dictionary of the English Language*, Encyclopedic edition, (Florida: Trident Press International), 30.

<sup>15</sup> Article 3 of the constitution of Interpol.

<sup>16</sup> < <http://www.unodc.org> > accessed on 13 September 2021.

Policing activities are governed by laws both at national and international levels. There is also international best practice which must be complied with. The laws that govern policing may be municipal, international, bilateral or multilateral in nature but must be complied with as any slightest deviation could attract sanction. Observably, the term policing/police and law enforcement are interchangeably used, but they are not one and the same thing. The simplest way to drive home this point is that while all policing/police officers are law enforcement agents not all law enforcement agents are police officers. The purpose of this paper is not nomenclature distinction so liberal approach is adopted. To further elucidate, policing responsibilities are carried out by members of the police force governed by the constitutions and police Acts and Regulations of the country involved. However, instances abound where law enforcement agencies become interconnected or pursue the same purpose collectively. This is made possible under inter agency cooperation. So also, is the various national police forces with the Interpol. For instance, Interpol enables police from various countries 194 in number to work together in areas of terrorism, human trafficking and other organized crimes. Furthermore, Interpol manages 19 police databases with information on crimes and criminals, accessible in real time to countries. Again, an Interpol incident response team can be briefed, equipped and deployed anywhere in the world within 12 to 24 hours.<sup>17</sup>

Aligning with the above definitions especially with the definitions of Interpol and policing, Interpol is the police of the world or the world police while policing is the process or act of maintenance of law, order, decorum and peace by the police force to ensure that laid down norms of behavior are complied with in any given human society. Simply put, policing is the enforcement of laws, rules, order made by the law makers to ensure peaceful co-existence of humans. Aside from collaborations with member states in executing war against crime Interpol has nexus with and enjoys the cooperation of the United Nations Organization (UNO) especially in fighting crimes of terrorism and human trafficking. From 1996 till date Interpol enjoys a special permanent observer role at UNO.<sup>18</sup> Subsequently, UNO opened the office of the special representative of Interpol to the UNO in New York. And years latter a subsidiary permanent observer office was opened at the UNO office in Vienna, Austria.<sup>19</sup> This synergy is very important as the two organizations are historic players on the international stage. It is only necessary that they join forces in the fight against crimes and criminality. Cooperation opportunities are explored in a dynamic manner between Interpol and the UNO. Also, the staffs of Interpol are in regular contact with the UNO agencies and permanent missions of member states to the UNO. The networking between the two great organizations has ensured that the concerns of global law enforcement are adequately represented in international policies and initiatives and in identifying potential partners.<sup>20</sup> Ideally, Interpol also collaborates with the UNO in peace keeping operations. This they do by working with UNO police divisions and organized crime teams to strengthen the roles of police forces engaged in international peace keeping under the UNO. Beyond the cooperation between Interpol, member states and the UNO the Interpol also works solely in crimes of trafficking in illicit drugs, illicit dealings in firearms and ammunitions, border management, counter terrorism, cybercrimes and so on. That does not mean that Interpol will not call for assistance/cooperation when need arises. Interpol also engages in variety of joint projects including various initiatives to increase its database and capacity building programmes with the following UNO entities:<sup>21</sup> United Nations Department of Peace Operations (UNODPO), United Nations Organization Office for Disarmament (UNOODA), United Nations Organization Department for Safety and Security (UNODSS), United Nations Educational Scientific and Cultural Organization (UNESCO), United Nations Security Council Committee Established Pursuant to Resolution 1540 (UNSCC) United Nations Office of internal Oversight Services (UNOIOS), United Nations Organization Department of Management (UNODM), United Nations Organization Department of Political Affairs (UNODPA), United Nations Organization Office of Counter Terrorism (UNOOCT), and United Nations Ad hoc Tribunals (UNOAT). The first department is part of the focus of this work. This is so because peace of the world is partly achieved by law, justice, policing and so on.

### **Rules of Interpol in Policing the World**

Rules are the guiding principles. In this context the rules of Interpol in carrying out its policing responsibilities are: respect for fundamental human rights.<sup>22</sup> The principle of being and ensuring neutrality<sup>23</sup>. National Sovereignty respect of data protection principles, primarily lawfulness, fairness, purposeful, accuracy, access, proportionality, security, supervision, sanction, and application of the hallowed human rights principle of non-discrimination.<sup>24</sup> As the largest police organization in the world, Interpol ensures and guarantees the protection of the very fundamental human rights of suspects.

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<sup>17</sup> < <http://www.interpol.int> > accessed 13 September 2021.

<sup>18</sup> This was established by UNO General Assembly Resolution 51/1, formalized in a cooperation agreement in 1997.

<sup>19</sup> The special representative office was opened in 2004 while that of subsidiary permanent observer was opened in 2018.

<sup>20</sup> < <http://www.interpol.int>>INTERPO > Accessed 14 September 2021.

<sup>21</sup> < <http://www.interpol.int>>coopertaion > Accessed on 14 September 2021.

<sup>22</sup> Article 2 of the constitution of Interpol.

<sup>23</sup> Article 3 of the constitution of Interpol.

<sup>24</sup> Article 59 of the constitution of Interpol.

#### **4. Interpol's Method of Operation (Modus Operandi)**

In exercising its responsibility of policing, the world to ensure that international peace and security is not just maintained but sustained, the organization adopts various methods.

Consequently, information gathering and sharing of crime 'related information is at the core of the modus operandi of the organization. Offering of technical and operational support to curb criminal activities, rendering assistance to national police forces in developments in the field of operation, training and re-training of police officers from different parts of the globe. As a global organization, it provides platform for cooperation and enable police to work directly with their counterparts, even between and among countries that do not have diplomatic relations, issuance of notices on criminal, crimes and other related terms. To participate diligently and efficiently in all the activities of Interpol<sup>25</sup> the next under the subhead is article 41 which ensures that beyond its policing responsibilities of ensuring that crimes and criminalities are reduced to the barest minimum, this particular article canvasses cooperation with police cooperation in the area of crime prevention, crime detection and crime control ensuring that apprehended offenders are brought to book forth with, to act as deterrent to would be offenders. Cooperation is also encouraged among all national police and other law enforcement agencies through highly sophisticated communication networks.<sup>26</sup> Going further, article 25 'General Secretariat' 34 'Advisers' 36 'commission for control of files' 45 'temporary measures' and so on contain specific rules that guide both the operational and administrative performances of the Interpol to ensure efficiency and prompt response to policing responsibilities around the world. Specifically, article 36 requires and ensures that files containing data about the organization and data from state parties are well secured in files at the headquarters of Interpol for ease of reference and/or record purposes. This data collection and file keeping of records is with a view to ascertaining the challenges that they face in policing the world. It also acts as vital reference point for future plans and strategies to be adopted in crime prevention, detection and prosecution.

Interpol operates using notices. Interpol gathers shares and works on information that is crime related with a view to nipping crimes and criminal activities all over the world in the bud. Information in this regard is usually called criminal information or information on crime. It includes but not limited to financial information like money laundering, concealment of stolen fund, illicit drug and so on. Interpol issues and can indeed issue some notices as its method of operation while acting to prevent and or combat crimes. The notices are:

**Red Notice:** This type of notice is used by Interpol to ascertain or seek the where about especially the present location of wanted person. Red notice by way of definition is a request made by Interpol to law enforcement officials worldwide to assist in locating or to especially locate and arrest a person wanted for the crime committed pending extradition, surrender or similar legal action.

**Yellow Notice:** This is a request to law enforcement officials by Interpol to help locate the position of missing person with a view to finding them. Also, this is used in the cases of persons who are not able to identify themselves.

**Blue Notice:** This notice is required and issued in a circumstance where additional information about the identify of a person and location or criminal activities about such person.

**Black Notice:** In the case of seeking information about unidentified bodies black notice is used.

**Green Notice:** Used to provide warning about the criminal activities of a person. Usually, used in a situation where the person is seen as a possible threat to public safety, public peace and public order.

**Order Notice:** Issued and used to warn about an event, a person, an object or a process representing serious and imminent threat to public safety.

**Purple Notice:** This is used to seek and ascertain the modus operandi, objects, devices and concealment methods of a criminal or many criminals.<sup>27</sup>

#### **5. Historical Development of Interpol**

Having gotten a grasp of what policing the world through Interpol entails, it is obvious that Interpol has been an integral part of the security *apparati* of the world since it came into existence. Virtually, all the states in the world have their national police. However, national police of a state cannot police the world. Hence the need for 'a world police' that will provide training, experience and operatives trained properly in the art of policing. There are diverse

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<sup>25</sup> Article 31.

<sup>26</sup> < <https://www.the international journal.org>> RJSSM: volume 10, number 3 July 2020 accessed 17 September 2021.

<sup>27</sup> Interpol Annual Report 2018.

cultures and believe systems, so also is the multiplicity of prisms through which policing is viewed. In Nigeria for instance, police officers are seen as and are considered to be ruthless, clueless, brutish, wicked and very corrupt and are sometimes attacked and killed as a way to teach other corrupt police officers lessons.<sup>28</sup> In Cameroon, their police officers are seen as wicked and merciless in their dealings with the members of the public. No matter the misconceptions and misgivings, the roles of police officers in maintaining the peace and security cannot be over-emphasized. Envisaging the fact that it is very impossible for the world to sit behind and watch criminals destroy the peace of this world, it is the belief of this paper that Interpol have always worked very hard to erode societal misgivings but according to Fooner the first effort towards having a formal and permanent framework for international police coordination was the union of German states which was formed in 1851 to bring together police from various German speaking countries.<sup>29</sup> He said that the efforts and activities of the police union of German states were mainly premised on criminals and political dissidents respectively. Efforts to have a police force that would have the world as its jurisdiction took different shapes and stages.

The journey to the actualization of Interpol can be said to have started in the 20<sup>th</sup> century when intensive efforts to formalize international policing responsibilities and cooperation in order to reduce the activities of transnational criminals and fugitives<sup>30</sup> was most needed around the globe. In 1914, police officers and legal officials from many countries of the world came together in Monaco, France and discussed the need for international cooperation in crime investigation, prosecution and even extradition procedures. Efforts were made to ensure that direct contact was established between police officers from various parts of the world; data collection issues were also discussed so also forensic analysis standards and means to facilitate the efficient process of extradition<sup>31</sup> request in the global system of crime prevention, detection and prosecution. Eventually, in 1923 Interpol was founded in Vienna, Austria but the headquarters is in Lyon France till date.

Agreeably, the world has entered a new era in all aspects-scientifically, technologically, socially, etymologically, physically name it. Crimes and criminal activities are not left behind. Unlike before, criminal activities are on the increase more than ever before. As a result of that there is need for a police organization that will have the capacity to contend with and promptly combat crimes all over the world. An organization that would create, facilitate and guarantee global policing cooperation and ensure advanced technology in the fight against crimes and criminalities. Generally, Interpol is formed to be politically neutral and have universal application in the fight against crime. With its data uses, criminal records are checked, tracked, monitored and kept. It enhances human capacity building, trainings and re-training. Ideally, the organization is seriously committed to ensuring a crime free world. In 1994, service standards numbering 17 were adopted as an appendix to the General Regulations at the 63<sup>rd</sup>, sixty-third session of the Assembly in Rome. The service standards were for the NCB of Interpol. The constitution of Interpol confers special functions on the NCBs as the NCBs also serve as the information transmitting system between Interpol and national policing agencies. In exercise of their duties NCBs are to ensure that they work in tandem with existing human rights norms, thus in the *Yerodia case-Democratic Republic of Congo vs Belgium*. The international court of justice (ICJ) handled complaints against NCB alleged to be in gross violation of the fundamental rights of persons arrested through Interpol. In that case the actions of the NCBs were attributed to their various countries.<sup>32</sup> The case in question showed that when the General secretariat of Interpol processes information about a person and issue red notices for their arrest, Interpol can become involved in any such situation that is anti-human rights. In that case Belgium requested for search for the minister of foreign affairs of the Democratic Republic of Congo at that time Mr. Yerodia. Red notice was issued however, the arrest warrant of Belgium was challenged. The court held inter alia that: the issuance of arrest warrant was in violation of an obligation of Belgium towards the Democratic Republic of Congo. That the immunity of Yerodia was not recognized as an incumbent minister, for foreign Affairs. The import of this rightful decision is that Interpol can be held liable for acts of NCBs that violates human rights. Interpol was moribund and ineffective until after World War II. The organization has full interest in crime like trafficking in human beings, illegal immigration, automobile theft, terrorism, fraud, computer crimes, money laundering, corruption, art theft and so on. Interpol was at the beginning mainly a European organization drawing limited support from the USA and other non- European countries (the USA joined in 1938) by mid-1980's all the continents of the world have various countries from them as members of Interpol. In 2001, the organization was re-organized as a result of the attack on USA on September 11. Same year the new post of executive director for police services was created to oversee several

<sup>28</sup> The recent ENDSARS saga that led to the wanton destruction of police stations, burning of police patrol vehicles and gruesome killings of many police officers at their various posts readily comes to mind. Honestly, but for the bad conducts of some bad eggs in the Nigeria police force (NPF) the end SARS saga would have been averted. This does not mean that all members of NPF are bas as one CSP Garba of 33 police station was spared by the same ENDSARS protesters.

<sup>29</sup> M Fooner, 'Interpol: issues in the World Crime and International Criminal Justice, Criminal Justice and Public Safety' *Springer science and Business media* (1989).

<sup>30</sup> K Idal, 'Ex South Africa police chief convicted' Al Jazeera 2 July 2010. Accessed 18 September 2021.

<sup>31</sup> K Helmut and J Mark, 'Encyclopedia of Global studies through processing' *SAGE publications* 2012, 956. < <https://en.m.wiki> accessed 18 September 2021.

<sup>32</sup> Arrest warrant of 11 April 2000 (*Democratic Republic of the Congo v. Belgium*). Judgment (2002) ICJ Reports p. 3.

directorates, including those for regional and national police services, specialized crime and operational support.<sup>33</sup> The organization facilitates and ensures maximum cooperation between police officers from all the member nations.

### **Summary of Stories of the Milestones in the History of Interpol (Key Dates)**

In the year 1914, the idea of Interpol was born in Monaco, at the first international criminal police congress (14 to 18 April 1914). That was the year that officials drawn from Twenty-four (24) countries of the world discussed cooperation on solving crimes, identification techniques and the issue of extradition. In 1923, after the First World War, the idea of an international police body was revived by Johannes Schober, the president of Vienna police. The international criminal police commission was established in September 1923 with its headquarters in Vienna, Austria. Notices for wanted person by Interpol were first published in the international public safety journal. In 1927, the 4<sup>th</sup> General Assembly meeting in Amsterdam adopted a Resolution that each member country should establish a central point of contact within its police structure; this was the forerunner of today's national Central Bureau (NCB). By 1930, specialized departments were established to deal with criminal records, currency counterfeiting and passport forgery. Data was however, compiled and analyzed manually until the 1980s, when computerization of Interpol records began. In 1932, new statutes were put in place creating the post for secretary General. Oscar Dressler an Australian police commissioner was the first. He served till 1946. Interpol's international radio network was established in 1935 providing an independent telecommunications system solely for the use of criminal police authorities. By 1966, 34 countries of the world had stations and Interpol network carried more than 90,000 messages yearly. By 1938, the Nazis assumed control of the international criminal police commission after deposing President Michael Skubi. Most countries stopped participating and Interpol effectively ceased to exist as an international organization and eventually, Interpol relocated to Berlin. In the year 1946 Belgium led the rebuilding of the organization after World War II with a democratic process to elect the Executive Committee. The headquarters moved to Paris, France. In that same year, 'INTERPOL' was chosen as the telegraphic address, a contraction of international police. In 1947, the first red notice was issued for a Russian man wanted for murdering a policeman. The system of colour-coded notices was expanded over the years to cover other alerts but the Red Notice for wanted persons remain a key tool today. Interpol has eight types of notices. These notices are requests sent to member that 'seek the location of a wanted person and his or her detention, arrest or restriction of movements for the purpose of extradition, surrender or similar lawful action. All Red notices are reviewed by the General secretariat to ensure that they contain sufficient information and that the charges that form the basis for the request are not politically motivated.<sup>34</sup> The ICPC became the international criminal police organization with the adoption of a modernized constitution. It started collecting dues and relying on financial investments thereby becoming autonomous in 1956. By 1958, the financial contributions of member states were revised and financial regulation adopted. An international narcotics trafficking meeting with the participants of the United Nations drugs director G Yates highlighted Interpol's early cooperation with other international organization in 1959. In 1963, recognizing the importance of sharing information and expertise on regional level, Interpol organized the first regional conference for member countries in Liberia, an African country. In 1967, from the original 16 founding members in 1923, there were 50 member countries in 1955. By 1967 it got to 100 and in 1989, 150. Changing geographical boundaries of nations went on to increase the membership of Interpol. By 1972, the status of Interpol was strengthened by a headquarters agreement with France recognizing INTERPOL as an international organization. Recall that the headquarters of Interpol has been in France since 1946.

The General Assembly adopted the rules on international police cooperation and conduct of INTERPOL'S achieves a legal framework necessary for processing personal data- such as names and fingerprints. That was in the year 1982. On 16 May, 1986, the General Secretariat of Interpol building in Saint Cloud was bounded by Action Directe, an extremist group. One police man was injured and the building suffered extensive damage. However, in 1998, four leaders of the extremist group were sentenced in connection with this and other attacks. The General Secretariat was moved to purpose-built premises in Lyon, France with an official inauguration by France's president, François Mitterrand, on 27 November 1989. Same year, the membership of Interpol reached 150 countries. By 1990, Interpol launched x.400 communication system, enabling NCBs to send electronic messages to reach other and to the General Secretariat. In 1992, an automated search facility for remote searches of Interpol data bases was introduced. An analytical criminal intelligence unit to study the links between suspects, crimes and locations, thereby identifying patterns in crime and providing warnings of threats was established in 1993. In 1999, Arabic was formally adopted as the fourth official language, following Spanish which was used from 1955, with English and French being original languages. In the year 2000, an automatic fingerprint identification system which speeded up to the time needed to carry out finger print cheeks was introduced by Interpol. Noteworthy, is the fact that finger print evidence has always played crucial role in policing but prints were previously on paper and comparison was manually done.

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<sup>33</sup> < <https://www.britannica.com>>topic > accessed 14 September 2021.

<sup>34</sup> < <https://www.journalofdemocracy.org/articles/weaponizing-interpol/> > accessed 11 September 2021.

## 6. Fingerprints Section<sup>35</sup>

The following functions are carried out by this section: identification and classification of fingerprints; processing of fingerprints for presentation as court evidence by using modern photographic and chemical techniques; comparison of latent finger print lifted from 'scene from the scene of crime with stored finger prints of individual suspects/criminal; comparison of latent fingerprints in all pending unsolved cases in order to know if there is any connection between a New case and an old unsolved case; and compilation and maintenance of fingerprints files, which could later on be entered into the computerized fingerprint identification system for the purpose of automatic comparison of fingerprints. The importance<sup>36</sup> fingerprints in crime investigation are enormous. Fingerprints have been said to be the most reliable means of identifying individuals and with the computerization of fingerprints searching and matching fingerprints have also become the easiest and fastest means of identification. Fingerprints are also registered<sup>37</sup> for use in prosecution. Fingerprints are always left at the scene of crime by criminal who usually, touch a lot of things while carrying out criminal activities. It is advisable that those who visit scene of crime first should preserve it and avoid touching of items otherwise the fingerprint of an innocent sympathizer who went to scene after the crime but carelessly touched an item(s) could be captured and linked or traced to him as being the criminal who carried out criminal activity at the scene. By 2002 Interpol launched 1-24/7 global police communications system, giving all member countries a secure platform to share and access Interpol's databases and information. Canada was the first country to connect in 2003 and by 2007 all countries were using it. Recognizing that criminals and terrorists often travel using fraudulent passports and visas, Interpol launched a stolen and lost Travel Documents database so that countries can check the validity of a document in seconds. As at date, it contains more than 80 million records. In 2003, Interpol set up a command and coordination centre to provide a point of contact for any member country seeking urgent police information or facing a crises situation. It is manned 24 hours a day, 365 days a year by staff members who speak several languages. In 2004, Interpol opened special representative office at the United Nations in New York. This office later for partnerships in tackling international crimes.

Interpol- United Nations Security Council Special Notice was published for the first time on 6 December 2005. New technology called MIND/FIND was developed, allowing countries to give their front-line officers such as immigration official's real time access to Interpol's data bases on nominal data, stolen vehicles and travel documents. Bearing in mind the importance, of teaching police worldwide how to use Interpol's data bases and service, it reinforced its training programmes on a range of specialized crime and investigation areas and went on to build an online portal, the INTERPOL Global Learning Centre in 2007. By 2009, the secretariat opened a regional Bureau in Yaounde, Cameroon complementing those in Bangkok (1992), Buenos Aires (1993), Abidjan (1994), Harare (1997), Nairobi (1999), and San Salvador (2003). They duty are to bring police officers from many countries together share experiences and tackle common crime issues. Having become a more operational organization, deploying teams to support security for many major events or to respond to incidents since 2002. Interpol, ran a range of field operations with its member countries every year across a range of crime areas, often including a training element in 2010. By 2012, Interpol raised the international profile of contemporary criminal violence with ministerial meetings from nearly 100 countries. Held during the General Assembly in Rome, it followed a joint ministerial meeting with the UN in 2009. In 2015, Interpol Global Complex for innovation opened in Singapore in April. It is a research and development facilities identification of crimes and criminals, innovative training and operational support. Under the Interpol system actual investigation and enforcement of stipulated laws are performed by police from member states. This is despite the fact that Interpol had put in place laudable communication network that is worldwide in outreach. Successful policing of the world entails maximum cooperation among police actors all over the world. It entails proper training, re-training, and adequate equipment commensuration with 21st century policing, sufficient man power, integrity of personnel, fulfillment of duty imposed on them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession.<sup>38</sup>

## 6. Overview of the Constitution of the Interpol

Before the 19<sup>th</sup> century, operations, relationships, interactions and above all, among police actors. Personnel and police leadership of different countries of the world were almost non existent. Interpol is the first international police force that brought cooperation, interactions and working relationship among the police of different countries of the world. Its main purpose is not to take over the policing responsibilities of nations of the world, but through the instrumentality of global network, existing laws applicable to global system of crime fighting help nations to pull knowledge and resources together to investigate international crimes and bring international criminals to book, ensure that world security systems are maintained, bring about expertise needed in combating international crimes, ensure that interested law enforcement agencies especially the police from interested nations are trained, ensure cooperation that is global in crime prevention and control; provide the needed assistance in global crime fighting, ensure the

<sup>35</sup> Abayomi Onashile, *Scientific Criminal Investigation Detention and Prosecution* (Ibadan: Malijoe soft-point, 2004), 7.

<sup>36</sup> Ibid at 57.

<sup>37</sup> Ibid at 59.

<sup>38</sup> Article 1 of the code of conduct for law enforcement officials.



## **OGBODO: Analysis of Challenges of the International Criminal Police Organization (INTERPOL) in Policing the World**

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safety of human beings all over the world, provide and secure global police communication services, issuance of notices against global criminals and ensuring drastic reduction or organized crimes.<sup>39</sup> Interpol has about 194 member states all over the world that makes it the biggest police institution in the world. It has a constitution that clearly chronicled its purpose; definition, membership, national sovereignty, respect for human rights, neutrality and constant and active cooperation among member nations in the fight against global crimes.<sup>40</sup>

There are several fundamental documents which make up Interpol's legal framework. The documents are the constitution, the general regulations which supplement the constitution by making additional provisions with regard to the General Assembly sessions, advisers and matters relating to finance and personnel, the rules of procedure of the General Assembly and Executive Committee, financial regulations and the statute of the commission for the control of Interpol's files which is an independent and impartial body with clearly defined roles.<sup>41</sup> Interpol's constitution is the supreme legal framework of the organization. Adopted in 1956 it is the main legal instrument. It establishes the fundamental rules and principles by which the organization carries out its functions and operations, defining the structure and rules of the Interpol, providing the mandate of the organization which are: (i) To ensure and promote the wildest possible mutual assistance between all criminal police authorities within the limits of the laws existing in different countries and in the spirit of the universal declaration of human rights; (ii) To establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes.<sup>42</sup> The constitution of Interpol consists of 50 articles. Some of the provisions of the articles in the constitution of Interpol provides the name, purpose and general principles of Interpol and the general method of operation (*modus operadi*) of state parties. It is clearly stated the aim of the organization as stated above in article 3 of the constitution. Article 4 provides that 'any country may delegate as a member to the organization any official police body whose functions come with the framework of the organizations. The request for membership shall be submitted to the secretary general by appropriate Governmental authority and that membership shall be subject to approval by a 2/3 majority of the General Assembly of Interpol<sup>43</sup> The constitution also provides that the General Assembly of Interpol shall meet in ordinary session every year. It may meet in extra-ordinary session at the request of the executive committee or of the majority of members. Article 5 provides relevant structure and organization of Interpol which are not just germane but very, very essential and important to the actualization of the aims of this all-important organization. These structures are The General Assembly, the Executive Committee, the General Secretariat, the National Bureau, the Advisers, the Commission for the control of files. Article – contains the General obligations on member states. In the same vein, article 38 provides that contribution for the funding of the organization. Simply put, how will fund be provided for day to day running of the Interpol? Obviously, the answer can be found in Article 38 which clearly provides that 'resources shall be by contributions by members, gifts, bequests, subsidies, grants and other resources after these have been accepted or approved by the executive committee.

Taking into cognizance the glaring fact that for any organization of this magnitude to function well and live up to expectation of the world with regards to its responsibilities, neutrality and adherence to human rights must be recognized, adopted and applied. Article 3 provides the guiding principles of this organization thus: it is strictly forbidden for the organization to undertake any intervention or activities of a political, military, religious or racial character. It is also provided that 'At the end of each session, the General Assembly shall choose the place where it will meet for its next session. The General Assembly may also decide where it will meet for its session in two years' time, if one or more countries have issued invitations to host that session. If circumstances make it impossible or inadvisable for a session to be held in the chosen meeting place, the General Assembly may decide to choose another meeting place for the following year.'<sup>44</sup> In order to also ensure orderliness, equality, uniformity and equity of member states Article 13 provides that only one delegate from each country shall have the right to vote. Article 14 provides that decisions shall be made by a simple majority except in those cases where a two-thirds majority is required by the constitution. Observably, the constitution provides for an executive committee which shall be made up of the resident of the organization, the three vice presidents and nine delegates.<sup>45</sup> The executive committee shall be elected by the General Assembly,<sup>46</sup> who shall conduct themselves as representatives of Interpol and not as representatives of their respective countries.<sup>47</sup> In case of death of a member of the Executive committee, the General Assembly shall elect another member to replace him and whose term of office shall end on the same date as his predecessor's. No member of the Executive Committee may remain in office should he cease to be a delegate to the organization.<sup>48</sup> Article 49

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<sup>39</sup> < <https://www.interpol.int/who-we-are> > accessed 16 September 2021.

<sup>40</sup> < <https://www.interpol.int/who-we-are> > accessed 16 September 2021.

<sup>41</sup> < <https://www.interpol.int/who-we-are/legal-documents-interpol> > accessed 16 September 2021.

<sup>42</sup> Art. 2 of the constitution of Interpol.

<sup>43</sup> Art. 4 of the Constitution of Interpol.

<sup>44</sup> Article 12 (1) (2) and (3).

<sup>45</sup> Article 15.

<sup>46</sup> Article 20.

<sup>47</sup> Article 21.

<sup>48</sup> Article 23.

defines the terms: Organization, Constitution, Secretary General, Committee member, delegate and assembly while Article 50 stipulated the date of Commencement of the organization which is 13 June 1956.

In order to make policies that would give effect to the activities of Interpol Article 29 provides ‘the Secretary General shall engage and direct the staff, administer the budget, and organized and direct the permanent departments, according to the directives decided upon by the General Assembly or Executive Committee. The Secretary General shall submit to the Executive Committee or the General Assembly any propositions or projects concerning the work of the organization. The Secretary general shall also be responsible to the executive committee and the General Assembly and shall have right to take part in the discussions of the General Assembly, the Executive Committee and all other dependent bodies.<sup>49</sup> It is also provided that in order to further the aims and objectives of Interpol, the organization needs the constant and act cooperation of its members, who should do all within their power which is compatible with the laws of their countries.

## **7. Conclusion**

Interpol is the first internationally recognized global police aimed at policing the world. It is not police formed and given to the world, but experts within the world community themselves were an integral part of the formation process. This probably gives an explanation why Interpol has taken cognizance of almost all ramifications of the peculiarities of crimes and criminalities. This feat is exemplified by the introduction of NCBs in member nation capital all over the world to network and fight crimes in accordance with the constitution of Interpol. Interpol has some challenges. Challenges here means factors that inhibit the performances of the organization. Globally human endeavours are saddled with challenges. Since Interpol is a human endeavour it logically follows that Interpol is saddled with a lot of challenges despite success recorded by the organization since it was created. Some of the challenges of Interpol are language barrier, network problems in disseminating information and so on. Crimes and criminal activities are said to be universal, but the global fight against crime would be elusory when it is devoid of the innovations brought by Interpol. Thus, increase in crime mean ‘increase in method of crime fighting’. For the purpose of wholistic fight against crime, it is advocated that the whole world should rise up in support of Interpol activities in the fight against crime. It is also advocated that dualist nations like Nigeria would go beyond being just a member but to participate fully by always nominating representatives without tribal sentiments. It is further encouraged that police officers are abreast with the provisions of the law so that justice can be administered in its fullness and entirely.

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<sup>49</sup> < <http://wwwjus.u10.no/treaties/in> > accessed on 17 September 2021.