



INTERPOL

*Basic texts of the  
Organization*

*2018 Edition*

## FOREWORD

It is only natural that an international organization which aims to facilitate law enforcement around the globe should abide by a set of rules. Far from being a hindrance, rules facilitate international police cooperation. They embody principles agreed upon in common by INTERPOL's Members and thereby create a space where – in spite of their differences – countries can assist each other and work together towards a common goal: the prevention and suppression of crime.

These rules are not an end in themselves and are therefore subject to change. They must change so as to meet the needs of the people they are intended to serve. Given the evolving nature of crime, INTERPOL and its Members must constantly review and adapt the Organization's rules to the needs of the law enforcement community and of the citizens they protect.

The changes that have come about in the past few years in the way INTERPOL works demonstrate the significant efforts made to adapt the Organization to new circumstances. The growing number of instances of countries cooperating through INTERPOL is proof that these rules are succeeding in establishing a framework in which countries can collectively and effectively pursue security and justice.

In order to promote awareness of and accessibility to the Organization's rules, the INTERPOL General Secretariat has produced this updated compilation of the Organization's basic texts. This compilation now also includes the legal provisions and instruments constituting INTERPOL's New Funding Model, whose purpose is twofold: to help obtain external support for the Organization's activities, while preserving its integrity, independence and reputation.

Rules may eventually need to be updated, yet their *raison d'être* – to make the world a safer place – will remain unchanged.

A handwritten signature in black ink, appearing to read 'Jürgen Stock', written in a cursive style.

Jürgen Stock  
Secretary General



# **Basic Texts of the Organization, 2018 Edition**

## **I. CONSTITUANT TEXTS OF THE ICPO-INTERPOL**

1. Constitution of the ICPO-INTERPOL
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18. General Conditions of the INTERPOL Fund for International Police Cooperation
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21. NCB Service Standards

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37. Establishment of the INTERPOL Global Complex in Singapore (Resolution AG-2010-RES-08) (Doha, 2010)
38. Privileges and immunities in the framework of IRT and IMEST deployments (Resolution AG-2010-RES-11) (Doha, 2010)
39. Registration of INTERPOL's Constitution under Article 102 of the United Nations Charter (Resolution AG-2011-RES-15) (Hanoi, 2011)
40. Extrabudgetary resources (Resolution AG-2014-RES-15) (Monaco, 2014)



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INTERPOL

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*Constitution of the  
ICPO-INTERPOL*

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[I/CONS/GA/1956 (2017)]





## **REFERENCES**

The Constitution of the ICPO-INTERPOL adopted by the General Assembly at its 25th session (Vienna - 1956).

Articles 35 and 36 modified at the 31st session (Madrid - 1962).

Articles 2, 15, 16 and 19 modified at the 33rd session (Caracas - 1964).

Article 17 modified at the 46th session (Stockholm - 1977).

Article 1 modified at the 53rd session (Luxembourg - 1984).

Articles 11 and 12 modified at the General Assembly's 66th session (New Delhi - 1997).

At the 77th session (St Petersburg - 2008), the following amendments were made to the Constitution: Article 5 was amended, Articles 34-37 concerning the Advisers were combined in Articles 34 and 35; a new heading "THE COMMISSION FOR THE CONTROL OF FILES" was added and certain provisions concerning the Commission inserted in Articles 36 and 37.

Articles 28 and 29 modified at the 86th session (Beijing – 2017).

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**GENERAL PROVISIONS**

**Article 1**

The Organization called the “INTERNATIONAL CRIMINAL POLICE COMMISSION” shall henceforth be entitled: “THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION-INTERPOL”. Its seat shall be in France.

**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”;
- (2) To establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes.

**Article 3**

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

**Article 4**

Any country may delegate as a Member to the Organization any official police body whose functions come within the framework of activities of the Organization.

The request for membership shall be submitted to the Secretary General by the appropriate governmental authority. Membership shall be subject to approval by a two-thirds majority of the General Assembly.

**STRUCTURE AND ORGANIZATION**

**Article 5**

The International Criminal Police Organization-INTERPOL shall comprise:

- The General Assembly
- The Executive Committee
- The General Secretariat
- The National Central Bureaus
- The Advisers
- The Commission for the Control of Files

**THE GENERAL ASSEMBLY**

**Article 6**

The General Assembly shall be the body of supreme authority in the Organization. It is composed of delegates appointed by the Members of the Organization.

**Article 7**

Each Member may be represented by one or several delegates; however, for each country there shall be only one delegation head, appointed by the competent governmental authority of that country.

Because of the technical nature of the Organization, Members should attempt to include the following in their delegations:

- (a) High officials of departments dealing with police affairs,
- (b) Officials whose normal duties are connected with the activities of the Organization,
- (c) Specialists in the subjects on the agenda.

**Article 8**

The functions of the General Assembly shall be the following:

- (a) To carry out the duties laid down in the Constitution;
- (b) To determine principles and lay down the general measures suitable for attaining the objectives of the Organization as given in Article 2 of the Constitution;
- (c) To examine and approve the general programme of activities prepared by the Secretary General for the coming year;
- (d) To determine any other regulations deemed necessary;
- (e) To elect persons to perform the functions mentioned in the Constitution;
- (f) To adopt resolutions and make recommendations to Members on matters with which the Organization is competent to deal;
- (g) To determine the financial policy of the Organization;
- (h) To examine and approve any agreements to be made with other organizations.

**Article 9**

Members shall do all within their power, in so far as is compatible with their own obligations, to carry out the decisions of the General Assembly.

**Article 10**

The General Assembly of the Organization shall meet in ordinary session every year. It may meet in extraordinary session at the request of the Executive Committee or of the majority of Members.

**Article 11**

- (1) The General Assembly may, when in session, set up special committees for dealing with particular matters.
- (2) It may also decide to hold regional conferences between two General Assembly sessions.

**Article 12**

- (1) At the end of each session, the General Assembly shall choose the place where it will meet for its next session.
- (2) 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.
- (3) 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.

**Article 13**

Only one delegate from each country shall have the right to vote in the General Assembly.

**Article 14**

Decisions shall be made by a simple majority except in those cases where a two-thirds majority is required by the Constitution.

**THE EXECUTIVE COMMITTEE**

**Article 15**

The Executive Committee shall be composed of the President of the Organization, the three Vice-Presidents and nine Delegates.

The thirteen members of the Executive Committee shall belong to different countries, due weight having been given to geographical distribution.

**Article 16**

The General Assembly shall elect, from among the delegates, the President and three Vice-Presidents of the Organization.

A two-thirds majority shall be required for the election of the President; should this majority not be obtained after the second ballot, a simple majority shall suffice.

The President and Vice-Presidents shall be from different continents.

**Article 17**

The President shall be elected for four years. The Vice-Presidents shall be elected for three years. They shall not be immediately eligible for re-election either to the same posts or as Delegates on the Executive Committee.

If, following the election of a President, the provisions of Article 15 (paragraph 2) or Article 16 (paragraph 3) cannot be applied or are incompatible, a fourth Vice-President shall be elected so that all four continents are represented at the Presidency level.

If this occurs, the Executive Committee will, for a temporary period, have fourteen members. The temporary period shall come to an end as soon as circumstances make it possible to apply the provisions of Articles 15 and 16.

**Article 18**

The President of the Organization shall:

- (a) Preside at meetings of the Assembly and the Executive Committee and direct the discussions;
- (b) Ensure that the activities of the Organization are in conformity with the decisions of the General Assembly and the Executive Committee;
- (c) Maintain as far as is possible direct and constant contact with the Secretary General of the Organization.

**Article 19**

The nine Delegates on the Executive Committee shall be elected by the General Assembly for a period of three years. They shall not be immediately eligible for re-election to the same posts.

**Article 20**

The Executive Committee shall meet at least once each year on being convened by the President of the Organization.

**Article 21**

In the exercise of their duties, all members of the Executive Committee shall conduct themselves as representatives of the Organization and not as representatives of their respective countries.

**Article 22**

The Executive Committee shall:

- (a) Supervise the execution of the decisions of the General Assembly;
- (b) Prepare the agenda for sessions of the General Assembly;
- (c) Submit to the General Assembly any programme of work or project which it considers useful;
- (d) Supervise the administration and work of the Secretary General;
- (e) Exercise all the powers delegated to it by the Assembly.

**Article 23**

In case of resignation or death of any of the members 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.

**Article 24**

Executive Committee members shall remain in office until the end of the session of the General Assembly held in the year in which their term of office expires.

**THE GENERAL SECRETARIAT**

**Article 25**

The permanent departments of the Organization shall constitute the General Secretariat.

**Article 26**

The General Secretariat shall:

- (a) Put into application the decisions of the General Assembly and the Executive Committee;
- (b) Serve as an international centre in the fight against ordinary crime;
- (c) Serve as a technical and information centre;
- (d) Ensure the efficient administration of the Organization;
- (e) Maintain contact with national and international authorities, whereas questions relative to the search for criminals shall be dealt with through the National Central Bureaus;
- (f) Produce any publications which may be considered useful;
- (g) Organize and perform secretariat work at the sessions of the General Assembly, the Executive Committee and any other body of the Organization;
- (h) Draw up a draft programme of work for the coming year for the consideration and approval of the General Assembly and the Executive Committee;
- (i) Maintain as far as is possible direct and constant contact with the President of the Organization.

**Article 27**

The General Secretariat shall consist of the Secretary General and a technical and administrative staff entrusted with the work of the Organization.

**Article 28**

The appointment of the Secretary General shall be proposed by the Executive Committee and approved by the General Assembly for a period of five years. The Secretary General may be re-appointed only once, for a further period of five years, but must lay down office on reaching the age of sixty-five. The Secretary General may be allowed to complete the term of office on reaching the age of sixty-five but shall not hold office beyond the age of seventy.

The Secretary General must be chosen from among persons highly competent in police matters.

In exceptional circumstances, the Executive Committee may propose at a meeting of the General Assembly that the Secretary General be removed from office.

**Article 29**

The Secretary General shall engage and direct the staff, administer the budget, and organize 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 be responsible to the Executive Committee and the General Assembly.

The Secretary General shall have the right to take part in the discussions of the General Assembly, the Executive Committee and all other dependent bodies.

In the exercise of his or her duties, the Secretary General shall represent the Organization and not any particular country.

**Article 30**

In the exercise of their duties, the Secretary General and the staff shall neither solicit nor accept instructions from any government or authority outside the Organization. They shall abstain from any action which might be prejudicial to their international task.

Each Member of the Organization shall undertake to respect the exclusively international character of the duties of the Secretary General and the staff, and abstain from influencing them in the discharge of their duties.

All Members of the Organization shall do their best to assist the Secretary General and the staff in the discharge of their functions.

**NATIONAL CENTRAL BUREAUS**

**Article 31**

In order to further its aims, the Organization needs the constant and active co-operation of its Members, who should do all within their power which is compatible with the legislations of their countries to participate diligently in its activities.

**Article 32**

In order to ensure the above cooperation, each country shall appoint a body which will serve as the National Central Bureau. It shall ensure liaison with:

- (a) The various departments in the country;
- (b) Those bodies in other countries serving as National Central Bureaus;
- (c) The Organization's General Secretariat.

**Article 33**

In the case of those countries where the provisions of Article 32 are inapplicable or do not permit of effective centralized co-operation, the General Secretariat shall decide, with these countries, the most suitable alternative means of co-operation.

**THE ADVISERS**

**Article 34**

On scientific matters, the Organization may consult "Advisers". The role of the Advisers shall be purely advisory.

**Article 35**

Advisers shall be appointed for three years by the Executive Committee. Their appointment will become definite only after notification by the General Assembly.

They shall be chosen from among those who have a world-wide reputation in some field of interest to the Organization.

An Adviser may be removed from office by decision of the General Assembly.

**THE COMMISSION FOR THE CONTROL OF FILES**

**Article 36**

The Commission for the Control of Files is an independent body which shall ensure that the processing of personal information by the Organization is in compliance with the regulations the Organization establishes in this matter.

The Commission for the Control of Files shall provide the Organization with advice about any project, operation, set of rules or other matter involving the processing of personal information.

The Commission for the Control of Files shall process requests concerning the information contained in the Organization's files.

**Article 37**

The members of the Commission for the Control of Files shall possess the expertise required for it to accomplish its functions. Its composition and its functioning shall be subject to specific rules to be laid down by the General Assembly.

**BUDGET AND RESOURCES**

**Article 38**

The Organization's resources shall be provided by:

- (a) The financial contributions from Members;
- (b) Gifts, bequests, subsidies, grants and other resources after these have been accepted or approved by the Executive Committee.

**Article 39**

The General Assembly shall establish the basis of Members' subscriptions and the maximum annual expenditure according to the estimate provided by the Secretary General.

**Article 40**

The draft budget of the Organization shall be prepared by the Secretary General and submitted for approval to the Executive Committee.

It shall come into force after acceptance by the General Assembly.

Should the General Assembly not have had the possibility of approving the budget, the Executive Committee shall take all necessary steps according to the general outlines of the preceding budget.

**RELATIONS WITH OTHER ORGANIZATIONS**

**Article 41**

Whenever it deems fit, having regard to the aims and objects provided in the Constitution, the Organization shall establish relations and collaborate with other intergovernmental or non-governmental international organizations.

The general provisions concerning the relations with international, intergovernmental or non-governmental organizations will only be valid after their approval by the General Assembly.

The Organization may, in connection with all matters in which it is competent, take the advice of non-governmental international, governmental national or non-governmental national organizations.

With the approval of the General Assembly, the Executive Committee or, in urgent cases, the Secretary General may accept duties within the scope of its activities and competence either from other international institutions or organizations or in application of international conventions.

**APPLICATION, MODIFICATION AND INTERPRETATION OF THE CONSTITUTION**

**Article 42**

The present Constitution may be amended on the proposal of either a Member or the Executive Committee.

Any proposal for amendment to this Constitution shall be communicated by the Secretary General to Members of the Organization at least three months before submission to the General Assembly for consideration.

All amendments to this Constitution shall be approved by a two-thirds majority of the Members of the Organization.

**Article 43**

The French, English and Spanish texts of this Constitution shall be regarded as authoritative.

**Article 44**

The application of this Constitution shall be determined by the General Assembly through the General Regulations and Appendices, whose provisions shall be adopted by a two-thirds majority.



**TEMPORARY MEASURES**

**Article 45**

All bodies representing the countries mentioned in Appendix I shall be deemed to be Members of the Organization unless they declare through the appropriate governmental authority that they cannot accept this Constitution. Such a declaration should be made within six months of the date of the coming into force of the present Constitution.

**Article 46**

At the first election, lots will be drawn to determine a Vice-President whose term of office will end a year later.

At the first election, lots will be drawn to determine two Delegates on the Executive Committee whose term of office will end a year later, and two others whose term of office will end two years later.

**Article 47**

Persons having rendered meritorious and prolonged services in the ranks of the ICPC may be awarded by the General Assembly honorary titles in corresponding ranks of the ICPO.

**Article 48**

All property belonging to the International Criminal Police Commission are transferred to the International Criminal Police Organization.

**Article 49**

In the present Constitution:

- "Organization", wherever it occurs, shall mean the International Criminal Police Organization;
- "Constitution", wherever it occurs, shall mean the Constitution of the International Criminal Police Organization;
- "Secretary General" shall mean the Secretary General of the International Criminal Police Organization;
- "Committee" shall mean the Executive Committee of the Organization;
- "Assembly" or "General Assembly" shall mean the General Assembly of the Organization;

- "Member" or "Members" shall mean a Member or Members of the International Criminal Police Organization as mentioned in Article 4 of the Constitution;
- "delegate" (in the singular) or "delegates" (in the plural) shall mean a person or persons belonging to a delegation or delegations as defined in Article 7;
- "Delegate" (in the singular) or "Delegates" (in the plural) shall mean a person or persons elected to the Executive Committee in the conditions laid down in Article 19.

**Article 50**

This Constitution shall come into force on 13 June 1956.

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**APPENDIX 1:**

**LIST OF STATES TO WHICH THE PROVISIONS OF ARTICLE 45 OF THE CONSTITUTION SHALL APPLY**

Argentina, Australia, Austria, Belgium, Brazil, Burma, Cambodia, Canada, Ceylon, Chile, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Egypt, Eire, Finland, France, Federal German Republic, Greece, Guatemala, India, Indonesia, Iran, Israel, Italy, Japan, Jordan, Lebanon, Liberia, Libya, Luxembourg, Mexico, Monaco, Netherlands, Netherlands Antilles, New Zealand, Norway, Pakistan, Philippines, Portugal, Saar, Saudi Arabia, Spain, Sudan, Surinam, Sweden, Switzerland, Syria, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia.

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A photograph of a row of white classical columns in a hall, receding into the distance. A large, bold, red number '2' is overlaid in the center of the image.

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INTERPOL

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*General Regulations*

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[I/GREG/GA/1956 (2017)]



## **REFERENCES**

The General Regulations of the ICPO-INTERPOL adopted by the General Assembly at its 25th session (Vienna - 1956).

Articles 46 and 50 modified at the 31st session (Madrid - 1962).

Articles 41 and 58 modified at the 33rd session (Caracas - 1964).

Article 58 modified at the 36th session (Kyoto - 1967).

Articles 52 and 56 modified at the 37th session (Teheran - 1968).

Article 40 modified at the 43rd session (Cannes - 1974).

Article 58 modified at the 44th session (Buenos Aires - 1975).

Article 41 modified at the 46th session (Stockholm - 1977).

Article 53 modified at the 52nd session (Cannes - 1983).

At the 54th session (Washington - 1985), the General Regulations were modified as follows: Article 51, rewritten; Article 53 became Article 52; a new Article 53 was added; Articles 52, 54, 55, 56 and 57 were rescinded and Articles 58 to 60 were renumbered 54 to 56.

The English version of Article 53 was modified at the 56th session (Nice - 1987); the expression "Staff Rules" was replaced by "Staff Regulations".

Article 52 modified at the 57th session (Bangkok - 1988). This article, as amended in 1988, was abrogated by the General Assembly at its 65th session (Antalya – 1996) and replaced by a new Article 52 which will enter into force on 1st July 1997.

Articles 35, 36 and 37 modified at the General Assembly's 66th session (New Delhi – 1997).

Article 54 amended by the General Assembly during its 68th session (Seoul - 1999).

Article 43 amended at the 82nd General Assembly session (Cartagena de Indias – 2013).

Article 44 amended at the 83rd General Assembly session (Monaco – 2014).

Article 44 amended at the 86th General Assembly session (Beijing – 2017).

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**GENERAL REGULATIONS OF THE INTERNATIONAL CRIMINAL  
POLICE ORGANIZATION-INTERPOL**

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**Article 1**

These General Regulations and Appendices have been adopted in accordance with Article 44 of the Constitution of the Organization.

Should there be any differences between the two, the Constitution shall prevail.

**GENERAL ASSEMBLY:  
PLACE - DATE - CONVENING**

**Article 2**

The General Assembly shall meet every year in ordinary session.

**Article 3**

Any Member may, on behalf of its country, invite the Assembly to meet on the territory of that country.

If this is impossible, the meeting shall be held at the seat of the Organization.

**Article 4**

Any such invitation should be sent to the President before the beginning of the debates of the Assembly.

**Article 5**

If the Executive Committee considers that circumstances are unfavourable to the meeting of the Assembly in the place fixed at its previous session, it may decide on another place.

**Article 6**

The President shall fix the date when the Assembly is to meet after consulting the authorities of the inviting country and the Secretary General.

**Article 7**

The date and place having been decided upon, the notices convening Members shall be sent not less than four months in advance by:

- (a) The inviting country to the other countries, through diplomatic channels;
- (b) The Secretary General to the various Members of the Organization.

**Article 8**

The following may be invited to be present at meetings as observers:

- (a) Police bodies which are not members of the Organization;
- (b) International organizations.

The list of observers shall be drawn up by the Executive Committee and should be approved by the inviting country.

The observers mentioned in § (a) shall be jointly invited by the inviting country and the Secretary General, while those mentioned in § (b) only by the Secretary General, after agreement of the Executive Committee and of the inviting country.

**AGENDA**

**Article 9**

The provisional agenda of the meeting shall be drawn up by the Executive Committee and communicated to Members not less than 90 days before the opening of the session.

**Article 10**

The provisional agenda shall include:

- (a) The report of the Secretary General on the work of the Organization;
- (b) The Secretary General's financial report and the draft budget;
- (c) The general programme of activities proposed by the Secretary General for the coming year;
- (d) Items whose inclusion has been ordered at the previous session of the Assembly;
- (e) Items proposed by Members;
- (f) Items inserted by the Executive Committee or the Secretary General.

**Article 11**

Any Member may, thirty days before the opening of the session, request that an item be added to the agenda.



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**Article 12**

Before the opening meeting of the Assembly, the Executive Committee shall form the provisional agenda and the supplement to the agenda into a final agenda in the order of the urgency and priority of the items. The items left over from the previous session shall be deemed to take priority over the items suggested for the coming session.

**Article 13**

In so far as is possible, Members shall receive, thirty days before the opening meeting of the session, the information necessary for the examination of reports and items on the agenda.

**EXTRAORDINARY SESSIONS**

**Article 14**

Extraordinary sessions shall be held, in principle, at the seat of the Organization.

An extraordinary session shall be convened, after assent has been given by the President, by the Secretary General as soon as possible and not less than thirty days and no more than ninety days after the request has been made.

**Article 15**

In principle, the agenda of an extraordinary session may only include the object for its convening.

**DELEGATIONS AND VOTING**

**Article 16**

Members shall notify the Secretary General as early as possible of the composition of their delegations.

**Article 17**

The General Assembly shall make its decisions in plenary session by means of resolutions.

**Article 18**

Subject to Article 52 of the General Regulations, each country represented has one vote.

Voting shall be performed by the head of the delegation or some other delegate.

The representative of one Member may not vote for another Member.

**Article 19**

The decisions of the Assembly shall be taken by a simple majority, except where otherwise provided by the Constitution.

**Article 20**

The majority shall be decided by a count of those persons present and casting an affirmative or negative vote. Those who abstain may justify their attitude.

When the Constitution requires a "majority of the Members" the calculation of this majority shall be based on the total number of the Members of the Organization, whether they are represented or not at the session of the Assembly.

**Article 21**

Voting shall be done by single ballot, except where a two-thirds majority is required.

In the latter case, if the required majority is not obtained the first time, a second vote shall be taken.

**Article 22**

Voting shall be done by show of hands, record vote or secret ballot.

At any time a delegate may request a record vote to be taken except in cases where a secret ballot is required by the Constitution.

**Article 23**

Persons composing the Executive Committee shall be elected by secret ballot.

If two candidates obtain the same number of votes, a second ballot shall be taken. If this is not decisive, lots shall be drawn to determine which shall be chosen.

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**Article 24**

Resolutions may be voted on paragraph by paragraph, on the request of any delegate. In such a case, the whole shall subsequently be put to the vote.

Only one complete resolution shall be voted on at one time.

**Article 25**

When an amendment to a proposal is moved, the amendment shall be voted on first.

If there are several amendments, the President shall put them to the vote separately, commencing with the ones furthest removed from the basis of the original proposal.

**CONDUCT OF BUSINESS**

**Article 26**

Meetings of the Assembly and the committees shall not be public, unless otherwise decided by the Assembly.

**Article 27**

The Assembly may limit the time to be allowed to each speaker.

**Article 28**

When a motion is under discussion, any Member may raise a point of order and this point of order shall be immediately decided by the President.

Should this be contested, any delegate may appeal to the Assembly, which shall immediately decide by a vote.

**Article 29**

If, during the discussions, a speaker moves the suspension or adjournment of the meeting or the debates, the matter shall immediately be put to the vote.

**Article 30**

A delegate may at any time move the closure of the debates. Two speakers opposed to the closure may then speak, after which the Assembly shall decide whether to accede to the motion.

**Article 31**

The Assembly may not vote on a draft resolution unless copies of it in all the working languages have been distributed.

Amendments and counter-proposals may be discussed immediately unless a majority of Members request that written copies of them shall be distributed first.

When a draft resolution has financial consequences, the Executive Committee shall be requested to give its opinion and the discussions postponed.

**Article 32**

The Secretary General or his representative may intervene in the discussions at any moment.

**SECRETARIAT**

**Article 33**

Summary records of the debates of the Assembly in the working languages shall be distributed as soon as possible.

**Article 34**

The Secretary General shall be responsible for the secretariat work of the Assembly; for this purpose he shall engage the necessary personnel and direct and control them.

**COMMITTEES**

**Article 35**

- (1) At each session, the Assembly shall form such committees as it deems necessary. On the proposal of the President, it shall allocate work relative to the various items on the agenda to each committee.
- (2) When it decides to create a regional conference, the General Assembly shall delegate to the latter the power to fix the date, place and conditions of its meetings, taking into account the proposals of member countries. If the regional conference does not take the appropriate decisions, the General Assembly shall take them.

**GENERAL REGULATIONS OF THE INTERNATIONAL CRIMINAL  
POLICE ORGANIZATION-INTERPOL**

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**Article 36**

- (1) Each committee shall elect its own chairman. Each committee member shall have the right to vote. Meetings of the committees shall be subject to the same rules as the plenary sessions of the Assembly.
- (2) The provisions of paragraph 1 of the present Article shall also apply to regional conferences.

**Article 37**

- (1) The chairman of each committee or a reporter nominated by it shall render a verbal account of its work to the Assembly.
- (2) The chairmen of regional conferences may also transmit recommendations made by the conferences to the General Secretariat which shall be responsible for co-ordinating any proposed resolutions to be submitted to the General Assembly.

**Article 38**

Unless otherwise decided by the Assembly, any committee may be consulted between sessions.

The President, after consultation with the Secretary General, may summon a committee to meet.

**THE EXECUTIVE COMMITTEE**

**Article 39**

At the end of the ordinary session the Assembly shall fill such vacancies on the Executive Committee as exist, by election of persons chosen amongst the delegates.

**Article 40**

At the beginning of each session the General Assembly shall elect at least three heads of delegations who will form the "Election Committee".

They shall scrutinize the nominations they receive to determine whether they are valid and submit the list of these nominations in alphabetical order to the Assembly.

They shall also act as tellers.

**Article 41**

If, for any reason whatsoever, the President can no longer perform his duties either during or between sessions, his place shall temporarily be taken by the senior Vice-President.

Should all the Vice-Presidents be absent, the duties of President shall provisionally devolve upon a Delegate of the Executive Committee designated by the other members of the Executive Committee.

**GENERAL SECRETARIAT**

**Article 42**

The Assembly shall elect a Secretary General by secret ballot for a term of office of five years.

The candidate for the post of Secretary General shall be proposed by the Executive Committee.

**Article 43**

The Secretary General should be or have been a police official.

**Article 44**

The five-year term of office of the Secretary General shall commence at the end of the incumbent's term of office and terminate at the end of the General Assembly session held in the year in which his term of office expires.

The Secretary General's term of office shall terminate on completion of the prescribed five-year period provided for in Article 28 of the Constitution, or in the event of the Secretary General's resignation, death, removal from office, or upon reaching the age limit as specified in Article 28 of the Constitution.

The Executive Committee shall determine the Secretary General's conditions of employment.

**Article 45**

Should the Secretary General be unable to carry out his duties, these shall be performed in the interim by the highest-ranking official in the General Secretariat, provided the Executive Committee has no objection.

**GENERAL REGULATIONS OF THE INTERNATIONAL CRIMINAL  
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**THE ADVISERS**

**Article 46**

Advisers may be individually or collectively consulted on the initiative of the Assembly, the Executive Committee, the President or the Secretary General. They may make suggestions of a scientific nature to the General Secretariat or the Executive Committee.

**Article 47**

At the request of the General Assembly, the Executive Committee or the Secretary General, reports or papers on scientific matters may be submitted to the Assembly by Advisers.

**Article 48**

Advisers may be present at meetings of the General Assembly as observers and, on the invitation of the President, may take part in the discussions.

**Article 49**

Several Advisers may be nationals of the same country.

**Article 50**

The Advisers may meet when convened by the President of the Organization.

**BUDGET - FINANCE - PERSONNEL**

**Article 51**

The Financial Regulations shall lay down rules governing:

- the determination of statutory contributions and payment conditions,
- the preparation, approval, implementation and control of the budget,
- the organization of an accounting system and the keeping, control and approval of the accounts,
- the procurement of works, supplies and services and the control of contracts, and shall also contain all relevant general provisions concerning the Organization's financial management.

**Article 52**

- (1) If a Member has not fulfilled its financial obligations towards the Organization for the current financial year and the previous financial year:
  - (a) the Member's right to vote at General Assembly sessions and other meetings of the Organization shall be suspended but such voting restrictions shall not be applied to votes taken on amendments to the Organization's Constitution;
  - (b) the Member shall no longer have the right to be represented at any ICPO-INTERPOL meetings or events except the General Assembly and other statutory meetings;
  - (c) the Member shall not have the right to host ICPO-INTERPOL meetings or events;
  - (d) the Member shall no longer have the right to propose candidates for secondment or detachment to the General Secretariat;
  - (e) all benefits and services, provided by the General Secretariat except those mandated by the Constitution, shall be withdrawn from that Member.
- (2) Once a Member has failed to fulfil its financial obligations towards the Organization for the current financial year and the previous financial year, the Secretary General shall:
  - (a) note the fact that the conditions for applying sanctions have been fulfilled and notify the Member accordingly;
  - (b) apply the measures listed under (1) above, unless the Executive Committee decides that it would not be in the Organization's best interests to withdraw one or more of the benefits or services referred to under paragraph (1,e);
  - (c) inform the Executive Committee accordingly.
- (3) The Member concerned may appeal to the Executive Committee against the measures taken. Appeals must be received by the Executive Committee not later than 30 days before the opening of its next meeting. If the Executive Committee decides to maintain the measures imposed, appeals shall be transmitted to the General Assembly which shall discuss them and take decisions at the beginning of its session. A member country may not submit a new appeal against the decision taken by the General Assembly unless so authorized by the Executive Committee on the grounds that a new decisive

**GENERAL REGULATIONS OF THE INTERNATIONAL CRIMINAL  
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fact has come to light. Appeals shall not have the effect of suspending the measures taken by the Secretary General in conformity with the second paragraph of the present article; those measures shall remain in force until they are revoked by the Executive Committee or the General Assembly.

- (4) If a Member has not fulfilled its financial obligations towards the Organization for the financial years prior to the year in which an election to the Executive Committee is held, delegates from that Member shall not be eligible for election as President, Vice-President, or Delegate on the Executive Committee. Such Members shall not be permitted to propose candidates for any form of elected office or representative function connected with the Organization.
- (5) The Secretary General shall note the revocation of the sanctions taken in application of paragraph (1) of the present Article as soon as it has been verified that the Member concerned has fulfilled its financial obligations to the Organization as defined in paragraphs (1) and (6) of the present Article. The Secretary General shall inform the Executive Committee of any such revocation.
- (6) (a) The term “financial obligations” shall mean Members’ statutory contributions and any other contractual obligations they may have vis-à-vis the Organization.
- (b) For the purposes of the present article only, unfulfilled financial obligations relating to the previous financial year shall not be taken into account if such obligations, as defined above, do not exceed five per cent (5%) of the sum due.

**Article 53**

The Staff Regulations shall specify the staff members of the Organization to which they apply, and lay down the rules and procedures governing their management. These rules shall specify the basic conditions of employment and the basic duties and rights of the staff members.

**LANGUAGES**

**Article 54**

- (1) The working languages of the Organization shall be Arabic, English, French and Spanish.

- (2) During General Assembly sessions, any delegate may speak in another language provided he makes arrangements for the interpretation of his speeches into one of the languages mentioned in paragraph 1 of this Article. Any request submitted by a group of countries for simultaneous interpretation of a language other than those mentioned in paragraph 1 of this Article must be sent, at least four months before the opening of the General Assembly session, to the Secretary General who will state whether such interpretation will be technically feasible.
- (3) Countries wishing to apply the special provisions in paragraph 2 of this Article may do so only if they have undertaken to provide adequate administrative facilities and to meet all expenses involved.

**MODIFICATION OF THE GENERAL  
REGULATIONS**

**Article 55**

These Regulations and their Appendices may be modified at the request of any Member so long as the suggested modification has been sent to the General Secretariat at least 120 days before the opening of the following session. The Secretary General shall circulate this proposal at least 90 days before the session of the General Assembly.

The Secretary General may propose a modification to the General Regulations or their Appendices by circulating his proposal to Members at least 90 days before the session of the General Assembly.

During the session, in case of urgent necessity, any modification of the Regulations or their Appendices may be placed before the Assembly provided a written proposal to this effect be submitted jointly by three Members.

**Article 56**

The General Assembly shall take a decision on the proposed modification of the Regulations or their Appendices after consultation with an “ad hoc” committee composed of three delegates elected by the Assembly and two persons appointed by the Executive Committee.

This committee shall also be consulted on any proposal for the modification of the Constitution.

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INTERPOL

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*List of member countries*

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**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

<b>MEMBERS</b>	<b>DATE OF MEMBERSHIP</b>
AFGHANISTAN	21 October 2002 71st General Assembly session, Yaoundé
ALBANIA	4 November 1991 60th General Assembly session, Punte del Este
ALGERIA	21 August 1963 32nd General Assembly session, Helsinki
ANDORRA	23 November 1987 56th General Assembly session, Nice
ANGOLA	5 October 1982 51st General Assembly session, Torremolinos
ANTIGUA AND BARBUDA	6 October 1986 55th General Assembly session, Belgrade
ARGENTINA	13 June 1956 25th General Assembly session, Vienna
ARMENIA	4 November 1992 61st General Assembly session, Dakar
ARUBA	23 November 1987 56th General Assembly session, Nice
AUSTRALIA	13 June 1956 25th General Assembly session, Vienna
AUSTRIA	13 June 1956 25th General Assembly session, Vienna
AZERBAIJAN	4 November 1992 61st General Assembly session, Dakar
BAHAMAS	2 October 1973 42nd General Assembly session, Vienna
BAHRAIN	19 September 1972 41st General Assembly session, Frankfurt
BANGLADESH	14 October 1976 45th General Assembly session, Accra
BARBADOS	3 November 1981 50th General Assembly session, Nice
BELARUS	29 September 1993 62nd General Assembly session, Aruba

**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

BELGIUM	13 June 1956 25th General Assembly session, Vienna
BELIZE	23 November 1987 56th General Assembly session, Nice
BENIN	19 September 1962 31st General Assembly session, Madrid
BHUTAN	19 September 2005 75th General Assembly session, Berlin
BOLIVIA	21 August 1963 32nd General Assembly session, Helsinki
BOSNIA AND HERZEGOVINA	4 November 1992 61st General Assembly session, Dakar
BOTSWANA	13 November 1980 49th General Assembly session, Manilla
BRAZIL	6 October 1986 55th General Assembly session, Belgrade
BRUNEI	4 September 1984 53rd General Assembly session, Luxembourg
BULGARIA	27 November 1989 58th General Assembly session, Lyon
BURKINA FASO	4 September 1961 30th General Assembly session, Copenhagen
BURUNDI	5 October 1970 39th General Assembly session, Brussels
CAMBODIA	13 June 1956 25th General Assembly session, Vienna
CAMEROON	4 September 1961 30th General Assembly session, Copenhagen
CANADA	13 June 1956 25th General Assembly session, Vienna
CAPE VERDE	27 November 1989 58th General Assembly session, Lyon
CENTRAL AFRICAN REPUBLIC	16 June 1965 34th General Assembly session, Rio de Janeiro
CHAD	19 September 1962 31st General Assembly session, Madrid

**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

CHILE	13 June 1956 25th General Assembly session, Vienna
CHINA	4 September 1961 30th General Assembly session, Copenhagen
COLOMBIA	13 June 1956 25th General Assembly session, Vienna
COMOROS	22 October 1998 67th General Assembly session, Cairo
CONGO	4 September 1961 30th General Assembly session, Copenhagen
COSTA RICA	13 June 1956 25th General Assembly session, Vienna
CÔTE D'IVOIRE	4 September 1961 30th General Assembly session, Copenhagen
CROATIA	4 November 1992 61st General Assembly session, Dakar
CUBA	13 June 1956 25th General Assembly session, Vienna
CURAÇAO	31 October 2011 80th General Assembly session, Hanoi
CYPRUS	19 September 1962 31st General Assembly session, Madrid
CZECH REPUBLIC	29 September 1993 62nd General Assembly session, Aruba
DEMOCRATIC REPUBLIC OF THE CONGO	21 August 1963 32nd General Assembly session, Helsinki
DENMARK	13 June 1956 25th General Assembly session, Vienna
DJIBOUTI	13 November 1980 49th General Assembly session, Manilla
DOMINICA	3 November 1981 50th General Assembly session, Nice
DOMINICAN REPUBLIC	13 June 1956 25th General Assembly session, Vienna

**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

ECUADOR	19 September 1962 31st General Assembly session, Madrid
EGYPT	13 June 1956 25th General Assembly session, Vienna
EL SALVADOR	8 December 1959 28th General Assembly session, Paris
EQUATORIAL GUINEA	13 November 1980 49th General Assembly session, Manilla
ERITREA	8 November 1999 68th General Assembly session, Seoul
ESTONIA	4 November 1992 61st General Assembly session, Dakar
ETHIOPIA	15 September 1958 27th General Assembly session, London
FIJI	6 September 1971 40th General Assembly session, Ottawa
FINLAND	13 June 1956 25th General Assembly session, Vienna
FRANCE	13 June 1956 25th General Assembly session, Vienna
GABON	4 September 1961 30th General Assembly session, Copenhagen
GAMBIA	6 October 1986 55th General Assembly session, Belgrade
GEORGIA	29 September 1993 62nd General Assembly session, Aruba
GERMANY	13 June 1956 25th General Assembly session, Vienna
GHANA	15 September 1958 27th General Assembly session, London
GREECE	13 June 1956 25th General Assembly session, Vienna
GRENADA	6 October 1986 55th General Assembly session, Belgrade

**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

GUATEMALA	13 June 1956 25th General Assembly session, Vienna
GUINEA	4 September 1961 30th General Assembly session, Copenhagen
GUINEA-BISSAU	4 November 1992 61st General Assembly session, Dakar
GUYANA	1 October 1968 37th General Assembly session, Tehran
HAITI	17 June 1957 26th General Assembly session, Lisbon
HONDURAS	19 September 1974 43rd General Assembly session, Cannes
HUNGARY	3 November 1981 50th General Assembly session, Nice
ICELAND	6 September 1971 40th General Assembly session, Ottawa
INDIA	13 June 1956 25th General Assembly session, Vienna
INDONESIA	13 June 1956 25th General Assembly session, Vienna
IRAN	13 June 1956 25th General Assembly session, Vienna
IRAQ	27 September 1967 36th General Assembly session, Kyoto
IRELAND	13 June 1956 25th General Assembly session, Vienna
ISRAEL	13 June 1956 25th General Assembly session, Vienna
ITALY	13 June 1956 25th General Assembly session, Vienna
JAMAICA	21 August 1963 32nd General Assembly session, Helsinki
JAPAN	13 June 1956 25th General Assembly session, Vienna

**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

JORDAN	13 June 1956 25th General Assembly session, Vienna
KAZAKHSTAN	4 November 1992 61st General Assembly session, Dakar
KENYA	1 October 1968 37th General Assembly session, Teheran
KUWAIT	16 June 1965 34th General Assembly session, Rio de Janeiro
KYRGYZSTAN	23 October 1996 65th General Assembly session, Antalya
LAOS	17 June 1957 26th General Assembly session, Lisbon
LATVIA	4 November 1992 61st General Assembly session, Dakar
LEBANON	13 June 1956 25th General Assembly session, Vienna
LESOTHO	6 September 1971 40th General Assembly session, Ottawa
LIBERIA	13 June 1956 25th General Assembly session, Vienna
LIBYA	13 June 1956 25th General Assembly session, Vienna
LIECHTENSTEIN	10 October 1960 29th General Assembly session, Washington
LITHUANIA	4 November 1991 60th General Assembly session, Punte del Este
LUXEMBOURG	13 June 1956 25th General Assembly session, Vienna
MADAGASCAR	4 September 1961 30th General Assembly session, Copenhagen
MALAWI	31 August 1966 35th General Assembly session, Berne
MALAYSIA	4 September 1961 30th General Assembly session, Copenhagen
MALDIVES	4 September 1984 53rd General Assembly session, Luxembourg

**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

MALI	13 October 1969 38th General Assembly session, Mexico
MALTA	19 September 1972 41st General Assembly session, Frankfurt
MARSHALL ISLANDS	27 September 1990 59th General Assembly session, Ottawa
MAURITANIA	19 September 1962 31st General Assembly session, Madrid
MAURITIUS	13 October 1969 38th General Assembly session, Mexico
MEXICO	13 June 1956 25th General Assembly session, Vienna
MONACO	13 June 1956 25th General Assembly session, Vienna
MONGOLIA	4 November 1991 60th General Assembly session, Punte del Este
MONTENEGRO	19 September 2006 75th General Assembly session, Rio de Janeiro
MOROCCO	17 June 1957 26th General Assembly session, Lisbon
MOZAMBIQUE	27 November 1989 58th General Assembly session, Lyon
MYANMAR	13 June 1956 25th General Assembly session, Vienna
NAMIBIA	4 November 1992 61st General Assembly session, Dakar
NAURU	6 September 1971 40th General Assembly session, Ottawa
NEPAL	27 September 1967 36th General Assembly session, Kyoto
NETHERLANDS	13 June 1956 25th General Assembly session, Vienna
NEW ZEALAND	13 June 1956 25th General Assembly session, Vienna
NICARAGUA	16 June 1965 34th General Assembly session, Rio de Janeiro



**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

NIGER	30 September 1964 33rd General Assembly session, Caracas
NIGERIA	10 October 1960 29th General Assembly session, Washington
NORWAY	13 June 1956 25th General Assembly session, Vienna
OMAN	19 September 1972 41st General Assembly session, Frankfurt
PAKISTAN	13 June 1956 25th General Assembly session, Vienna
PANAMA	15 September 1958 27th General Assembly session, London
PAPUA NEW GUINEA	14 October 1976 45th General Assembly session, Accra
PARAGUAY	1 September 1977 46th General Assembly session, Stockholm
PERU	19 September 1962 31st General Assembly session, Madrid
PHILIPPINES	13 June 1956 25th General Assembly session, Vienna
POLAND	27 September 1990 59th General Assembly session, Ottawa
PORTUGAL	13 June 1956 25th General Assembly session, Vienna
QATAR	19 September 1974 43rd General Assembly session, Cannes
REPUBLIC OF KOREA	30 September 1964 33rd General Assembly session, Caracas
REPUBLIC OF MOLDOVA	28 September 1994 63rd General Assembly session, Rome
ROMANIA	2 October 1973 42nd General Assembly session, Vienna
RUSSIAN FEDERATION	27 September 1990 59th General Assembly session, Ottawa
RWANDA	19 September 1974 43rd General Assembly session, Cannes

**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

ST KITTS AND NEVIS	23 November 1987 56th General Assembly session, Nice
ST LUCIA	18 October 1983 52nd General Assembly session, Cannes
ST VINCENT AND THE GRENADINES	1 October 1985 54th General Assembly session, Washington
SAMOA	13 October 2009 78th General Assembly session, Singapore
SAN MARINO	19 September 2006 75th General Assembly session, Rio de Janeiro
SAO TOME AND PRINCIPE	17 November 1988 57th General Assembly session, Bangkok
SAUDI ARABIA	13 June 1956 25th General Assembly session, Vienna
SENEGAL	4 September 1961 30th General Assembly session, Copenhagen
SERBIA	24 September 2001 70th General Assembly session, Budapest
SEYCHELLES	1 September 1977 46th General Assembly session, Stockholm
SIERRA LEONE	19 September 1962 31st General Assembly session, Madrid
SINGAPORE	1 October 1968 37th General Assembly session, Tehran
SINT MAARTEN	31 October 2011 80th General Assembly session, Hanoi
SLOVAKIA	29 September 1993 62nd General Assembly session, Aruba
SLOVENIA	10 November 1992 61st General Assembly session, Dakar
SOLOMON ISLANDS	27 September 2017 86th General Assembly session, Beijing
SOMALIA	9 October 1975 44th General Assembly session, Buenos Aires
SOUTH AFRICA	29 September 1993 62nd General Assembly session, Aruba

**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

SOUTH SUDAN	31 October 2011 80th General Assembly session, Hanoi
SPAIN	13 June 1956 25th General Assembly session, Vienna
SRI LANKA (at the time Ceylon)	13 June 1956 25th General Assembly session, Vienna
STATE OF PALESTINE	27 September 2017 86th General Assembly session, Beijing
SUDAN	13 June 1956 25th General Assembly session, Vienna
SURINAME	13 June 1956 25th General Assembly session, Vienna
SWAZILAND	9 October 1975 44th General Assembly session, Buenos Aires
SWEDEN	13 June 1956 25th General Assembly session, Vienna
SWITZERLAND	13 June 1956 25th General Assembly session, Vienna
SYRIA	13 June 1956 25th General Assembly session, Vienna
TAJIKISTAN	5 October 2004 73rd General Assembly session, Cancún
TANZANIA	19 September 1962 31st General Assembly session, Madrid
THAILAND	13 June 1956 25th General Assembly session, Vienna
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA	29 September 1993 62nd General Assembly session, Aruba
TIMOR LESTE	21 October 2002 71st General Assembly session, Yaoundé
TOGO	10 October 1960 29th General Assembly session, Washington
TONGA	4 September 1979 48th General Assembly session, Nairobi

**LIST OF MEMBER COUNTRIES OF THE ICPO-INTERPOL**

TRINIDAD AND TOBAGO	30 September 1964 33rd General Assembly session, Caracas
TUNISIA	17 June 1957 26th General Assembly session, Lisbon
TURKEY	13 June 1956 25th General Assembly session, Vienna
TURKMENISTAN	19 September 2005 75th General Assembly session, Berlin
UGANDA	31 August 1966 35th General Assembly session, Bern
UKRAINE	4 November 1992 61st General Assembly session, Dakar
UNITED ARAB EMIRATES	2 October 1973 42nd General Assembly session, Vienna
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	13 June 1956 25th General Assembly session, Vienna
UNITED STATES OF AMERICA	13 June 1956 25th General Assembly session, Vienna
URUGUAY	13 June 1956 25th General Assembly session, Vienna
UZBEKISTAN	28 September 1994 63rd General Assembly session, Rome
VATICAN CITY STATE	7 October 2008 77th General Assembly session, Saint Petersburg
VENEZUELA	13 June 1956 25th General Assembly session, Vienna
VIETNAM	4 November 1991 60th General Assembly session, Punta del Este
YEMEN	14 October 1976 45th General Assembly session, Accra
ZAMBIA	31 August 1966 35th General Assembly session, Berne
ZIMBABWE	13 November 1980 49th General Assembly session, Manilla

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A photograph of a row of white classical columns, likely in a museum or gallery. The columns are arranged in a perspective that recedes into the distance. A large, bold, red number '4' is overlaid on the image, centered horizontally and vertically. The number is a simple, sans-serif font. The background is a light, neutral color, possibly a wall or floor, which makes the white columns stand out. The lighting is soft and even, highlighting the texture of the columns.

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INTERPOL

*Rules of Procedure of the  
ICPO-INTERPOL General Assembly*

[II.A/RPGA/GA/1996(2004)]





**REFERENCES**

Rules of Procedure of the ICPO-INTERPOL General Assembly adopted by the General Assembly at its 65th session (Antalya – 1996).

Articles 3 and 18 of the Rules of Procedure of the General Assembly, as amended by the General Assembly during its 66th session (New Delhi – 1997).

Article 40A added to the Rules of Procedure of the General Assembly during the 68th General Assembly session (Seoul, 1999).

Articles 3 and 17 of the Rules of Procedure of the General Assembly, as amended by the General Assembly during its 73rd session (Cancún – 2004) by Resolution AG-2004-RES-12.

Articles 7 and 8 of the Rules of Procedure of the General Assembly, as amended by the General Assembly during its 73rd session (Cancún – 2004) by Resolution AG-2004-RES-11.

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**Article 1: Functions of the General Assembly**

In conformity with Article 8 of the Organization's Constitution, hereinafter referred to as "the Constitution", the functions of the General Assembly – which is the Organization's supreme governing body – are as follows:

- (a) To assume the responsibilities laid down in the Constitution, which include deciding on applications for membership in conformity with Article 4 of the Constitution and on amendments to the Constitution and to the Organization's General Regulations, hereinafter referred to as "the General Regulations";
- (b) To determine principles and decide on general measures suitable for achieving the Organization's objectives as set out in Article 2 of the Constitution;
- (c) To examine and approve the general programme of activities prepared by the Secretary General for the coming year, in conformity with Articles 26 and 29 of the Constitution;
- (d) To adopt any other regulations deemed necessary, in conformity with Article 44 of the Constitution;
- (e) To elect persons to the various offices mentioned in the Constitution, notably those of the President, the Vice-Presidents and the members of the Executive Committee, in conformity with Article 16 of the Constitution;
- (f) To appoint the Secretary General, in conformity with Article 28 of the Constitution;
- (g) To adopt resolutions and make recommendations to Members on matters with which the Organization is competent to deal, in conformity with Article 17 of the General Regulations;
- (h) To approve the Organization's accounts and determine its financial policy, inter alia by establishing the basis of Members' contributions and by approving the Organization's budget, in conformity with Articles 39 and 40 of the Constitution;
- (i) To examine and approve any agreements to be made with States or other organizations, in conformity with Article 41 of the Constitution.

**CHAPTER I:  
SESSIONS**

**Article 2: Ordinary sessions**

In conformity with Article 10 (first sentence) of the Constitution and Article 2 of the General Regulations, the Organization's General Assembly shall meet in ordinary session every year.

**Article 3: Place of sessions**

- (1) In conformity with Article 12 of the Constitution, the General Assembly shall choose where its sessions shall be held.
- (2) In conformity with Article 3(1) of the General Regulations, any Member of the Organization may invite the General Assembly to hold a session of the General Assembly on its territory. Its application to do so must be submitted as provided in Article 2 of the Rules concerning the organization of General Assembly sessions.
- (3) If the General Assembly does not choose a meeting place because no invitations have been forthcoming, the session shall be held in the Headquarters country or at an alternative location that meets the requirements of the Rules concerning the organization of General Assembly sessions.
- (4) In conformity with Article 12 of the Constitution and Article 5 of the General Regulations, the General Assembly may decide to choose another meeting place if it considers that circumstances make it impossible or inadvisable to hold the General Assembly in the meeting place chosen at a previous session. If the General Assembly is not in session, the Executive Committee or, in an urgent situation when the Executive Committee is not in session, the President, may decide to choose another meeting place if it or he considers that circumstances make it impossible or inadvisable to hold the General Assembly in the meeting place chosen at a previous session.
- (5) If the President or the Executive Committee takes such a decision, the member countries must be informed immediately.

**Article 4: Dates of sessions**

In conformity with Article 12 (second sentence) of the Constitution and Article 6 of the General Regulations, the opening and closing dates of the General Assembly session shall be fixed by the President in agreement with the host country and after consulting the Secretary General.

**Article 5: Invitations**

- (1) In application of Article 7 of the General Regulations, once the place and date of the General Assembly session have been decided upon, invitations shall be sent to all Members of the Organization at least four months before the opening of the session, both by the host country to the other countries via diplomatic channels and by the General Secretariat to all the National Central Bureaus.
- (2) Invitations shall also be sent to any countries that have indicated their intention of applying to join the Organization at the General Assembly session. Such countries shall be invited to send representatives who will have observer status until this status changes, in application of Article 41(1) of the present Rules of Procedure.

**Article 6: Invitations to observers**

- (1) In conformity with Article 8(1) of the General Regulations, both police bodies which are not members of the Organization and other international organizations may be invited to attend General Assembly sessions as observers.
- (2) The list of observers shall be drawn up by the Executive Committee and submitted to the host country for approval. However, international organizations with which the Organization has concluded an agreement in application of Article 41(1) of the Constitution may send observers to General Assembly sessions without the prior consent of the host country.
- (3) Once the list of observers has been approved, police bodies which are not members of the Organization shall be invited by both the host country and the Secretary General; international organizations shall be invited by the Secretary General.
- (4) Police bodies and international organizations invited as observers shall send the Secretary General the names and titles of the people who will be representing them at the General Assembly session as soon as possible.

**Article 7: Delegations**

- (1) In conformity with Article 7(1) of the Constitution, each Member of the Organization may be represented at the General Assembly session by one or several delegates. Each delegation is led by a head of delegation appointed by the appropriate government authority in his country.

- (2) Because of the technical nature of the Organization, Members shall attempt to include the following in their delegations:
  - (a) senior officials of departments dealing with law enforcement matters;
  - (b) officials whose normal duties are connected with the Organization's activities;
  - (c) specialists in the subjects on the agenda.
- (3) In conformity with Article 16 of the General Regulations, members shall notify the Secretary General as early as possible of the composition of their delegations. Any changes to the composition of a delegation shall be notified to the Secretary General prior to the General Assembly session by the head of the delegation concerned or by any member of the delegation appointed by him to act on his behalf.
- (4) The head of a delegation may appoint a member of that delegation to act and vote on behalf of the country he represents at meetings of committees and other groups.

**Article 8: Examination of credentials**

- (1) The Secretary General shall appoint the General Secretariat officials responsible for the examination of credentials. These officials shall make up the Credentials Bureau and report to the President of the Organization.
- (2) Before the beginning of the session, the head of each delegation, or a member of the delegation appointed by him to act on his behalf, shall give the Credentials Bureau the credentials he has received from the appropriate government authority. Under the terms of Article 7(1) of the Constitution and in conformity with the procedures applying in the country concerned, the credentials allowing him to represent his country at the General Assembly session must have been issued by the country's Head of State, Head of Government, Minister of Foreign Affairs or Minister in charge of the Interpol National Central Bureau, or by any plenipotentiary.
- (3) The Credentials Bureau can accept any form of proof to confirm the validity of credentials.
- (4) Any difficulty or dispute arising in connection with credentials shall be submitted to the President who shall report on the decision he has taken at the beginning of the General Assembly session. If credentials are not accepted by the President, the representatives of the country concerned may attend the General Assembly session as observers unless the Assembly decides otherwise.

**Article 9: Extraordinary sessions**

- (1) In conformity with Article 10 (second sentence) of the Constitution, the General Assembly may meet in extraordinary session at the request of the Executive Committee or of the majority of Members of the Organization.
- (2) Extraordinary sessions are normally held at the Organization's Headquarters.
- (3) In conformity with Article 14(2) of the General Regulations, after consent has been given by the President an extraordinary session shall be convened by the Secretary General as soon as possible after the request has been made. The extraordinary session shall be held not less than thirty days and not more than ninety days after the request to convene the session.

**CHAPTER II:  
AGENDA AND WORKING DOCUMENTS**

**Article 10: Preparation of the provisional agenda**

- (1) In conformity with Article 9 of the General Regulations, the provisional agenda for a General Assembly session shall be drawn up by the Executive Committee and communicated, by the General Secretariat, to Members of the Organization at least ninety days before the opening of the session.
- (2) The preliminary draft of the provisional agenda shall be sent to the National Central Bureaus for information before the Executive Committee session during which the provisional agenda is submitted for approval.

**Article 11: Contents of the provisional agenda**

- (1) In conformity with Article 10 of the General Regulations, the provisional agenda shall include:
  - (a) The Secretary General's progress report;
  - (b) The Secretary General's financial report and the draft budget;
  - (c) The programme of activities proposed by the Secretary General for the coming year;
  - (d) Items whose inclusion has been decided on at the previous session of the General Assembly;
  - (e) Items proposed by Members of the Organization;

(f) Items inserted by the Executive Committee or the Secretary General.

- (2) Where agreements concluded in application of Article 41(1) of the Constitution so provide, the international organizations concerned may propose items for inclusion on the provisional agenda.

**Article 12: Modification of the agenda**

- (1) In conformity with Article 11 of the General Regulations, any Member of the Organization may request that an item be added to the agenda up to thirty days before the opening of a session.
- (2) Any such request shall be accompanied by an explanation, a draft resolution referring to the item if appropriate, and possibly a report. These documents shall be drafted in one of the Organization's working languages and shall be distributed to delegates at the General Assembly session if inclusion of the item on the final agenda is approved.

**Article 13: Approval of the final agenda**

- (1) In conformity with Article 12 of the General Regulations, the Executive Committee, at its meeting immediately preceding the General Assembly, shall issue a final agenda based on the provisional agenda and on the supplementary items requested, with the items listed in order of urgency and priority. Items left over from the previous session shall take priority over items suggested for the coming session.
- (2) The General Assembly may decide to add to its agenda any item which is both urgent and important.

**Article 14: Communication of working documents**

- (1) In conformity with Article 13 of the General Regulations, the General Secretariat shall send the National Central Bureaus, as far as possible thirty days before the opening of the session, the documents required for examination of the reports and items on the agenda.
- (2) However, documents containing proposals to amend the Constitution or the General Regulations shall be communicated no later than ninety days before the start of the session, in conformity with Article 42(2) of the Constitution and Article 55(1) and (2) of the General Regulations.



(3) Working documents shall not be sent to observers. The latter shall have access at the meeting place to non-confidential working documents which the Secretary General may consider it appropriate to put at their disposal. Observers may submit memoranda to the Secretary General who shall decide whether and how they shall be circulated. Insofar as agreements concluded in application of Article 41(1) of the Constitution allow, the international organizations concerned shall be entitled to submit written statements to the General Assembly.

**Article 15: Agenda for an extraordinary session**

In conformity with Article 15 of the General Regulations, the only item on the agenda for an extraordinary session should be the matter for which it was convened.

**CHAPTER III:  
ORGANIZATION OF SESSIONS**

**Article 16: Executive Committee meeting**

In general, an Executive Committee meeting is held in the country hosting the General Assembly a few days before the start of General Assembly proceedings. At this meeting, the Executive Committee shall draw up the final agenda, in conformity with Article 13 of the present Rules of Procedure.

**Article 17: Obligations incumbent upon countries hosting General Assembly sessions**

Host countries shall fulfil the obligations set out in the Rules concerning the organization of General Assembly sessions and those deriving from the agreement (signed beforehand by the inviting country) on the ICPO Interpol's privileges and immunities during the Executive Committee and General Assembly sessions. (*Resolution AGN-2004-RES-12 (Cancún, 2004)*)

**Article 18: Seating of delegations**

(1) In the conference hall where the General Assembly meets in plenary session, only five members of each delegation may be seated behind their country's name plate; however, at the request of the head of the delegation concerned, two additional seats may be allocated to delegates representing the Sub-Bureau of the NCB of the country concerned. Participation at the General Assembly proceedings by other members of the delegation will be arranged to fit in with the conference hall layout.

(2) Each year, at the penultimate session of the Executive Committee prior to the General Assembly session, the President shall draw lots (a letter of the alphabet) to decide which country's delegation shall be seated in the first place. Seating for the other delegations shall then follow in alphabetical order.

**Article 19: Alphabetical order**

Whenever names are to be listed in alphabetical order, French alphabetical order shall apply.

**Article 20: Public access to proceedings**

- (1) In conformity with Article 26 of the General Regulations, the proceedings of the General Assembly and the committees shall not be public, unless otherwise decided by the Assembly.
- (2) The President of the Organization shall decide whether to allow the press access to General Assembly sittings.

**CHAPTER IV:  
CONDUCT OF BUSINESS**

**Article 21: Presiding at General Assembly sessions**

- (1) In conformity with Article 18(a) of the Constitution, the President of the Organization shall preside at General Assembly sessions and direct the discussions.
- (2) In conformity with Article 41 of the General Regulations, if, for any reason whatsoever, the President can no longer preside at the General Assembly, his place shall temporarily be taken by the senior Vice-President. If several Vice-Presidents have been in office for the same period of time, the one who has served longest on the Executive Committee shall temporarily preside. Should all the Vice-Presidents be absent, the duties of President shall temporarily devolve upon a member of the Executive Committee designated by the other members.
- (3) The Executive Committee shall be represented at the General Assembly by the President and the Vice-Presidents. Members of the Executive Committee shall attend the General Assembly as part of their countries' delegations and, when taking part in discussions, they shall specify whether they are speaking as members of the Executive Committee or as their countries' representatives.

**Article 22: Right to speak and list of speakers**

- (1) No delegate may address the General Assembly without the President's permission.
- (2) The President shall call upon speakers in the order in which they indicate their desire to speak. During discussions, the President may announce the list of speakers and, with the consent of the Assembly, may declare the list closed. He may, however, allow a delegate to reply to a statement that was made after he had declared the list closed, if he considers this appropriate.
- (3) The President may call a speaker to order if his remarks are not relevant to the subject under discussion and may forbid him to speak.
- (4) In conformity with Article 27 of the General Regulations, the Assembly may limit the time allowed to each speaker.

**Article 23: Observers' right to speak**

- (1) Subject to the President's permission, observers may speak during General Assembly plenary sessions on matters within their competence. Similarly, they may also speak at committee meetings subject to the chairman's permission.
- (2) Observers from international organizations may, in accordance with the agreements governing their relations with the Organization concluded in application of Article 41(1) of the Constitution, present their organizations' views on matters connected with their activities.
- (3) Observers may not raise points of order, put procedural motions, appeal against decisions of the President or submit proposals.
- (4) The President may ask observers to leave the conference hall when the General Assembly discusses items which are not relevant to those observers' activities.

**Article 24: Statements by the Secretary General or his representative**

- (1) In conformity with Article 29(4) of the Constitution, the Secretary General shall have the right to take part in the General Assembly's discussions.
- (2) In conformity with Article 32 of the General Regulations, the Secretary General or his representative may intervene during the General Assembly's discussions at any time, whether in plenary session or at meetings of committees or other groups.

**CHAPTER V:  
POINTS OF ORDER AND PROCEDURAL  
MOTIONS**

**Article 25: Definitions**

- (1) A point of order is a request made to the President asking him to use one of the powers inherent in his office or expressly conferred on him by the present Rules of Procedure. The President shall take a decision immediately. The decision shall not be put to the vote but shall be subject to appeal, in conformity with Article 26 of the present Rules of Procedure.
- (2) A procedural motion is any of the motions referred to under Articles 27, 28, and 29 of the present Rules of Procedure. A procedural motion shall be put to the vote in conformity with the applicable provisions.
- (3) Points of order and procedural motions are distinct from requests for information or clarification and from observations relating to practical aspects of the session's proceedings.

**Article 26: Points of order**

- (1) A delegate may raise a point of order at any time during the discussions; a ruling shall be given immediately by the President, in conformity with Article 28(1) of the General Regulations.
- (2) Any delegate may appeal against the President's ruling. The Assembly shall vote immediately on the appeal and the President's ruling shall stand unless overruled by a majority of the Members present and voting.
- (3) A delegate raising a point of order may not speak on the substance of the matter under discussion.
- (4) Any motion calling for a decision on the competence of the General Assembly to adopt a proposal submitted to it shall be put to the vote before the vote on the substance of the proposal.
- (5) After the President has announced the commencement of a vote, voting shall not be interrupted until the result has been announced except on a point of order relating to the voting process.

**Article 27: Suspension of proceedings**

- (1) Suspension of proceedings means the temporary interruption of business.

- (2) In conformity with Article 29 of the General Regulations, if a speaker moves the suspension of proceedings during a discussion, the motion shall be put to the vote immediately.

**Article 28: Adjournment of discussions or sittings**

- (1) Adjournment of a discussion means halting the discussion on a particular subject and resuming the discussion at a subsequent sitting. Adjournment of a sitting means halting all proceedings until another sitting is convened.
- (2) In conformity with Article 29 of the General Regulations, if a speaker moves that a discussion be adjourned, the motion shall be put to the vote immediately.

**Article 29: Closure of discussions**

- (1) Closure of a discussion means terminating the discussion on a specific subject until such time as the subject appears on the agenda of a subsequent General Assembly session.
- (2) In conformity with Article 30 of the General Regulations, a delegate may move to close a discussion at any time. Two speakers opposing the closure may then be allowed to speak, after which the Assembly shall vote on the motion. If the Assembly is in favour of the closure, the President shall declare the discussion closed.

**Article 30: Order of priority of motions**

Subject to the application of Article 26(2) of the present Rules of Procedure, the motions listed below shall take precedence, in the order in which they are listed, over all other proposals or motions:

- (a) motion to suspend proceedings,
- (b) motion to adjourn a sitting,
- (c) motion to adjourn the discussion on a specific subject,
- (d) motion to close the discussion on a specific subject.

**Article 31: Withdrawal of motions and proposals**

- (1) A motion or proposal may be withdrawn by its sponsor at any time before it has been put to the vote.
- (2) Any delegate may reintroduce a motion or proposal thus withdrawn, with its original priority, provided that he does so promptly and that the motion or proposal has not been substantially changed.

**Article 32: Proposals with financial implications**

If a draft resolution or proposal of any kind is likely to have financial implications, the Executive Committee shall, in conformity with Article 31(3) of the General Regulations, be requested to give its opinion. If the proposal is made during a sitting, the General Assembly's discussion of that proposal shall be adjourned.

**Article 33: Reconsideration of proposals already voted on**

- (1) If a proposal has been adopted or rejected, it shall not be reconsidered at the same session, unless the General Assembly decides otherwise.
- (2) Permission to speak on a motion to reconsider shall be granted only to two speakers opposing the motion, after which it shall immediately be put to the vote.
- (3) Correction of a clerical or arithmetical error in any document relating to a proposal which has already been adopted shall not require reopening of the discussion on the proposal, if the error is of no consequence.

**CHAPTER VI:  
DECISION MAKING AND VOTING**

**Article 34: Types of decision**

As a rule, the General Assembly takes decisions in plenary session by adopting resolutions, in conformity with Article 17 of the General Regulations. However, certain decisions which the Assembly is called upon to make in application of the Constitution, the General Regulations, appendices to the General Regulations and the present Rules of Procedure, do not require resolutions. In such cases, the outcome of the voting recorded in the summary record of the session shall constitute the decision. Inter alia, decisions on appointments to office and on applications for membership of the Organization fall into this category.

**Article 35: Voting rights**

- (1) In conformity with Article 18(1) of the General Regulations each country represented shall have one vote, subject to Article 52 of the General Regulations.

- (2) In conformity with Article 13 of the Constitution, only one delegate from each country shall be entitled to vote in the General Assembly. It is usually the head of the delegation who votes in plenary session. He may delegate his voting rights to a member of his delegation.
- (3) In conformity with the last sentence of Article 18 of the General Regulations, the representative of one Member may not vote in place of another Member.

**Article 36: Suspension of voting rights**

- (1) In conformity with Article 52(1,a) of the General Regulations, a Member's right to vote at General Assembly sessions may be suspended if that Member fails to fulfil its financial obligations towards the Organization for the current financial year and the previous financial year. However this restriction shall not apply to votes taken on proposed amendments to the Constitution. The Member concerned may appeal against the measures taken, first to the Executive Committee, then to the General Assembly in conformity with Article 52(3) of the General Regulations.
- (2) Except in the case of a vote on an amendment to the Constitution, a Member whose voting rights have been suspended may not take part in any of the ballots held during plenary sessions or committee meetings.

**Article 37: Procedure for counting votes according to the majority required**

- (1) In conformity with Article 14 of the Constitution and Article 19 of the General Regulations, decisions shall be taken by a simple majority except in cases where a two thirds majority is required by the Constitution. In conformity with Article 20(1) of the General Regulations, the majority shall be decided by a count of those present and casting an affirmative or negative vote. Those abstaining shall be considered as not voting; they may, however, take the floor to explain their abstention.
- (2) In conformity with Article 20(2) of the General Regulations, when the Constitution requires a "majority of the Members", the calculation of this majority shall be based on the total number of the Members of the Organization, whether or not they are represented at the General Assembly session.

**Article 38: Decisions requiring a two-thirds majority**

- (1) Decisions amending the Organization's Constitution require a two-thirds majority of the Members of the Organization, in conformity with Article 42 of the Constitution.
- (2) Decisions on the following subjects require a two-thirds majority of Members present and voting:
  - (a) applications for membership, in conformity with the last sentence of Article 4 of the Constitution;
  - (b) election of the President of the Organization, in conformity with Article 16(2) of the Constitution;
  - (c) adoption of the General Regulations and its Appendices, in conformity with Article 44 of the Constitution;
  - (d) amendments to the General Regulations and its Appendices, in conformity with Article 44 of the Constitution.

**Article 39: Voting procedure**

- (1) In conformity with Article 21 of the General Regulations, voting shall be by a single ballot, except where a two thirds majority is required. In the latter case, if the required majority is not obtained in the first ballot, a second vote shall be taken.
- (2) In conformity with Article 22(1) of the General Regulations, voting shall be by a show of hands, by roll call or by secret ballot.
- (3) If a proposal can be adopted by a simple majority and voting is by a show of hands, the President may announce that he will not have the votes counted. If no delegate raises a point of order in that connection, the President shall first ask those in favour of the motion to vote. If there is a clear majority in favour of the proposal, the President shall immediately ask for votes against and then for abstentions, without having the votes in favour counted. If there is doubt as to the outcome of the vote, the President may ask delegates to vote again and have all votes counted.
- (4) A delegate may at any time propose that voting be by roll-call, except where a secret ballot is required. The roll-call shall be taken in French alphabetical order. The vote of each Member participating in a roll-call shall be recorded in the summary record of the meeting.

- (5) After voting has ended, delegates may make brief statements, solely to explain why they voted as they did. The sponsor of a proposal shall not explain his vote on that proposal, unless it was amended before the voting.

**Article 40: Secret ballot**

- (1) Voting by secret ballot shall be compulsory in the following cases:
- (a) the election of the President, of the Vice-Presidents and of members of the Executive Committee, in conformity with Article 23(1) of the General Regulations;
  - (b) the appointment of the Secretary General, in conformity with Article 42(1) of the General Regulations.
- (2) If a delegate proposes a vote by secret ballot on any other matter, the General Assembly shall decide on the proposal by a show of hands. If the Assembly decides to vote on a given matter by secret ballot, no other voting method may be requested or prescribed.
- (3) If the Assembly is required to vote or decides to vote by secret ballot, the ballot itself and the check on the number of ballot papers shall take place in plenary session. The secret ballot shall be held under the supervision of the Elections Committee referred to in Article 46 of the present Rules of Procedure. The Elections Committee shall count the votes. The Assembly may proceed with its business while waiting for the President to announce the results of the ballot.
- (4) The President shall announce the results of the ballot in the following order:
- (a) number of countries represented at the General Assembly and entitled to vote;
  - (b) number of abstentions;
  - (c) number of invalid papers;
  - (d) number of votes expressed;
  - (e) number of votes constituting the majority required;
  - (f) number of votes in favour and number against or, depending on the ballot, number of votes obtained each candidate, in decreasing order.

**Article 40A: Electronic voting**

- (1) Unless it otherwise decides in special circumstances, the General Assembly shall vote by electronic means.

- (2) In the case of a vote taken in conformity with Article 39(3) (vote by a show of hands), details of the individual votes cast by the delegates shall be accessible during the sitting at which the vote is taken, but only the final result of the vote shall be announced and recorded.
- (3) In the case of a vote taken in conformity with Article 39(4) (vote by roll-call), the General Assembly shall no longer need to call upon each country in turn. However, the individual votes cast by the delegates shall be recorded and published and the final result of the vote shall be announced and recorded.
- (4) In the case of a vote taken in conformity with Article 40(3) (vote by secret ballot), the individual votes cast by the delegates shall in no case be recorded; only the final result of the vote shall be announced and recorded.

**Article 41: Applications for membership**

- (1) Applications for membership require a two thirds majority of the General Assembly for acceptance, in conformity with Article 4 (last paragraph) of the Constitution.
- (2) The representatives of countries whose applications for membership have been accepted shall no longer be observers at the General Assembly; they shall take their places as delegates of full Members of the Organization. Representatives of countries whose applications for membership have not been accepted may continue to attend the General Assembly session as observers, unless the Assembly decides otherwise.

**Article 42: Voting on resolutions**

- (1) In conformity with Article 24 of the General Regulations, draft resolutions shall be voted on in their entirety, it being understood that only one draft resolution may be voted on at a time. A delegate may move that paragraphs of a draft resolution be voted on separately, in which case the complete text shall subsequently be put to the vote.
- (2) In conformity with Article 31(1) of the General Regulations, the General Assembly may not vote on a draft resolution unless copies of it, in all the working languages referred to in Article 61 of the present Rules of Procedure, have been circulated. A "draft resolution" is understood to be:
- (a) either a document submitted directly to the General Assembly in plenary session,

- (b) or a document which has been submitted beforehand to a committee; in this case, the preliminary draft resolution may be amended by the committee.
- (3) Amendments and counterproposals may be discussed immediately, unless a majority requests that written copies of them be distributed first. Discussions shall be strictly limited to the text affected by the proposal or amendment.
- (4) In conformity with Article 25(1) of the General Regulations, if an amendment to a draft resolution is proposed, the amendment shall be voted on first. Before proceeding with the vote, the President shall read out the amendments if written copies of them have not been circulated.
- (5) If there are several amendments the President shall put them to the vote separately, commencing with the ones farthest removed in substance from the original proposal. If the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote.
- (6) If one or more amendments are adopted, the draft resolution, as amended, shall then be put to the vote. Voting shall take place solely on the amended text. If an amendment has been accepted by the original sponsor, that amendment shall be deemed to be an integral part of the original proposal and no separate vote shall be required thereon.

**Article 43: Ad hoc Committee**

- (1) In conformity with Article 56 of the General Regulations, an ad hoc Committee shall be set up to give a prior opinion on all proposals for amendment of the Constitution or the General Regulations, or for the adoption or amendment of Appendices to the General Regulations.
- (2) The ad hoc Committee shall have five members:
  - (a) three members elected by the Assembly by a show of hands during the first plenary session;
  - (b) two members of the Executive Committee appointed by that Committee at its most recent session.
- (3) Once appointed, the five ad hoc Committee members shall be given copies of the draft amendments submitted to the General Assembly.
- (4) The names and countries of the delegates elected to the ad hoc Committee shall be recorded in the summary record of the plenary session.

**Article 44: Voting on amendments to the Constitution**

- (1) In conformity with Article 42(2) of the Constitution, any proposal to amend the Constitution – whether it is a proposal from a Member or from the Executive Committee – shall be communicated by the Secretary General to the Organization’s Members at least ninety days before submission to the General Assembly for consideration.
- (2) The General Assembly shall vote on the draft amendment after the ad hoc Committee has met in conformity with Article 43 of the present Rules of Procedure and has given its opinion.
- (3) In conformity with Article 42(3) of the Constitution, amendments to the Constitution cannot be adopted without the approval of a two thirds majority of the Organization’s Members.
- (4) The procedure for adopting resolutions referred to in Article 42 of the present Rules of Procedure shall apply, mutatis mutandis, to the adoption of amendments to the Constitution.

**Article 45: Voting on amendments to the General Regulations**

- (1) In conformity with Article 55 of the General Regulations, an amendment to the General Regulations may be proposed:
  - (a) by a Member of the Organization, provided the proposal has been sent to the General Secretariat at least one hundred and twenty days before the opening of the General Assembly session;
  - (b) by the Executive Committee or the Secretary General;
  - (c) during a General Assembly session, in case of urgent necessity, provided that a written, reasoned proposal is submitted jointly by three Members, and provided that the proposal is not an amendment which has already been submitted and rejected during the session.
- (2) Except in the circumstances referred to in (1,c) above, any proposed amendment to the General Regulations, whether submitted by a Member, by the Executive Committee or by the Secretary General, shall be communicated by the Secretary General to the Organization’s Members at least ninety days before being submitted to the General Assembly for consideration.

- (3) The General Assembly shall vote on such draft amendments after the ad hoc Committee has given its opinion, in conformity with Article 43 of the present Rules of Procedure.
  - (4) In conformity with Article 44 of the Constitution, amendments to the General Regulations and the adoption or amendment of an appendix to those Regulations shall require approval by a two thirds majority.
  - (5) The procedure for adopting resolutions referred to in Article 42 of the present Rules of Procedure shall apply, mutatis mutandis, to the adoption of amendments to the General Regulations and to the adoption or amendment of an appendix to those Regulations.
- (2) In conformity with Article 17(1) and Article 19 (second sentence) of the Constitution, once their terms of office have expired:
    - (a) the President shall not be immediately entitled to stand for re-election to any post on the Executive Committee;
    - (b) the Vice-Presidents shall not be immediately entitled to stand for re-election either to their same posts or as ordinary members of the Executive Committee;
    - (c) ordinary members of the Executive Committee shall not be immediately eligible for re-election to their same posts, it being understood that they may stand for election to the post of President or Vice-President.

**CHAPTER VII:  
APPOINTMENTS AND ELECTIONS**

**Article 46: Elections Committee**

- (1) In conformity with Article 40(2) and 40(3) of the General Regulations, an Elections Committee shall be set up to:
  - (a) determine whether nominations are valid;
  - (b) submit those nominations in alphabetical order to the General Assembly;
  - (c) act as tellers and supervise the procedure for voting by secret ballot.
- (2) The Elections Committee shall be appointed during the first plenary session by a show of hands. It shall be composed of at least three Heads of Delegations or their representatives, it being understood that it is preferable for members of a delegation not to stand as candidates for the Elections Committee if their delegations intend to nominate a candidate for election to the Executive Committee, for appointment as Secretary General, or for any other elective office.
- (3) The names and countries of delegates elected to the Elections Committee shall be recorded in the summary record of the session.

**Article 47: Eligibility of Executive Committee members**

- (1) In conformity with Article 16(1) of the Constitution and Article 39 of the General Regulations, only members of delegations may stand for election to the Executive Committee and, once elected, remain members of the Executive Committee.

- (3) In conformity with Article 15(2) of the Constitution, the Executive Committee members shall be nationals of different countries. Furthermore, in conformity with Article 16 of the Constitution, the President and the Vice-Presidents shall be from different continents. In conformity with Article 17(2) of the Constitution, if the election of the President results in a continent no longer being represented at the Presidency level, a fourth Vice-President shall be elected.

**Article 48: Procedure for electing members of the Executive Committee**

- (1) Elections to seats on the Executive Committee shall take place by secret ballot during the last plenary session of the General Assembly.
- (2) In conformity with Article 16(2) of the Constitution, a two-thirds majority shall be required for the President to be elected for a non-renewable four-year term of office. Should no candidate obtain a two-thirds majority after two ballots, a simple majority shall suffice.
- (3) In conformity with Article 17 and Article 19 of the Constitution, the Vice-Presidents and the nine other members of the Executive Committee shall be elected by the General Assembly by simple majority for a period of three years.
- (4) Delegates wishing to stand for election shall inform the Elections Committee of their names and countries and of the posts on the Executive Committee for which they are candidates. The Elections Committee shall draw up the list of candidates for each vacant post and shall ensure, inter alia and in conformity with Article 52(4) of the General Regulations, that no delegates from countries with contribution arrears are standing.

(5) The President shall read out to the General Assembly the list of candidates, as drawn up by the Elections Committee, for each vacant post. After verifying that the delegations have voted, he shall declare the ballot closed. Once the ballot papers have been counted by the Elections Committee, the President shall announce the result of the vote.

**Article 49: Replacement of a member of the Executive Committee**

In conformity with Article 23 (first sentence) of the Constitution, in the event of the death or resignation of an Executive Committee member, or if the member ceases to be a delegate to the Organization, the General Assembly shall elect another member to replace him; the term of office of the newly elected member shall end on the same date as his predecessor's.

**Article 50: Appointment of the Secretary General**

- (1) In conformity with Article 28(1) of the Constitution and Article 42 of the General Regulations, the appointment of the Secretary General, for a five-year term of office, shall be proposed by the Executive Committee and approved by the General Assembly.
- (2) The Secretary General shall be elected by secret ballot. The President shall announce the name of the candidate the Executive Committee has proposed for the post of Secretary General, and put the proposal to the vote.
- (3) Should the General Assembly fail to elect the candidate proposed by the Executive Committee, the sitting shall be suspended and the Executive Committee shall meet immediately. It shall submit another name within twenty-four hours.
- (4) In conformity with Article 28(3) of the Constitution, the General Assembly may, in exceptional circumstances on the basis of a proposal made by the Executive Committee, remove the Secretary General from office before the end of his term.

**Article 51: Appointment of the Organization's Advisers**

(1) In conformity with Article 36(1) of the Constitution, Advisers shall be appointed by the Executive Committee. The appointments require ratification by the General Assembly.

(2) In conformity with Article 35 of the Constitution, Advisers have a purely consultative role. In conformity with Articles 46 and 47 of the General Regulations, the General Assembly may decide to consult the Advisers individually or collectively and to ask them to submit reports or papers on scientific matters.

(3) In conformity with Article 48 of the General Regulations, Advisers may be present at General Assembly meetings as observers and, at the President's invitation, may take part in discussions.

(4) In conformity with Article 37 of the Constitution, an Adviser may be removed from office by decision of the General Assembly.

**Article 52: Equally divided votes**

In conformity with Article 23 of the General Regulations, if two candidates obtain the same number of votes, a second ballot shall be taken. If the outcome is not decisive, lots shall be drawn to determine the successful candidate.

**CHAPTER VIII:  
COMMITTEES**

**Article 53: Setting up committees**

In conformity with Article 11 of the Constitution and Article 35(1) of the General Regulations, the General Assembly may set up any committees it deems necessary to deal with specific items on the agenda.

**Article 54: Committee meetings**

Subject to the General Assembly's power to set up or abolish committees, and depending on the Agenda prepared by the Executive Committee, the following committees or other groups shall, as a rule, hold meetings:

- (a) Heads of National Central Bureaus,
- (b) Delegates from each continent (at Continental Meetings),
- (c) Finance Committee,
- (d) Computerization and Telecommunications Committee.



**Article 55: Order of business at committee meetings**

- (1) In conformity with Article 36(1) of the General Regulations, each committee shall elect its own chairman.
- (2) Committee meetings shall be subject to the same rules as plenary sessions of the General Assembly.
- (3) Committees may not, on their own initiative, add new items to their agendas.
- (4) Delegations present at committee meetings shall be entitled to vote under the same conditions as at General Assembly plenary sessions.

**Article 56: Committee reports**

In conformity with Article 37 of the General Regulations, committees shall report verbally on their work to the General Assembly in plenary session, either through their chairmen or through rapporteurs they have appointed.

**Article 57: Consultation of committees outside General Assembly sessions**

In conformity with Article 38 of the General Regulations, committees may be consulted between sessions, unless the General Assembly decides otherwise. The President, after consulting the Secretary General, may allow a committee to meet provided that any resulting financial implications are approved beforehand by the Executive Committee.

**CHAPTER IX:  
SECRETARIAT FACILITIES FOR THE  
GENERAL ASSEMBLY**

**Article 58: Secretariat**

- (1) The Secretary General shall be ex officio the Secretary of the General Assembly. He may delegate this function.
- (2) In conformity with Article 34 of the General Regulations, the Secretary General shall engage, direct and supervise the personnel necessary for the Assembly's secretariat.
- (3) It shall be the duty of the General Secretariat to receive, translate into the General Assembly's working languages referred to in Article 61 of the present Rules of Procedure, and circulate all documents, reports, resolutions and

summary records relating to the General Assembly and its committees, and to perform any other tasks required in connection with the activities of the General Assembly or its committees.

**Article 59: Summary records**

- (1) In conformity with Article 33 of the General Regulations, summary records of the discussions that take place during the General Assembly plenary sessions and committee meetings shall be distributed as soon as possible in the Assembly's working languages referred to in Article 61 of the present Rules of Procedure.
- (2) Delegates and any other persons, such as Executive Committee members and Advisers, who have taken part in General Assembly discussions, shall inform the General Secretariat in writing of any corrections they wish to have made to the summary records, as soon as possible and no later than thirty days following the end of the General Assembly session.

**Article 60: Communication of resolutions adopted**

The General Secretariat shall send copies of the resolutions adopted, in the working languages of the General Assembly referred to in Article 61 of the present Rules, to the National Central Bureaus as soon as possible.

**CHAPTER X:  
LANGUAGES**

**Article 61: Languages of the General Assembly**

In conformity with Article 54(1) of the General Regulations, the languages of the General Assembly shall be Arabic, English, French and Spanish.

**Article 62: Use of another language**

- (1) In conformity with Article 54(2) and 54(3) of the General Regulations, any delegate may speak during General Assembly discussions in a language other than those mentioned in Article 61 of the present Rules, provided he makes arrangements for interpretation into one of the four languages concerned.
- (2) Requests for simultaneous interpretation of a language other than those mentioned in Article 61 must emanate from a group of countries and must be submitted at least four months before

the date of the General Assembly session to the Secretary General who will state whether such interpretation will be technically feasible.

- (3) Countries wishing to apply the provisions of paragraphs (1) or (2) above shall assume full responsibility for taking the appropriate administrative measures and for meeting all the expenses incurred.

**CHAPTER XI:  
FINAL PROVISIONS**

**Article 63: Travel and subsistence expenses for those attending the General Assembly**

- (1) The travel and subsistence expenses of all delegations to the General Assembly shall be borne by the Members concerned.
- (2) The travel expenses of Executive Committee members, and their subsistence expenses for the period corresponding to the General Assembly session, shall be borne by the countries of which they are nationals.
- (3) Advisers and observers shall bear the travel and subsistence expenses incurred by their attendance at the General Assembly session. However, if an Adviser or any other person is asked by the General Assembly, the Executive Committee or the Secretary General to take part in the Assembly's proceedings, his travel and subsistence expenses shall be borne by the Organization within the limits of the applicable provisions. Nonetheless, if an Adviser is also one of his country's delegates to the General Assembly, the Organization shall pay only his subsistence expenses for the days on which he was asked to attend as an Adviser.

**Article 64: Adoption of the present Rules of Procedure**

The present Rules of Procedure shall be adopted in application of Article 8(d) of the Constitution. They shall constitute an appendix to the General Regulations.

**Article 65: Amendment of the present Rules of Procedure**

- (1) The present Rules of Procedure may be amended by the General Assembly meeting in plenary session, following the same procedure as applies to amendments to the General Regulations.

- (2) Amendments to the present Rules of Procedure, including the addition of new articles, shall not be incompatible with the Constitution and the General Regulations.

**Article 66: Conflict between the present Rules of Procedure and the Constitution or General Regulations**

The present Rules of Procedure are adopted under the authority of, and are subject to, the Constitution and the General Regulations. In the event of a conflict between a provision of the present Rules of Procedure and a provision of the Constitution or of the General Regulations, the Constitution and General Regulations shall prevail.

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A photograph of a row of white classical columns, likely in a museum or gallery. The columns are arranged in a perspective that recedes into the distance. A large, bold, red number '5' is overlaid on the image, positioned in the center-right area, partially overlapping the columns.

5





INTERPOL

*Rules concerning the organization  
of General Assembly sessions*

[II.A/ROGA/GA/1996(2004)]



**REFERENCES**

The present Rules abrogate the 1996 Rules which were adopted at the General Assembly session held in Antalya, Turkey (Resolution AGN/65/RES/15), and brought together the provisions contained in the documents entitled “Organization of INTERPOL General Assembly sessions: Specifications” and “Special Agreement on the ICPO-INTERPOL’s privileges and immunities during the Executive Committee meeting and General Assembly session to be held in ...” and included many of the points contained in the previous guidelines (“Memorandum on the preparation of a General Assembly session”).

The present Rules were adopted by the Organization’s General Assembly at its 73rd session in Cancún, Mexico, in 2004 (Resolution AG-2004-RES-12).

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**Article 1: Scope of rules**

The present rules apply to any country wishing to host a session of the General Assembly of the International Criminal Police Organization—INTERPOL.

**Article 2: General principles**

- (1) The Secretary General shall appoint as his personal representative a senior official at the General Secretariat with the appropriate authority to direct, manage, and coordinate all elements required to organize a session of the General Assembly and to resolve any issues or problems that may arise in connection with planning or holding the General Assembly. This person shall be known as the General Assembly Coordinator.
- (2) A country wishing to host a session of the General Assembly shall submit a written application for that purpose to the General Secretariat, which must receive it at least three years before the session that is the subject of the invitation.
- (3) The application shall include the elements listed in Article 3 as well as an express commitment to meet the obligations of the host country as listed in Article 4.
- (4) Not later than 1 April of each year, the General Secretariat shall complete its initial evaluation of all applications that it has received during the previous 12 months and it shall prepare a report for the first meeting of the Executive Committee that follows 1 April identifying all applications that include the elements listed in Article 3.
- (5) The Executive Committee at its summer session (normally in June) shall select one or more sites for further evaluation by the General Secretariat, which shall promptly notify all applicants of the decision by the Executive Committee.
- (6) Immediately before the session of the General Assembly that is held two years before the session for which a country has applied to serve as a host, the Executive Committee shall designate one or more countries as qualified candidates.
- (7) Information concerning the qualified candidate or candidates shall be put before the General Assembly which, in accordance with Article 12 of the Constitution, may decide where it will

meet for its session in two years' time. This decision is confirmed by the General Assembly at the end of the following session unless in the meantime circumstances have made it impossible or inadvisable to hold the General Assembly at the chosen meeting place.

- (8) The General Secretariat shall work with officials of the country that was chosen by the General Assembly to ensure that the requirements set forth in the present rules are met.
- (9) If, at any time before the opening of the General Assembly, the General Secretariat concludes that an applicant country is not able or not willing to meet the requirements of the present rules, it shall notify the President, who may, in an urgent case, decide that circumstances make it impossible or inadvisable for the session to be held in the chosen meeting place. Alternatively, the President may refer the matter to the Executive Committee, or, if time permits, to the General Assembly.
- (10) If the General Assembly, the Executive Committee, or in an urgent case, the President, decides that it is impossible or inadvisable to hold the General Assembly at the chosen meeting place, the meeting may be held at the seat of the Organization or at an alternative location that, in the opinion of the General Assembly, the Executive Committee or in an urgent case, the President, meets the requirements set forth in the present rules.

**Article 3: Contents of applications**

An application must include the following elements:

- (1) An offer signed by an authorized official of a member country agreeing to host a session of the General Assembly in accordance with the present rules.
- (2) The proposed date and location of the session of the General Assembly.
- (3) A description of the premises in which the General Assembly will be held, including:
  - (a) the size and seating capacity of the conference hall,
  - (b) the facilities for simultaneous translation,
  - (c) the audio-visual system,

- (d) the heating, ventilation and air-conditioning system,
  - (e) the electric power supply (including availability of emergency back-up electric power),
  - (f) the availability, quantity, and type of access to telecommunications facilities, including the Internet, from all relevant areas in the conference premises,
  - (g) the location, relative to the conference hall, and disposition of space for personnel and equipment from the General Secretariat (as described in Articles 7 and 8 below),
  - (h) the availability of the equipment described in Article 8, below,
  - (i) the facilities available for public relations, including a site for a press conference,
  - (j) the facilities available for a meeting of the Executive Committee,
  - (k) the restaurant and coffee break facilities, including their location relative to the conference hall, the number of people who can be fed, and the distance from the conference hall,
  - (l) the facilities available in the immediate vicinity of the conference hall for commercial and non-commercial exhibits and displays,
  - (m) security features, including, in particular, the potential for access controls and the physical security of the site.
- (4) A description of the hotels at or near the site of the proposed conference, including the number and type of available rooms, their price range, their distance from the conference hall, the available means of transport between the hotels and the conference hall, and the time required to travel between the hotels and the conference site.
- (5) The name of the nearest international airport, the distance between the airport and the hotels described in the previous paragraph, the available means of transport between the airport and the aforementioned hotels, and the time required to travel between the airport and the hotels.
- (6) A plan of the conference site.

**Article 4: Obligations of the host country**

- (1) A country that submits an application to host a General Assembly shall promptly appoint a senior official with the appropriate authority to direct, manage, and coordinate all elements required to organize a session of the General Assembly and to resolve any issues or problems that may arise in connection with planning or holding the General Assembly. This person shall be known as the Host Country Coordinator. He or she must be fluent in one of INTERPOL's official languages. If the Host Country Coordinator is unable for any reason to complete the assignment, the host country must promptly appoint a qualified replacement whose name and contact information must be communicated at once to the General Secretariat.
- (2) The Host Country Coordinator shall work closely with the General Assembly Coordinator to prepare for the General Assembly and to resolve any problems that may arise in planning or holding the General Assembly.
- (3) The host country shall provide sufficient personnel, material resources, and support to ensure the proper organization, operation, and security of the General Assembly.
- (4) An organizing committee, consisting of personnel from the host country, shall assist the Host Country Coordinator with all necessary arrangements.
- (5) At least 18 months before the beginning of the General Assembly session that will be held in its territory, the host country shall complete and execute a legally binding agreement on privileges and immunities to be accorded to INTERPOL and its officials during the Executive Committee meeting and General Assembly session. The agreement must be substantially in the form shown in Appendix 1.
- (6) Once the General Secretariat and the host country have agreed on the premises at which the General Assembly will be held, but not less than 16 months before the scheduled beginning of the session, the host country shall provide the General Secretariat with written confirmation of a legally binding commitment from a duly authorized person to hold the General Assembly at the said premises on the agreed dates, together with a copy of the said commitment.

- (7) The host country shall invite every member country of INTERPOL to attend the session of the General Assembly that it is hosting and shall permit every member country and approved observer to send a delegation to the General Assembly.
- (8) The host country shall be responsible for the costs identified in Article 25.

**Article 5: Conference premises**

The premises at which the General Assembly will be held must include the following, all of which must be lighted, heated, ventilated, air-conditioned, cleaned and maintained throughout the conference as specified in advance by the General Assembly Coordinator:

- (1) A conference hall for plenary sessions of the General Assembly capable of seating the number of delegates and observers to be specified by the General Secretariat, each at his own table or desk, together with additional seats for large delegations. The conference hall must have at least four booths for simultaneous interpretation, together with facilities for audio-visual equipment and accommodation for the technical equipment to register electronic votes (the voting equipment to be provided by the General Secretariat).
- (2) An area adjacent to the conference hall with sufficient space for an information desk, document distribution, commercial and non-commercial exhibition booths (if agreed to as provided for in Article 23), and other amenities.
- (3) An area suitable for providing coffee, tea and other refreshments to persons attending the General Assembly.
- (4) Nearby restaurants or alternate facilities for serving lunch to the delegates.
- (5) A cloakroom, if needed.
- (6) A public address system.
- (7) Space and equipment for the General Assembly Secretariat, as described in Articles 7 and 8, below.
- (8) A room for the Executive Committee meeting capable of seating 40 people. This room must be equipped with at least four booths for simultaneous interpretation and facilities for audio-visual equipment.
- (9) Adequate security.

**Article 6: General Assembly Secretariat**

- (1) The General Assembly Secretariat is composed of officials of the General Secretariat, persons recruited by the General Secretariat specifically for the General Assembly, and personnel made available by the host country authorities to carry out certain tasks, in particular, security, the reproduction of documents, technical support, and other administrative assignments.
- (2) The host country shall make the following staff available to the General Assembly Secretariat:
  - (a) security personnel;
  - (b) personnel to reproduce documents (the number of staff and the precise skills to be agreed upon by the host country and the General Secretariat);
  - (c) technical personnel to assist with audio-visual equipment and photocopiers;
  - (d) personnel to help members of the General Secretariat with their administrative tasks (distribution of documents, reception of journalists, etc.); and,
  - (e) other personnel as required.
- (3) All staff made available by the host country shall be under the control of the General Assembly Coordinator and should not take orders from anyone else. All work assignments and other instructions having to do with the General Assembly shall be given by the General Assembly Coordinator, or by his/her designee, in collaboration with the Host Country Coordinator.
- (4) Notwithstanding the foregoing, the General Assembly Coordinator may delegate to the Host Country Coordinator or to his/her designee, the responsibility for oversight and command over host country security personnel, provided that a security manager with appropriate authority remains on site at all times throughout the General Assembly, as well as before and after, and is immediately available by telephone or otherwise to the General Assembly Coordinator to resolve any issues involving security.

**Article 7: Space for the General Assembly Secretariat**

- (1) Offices to be used by the General Assembly Secretariat must be in the immediate vicinity of the conference hall. These offices must be available before the General Assembly, on a date to be agreed upon between the General Secretariat and the host country, so that the necessary installation and checks of equipment and other advance arrangements can be completed.
- (2) The space requirements include:
  - (a) Separate executive offices for the President and the Secretary General, with an adjacent waiting room and/or reception area and space for a secretary;
  - (b) An office for the Host Country Coordinator;
  - (c) At least seven offices for the General Secretariat's Executive Directors, Directors, and other senior staff, including the General Assembly Coordinator, it being understood that if more are required the General Assembly Coordinator will so inform the Host Country Coordinator;
  - (d) An office for the Chief Press Officer and two associates;
  - (e) A large secretarial office with space and desks for at least six workstations for word processing, two fax machines, two photocopiers, and a separate desk with two telephones;
  - (f) One or more offices for the minute takers, with workstations for four people and their equipment;
  - (g) A large room for reproducing and assembling documents;
  - (h) A room for storing the documents prepared before and during the session and located, if possible, near the pigeon holes for distributing documents; and,
  - (i) A room suitable for conducting media interviews with conference participants.
- (3) It must be possible to lock all the rooms mentioned above; one set of keys should be kept by the host country authorities and, if possible, two sets of keys should be given to the General Assembly Coordinator.

- (4) All space must be regularly cleaned, well-lit and air-conditioned, unless the General Assembly Coordinator determines in advance that air-conditioning is not required.

**Article 8: Equipment and facilities**

- (1) The following equipment is required and must be installed by the host country authorities at the conference premises after consultation and in close coordination with the General Assembly Coordinator or his/her designee:
  - (a) Telephones and unrestricted, high-speed Internet access (preferably T-3, DSL, or ADSL) in the conference hall (Article 5, paragraph 1), the adjacent area (Article 5, paragraph 2), the Executive Committee Room (Article 5, paragraph 8), and all office spaces mentioned in Article 7, paragraph 2. Telephones in the offices mentioned in Article 7, paragraph 2 a-e, must have direct, unrestricted access to the international telephone network;
  - (b) Facilities for a local area network to link at least 25 computer workstations (screen, processor and keyboard) and appropriate peripheral equipment, it being understood that all computer hardware and software shall be supplied by the General Secretariat, which shall also connect and maintain the local area network and any connections to the General Secretariat;
  - (c) Suitable audio-visual equipment in the conference hall and the Executive Committee room, capable of being linked to the equipment for simultaneous interpretation and projecting videos and computer generated images on large screens;
  - (d) All equipment required for simultaneous interpretation in the conference hall and in the Executive Committee room, including headphones for all participants in each location, microphones for every four delegates in the conference hall, and sufficient microphones for participants in the Executive Committee;
  - (e) Two high speed fax machines;
  - (f) Supplies of A4 (21 x 29.7 cm) paper for printing documents recto/verso in five different colours (white, pink, yellow, green, and blue), in quantities to be specified by the General Secretariat;

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## RULES CONCERNING THE ORGANIZATION OF GENERAL ASSEMBLY SESSIONS

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- (g) Document reproduction equipment, including:
    - (i) Two photocopiers each producing at least 90 copies a minute, with automatic recto/verso printing, collating, and stapling facilities (or, alternatively, a larger number of slower machines, with the appropriate number of operators);
    - (ii) An electric automatic collating machine and electric staplers (required only if the photocopiers do not have automatic collating and stapling);
  - (h) Three high quality office photocopiers, one in the vicinity of the Secretary General's office and the other two in the large secretarial space;
  - (i) Office supplies;
  - (j) A set of pigeon holes for distributing documents, to be installed in the immediate vicinity of the conference hall where the plenary sessions are held; 250 pigeon holes should be provided with the following dimensions: depth 32 cm, width 25 cm, height 10 cm, with a 10 mm edge to display names;
  - (k) Electrical inverters (350 VA minimum); and,
  - (l) Equipment to provide sufficient emergency electrical power, in the event of a power outage, to operate all the above equipment.
- (2) The host country must ensure that competent technical support for the photocopiers, and in particular the document reproduction equipment, is available on one-hour notice, 24 hours a day throughout the conference. Technical support for the audio-visual equipment must be available on stand-by at any time during the conference or the Executive Committee meeting that such equipment is in use.

### **Article 9: Document reproduction and assembly**

- (1) The document reproduction equipment must be available and functional at least 24 hours before the Executive Committee and General Assembly sessions begin. The General Secretariat shall supply a provisional document production schedule.

- (2) Texts at the General Assembly must often be reproduced, stapled, and prepared for distribution overnight, meaning that the document reproduction staff often works far into the night. In addition, some documents must be printed at short notice during the day.
- (3) Consequently, document reproduction personnel must be on duty at all times, even though most work is done in the afternoon and at night. Some document reproduction work may also have to be carried out over the weekend immediately preceding the session.
- (4) Food and drink must be provided for personnel working at night, as well as transportation to their hotels.

### **Article 10: Choosing dates for the session**

- (1) Sessions of the General Assembly are normally held in September, October, or November. These dates are required in practice by the schedule for adopting the budget, which must be approved by the General Assembly. The host country and the General Secretariat must agree not less than 18 months before the session is scheduled to begin on a firm date for holding the session.
- (2) The Executive Committee normally meets in the host country for two or more days before the opening of the General Assembly and for a half day after the closing of the General Assembly.

### **Article 11: Inviting INTERPOL member countries**

- (1) In conformity with Article 7 of the ICPO INTERPOL General Regulations, invitations must be sent to all member countries both by the host country (through diplomatic channels) and by the General Secretariat (to all the National Central Bureaus) at least four months before the scheduled opening of the session.
- (2) Invitations should also be sent to countries that have submitted official applications for membership within the prescribed time limit. The Secretary General shall inform the host country of any such applications and the countries concerned should be invited as Observers; they will become members if their applications are accepted during the session.

- (3) For countries with which the host country does not have diplomatic relations, the General Secretariat shall act as intermediary and forward invitations on behalf of either the host government or the Organization. However, irrespective of the solution adopted, the host country authorities must be prepared to receive the delegates of such countries, in keeping with the commitment they made when extending the invitation, in conformity with Article 4, paragraph 7, above.

**Article 12: Inviting Observers**

- (1) Under Article 8 of the General Regulations, police bodies that are not INTERPOL members and international organizations may be invited to attend General Assembly sessions as Observers.
- (2) The Executive Committee prepares a provisional list of Observers to be invited and submits it to the host country for approval. Any reasoned objections by the host country should be sent to the General Secretariat.
- (3) The General Secretariat is solely responsible for sending invitations to the Observers approved by the Executive Committee and the host country.

**Article 13: Agenda**

- (1) In accordance with Article 9 of the General Regulations and Article 10 of the Rules of Procedure of the ICPO-INTERPOL General Assembly, the Executive Committee approves the provisional agenda for the General Assembly, which is communicated to member countries by the General Secretariat at least 90 days before the opening of the session.
- (2) In accordance with Article 12 of the General Regulations and Article 13 of the Rules of Procedure of the ICPO-INTERPOL General Assembly, the Executive Committee approves the final draft agenda at its meeting immediately preceding the General Assembly.
- (3) Consequently, the final agenda shall be reproduced and distributed at the General Assembly by the General Assembly Secretariat.

**Article 14: Information booklet**

- (1) The host country shall publish an information booklet in all the Organization's working languages. The number of copies and the languages in which they will be published shall be agreed upon in advance by the Host Country Coordinator and the General Assembly Coordinator. This booklet should contain:
- the dates, starting times and locations of plenary meetings, official ceremonies, and general receptions (as agreed by the Secretary General and the host country);
  - information about transportation to and from the conference hall, official ceremonies and receptions;
  - procedures to follow in the event of a medical or other emergency;
  - information about security procedures;
  - other useful information for delegates, such as:
    - the location of the information desk and details of how to contact the staff responsible for dealing with problems that arise outside working hours;
    - a telephone number for urgent transportation arrangements;
    - the address, telephone, and fax numbers of the conference hall;
    - addresses and telephone numbers of the hotels at which delegates will be lodged;
    - addresses and telephone numbers of restaurants, etc.
    - addresses and telephone numbers of doctors, hospitals, embassies and consulates, places of worship, etc.
- (2) The agenda should not be published in the information booklet because it is subject to change until approved by the Executive Committee and adopted by the General Assembly.

**Article 15: Hotel accommodation and conference enrolment**

- (1) The Host Country Coordinator, in consultation with the General Assembly Coordinator, shall choose the hotels where delegates and General Secretariat staff will be accommodated. The Host Country Coordinator should select three or four hotels in different categories in reasonable proximity to the conference hall. The hotels must be identified at least 18 months before the start of the General Assembly.

- (2) Specific information about the various types of hotel rooms chosen, with prices that will be guaranteed valid at the time of the General Assembly (inclusive of all taxes, service charges and breakfast), must be sent to the General Secretariat not less than 16 months before the start of the General Assembly.
- (3) The General Secretariat shall prepare an enrolment and hotel reservation form to be completed by each participant. Information from completed forms will be used for reserving hotel rooms, preparing a list of participants, meeting them at the airport, etc. The form shall seek the following information:
  - the participant’s name, forename, rank or grade, title and office address;
  - the category of hotel and type of room chosen;
  - the exact dates of expected arrival and departure; and
  - the flight number if known.
- (4) Until such time as the process can be fully automated (i.e. through electronic dissemination and collection of information), the General Secretariat shall send blank enrolment and hotel reservation forms to all the NCBs and observers together with the invitation circular. An electronic version of the form shall also be available to NCBs through I-24/7.
- (5) The General Secretariat shall collect the responses and forward the relevant information to the Host Country Coordinator, who shall make the necessary hotel bookings and send confirmation of their reservations to participants, unless an alternate procedure is agreed upon by the General Assembly Coordinator and the Host Country Coordinator. The Host Country Coordinator shall ensure that the General Secretariat is notified of any enrolment forms sent directly to the host country. The list of delegates prepared by the General Secretariat shall be regarded as definitive.
- (6) The General Secretariat shall inform the Host Country Coordinator of its own accommodation requirements as soon as the list of General Secretariat personnel taking part in the General Assembly session has been drawn up.
- (7) Approximately 650 hotel rooms (about 100 of which should be double) must be available at or near the conference site unless the General Assembly Coordinator specifies a different number. The number of rooms required may vary depending on the number of delegates, which itself depends on various circumstances.

*(It is difficult to know exactly how many rooms will be required since most delegations do not announce their participation until a very late date; in many cases, the host country authorities receive such announcements a few weeks, or even a few days, before the scheduled opening of the session. Experience has shown that some delegates who are expected do not turn up, and that other delegates arrive on the eve of the opening day, or even on the opening day itself, without any advance warning at all. It is therefore advisable, particularly in the busy tourist season, to reserve some extra rooms even if they have to be cancelled at the last minute.)*

#### **Article 16: Assisting delegates**

- (1) The Host Country Coordinator shall establish a plan to assist delegates on arrival and throughout the conference. This plan should include the appointment of personnel available at the main international airport to facilitate the entry of participants who arrive without visas or other required documents, to assist those whose luggage has been lost or delayed, and to arrange for connections to the site of the conference. Host country personnel should also be available at the conference site to assist delegates.
- (2) All assistance and information services are the sole responsibility of the host country authorities, which should ensure that they are staffed at all times by personnel with an adequate knowledge of the Organization’s four working languages (Arabic, English, French and Spanish) to enable them to assist delegates. The General Assembly Secretariat personnel mentioned in Article 6, above, cannot be used for this purpose.
- (3) Medical assistance should be available to the participants at all times throughout the conference. Host country personnel must be available 24 hours a day to assist with translation from any of the four official languages in case of a medical urgency. The availability of such assistance should be explained in the information booklet.

#### **Article 17: Transportation**

- (1) The Host Country Coordinator must organize transportation for members of the Executive Committee, for delegates, and for members of the General Secretariat staff, particularly to and from the airport, between the hotels and the conference building, and to and from events that are part of the Social Programme.



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## RULES CONCERNING THE ORGANIZATION OF GENERAL ASSEMBLY SESSIONS

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(2) In particular, the following should be provided:

- (a) a pool of vehicles for taking delegates, General Assembly Secretariat personnel, and other participants to and from the airport (bearing in mind that for some personnel, transportation will be required before the General Assembly begins and after it ends), details of the transportation arrangements shall be sent to all NCBs in advance by the General Secretariat;
- (b) a car for the President;
- (c) a car for the Secretary General;
- (d) three cars for General Assembly Secretariat personnel, especially for taking them back to their hotels at night when they have to work late;
- (e) additional cars to meet unexpected requirements and in case delegates urgently need transport.

(3) A bus service should be provided:

- (a) when the conference building is more than 10 minutes on foot from the hotels; and
- (b) when delegations organize receptions elsewhere than in the conference building.

### **Article 18: Registration of delegates**

- (1) The General Assembly Secretariat is responsible for the registration of delegates and observers.
- (2) Registration involves confirmation of the identity, rank, and title of the participants and comparison of this information with the list of delegates prepared in advance by the General Secretariat. Any errors or changes in the composition of the delegations must be noted and brought to the attention of the security staff.

### **Article 19: Security**

- (1) The host country is responsible for the security and safety of persons (including all conference participants), goods, and equipment throughout the session of the General Assembly and the meeting of the Executive Committee, and during a reasonable period before and after.

(2) The Host Country Coordinator, or a designee, shall work in close coordination with the responsible security official at the General Secretariat to establish a general plan for security. The security plan must be completed in all major respects at least three months before the beginning of the session.

(3) The host country shall make every effort to follow such recommendations of the General Secretariat as may be required to ensure a degree of consistency with security procedures followed at other meetings of the ICPO-INTERPOL.

(4) The security plan must include adequate provisions for establishing a security perimeter around the conference area as well as sub-zones within the perimeter, determining who may have access to the perimeter and to various sub-zones within the perimeter, verifying the identity of all persons who are authorized to have access to the perimeter, controlling the access of such persons to, and where appropriate, within the perimeter, and preventing access by unauthorized persons. These controls must be established and maintained 24 hours a day during the session and for a reasonable period before and after.

(5) The security plan must provide an appropriate level of security for the President and Secretary General throughout the Executive Committee meeting and the General Assembly session.

(6) The security plan must provide for security at the hotels designated for use by delegates.

(7) Security measures for receptions and other similar functions will depend on the nature of the event.

### **Article 20: Public relations**

(1) The President and the Secretary General generally hold two press conferences, one before the General Assembly session begins and the other at the end of the session. Host country officials are invited to take part in these press conferences.

(2) The General Secretariat's Chief Press Officer normally issues press releases at the beginning and the end of the General Assembly. The first release outlines what has been said by senior officials during the opening ceremony and press conference, as well as the issues to be addressed during the session, and the second release sums up what has been accomplished during the General Assembly proceedings.

- (3) The international media are to be informed in good time, jointly by INTERPOL and host country public relations/press officials, of the dates and venue of the General Assembly session and of all accreditation requirements and procedures. Media accreditation requirements and procedures should be included in the security plan referred to in Article 19.
- (4) The General Secretariat Chief Press Officer shall meet with the host country authorities well before the General Assembly session to coordinate all matters relating to press conferences, special press briefings and the presence of journalists generally, including specific technical and equipment requirements (audio and visual) for the work to be done by broadcasters during the opening ceremony and press conferences.
- (5) The opening press conference usually takes place during the first break in proceedings after the opening ceremony on the first day, and the second after proceedings have ended on the last day. These press conferences are held in general in the main conference room using translation and other technical facilities already in place for delegates.
- (6) During the General Assembly session, journalists who have requested and are granted permission to interview certain officials, or who have been invited to special press briefings, will have access to the room provided for that purpose.
- (7) Journalists are not allowed access to the main conference hall except during the opening ceremony and press conferences. They are not allowed access to the area of offices and rooms used by the General Assembly Secretariat except for pre-arranged interviews or press briefings, as provided in paragraph 6, above and they must at those times be under the supervision of the General Secretariat Press Office staff and the host country's security staff.
- (8) The host country must provide for the services of a professional photographer for the duration of the General Assembly and for any evening or other social events. This photographer should be in constant contact with the General Secretariat's Chief Press Officer. The photographer must take all photographs in digital format. These images may be used on the public and restricted INTERPOL websites or for other promotional purposes. The photographer shall be given a list of the photographs needed by Press Office staff.

**Article 21: Opening ceremony**

- (1) The opening ceremony is held at the beginning of the General Assembly session.
- (2) Host country authorities and members of the General Secretariat shall meet well in advance of the General Assembly to decide on the procedure at the opening ceremony, including:
  - who will sit on the official platform
  - who will make speeches and in what order
  - who will act as “master of ceremonies”.
- (3) Copies of speeches must be given to the interpreters and minute writers in one of INTERPOL's official languages before the ceremony.
- (4) The INTERPOL anthem, which the General Secretariat shall supply, should be played at the opening ceremony and one minute's silence should be observed in honour of police officers who have died while on duty.

**Article 22: Social programme**

- (1) The host country customarily arranges for a reception for delegates and/or an official dinner for delegates and the persons accompanying them, thus providing host country authorities an opportunity to make personal contact with the delegates.
- (2) The host country may also arrange a special programme for persons accompanying delegates to the General Assembly session.
- (3) These functions may be sponsored to reduce the cost to the host country. Article 24 applies to sponsorship of social functions.
- (4) The General Assembly Coordinator and the Host Country Coordinator shall agree in advance on the schedule and type of all social events.

**Article 23: Conference exhibition**

- (1) The General Secretariat may arrange for an exhibition to be held in the conference hall or in the immediate vicinity to provide businesses and other organizations with the opportunity to demonstrate their products and services to the delegates before and during the General Assembly.
- (2) Even though the exhibition may be organized by an independent contractor, the General Secretariat shall retain final authority over all aspects of any exhibition, including the choice of a contractor and all contractual terms.

- (3) The host country may refuse to permit such an exhibition to be held by so notifying the General Secretariat at the time that it submits the application specified in Articles 2 and 3.
- (4) If an exhibition is to be arranged, the following requirements must be met:
  - At least 400 square meters of exhibition space must be available, preferably at no additional cost to the General Secretariat or the organizer.
  - If a fee is charged for the exhibition space, the cost shall be paid for by the organizer of the exhibition.
  - The exhibition space must be adjacent to an area where delegates can obtain refreshments during morning and afternoon breaks and delegates must be able to bring refreshments to the exhibition area without added cost to INTERPOL, the exhibitors or the organizer of the exhibition.
  - The organizer of the exhibition and an authorized representative of the conference premises shall sign a legally enforceable contract by a deadline to be fixed by the General Assembly Coordinator.
- (5) If the host country desires that entities whose headquarters and principal operations are located in the host country be permitted to participate in the exhibition, it shall furnish the names of these entities to the General Secretariat at least 12 months before the opening of the General Assembly. These entities may participate in the exhibition if they meet the criteria that apply to other exhibitors, subject to such conditions as may be imposed by the General Secretariat.
- (6) The host country may enter into a separate contractual agreement with the organizer of the exhibition, subject to the advance approval of the General Secretariat.
- (7) Whether or not it gives permission to the General Secretariat to organize an exhibition, the host country may not organize an independent commercial exhibition or permit a third party to organize such an exhibition in the vicinity of the General Assembly except with the advance written consent of the General Secretariat. The host country shall inform the General Assembly Coordinator in advance of any event or circumstance that may have an impact on the conference exhibition.

**Article 24: Sponsorship**

- (1) The host country may seek sponsors in order to defray the cost of hosting a General Assembly. Before doing so, however, it must submit any proposed form of sponsorship as well as the names and other information concerning the prospective sponsors to the General Secretariat. The host country may not enter into an agreement with a prospective sponsor or accept sponsorship of any event associated with the General Assembly unless the General Secretariat provides its advance written consent. Sponsors may not provide exhibits without the express approval of the General Secretariat.
- (2) In case of any conflict, dispute, or disagreement between the host country and the organizer of the exhibition involving sponsorship or other matters, the General Secretariat shall attempt to reach a mutually agreed solution.

**Article 25: Sharing of costs**

- (1) The General Secretariat is financially responsible for:
  - (a) Hiring interpreters and minute writers and paying their travel and living expenses;
  - (b) Covering travel and living expenses of the Organization's staff;
  - (c) Supplying and installing the computers required for the General Assembly Secretariat;
  - (d) Social events, if any, hosted exclusively by the President and Secretary General.
- (2) The host country authorities are financially responsible for:
  - (a) Hiring the conference rooms, the premises required for the General Assembly Secretariat, and the necessary equipment, as described in Articles 7 and 8 above;
  - (b) Making all necessary personnel available;
  - (c) Meeting delegates at the airport, transporting them from the airport to their hotels and from their hotels to the airport, and, if necessary, from their hotels to the conference building;
  - (d) Printing an information booklet;
  - (e) Supplying paper for reproducing the documents;

- (f) The cost of functions on the Social Programme that are organized by the host country;
  - (g) The cost of communications from the General Assembly session premises to the Organization's Headquarters;
  - (h) Insurance cover and/or compensation for any damage caused to persons involved or participating in the work of the General Assembly and Executive Committee, as well as any damage caused unintentionally to premises or vehicles by participants at the Executive Committee meeting and the General Assembly session, as provided in Article 9 of the Agreement on Privileges and Immunities;
  - (i) All security costs.
- (3) If the Executive Committee decides to cancel the General Assembly session in application of Article 5 of the Organization's General Regulations, the host country authorities and the General Secretariat shall each pay the expenses they have already committed for organizing the session. This provision shall apply, mutatis mutandis, if the authorities of the host country are obliged by reason of circumstances beyond their control to cancel their hosting of the General Assembly session. However, any cancellation that is due to a deliberate action by the host country, including its failure to meet the obligations described herein, may result in liability for financial commitments by the General Secretariat.

*(Because arrangements vary widely from country to country, it is practically impossible to forecast how much it will cost a country to host a General Assembly session.*

*In some countries, official conference premises may be made available free of charge; police vehicles may be made available for some or all of the transportation required; the personnel needed may be seconded by the police.*

*Also, production of items such as commemorative badges, document holders, and passes can be sponsored by public or private bodies, as can various functions, subject to the requirements of Article 24.*

*It should be noted that holding a General Assembly session can generate substantial income for local business including hotels, restaurants, and other enterprises.*

*In addition to the financial benefits involved, hosting a General Assembly session can bring a country increased prestige and enhanced standing in view of INTERPOL's reputation.)*

**Article 26: Dispute resolution**

- (1) In case of any conflict, dispute, or disagreement arising from the application or interpretation of these rules or the organization of the General Assembly, whether between the host country and the General Secretariat or between the host country and the organizer of the exhibition referred to in Article 23 or other parties, the General Assembly Coordinator and the Host Country Coordinator shall attempt to reach a mutually agreed solution.
- (2) In the event that the General Assembly Coordinator and the Host Country Coordinator are unable to reach a mutually agreed solution within a reasonable period of time, the General Secretariat may proceed as provided in Article 2, paragraph 9.

**Article 27: Transitional rules**

- (1) The present rules shall take effect as soon as they are approved by the General Assembly.
- (2) With respect to the 74th session of the General Assembly, which will be held in Berlin, the host country shall be deemed to have complied with any deadline that has already passed. The host country, the General Secretariat, and other affected parties should make every effort to comply with the other requirements of these rules, mutatis mutandis, in a timely fashion.
- (3) Article 2, paragraph 2, requiring the submission of invitations three years in advance, is suspended with respect to the 75th and 76th sessions of the General Assembly. However, any country wishing to host the 75th or 76th sessions of the General Assembly should submit their applications, in the form specified in these rules, as soon as possible. Any deadline that has already passed shall be deferred until six months after the adoption of these rules to allow time for the affected party to meet the requirements of the rules. All other provisions of these rules shall apply to the organization of the 75th and 76th sessions of the General Assembly.

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**APPENDIX 1: SPECIAL AGREEMENT ON THE PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION-INTERPOL DURING THE SESSIONS OF THE EXECUTIVE COMMITTEE AND THE GENERAL ASSEMBLY TO BE HELD IN ..... FROM ..... TO .....**

Mr ..... (name and title), representing ..... (name of country), duly authorized to that effect, and

Mr ..... (name), President of the International Criminal Police Organization-INTERPOL (ICPO-INTERPOL),

In anticipation of the ..... session of the INTERPOL General Assembly and the ..... session of the Executive Committee of INTERPOL, which will be held at ....., from ..... to .....,  
2....,

have agreed to the following:

**Article 1: Entry into the host country territory**

- (1) The competent government authorities in the host country shall allow to enter and leave their territory:
  - (a) members of the Executive Committee of the ICPO-INTERPOL;
  - (b) representatives to the General Assembly of member countries whose names appear on the list of participants, a copy of which shall be provided to the authorities of the host country at least seven days before the beginning of the General Assembly;
  - (c) members of the General Secretariat personnel assigned to assist the Executive Committee and General Assembly;
  - (d) interpreters and minute writers hired by the General Secretariat;
  - (e) the Organization's Advisers;
  - (f) observers and experts who have been invited to attend the sessions; and
  - (g) accompanying family members and staff of the foregoing for the duration of the Executive Committee meeting and the General Assembly session.
- (2) Any visas or entry or exit permits required for persons participating in the Executive Committee meeting or General Assembly session shall be issued free of charge and without delay.

**Article 2: Privileges and immunities**

- (1) On the occasion of the Executive Committee meeting and the General Assembly session, the competent government authorities in the host country shall grant to ICPO-INTERPOL the same privileges and immunities normally granted to international organizations.
- (2) The ICPO-INTERPOL shall enjoy immunity from legal process and from execution of legal process in civil, administrative and criminal matters. On the decision of the Secretary General and at the motivated request of the competent authorities in the host country, it may expressly waive its immunity from legal process.

**Article 3: Inviolability of archives and correspondence**

- (1) All documents belonging to the ICPO-INTERPOL or held by it in whatever form and, inter alia, its archives and accounts, shall be inviolable wherever they are located.
- (2) The inviolability of the ICPO-INTERPOL's official correspondence shall be guaranteed. Its official communications shall not be subject to censorship and it may make use of codes.

**Article 4: Foreign exchange**

The ICPO-INTERPOL may, without being subject to any financial controls, regulations or moratoria:

- (a) receive and hold funds and foreign exchange of all kinds, and operate accounts in all currencies on the territory of the host country;
- (b) freely transfer its funds and foreign exchange within the territory of the host country, and from its Headquarters or one of its Sub-Regional Bureaus to the host country and vice versa.

**Article 5: Exemption from customs duties**

Administrative, technical and scientific material provided by the ICPO-INTERPOL for the Executive Committee meeting and the General Assembly session, as well as publications of the ICPO-INTERPOL and other official documents required for its work, and the usual gifts presented by or to the Secretary General and officials of the Organization during the General Assembly session, shall be exempt from payment of import duties and taxes. The ICPO-INTERPOL undertakes to re-export all such material, publications and gifts that remain unused or undistributed at the end of the General Assembly session.

**Article 6: Privileges and immunities of participants**

The host country shall take appropriate measures to ensure that participants at the Executive Committee meeting and at the General Assembly session, the Organization's Advisers, observers and experts, members of the General Secretariat assigned to assist the Executive Committee and the General Assembly, as well as the family members accompanying them, with the exception of local staff, shall be granted the following privileges and immunities on the territory of the host country during the meeting or session and during their journeys to and from the location where the meeting or session is being held:

- (a) immunity from arrest, detention and seizure of personal baggage except if caught in the act of committing an offence;
- (b) immunity from legal process, even after the Executive Committee meeting and the General Assembly session, for acts performed in the exercise of their functions;
- (c) inviolability of all official papers and documents;
- (d) the same facilities with regard to foreign exchange as are granted to diplomatic agents.

**Article 7: Diplomatic privileges**

In addition to the privileges and immunities granted by Article 6 above, the Secretary General, the members of the Executive Committee and the family members accompanying them shall be accorded the privileges, immunities, and facilities as are granted, in accordance with international law, to diplomatic agents.

**Article 8: Use of immunities**

The privileges and immunities provided for in Articles 6 and 7 of the present Agreement are granted to those concerned not for their personal benefit but in the interest of the smooth functioning of the institutions of the ICPO-INTERPOL. The competent authorities in the Organization's member countries may and should waive such immunities whenever the latter would impede the course of justice and when the immunity can be waived without prejudice to the interests of the Organization.

**Article 9: Responsibility**

- (1) The host country shall take appropriate measures to provide insurance cover for any damage caused to persons involved or participating in the work of the General Assembly and Executive Committee, as well as any damage caused unintentionally to premises or vehicles by participants at the Executive Committee meeting and the General Assembly session.
- (2) The host country shall compensate the Organization, its personnel and the delegates for such actions, complaints or claims, and release it from any responsibility therefore.

**Article 10: Notification**

The competent authorities in the host country and the Organization shall notify each other when the present Agreement has been approved and it shall come into force the day after reception of the second notification.

In witness thereof the undersigned, duly authorized to that effect, have concluded the present Agreement.

Done in ..... (place) on ..... (date) in two copies.

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**RULES CONCERNING THE ORGANIZATION OF GENERAL ASSEMBLY SESSIONS**

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**APPENDIX 2: TIMELINE**

*(Note: The following dates are provided for information only; in the event of a conflict or inconsistency between these dates and the requirements set forth in the text of the rules, the latter shall control.)*

<b>D A T E (in months or days before General Assembly)</b>	<b>E V E N T</b>	<b>SOURCE (Article- paragraph)</b>
<b>36 months</b>	Host country submits invitation	2-2
<b>1 April (approximately 31 months)</b>	General Secretariat prepares list of qualifying applications	2-4
<b>29 months</b>	Executive Committee designates qualified candidates	2-6
<b>24 months</b>	General Assembly selects site for next session two years hence	2-6
<b>18 months</b>	Completed agreement on Privileges and Immunities	4-5
<b>18 months</b>	Host country and General Secretariat agree on firm dates for holding General Assembly	10-1
<b>18 months</b>	Hotels identified	15-1
<b>16 months</b>	Binding commitment concerning conference premises	4-6
<b>16 months</b>	Firm prices for hotels provided to General Secretariat	15-2
<b>12 months</b>	Host country furnishes names of local exhibitors to General Secretariat	23-5
<b>12 months</b>	General Assembly confirms site selected the previous year	2-7
<b>4-5 months (approximately)</b>	Executive Committee approves the provisional agenda for the General Assembly	13-1
<b>4 months</b>	Host country sends invitations via diplomatic channels; General Secretariat sends invitations to NCBs	11-1
<b>3 months</b>	Security plan completed	19-2
<b>90 days</b>	General Secretariat circulates approved provisional agenda	13-2
<b>30 days</b>	Publication of information booklet	14*
<b>10 days</b>	Premises available	7-1*
<b>2 days</b>	Executive Committee meets	10-2
<b>2 days</b>	Executive Committee approves final agenda	13-3

*\* The event is mentioned in the Rules although the deadline is not specified.*

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A large, stylized red number 6 is centered on the page. The background is a grayscale image of a row of classical columns, likely from a government building or courthouse, receding into the distance. The columns are white and have a fluted design. The lighting is soft, creating subtle shadows and highlights on the columns and the floor. The overall composition is clean and professional.





INTERPOL

*Terms of Reference  
for the Regional Conferences*

[II.A/TRRC/GA/2004]



**REFERENCES**

Terms of Reference for the Regional Conferences adopted by the Organization's General Assembly at its 73rd Session (Cancún, 2004) by Resolution AG-2004-RES-10.

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## **1. BACKGROUND**

General Assembly resolution AGN/66/RES/2 (New Delhi, 1997) defined the status of regional conferences. This Resolution amended the Constitution and General Regulations so as to treat regional conferences as committees of the General Assembly and thus as statutory meetings within the meaning of Article 52(1)(b) of the General Regulations. The aforementioned Resolution was thus intended to ensure that Member States that had not fulfilled their financial obligations towards the Organization could nevertheless participate in regional conferences.

During the 32nd European Regional Conference (Noordwijk, 2003), following a proposal by a drafting group of the INTERPOL European Committee, it was recommended that the INTERPOL European Committee work closely with the General Secretariat to create draft Terms of Reference for the European Regional Conference. It was subsequently agreed to broaden this objective by proposing draft Terms of Reference for all the regional conferences.

## **2. MEMBERS**

The members of the regional conferences shall consist of the National Central Bureaus of member countries located within the INTERPOL Regions, which include Africa, Asia, the Americas and Europe. Representatives of National Central Bureaus from countries outside the region, other regional conferences, regional law enforcement initiatives, and other organizations may be invited to and may attend meetings of the regional conference as observers.

## **3. OBJECTIVES OF THE REGIONAL CONFERENCES**

The objectives of the regional conferences are:

- to identify real, specific problems of criminality that transcend national boundaries, that are found within all or part of their regions, that are either of an operational or of a strategic or policy nature, and that are amenable to action or solutions on an institutional level that could not otherwise be achieved through action by individual NCBs;
- to propose flexible, tailored solutions to the problems thus identified and in so doing to promote ownership of the solutions by the regional NCBs;

- to develop and adopt, if appropriate, a regional business plan and/or accompanying action plan as a complement to the core functions and priorities of the Organization or the initiatives of the General Secretariat;
- to recognize that key services must continue to be delivered on a global basis within INTERPOL's legal and institutional framework.

## **4. AUTHORITIES OF THE REGIONAL CONFERENCES**

Each regional conference is authorized, within the scope of the foregoing objectives:

- 4.1 to meet on a regular basis;
- 4.2 to take formal decisions that are binding on it and its subsidiary bodies;
- 4.3 to contact and cooperate with the corresponding regional office within the General Secretariat;
- 4.4 to contact and cooperate with other regional conferences
- 4.5 to receive accounts of surveys of NCBs that have been conducted by the General Secretariat, provided that the subject of the survey agrees to the release of the information by the General Secretariat;
- 4.6 to forward recommendations to one or more NCBs within the region or itself as a regional conference;
- 4.7 to forward recommendations, as provided in Article 37.2 of the General Regulations, to the General Secretariat, which shall be responsible for coordinating any further transmission, if appropriate, to the Executive Committee or General Assembly;
- 4.8 to advise the General Secretariat of any perceived need for coordination between the regional conference and other regional law enforcement initiatives;
- 4.9 to establish subsidiary organs, which shall be known as regional committees;
- 4.10 to adopt Terms of Reference for the regional committee that is associated with regional conference in question, provided that such Terms of Reference are consistent with the Organization's Constitution, Rules, Regulations and procedures;

- 4.11 to delegate to the regional committee such functions as the regional conference considers appropriate, provided that these functions are within the scope of authority of the regional conference;
- 4.12 to elect the members of the regional committee when established.

## **5. WORKING METHODS**

The working methods of the regional conferences shall be as follows:

- 5.1 Except as provided herein, meetings of regional conferences and any subsidiary organs shall be subject, mutatis mutandis, to the same rules as the plenary session of the General Assembly.
- 5.2 Each regional conference shall choose the place where the following session will be held.
- 5.3 The Vice-President for the INTERPOL region or one of the members of the Executive Committee from the region shall chair the regional conference for that region.
- 5.4 Decisions at the regional conference shall be taken by a simple majority except in cases where a two-thirds majority is required.
- 5.5 A two-thirds majority is required when the regional conference:
- forwards recommendations;
  - approves the Regional Business Plan and Regional Action Plans.
- 5.6 An ad hoc committee shall be set up to give a prior opinion on all proposals requiring a two-thirds majority. The ad hoc committee shall consist of five members elected by the members of the regional conference at the start of the Conference.

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A photograph of a row of white classical columns, likely in a museum or gallery. The columns are arranged in a perspective that recedes into the distance. A large, bold, red number '7' is overlaid on the image, positioned in the center-left area, partially obscuring the columns. The lighting is soft and even, highlighting the texture of the stone or marble.

7





INTERPOL

*Terms of Reference for the  
INTERPOL European Committee*

[II.A/TREC/ERC/1991(2007)]



## REFERENCES

Establishment of the INTERPOL European Committee (IEC) by the European Continental Meeting (Punta del Este, 4-8 November 1991) as a subsidiary organ of the said Meeting.

Amendment of Article 11 of the Constitution and Articles 35, 36 and 37 of the General Regulations by the General Assembly at its 66th Session (Resolution AGN/66/RES/2, New Delhi, 1997) and the subsequent creation by the latter of the European Regional Conference.

Terms of Reference of the INTERPOL European Committee adopted by the European Continental Meeting in Punta del Este in 1991 and revised by the European Regional Conference at its 30th session (Tbilisi, 16-18 May 2001).

Adoption by the General Assembly at its 73rd session (Resolution AG-2004-RES-10, Cancun, 2004) of Terms of Reference for the Regional Conferences.

Terms of Reference for the INTERPOL European Committee adopted by the European Regional Conference at its 36th session (Varna, 30 May to 1 June 2007).

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The 36th ICPO-INTERPOL European Regional Conference, meeting in Varna, Bulgaria, from 30 May to 1 June 2007:

RECALLING the establishment of the INTERPOL European Committee (IEC) by the European Continental Meeting (Punta del Este, 4-8 November 1991) as a subsidiary organ of the said Meeting,

RECALLING the amendment of Article 11 of the Constitution and Articles 35, 36 and 37 of the General Regulations by the General Assembly at its 66th session (Resolution AGN/66/RES/2, New Delhi, 1997) and the subsequent creation by the latter of the European Regional Conference,

NOTING that the INTERPOL European Committee has since then operated as a subsidiary organ of the European Regional Conference,

CONSIDERING the Terms of Reference of the INTERPOL European Committee adopted by the European Continental Meeting in Punta del Este in 1991 and revised by the European Regional Conference at its 30th session (Tbilisi, 16-18 May 2001),

CONSIDERING the adoption by the General Assembly at its 73rd session (Resolution AG-2004-RES-10, Cancun, 2004) of Terms of Reference for the Regional Conferences,

BEARING IN MIND Point 4.9 of the said Terms of Reference for the Regional Conferences under which each Regional Conference is authorized to establish subsidiary organs which shall be known as regional committees,

HAVING REGARD to Points 4.10, 4.11 and 4.12 of the said Terms of Reference for the Regional Conferences,

WHEREAS the General Assembly authorizes each Regional Conference:

- to adopt Terms of Reference for the regional committee that is associated with it, provided that such Terms of Reference are consistent with the Organization's Constitution, Rules, Regulations and procedures,
- to delegate to the regional committee such functions as the regional conference considers appropriate, provided that these functions are within the scope of authority of the regional conference,
- to elect the members of the regional committee when established,

BEARING IN MIND the need for any Regional Committee to ensure that the issues and priorities it has identified reflect the situation in the region and that a continuous dialogue is entertained between the given regional committee and members of the Regional Conference in pursuance of their mandate,

NOTING that the INTERPOL European Committee has proceeded with the election of a new Chairman during its 46th meeting in accordance with the current Terms of Reference for the European Committee,

DECIDES to revise the current Terms of Reference for the European Committee;

DECIDES that Article 3.5 of the revised Terms of Reference below shall not enter into force until the end of the term of the newly elected Chairman;

ADOPTS the following Terms of Reference for the INTERPOL European Committee:

**Article 1: Establishment and status**

The INTERPOL European Committee (IEC), hereinafter called "the Committee", is established as a subsidiary organ of the European Regional Conference, in accordance with point 4.9 of the Terms of Reference for the Regional Conferences.

**Article 2: Purpose, objectives and tasks**

- (1) The purpose of the Committee shall be to advise the European Regional Conference in the execution of its mandate and facilitate the deliberations at the session of the European Regional Conference by providing a clear understanding of the strategic and operational issues at stake.
- (2) The objectives of the Committee shall be as follows:
  - (a) to prepare the agenda for the European Regional Conference;
  - (b) to prepare and update the European Business Plan for the European Regional Conference;
  - (c) to identify regional strategic priorities in the fight against crime and propose a recommended course of action to the European Regional Conference;
  - (d) to identify problems of police cooperation specific to the region and propose a recommended course of action to the European Regional Conference;
  - (e) to examine any matter referred to by the European Regional Conference.

- (3) To the above ends, the Committee shall advise on:
  - (a) issues of criminality specific to the European Region;
  - (b) issues of police cooperation specific to the European Region;
  - (c) services that may be developed to assist Members of the European Region;
  - (d) services and performance provided by Members in the European Region;
  - (e) best practice initiatives taken throughout the European Region with a view to promote continuous performance improvement;
  - (f) any project, issue and/or document referred to the Committee by the European Regional Conference, from a strategic perspective.
- (4) The Committee shall provide recommendations to the European Regional Conference on the items listed in (3) above.
- (5) The Committee shall liaise with the General Secretariat on all matters relating to the work of the European Regional Conference.

**Article 3: Composition and structure**

- (1) The Committee shall consist of 8 members of the European Regional Conference, elected by the European Regional Conference for a period of four years.
- (2) The President, Vice-President and Delegates for Europe to the Executive Committee may be invited to participate in the meetings of the Committee, without the right to vote.
- (3) The Committee shall normally meet at least three times a year at the INTERPOL General Secretariat, Lyon and the quorum required for acts of the IEC shall be half of the members. Extraordinary sessions may be convened by the IEC when the need arises.
- (4) Each member of the Committee shall have one vote. The Committee shall act by simple majority of its members present and voting.
- (5) The chairperson of the Committee shall be elected by secret ballot by the members for a period of one year, renewable, in accordance with (4) above.
- (6) The Committee shall establish its rules of procedure.

- (7) The Committee may decide to establish special working parties to develop and propose strategies, concepts and tools, or to perform any other advisory task deemed necessary by the Committee. However, a decision which may have financial consequences other than on the Organization's running costs has to be approved in conformity with Resolution AGN/64/RES/1. The Committee shall draw up the terms of reference of such special working parties.
- (8) The Committee may invite observers to attend its meetings.

**Article 4: Membership**

- (1) For the Committee to be effective, members of the European Regional Conference elected to the Committee shall ensure that their representatives are decision-makers who are fully conversant with the domestic policing requirements and possibilities.
- (2) Members of the European Regional Conference elected to the Committee shall also ensure that their representatives benefit from the time and resources necessary to prepare and attend the Committees meetings.

**Article 5: Chairperson**

The chairperson of the Committee shall:

- (a) report on the activities of the Committee to the European Regional Conference;
- (b) set the date of the meetings of the Committee after consultation with the General Secretariat;
- (c) preside at meetings of the Committee and direct the discussions, ensuring good order and continuing dialogue;
- (d) ensure discussions remain relevant to the Committee's prescribed objectives;
- (e) maintain as far as is possible direct and constant contact with the General Secretariat.

**Article 6: Absence**

Given the important objective of assuring the functioning of the Committee, should any member of the European Regional Conference elected to the Committee fail to send a representative to attend all three annual sessions of the Committee, the European Regional Conference shall decide to elect another member of the Committee to replace this member.

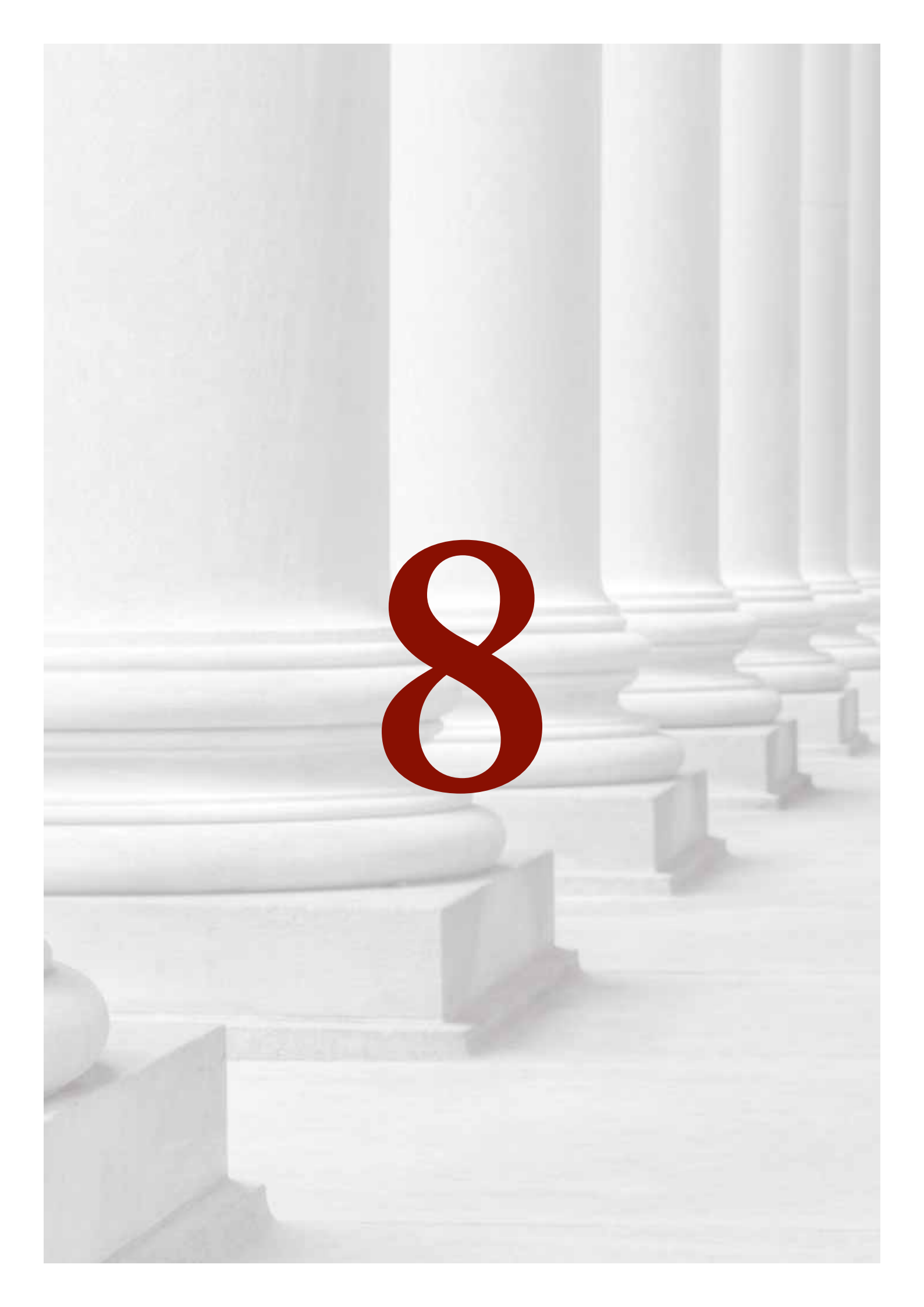


**Article 7: Expenses**

Expenses incurred in connection with attendance at the Committee's meetings or working party meetings, as referred to in Article 3, shall be met by each member.

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INTERPOL

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*Rules of Procedure of the  
Executive Committee*

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[II.B/RPEC/GA/1994 (2016)]



**REFERENCES**

Rules of Procedure of the Executive Committee adopted by the General Assembly at its 63rd session (1994, Rome).

Article 7 amended at the 82nd General Assembly session (Cartagena de Indias – 2013)

85th General Assembly session, Resolution AG-2016-RES-07 adopting amendments to the Rules of Procedure of the Executive Committee.

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## RULES OF PROCEDURE OF THE EXECUTIVE COMMITTEE

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### **Article 1: Attendance at Executive Committee sessions**

- (1) The following shall attend Executive Committee sessions:
  - (a) the President of the Organization, the Vice-Presidents and the Delegates on the Executive Committee elected in conformity with Articles 15, 16 and 17 of the Organization's Constitution;
  - (b) the Secretary General, in conformity with Article 29 of the Organization's Constitution, and any officials of the Organization he designates to present oral or written reports to the Executive Committee on any item under discussion, as well as those persons responsible for the Executive Committee's Secretariat;
  - (c) the Organization's Advisers, appointed in conformity with Article 36 of the Organization's Constitution, and the External Auditors, in conformity with Article 25 of the Financial Regulations, if invited by the President to take part in the Executive Committee's discussions of agenda items coming within their specialist fields;
  - (d) any other person whose presence the Executive Committee considers to be necessary for discussion of any item on the agenda for the session.
- (2) Only members of the Executive Committee shall have the right to vote.

### **Article 2: Sessions**

- (1) In conformity with Article 20 of the Organization's Constitution, the Executive Committee shall meet at least once a year. A session shall be held immediately before the General Assembly session.
- (2) Unless the Executive Committee decides otherwise, its sessions shall be held at the Organization's Headquarters in Lyon. However, the Executive Committee session held immediately before the General Assembly session shall normally be held at or near the venue chosen for the Assembly.
- (3) The President of the Organization shall fix the dates for Executive Committee sessions following consultation with the Secretary General.

- (4) In conformity with Article 20 of the Organization's Constitution, Executive Committee sessions shall be convened by the President of the Organization. Under normal circumstances notices of convocation shall be sent out by the General Secretariat at least one month before the beginning of the session.

### **Article 3: Agenda**

- (1) The draft agenda for each Executive Committee session shall be drawn up by the President of the Organization in consultation with the Secretary General.
- (2) The first item on the agenda for each Executive Committee session shall be the adoption of the agenda.
- (3) The second item on the agenda for each Executive Committee session shall be the adoption of the minutes and abstract of decisions of the previous Executive Committee session.

### **Article 4: Functioning of the Executive Committee**

- (1) The Executive Committee shall take decisions in session or, if it so decides, through a written procedure.
- (2) The Executive Committee may, within the limits of its powers, set up subsidiary consultative bodies whose composition and terms of reference it shall determine.
- (3) The Executive Committee may, within the limits of its powers, appoint one or more of its members to study specific items on the agenda. These rapporteurs shall submit their reports to the Executive Committee.
- (4) Should the Executive Committee consider proposing to the General Assembly that the Secretary General be removed from office in conformity with Article 28 of the Organization's Constitution, the Executive Committee shall examine the pertinent facts and take its decision with due respect for general legal principles.

### **Article 5: Absence of the President**

If the President is unable to attend, Article 41 of the Organization's General Regulations shall apply.

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## RULES OF PROCEDURE OF THE EXECUTIVE COMMITTEE

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### **Article 6: Conduct of business**

- (1) In application of Article 18(a) of the Organization's Constitution, the President of the Organization shall preside at sessions of the Executive Committee and direct the discussions.
- (2) Executive Committee sessions shall not be held in public.
- (3) No one may speak at an Executive Committee session without the prior authorization of the President of the Organization. The President may limit the amount of time allowed to each speaker.
- (4) During the discussion of any matter, a member of the Executive Committee may rise to a point of order, and the point of order shall immediately be decided by the President of the Organization. A member may appeal against the ruling of the President, in which case the appeal shall immediately be put to the vote. The President's decision shall be upheld unless the majority of members present and voting for or against decide otherwise. A member rising to a point of order may not speak on the substance of the matter under discussion.
- (5) A member of the Executive Committee may at any time move the adjournment or closure of the debate on the item under discussion, in which case only one speaker may speak against the motion and the motion for adjournment or closure of the debate shall then be put to the vote.
- (6) When a proposal has been adopted or rejected it may not be reconsidered at the same session unless the Executive Committee so decides by a two-thirds majority of the members present and voting for or against.
- (7) The President of the Organization may decide that a proposal on an item under discussion is adopted by consensus when he notes that after discussion no speakers are against that proposal. A member of the Executive Committee may appeal against the ruling of the President, in which case the appeal shall immediately be put to the vote. The President's decision shall be upheld unless the majority of members present and voting for or against decide otherwise.
- (8) When a written proposal is being discussed and an amendment to the proposal is moved, the amendment shall be voted on first. If several amendments are moved, the President shall put them to the vote one after the other, beginning with the one furthest removed in substance from the original proposal.

### **Article 7: Voting in session**

- (1) Each member of the Executive Committee shall have one vote.
- (2) Decisions of the Executive Committee shall be made by simple majority of the members present and voting for or against, unless some other form of majority is required. Regarding the selection of a candidate for the post of Secretary General, the decisions of the Executive Committee shall be made by simple majority of the members present and voting for or against.
- (3) The Executive Committee shall normally vote by a show of hands, except if it decides otherwise before the vote. However, when the vote concerns the appointment of a particular person or the choice of a candidate for appointment by the General Assembly, the vote shall be held by secret ballot.
- (4) The decision to appoint a particular person or to propose a candidate for appointment by the General Assembly shall be taken in accordance with the following procedure:
  - (a) If there are two candidates for the appointment, the candidate obtaining most votes shall be selected. If both candidates obtain the same number of votes, a second ballot shall be taken. If both candidates again obtain the same number of votes, lots shall be drawn to decide between them.
  - (b) If there are more than two candidates and if no candidate obtains an overall majority, further ballots shall be taken and the candidate, or candidates in the event of a tie, obtaining the least number of votes shall be eliminated at each ballot. If only one candidate then remains, that candidate shall be selected. If two candidates remain, the procedure used shall be that outlined in (a) above.
- (5) A member of the Executive Committee shall not take part in a vote on the appointment of a particular person or the choice of a candidate for appointment by the General Assembly if he is himself a candidate for the post in question. A candidate eliminated in conformity with (4) above, shall once again be entitled to vote.
- (6) If the votes are equally divided on a matter other than cases covered by (4) above, the proposal shall be regarded as not adopted.
- (7) The quorum required for Executive Committee decisions shall be two-thirds of the members.

**Article 7A: Written procedure**

- (1) Decisions made by the Executive Committee through a written procedure shall be made by consensus.
- (2) As from the date of notification of the document launching the written procedure, any member of the Executive Committee shall have three weeks to request that the matter be examined in session if he/she so decides. The President may decide, on reasoned grounds of urgency, to reduce this period.
- (3) The Executive Committee shall determine the written decision-making procedure in conformity with paragraphs (1) and (2) above.

**Article 8: Secretariat**

- (1) The Secretary General shall be responsible for the Secretariat of the Executive Committee. He may delegate these functions to any other member of the General Secretariat. He shall hire the staff required to carry out such duties.
- (2) Minutes shall be taken of sessions of the Executive Committee and an abstract of the decisions taken by the Executive Committee shall also be compiled.
- (3) The Secretariat of the Executive Committee shall prepare the minutes and the abstract of decisions in the languages covered by Article 9 of the present Rules of Procedure. Except in exceptional circumstances, it shall send them to the members of the Executive Committee at least one month before the beginning of the following session.
- (4) Members of the Executive Committee shall, after due consideration, adopt the minutes and abstract of decisions of the previous session at the beginning of the following session.
- (5) The abstract of the decisions of the Executive Committee, thus adopted, shall be sent to all Members of the Organization.

**Article 9: Languages**

The languages of the Executive Committee shall be the four working languages of the General Secretariat.

**Article 10: Expenses of members of the Executive Committee**

The President, Vice-Presidents and Delegates on the Executive Committee shall be entitled to have the travel and living expenses resulting from their activities as members of the Executive Committee covered by the Organization in accordance with the procedures and limits decided by the Executive Committee.

**Article 11: Application of the present Rules of Procedure**

A member of the Executive Committee may ask that a decision taken by the President of the Organization in application of the present Rules of Procedure outside a session be reconsidered by the Executive Committee.

**Article 12: Final provision**

- (1) The present Rules of Procedure, adopted in application of Article 8(d) of the Organization's Constitution, constitute an appendix to the Organization's General Regulations.
- (2) Should any provision of the present Rules of Procedure diverge from a provision of the Organization's Constitution or General Regulations, the latter shall prevail.
- (3) The present Rules of Procedure shall come into force on 1 January 1995.

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A photograph of a row of white classical columns in a hall, receding into the distance. A large, bold, red comma symbol is overlaid in the center of the image.

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# *Written Procedure*

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[II.B/WP/CE/2017]





**REFERENCES**

Written Procedure adopted by the Executive Committee at its 192nd session (2017, Lyon) and entered into force on 16 February 2017.

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**WRITTEN PROCEDURE**

The Executive Committee, meeting in Lyon, France from 14 to 16 February 2017 at its 192nd session:

ACTING UPON Articles 4 (1) and 7A (3) of the Rules of Procedure of the Executive Committee,

DECIDES to adopt the following written procedure:

**Article 1: Aim**

The aim of the present written procedure is to set out the conditions under which the Executive Committee may make decisions out of session.

**Article 2: Scope**

The Executive Committee may make decisions out of session through a written procedure for all matters within its competence or that have been delegated to it by the General Assembly, with the exception of the following items:

- (a) Proposing amendments to the Constitution, the General Regulations and their Appendices;
- (b) Preparing the agenda for sessions of the General Assembly;
- (c) Approving the General Secretariat's annual programme of activities and the draft budget of the Organization;
- (d) Nominating and appointing persons to positions of responsibility, to formal bodies and groups, and to supervisory and advisory functions, and removing such persons from those positions;
- (e) Taking measures against INTERPOL Members for reasons such as non-fulfilment of their financial obligations or non-compliance with the Organization's data-processing rules, and maintaining and revoking such measures;
- (f) Approving amendments to the Staff Rules and the Implementing Rules for the Financial Regulations.

**Article 3: Supervision**

The President of the Organization shall direct and supervise the conduct of the written procedure.

**Article 4: Initiative**

- (1) The President may decide to promote the adoption of a decision, on a matter other than those listed under Article 2, through a written procedure on his/her own initiative, or at the request of any member of the Executive Committee or the General Secretariat.
- (2) The President may communicate a proposal to adopt a decision through a written procedure to the members of the Executive Committee:
  - orally during a session of the Executive Committee; or
  - electronically and in writing in the period between sessions.
- (3) With the assistance of the General Secretariat, the President shall circulate a draft decision electronically and in writing to the members of the Executive Committee:
  - following a session of the Executive Committee, if the proposal to adopt a decision through a written procedure is proposed and accepted during a session;
  - jointly with the proposal to adopt a decision through a written procedure, if the latter is made between sessions.
- (4) The proposal communicated by the President shall specify the period set for any member of the Executive Committee to take action with regard to the draft decision. This period shall normally be three weeks. The President may, on reasoned grounds of urgency, reduce it but to no less than one week.
- (5) The General Secretariat shall follow up with the members of the Executive Committee to ensure they have received the proposal to adopt a decision through a written procedure and the draft decision subject to the procedure.

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**WRITTEN PROCEDURE**

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**Article 5: Actions possible during a written procedure**

- (1) From the date on which the President sends notification of the document launching a written procedure and containing a draft decision, any member of the Executive Committee may within the set period:
  - (a) request that the draft decision be examined in session;
  - (b) propose amendments to the draft decision;
  - (c) object to the draft decision.
- (2) The President and the General Secretariat will need to be notified of any of these actions electronically and in writing within the set period.

**Article 6: Interruption or relaunch of a written procedure**

- (1) If a member requests that the matter be examined in session, the President shall include the item on the agenda for the following session of the Executive Committee.
- (2) If a member proposes amendments to the draft decision that are not of a purely editorial or administrative nature, the President shall examine them and decide to:
  - (a) interrupt the written procedure and include the item on the agenda for the following session of the Executive Committee; or
  - (b) launch a new written procedure, in accordance with Article 5.
- (3) If a member objects to the draft decision, the President shall interrupt the written procedure and include the item on the agenda for the following session of the Executive Committee.

**Article 7: Adoption of the decision**

The decision shall be considered adopted on the date on which the set period expires, if there are no:

- (a) requests for the matter to be examined in session;
- (b) outstanding proposals for amendment to the draft decision of a non-purely editorial or administrative nature;
- (c) objections to the draft decision.

**Article 8: Information and publication**

- (1) The President shall inform the members electronically and in writing of the adoption of the decision.
- (2) The adoption of the decision shall be announced at the beginning of the following Executive Committee session and appended to the minutes of that session.

**Article 9: Amendment**

The present written procedure may be amended by a decision of the Executive Committee in accordance with Article 7A of the Rules of Procedure of the Executive Committee.

**Article 10: Entry into force**

The present written procedure shall enter into force on 16 February 2017.

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INTERPOL

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*Terms of Reference  
of the Consulting  
and Supervisory Sub-Committee*

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[II.B/TRCS/EC/2014]





**REFERENCES**

Article 4(2) of the Executive Committee Rules of Procedure.

INTERPOL's Financial Regulations.

Executive Committee Decision No. 2, adopted at its 182nd session held in Monaco, on 2 November 2014, setting up a Consulting and Supervisory Sub-Committee and setting out its Terms of Reference.

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# TERMS OF REFERENCE OF THE CONSULTING AND SUPERVISORY SUB-COMMITTEE

## Article 1: Terms of Reference

- (1) The Executive Committee's Consulting and Supervisory Sub-Committee shall be responsible for advising and assisting the Executive Committee on the management of extrabudgetary resources, and for monitoring and assessing the development of activities and tools related to international police cooperation.
- (2) The Consulting and Supervisory Sub-Committee shall therefore have a wide scope of powers and may be called on, exclusively by the Executive Committee, to examine matters related to extrabudgetary resources, and matters related to police operations and data processing.
- (3) The Consulting and Supervisory Sub-Committee may discuss complex issues having a significant financial component with the Strategic and Finance Sub-Committee, in particular regarding the acceptance of proposed extrabudgetary resources. This also applies to other matters which may overlap with the tasks of the Strategic and Finance Sub-Committee.
- (4) The Consulting and Supervisory Sub-Committee commits itself to maintaining close relations with Advisory Groups which report to the Executive Committee, in order to generate important input for Executive Committee's sessions.
- (5) The Consulting and Supervisory Sub-Committee shall formulate recommendations which it adopts by consensus and presents to the Executive Committee. If no consensus is possible, the matter shall be submitted to the Executive Committee, indicating the different opinions within the Sub-Committee.

## Article 2: Extrabudgetary resources

- (1) The Consulting and Supervisory Sub-Committee shall provide guidance on the implementation of INTERPOL's Funding Model.<sup>1</sup>

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<sup>1</sup> The Consulting and Supervisory Sub-Committee has the task of advising on complex extrabudgetary resources and, in particular, supervising, auditing and selecting/preselecting new public-private partnerships. The Strategic and Finance Sub-Committee will supervise the relationship between the core budget and the operational strategy (budget implementation).

- (2) The Consulting and Supervisory Sub-Committee shall provide guidance on the acceptance of proposed extrabudgetary resources, including resources generated from public-private partnerships and other relevant agreements, taking into account particular due diligence reports.
- (3) The Consulting and Supervisory Sub-Committee shall monitor the implementation of agreements with Foundations.
- (4) The Consulting and Supervisory Sub-Committee shall provide guidance on proposed changes to the Organization extrabudgetary resources mechanism.

## Article 3: Operational matters and data processing

- (1) The Consulting and Supervisory Sub-Committee shall monitor and evaluate police operations organized by the General Secretariat in coordination with member countries, eventually by setting up a dashboard mechanism in order to provide it with necessary overview and insight.
- (2) The Consulting and Supervisory Sub-Committee shall monitor data processing operations and provide advice on critical or complex data processing issues.

## Article 4 : Composition

- (1) The Consulting and Supervisory Sub-Committee shall be composed of four members designated by the Executive Committee from among its own members. The Executive Committee shall ensure as wide a geographical representation as possible.
- (2) The Consulting and Supervisory Sub-Committee shall have a Chairperson and three members. The Chairperson shall be designated by the Executive Committee from among the Organization's Vice-Presidents.
- (3) The four members of the Consulting and Supervisory Sub-Committee shall be appointed for the duration of their terms of office on the Executive Committee, unless they ask to be relieved of their functions.

**TERMS OF REFERENCE OF THE CONSULTING AND SUPERVISORY SUB-COMMITTEE**

**Article 5: Agenda**

- (1) The agenda of the Consulting and Supervisory Sub-Committee shall be prepared on the basis of subjects which the Executive Committee itself has officially asked to be examined. Therefore, the Executive Committee shall draw up a list of matters requiring prior examination by the Consulting and Supervisory Sub-Committee.
- (2) However, it is also possible for members of the Consulting and Supervisory Sub-Committee to bring important matters to the attention of the Executive Committee.
- (3) If urgent technical and complex matters arise, the Chairperson of the Consulting and Supervisory Sub-Committee may convene its members to an extraordinary session or discuss the matter via a conference call or e-mail.
- (4) A copy of the agenda shall be shared with the Strategic and Finance Sub-Committee for its information.

**Article 6: Working Methods**

- (1) The working languages of the Consulting and Supervisory Sub-Committee shall be the working languages of the Organization, depending on requirements.
- (2) In conformity with the relevant rules and regulations, and after informing the Secretary General and the President, the Consulting and Supervisory Sub-Committee may ask any of the General Secretariat Directors and the Financial Controller or the auditors in charge to supply any information or evidence it considers necessary concerning matters for which they are responsible.
- (3) The travel and accommodation expenses incurred by members of the Consulting and Supervisory Sub-Committee in attending the meetings of the Consulting and Supervisory Sub-Committee shall be met by the Organization.
- (4) The General Secretariat shall provide administrative support for the Sub-Committee's activities, including the planning of meetings, preparing supporting documents, producing minutes and ensuring monitoring of follow-up actions.

**Article 7: Lifespan and numbers of meetings**

- (1) The Consulting and Supervisory Sub-Committee is created for an indefinite period of time. However, its functioning and its value for the Organization shall be assessed regularly by the Executive Committee.
- (2) It shall meet at least once before each Executive Committee session.
- (3) The date and duration of the meetings shall be decided on in advance by the Chairperson of the Consulting and Supervisory Sub-Committee, in consultation with the other three members. The Chairperson shall inform the President of the Organization accordingly.
- (4) Logistically, it is preferable to plan the meeting of the Consulting and Supervisory Sub-Committee so that it takes place on the same day as the meeting of the Strategic and Finance Sub-Committee. The meetings combined should not last longer than one day.

**Article 8: Revision of the Terms of Reference**

The Consulting and Supervisory Sub-Committee shall make any appropriate recommendations with a view to having its Terms of Reference revised by the Executive Committee.

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A photograph of a row of white classical columns in a hall, receding into the distance. The columns are supported by rectangular pedestals. The lighting is soft, creating a clean and architectural atmosphere. Overlaid in the center of the image is the number '11' in a bold, dark red serif font.

11





INTERPOL

*Terms of Reference of the  
Strategic and Finance  
Sub-Committee*

[II.B/TRSF/EC/2014]





**REFERENCES**

Article 4(2) of the Executive Committee Rules of Procedure.

INTERPOL's Financial Regulations.

Executive Committee Decision No. 2, adopted at its 182nd session held in Monaco, on 2 November 2014, setting up a Strategic and Finance Sub-Committee and setting out its Terms of Reference.

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## **TERMS OF REFERENCE OF THE STRATEGIC AND FINANCE SUB-COMMITTEE**

### **Article 1: Terms of Reference**

- (1) The Executive Committee's Strategic and Finance Sub-Committee shall be responsible for advising and assisting the Executive Committee on strategic matters, and for monitoring and assessing the application of the Financial Regulations and their Implementing Rules in compliance with principles of sound financial practice, efficiency, effectiveness and economy.
- (2) The Strategic and Finance Sub-Committee shall therefore have a wide scope of powers and may be called on, exclusively by the Executive Committee, to examine strategic, case-related and dispute-related matters and regular financial and budgetary matters,<sup>1</sup> and to develop and suggest strategic plans.
- (3) The Strategic and Finance Sub-Committee shall interact with the Consulting and Supervisory Sub-Committee when an agenda item has a close link to extrabudgetary resources. This also applies to other matters which may overlap with the tasks of the Consulting and Supervisory Sub-Committee.
- (4) The Strategic and Finance Sub-Committee commits itself to maintaining close relations with Advisory Groups which report to the Executive Committee, in order to generate important input for Executive Committee's sessions.
- (5) The Strategic and Finance Sub-Committee shall formulate recommendations which it adopts by consensus and presents to the Executive Committee. If no consensus is possible, the matter shall be submitted to the Executive Committee indicating the different opinions within the Sub-Committee.

### **Article 2: Strategic matters**

- (1) The Strategic and Finance Sub-Committee shall monitor and assess the implementation of the approved Strategic Development Plan.
- (2) The Strategic and Finance Sub-Committee shall provide strategic advice on matters related to the activities, missions and development of the Organization.

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<sup>1</sup> The Strategic and Finance Sub-Committee will supervise the relationship between the core budget and the operational strategy (budget implementation). The Consulting and Supervisory Sub-Committee has the task of advising on complex extrabudgetary resources and, in particular, supervising, auditing and selecting/preselecting new public-private partnerships.

- (3) The Strategic and Finance Sub-Committee shall provide guidance on the draft Strategic Development Plan and on projects with a strategic dimension, in particular when related to INTERPOL's involvement in new crime areas.

### **Article 3: Financial matters**

- (1) The Strategic and Finance Sub-Committee is specifically responsible for all matters related to INTERPOL's finances, including but not limited to:
  - Monitoring and assessing the Organization's accounts and the end result for the previous financial year;
  - Monitoring and assessing budget implementation for the current year, including any necessary amendments to the budget as it was approved by the General Assembly;
  - Monitoring and assessing audit reports and proposals;
  - Provide guidance on draft budgets for future years, including reviewing the business cases for strategic development from a financing perspective;
  - Monitoring and assessing debt-rescheduling requests from the Organization's Members;
  - Provide guidance on proposals to amend the Financial Regulations and their Implementing Rules.
- (2) For financial issues, the Strategic and Finance Sub-Committee is assisted by the Advisory Group on Financial Matters in line with this Group's Terms of Reference. The Strategic and Finance Sub-Committee shall examine the conclusions of the Advisory Group, which shall be contained in a written report. If needed, the Sub-Committee shall invite the Chairperson of the Advisory Group to give an oral presentation.
- (3) The Strategic and Finance Sub-Committee shall ensure that the conclusions of the Advisory Group on Financial Matters are brought to the attention of the Executive Committee.

### **Article 4: Composition**

- (1) The Strategic and Finance Sub-Committee shall be composed of four members designated by the Executive Committee from among its own members. The Executive Committee shall ensure as wide a geographical representation as possible.

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**TERMS OF REFERENCE OF THE STRATEGIC AND FINANCE SUB-COMMITTEE**

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- (2) The Strategic and Finance Sub-Committee shall have a Chairperson and three members. The Chairperson shall be designated by the Executive Committee from among the Organization’s Vice-Presidents.
- (3) The four members of the Strategic and Finance Sub-Committee shall be appointed for the duration of their terms of office on the Executive Committee, unless they ask to be relieved of their functions.
- (4) In case of absence of the Chairperson, the longest-serving member of the Sub-Committee shall chair the meeting.

**Article 5: Agenda**

- (1) The agenda of the Strategic and Finance Sub-Committee shall be prepared on the basis of subjects which the Executive Committee itself has officially asked to be examined. Therefore, the Executive Committee shall draw up a list of matters requiring prior examination by the Strategic and Finance Sub-Committee.
- (2) However, it is also possible for members of the Strategic and Finance Sub-Committee to bring important matters to the attention of the Executive Committee.
- (3) If urgent technical and complex matters arise, the Chairperson of the Strategic and Finance Sub-Committee may convene its members to an extraordinary session or discuss the matter via a conference call or e-mail.
- (4) A copy of the agenda shall be shared with the Consulting and Supervisory Sub-Committee for its information.

**Article 6: Working Methods**

- (1) The working languages of the Strategic and Finance Sub-Committee shall be the working languages of the Organization, depending on requirements.
- (2) In conformity with the relevant rules and regulations, and after informing the Secretary General and the President, the Strategic and Finance Sub-Committee may ask any of the General Secretariat Directors and the auditors in charge or the Financial Controller to supply any information or evidence it considers necessary concerning budgetary, financial or strategic matters for which they are responsible.

- (3) The travel and accommodation expenses incurred by members of the Strategic and Finance Sub-Committee in attending the meetings of the Strategic and Finance Sub-Committee shall be met by the Organization.
- (4) The General Secretariat shall provide administrative support for the Sub-Committee’s activities, including the planning of meetings, preparing supporting documents, producing minutes and ensuring monitoring of follow-up actions.

**Article 7: Lifespan and numbers of meetings**

- (1) The Strategic and Finance Sub-Committee is created for an indefinite period of time. However, its functioning and its value for the Organization shall be assessed regularly by the Executive Committee.
- (2) It shall meet at least once before each Executive Committee session.
- (3) The date and duration of the meetings shall be decided on in advance by the Chairperson of the Strategic and Finance Sub-Committee, in consultation with the other three members. The Chairperson shall inform the President of the Organization accordingly.
- (4) Logistically, it is preferable to plan the meeting of the Strategic and Finance Sub-Committee so that it takes place on the same day as the meeting of the Consulting and Supervisory Sub-Committee. The meetings combined should not last longer than one day.

**Article 8: Revision of the Terms of Reference**

The Strategic and Finance Sub-Committee shall make any appropriate recommendations with a view to having its Terms of Reference revised by the Executive Committee.

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A photograph of a row of white classical columns in a hall, receding into the distance. The columns are supported by a series of steps. The number '12' is overlaid in a large, bold, red serif font in the center of the image.

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INTERPOL

*Terms of Reference of the  
Advisory Group on Financial Matters*

[II.B/TRAF/EC/2001(2014)]





**REFERENCES**

General Assembly Resolution AGN/69/RES/12 (Rhodes, 2000), asking the Executive Committee to examine the conditions under which a group of financial experts could be set up to be responsible for aiding the Executive Committee in examining financial matters.

Article 4(2) of Executive Committee Rules of Procedure.

Executive Committee Decision No. 3, adopted at its 130th session held in Lyon from 12 to 14 June, setting up an Advisory Group on Financial Matters (AGFM) and setting out its Terms of Reference.

Executive Committee Decision No. 2, adopted at its 182nd session held in Monaco, on 2 November 2014, amending the Terms of Reference of the Advisory Group on Financial Matters.

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**TERMS OF REFERENCE**

- (1) The Advisory Group on Financial Matters shall be responsible for advising and assisting the Executive Committee in examining the technical aspects of financial and budget matters of interest to the Organization. In no case shall its mandate extend beyond the remit of the Strategic and Finance Sub-Committee in financial and budgetary matters as defined in that Sub-Committee's Terms of Reference.
- (2) The Advisory Group on Financial Matters shall communicate its conclusions to the Executive Committee via the Strategic and Finance Sub-Committee, to which it shall submit a written report.
- (3) With due respect for the Constitution and any other relevant rules and regulations, and with the agreement of the Organization's Secretary General, the Advisory Group on Financial Matters may ask the Director of Administration and Finance, the Financial Controller and any other suitably qualified official to supply any information or evidence it considers necessary concerning budgetary or financial matters for which they have oversight.
- (4) The Advisory Group on Financial Matters may make any appropriate recommendations with a view to having its Terms of Reference amended by the Executive Committee.

**COMPOSITION OF THE ADVISORY GROUP ON FINANCIAL MATTERS**

- (1) The number of countries represented on the Advisory Group on Financial Matters shall be determined by the Executive Committee which shall, in this connection, take account of the fact that an upper limit of 20 members should not be exceeded unless justified by circumstances.
- (2) The representatives (one per country) on the Advisory Group on Financial Matters shall be designated by the Executive Committee following consideration of the candidatures submitted by the Organization's Members.

- (3) The representatives on the Advisory Group on Financial Matters should preferably be experts on the budgets and finances of international organizations. They must be able to communicate in at least one of the Organization's four working languages.
- (4) The countries represented on the Advisory Group on Financial Matters shall be appointed for a period of three years, which may be renewed. Should such a measure be warranted by the number of candidatures received when the terms of office of members of the Advisory Group come up for renewal, the Executive Committee may apply a rotation system in the interests of ensuring the best possible participation of the countries concerned.
- (5) However, as an exception to that rule, the six main contributing countries and any other contributors substantially increasing their contributions shall be given right of first refusal for seats on the Advisory Group on Financial Matters.
- (6) The Advisory Group on Financial Matters shall elect a Chairman from among the representatives.
- (7) At least one member of the Strategic and Finance Sub-Committee will attend the meetings of the Advisory Group as an observer.
- (8) The travel and accommodation expenses incurred by representatives on the Advisory Group on Financial Matters shall be met by the countries concerned.

**WORKING METHODS**

- (1) The Chairman of the Advisory Group on Financial Matters shall draw up the agenda and forward it to the members of the Group at least 15 days before the start of the meeting. The agenda shall also be sent to the Chairman of the Strategic and Finance Sub-Committee and the President of the Organization.
- (2) Any member may propose an item for inclusion on the agenda if the proposal has the support of at least three (3) other members.

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**TERMS OF REFERENCE OF THE ADVISORY GROUP ON FINANCIAL MATTERS**

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- (3) The Advisory Group on Financial Matters shall formulate recommendations which it adopts by consensus. To this effect, it shall be provided with the documents it requires to perform its tasks.
- (4) The Advisory Group on Financial Matters shall produce a written summary of its recommendations. A specially appointed rapporteur shall then present these recommendations orally to the Strategic and Finance Sub-Committee.
- (5) The Advisory Group on Financial Matters shall adopt and amend its Rules of Procedure by a simple majority.
- (6) The working languages of the Advisory Group on Financial Matters shall be the working languages of the Organization.
- (7) The Secretary General shall provide secretariat services for the Advisory Group on Financial Matters and designate one or more officials for that purpose.

**LIFE-SPAN AND NUMBER OF MEETINGS**

- (1) The Advisory Group on Financial Matters is created for an indefinite period of time.
- (2) It shall meet at least once a year before the Executive Committee session at which the draft budget prepared on the basis of its guidelines is to be discussed.
- (3) The date and duration of the meetings shall be decided on in advance by the Chairman of the Advisory Group on Financial Matters in consultation with the Chairman of the Strategic and Finance Sub-Committee. The Chairman will then inform the President of the Organization accordingly.

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INTERPOL

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*Staff Manual*

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[II.C/SREG/GA/1987(2006)] [II.C/SRUL/EC/1988(2015)]





## REFERENCES

Staff Regulations, adopted by the General Assembly on 26 November 1987, at its 56th session held in Nice, and entered into force on 27 June 1988.

Staff Rules, adopted by the Executive Committee on 7 April 1988, at its 87th session held in St Cloud, and entered into force on 27 June 1988.

Staff Regulations, amended by the General Assembly on 4 October 1993 at its 62nd session held in Aruba. The amendments entered into force on 1 August 1996 (Articles 1(3,a), 18(2) and (3), 19(4), 20(3), 22(3), 36(4) and (5), 42(1), 43(3), 46(4,d) and 51).

Staff Rules, amended by the Executive Committee on 3 July 1996, at its 114th session held in Lyon, and entered into force on 1 August 1996. Articles 7, 8, 12, 18(1), 19, 21, 26, 29, 30, 32, 34(2),(3) and (4), 35(1) and (8), 36(3), 39(1), 40(3) and (9), 40A, 41(5), (6) and (7), 42(3) and (4), 44(1), 45(2), 45A (1), (3), (4), (7), (8) and (10), 45 ter, 50 (1) and (5), 52(3) and (5), 53, 57 (1), (3) and (4), 60(2), 61(1) and (4), 62, 64(1) and (3), 64A (3), 65(1), (3) and (7), 66(1), (2) and (3), 67(1) and (2), 68(3), (4) and (6), 68(2) to (7), 69 (1), 73(7,a), 74(10), 75(1,a), 83(3), 84(7) and (8), 85(1), 86(1), 87(1,b), 88, 89(2) and (3), 90(6), 91(1) and (6), 92(2), (5) and (6), 96(1), (4) and (6), 99(4), 100(1), 103(3), 105(2), 105A, 107(1) and (3), 110(1) and (2), 112(1), (2) and (5), 114(2), 122(2), 123(2), 124(2) and (3,a), 125(2), 126(1), 127(1), 128 (9) to (13), 130(b), 136(4), 137(5), 139(7), 141(1), 142(1), 143(5), 145(1), (2), (5), (7) and (8), 149(3), 151A, 153; Appendix I section 2; Appendix III section 2; Appendix IV articles 1, 2 and 4; Appendix VII section 3; Appendix VIII articles 1, 4, 6, 7, 8, 9(9), 10, 11, 12(3), 14, 15(5,b), 16(4,b), 17(2,b), 19(1) and (4), 21(2).

Staff Rules, amended by the Executive Committee on 13 February 2003 at its 137th session held in Lyon. The amendments entered into force on 13 March 2003 (Articles 40, 40A, 42, 55, 56 and 57, Appendices III and VIII). CE-2003-1-DOC-13.

Staff Rules, amended by the Executive Committee on 27-28 September 2003 at its 139th session in Benidorm. The amendments entered into force on the same date (Article 20, Chapter XI and Appendix VI). CE-2003-3-DOC-20.

Staff Rules, amended by the General Assembly on 3 October 2004 at its 143rd session held in Cancún. The amendments entered into force on 1 January 2005. CE-2004-3-DOC-25.

Staff Regulations, amended by the General Assembly on 8 October 2004 at its 73rd session held in Cancún. The amendments entered into force on 1 January 2005. AGN-2004-RAP-03.

Staff Rules, amended by the Executive Committee on 7 June 2005 at its 146th session in Lyon. The amendments entered into force on the same date (Rules 2.4.1, 2.5.1(4), 4.1.2(3), 4.2.1(2), 4.2.1(3), 2.1.2, 1.7.1(2) and 1.7.1(3)). CE-2005-2-DOC-26.

Staff Manual, amended by the Executive Committee at its 151st session held in Rio de Janeiro (17 and 18 September 2006), and by the General Assembly at its 75th session held Rio de Janeiro (19 to 22 September 2006). The amendments entered into force on 1 October 2006 (Preamble; Regulation 14.5 and 14.6; Rules 2.1.1, 2.1.7, 2.3.2, 2.5.1, 3.1.1, 3.2.2, 3.3.4, 3.5.2, 4.1.1, 4.1.2, 5.2.1, 5.3.1, 5.3.2, 5.3.4, 5.3.6, 6.2.1, 8.1.1, 8.1.2, 8.1.3, 8.1.4, 8.1.5, 8.1.6, 8.1.7, 8.1.8, 8.1.9, 8.2.1, 8.2.2, 8.2.5, 8.2.6, 9.2.1, 9.2.2, 9.2.8, 9.2.9, 9.2.13, 9.2.14, 10.1.1, 10.2.1, 10.3.1, 11.1.1, 11.1.2, 11.1.3, 11.4.3, 12.1.3, A.2.3, A.2.4, Appendix 3, A.4.2, A.5.1 and A.5.2). CE-2006-3-DOC-19, AGN-2006-RAP-27.

Staff Rules, amended by the Executive Committee on 1 June 2006 at its 150th session in Lyon. The amendments entered into force on 1 June 2006 (Rules 3.2.1, 4.2.1, 4.2.2, 4.2.3, 5.3.3, 5.3.5 and 10.1.1). CE-2006-2-DOC-25A.

Staff Rules, amended by the Executive Committee on 17 and 18 September 2005 at its 147th session in Berlin. The amendments entered into force on 1 October 2005 (Rule 10.1.1 and Appendix 5). CE-2005-3-DOC-12.

Staff Rules, amended by the Executive Committee on 13 February 2008 at its 157th session in Lyon. The amendments entered into force on 1 March 2008 (Rules 5.2.1, A.1.1, 5.5.3 and Appendix 4). CE-2008-1-DOC-15.

Staff Rules, amended by the Executive Committee on 26 June 2008 at its 158th session in Lyon. The amendments entered into force on 1 July 2008 (Rules 8.2.1(4) and (5)). CE-2008-2-DOC-20.

Staff Rules, amended by the Executive Committee on 5 October 2008 at its 159th session in Lyon. The amendments entered into force on 7 October 2008 (Rules 3.3.4(1) and 5.3.4). CE-2008-3-DOC-29.

Staff Rules, amended by the Executive Committee on 11 June 2009 at its 162nd session in Lyon. The amendments entered into force on 11 June 2009 (Rules 9.2.2, 9.2.3, 9.2.4, 9.2.6, 9.2.7 and 9.2.11). CE-2009-2-DOC-19.

Staff Rules, amended by the Executive Committee on 7 November 2010 at its 167th session in Doha. The amendments entered into force retroactively as of 1 September 2010 (Rule 8.1.6). CE-2010-3-DOC-17.

Staff Rules, amended by the Executive Committee on 24 June 2011 at its 170th session in Lyon. The amendments entered into force on 24 June 2011 (Rules 3.3.3, 6.2.1, 6.2.2 and A.3.4) CE-2011-2-DOC-20.

Staff Rules, amended by the Executive Committee on 31 October 2015 at its 186th session in Kigali. The amendments entered into force on 31 October 2015 (Rules 3.3.3, 4.1.1, 8.2.1, 8.2.8, 8.2.9, 9.2.1, 9.2.3, 9.2.4, 9.2.9, 9.2.13, 10.2.2, 10.2.3 and A.3.5). CE-2015-3-DOC-20.  
(Text below updated on 10 December 2015)

**INFORMATION NOTE**

The Staff Manual includes Staff Regulations and Staff Rules.

The Staff Manual is hereby presented with:

- Staff Regulations in bold text
- Staff Rules in plain text

The Staff Regulations are approved by the General Assembly, in application of Article 8(d) of the Constitution and Article 53 of the General Regulations. The Staff Regulations are an Appendix to the General Regulations.

The Staff Rules are approved by the Executive Committee in furtherance of the Staff Regulations, in application of Article 22(e) of the Constitution, the Preamble of the Staff Manual, and Staff Regulation 14.3(2).

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PREAMBLE

- (1) The Staff Regulations set out the internal provisions governing the administration of the officials of INTERPOL. They embody their fundamental conditions of employment, duties and rights, in accordance with international civil service principles.
- (2) With due respect for the Organization's Constitution and the present Regulations, the Secretary General shall submit a set of Staff Rules to the Executive Committee for approval. The Secretary General shall issue any Staff Instructions required by the present Regulations and the Staff Rules or that he considers necessary to complete or construe specific provisions. He shall take decisions on individual cases in application of the present Regulations, the Staff Rules, and Staff Instructions.
- (3) The present Regulations and the Staff Rules shall apply to the officials of the ICPO-INTERPOL, hereinafter referred to as "the officials of the Organization" as defined below except as may otherwise be provided:
  - (a) the Secretary General, who is the Organization's chief official,
  - (b) persons seconded to the Organization by their national administrations, and hereinafter referred to as "seconded officials",
  - (c) persons under contract employed by the Organization and hereinafter referred to as "officials under contract".

CHAPTER 1: DUTIES, OBLIGATIONS AND PRIVILEGES

Regulation 1.1: Powers of command

- (1) The officials of the Organization shall be subject to the authority of the Secretary General who shall assign them their functions with the interests of the smooth operation of the Organization in view, taking account of their aptitudes, qualifications and experience, as well as of service requirements. They shall be responsible to the Secretary General in the performance of their functions. They shall observe the present Regulations, the Staff Rules and any Staff Instructions issued by the Secretary General, including any amendments which may be made to these texts.

- (2) The Secretary General may delegate such of his powers as he considers necessary for the effective implementation of the present Regulations and the Staff Rules to any official of the Organization. The list of those officials as well as the rules pertaining to delegations of powers will be laid down in a Staff Instruction.
- (3) Superiors shall exercise their authority in the name of the Secretary General. They shall set an example and offer guidance to the persons placed under their responsibility. They shall be impartial, objective and fair to their subordinates. The latter are entitled to express their views on the work they are given to perform and for which they are answerable to their immediate superiors, it being understood that they must, on the one hand, advise and assist their superiors and, on the other hand, comply with all decisions taken and obey the instructions they receive in connection with their official functions. Instructions are not decisions on individual cases as understood in the present Regulations and in the Staff Rules.

Regulation 1.2: International responsibility

- (1) The officials of the Organization are international officials and, as such, their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interests of the Organization alone in view.
- (2) In the performance of their functions within the Organization, officials of the Organization shall not seek or accept any instructions from any government or from any authority external to the Organization. They may not represent a government or a national administration.

Rule 1.2.1: Relations with governments and national administrations

- (1) In accordance with Regulation 1.2(2), an official may not exercise the functions of representative, delegate or observer of a government or a national administration. However, in exceptional cases and at the express written request of the government or national administration concerned, the Secretary General may authorize the temporary suspension of the secondment of a seconded official so that he may carry out a mission his

government or national administration wishes to assign to him. As soon as a seconded official learns that his government or his administration intends to ask the Secretary General to suspend his secondment temporarily, he shall inform the human resources department, via his immediate superior.

- (2) The obligations of the official concerned towards the Organization shall be suspended for the duration of the suspension of his secondment, insofar as this is necessary to allow him to carry out the mission for the purpose of which the Secretary General has accepted suspension of the secondment. The Organization's obligations towards the official concerned shall also be suspended for the duration of the period of suspension of secondment.
- (3) The rules pertaining to the application of these provisions shall be laid down in a Staff Instruction.

#### Rule 1.2.2: Conflicts of obligations

- (1) In application of Regulation 1.2(1), if, during his period of appointment with the Organization and by reason of links he has maintained with the authorities of the State that seconded him, a seconded official is duty-bound either to perform an act contrary to the obligations deriving from the terms of his declaration of loyalty or from the provisions of the Staff Regulations, the present Rules or the Staff Instructions, or not to perform an act which he ought to perform by virtue of those obligations, the official concerned must, before acting or refraining from acting, depending on the case, immediately inform the Secretary General of the situation.
- (2) Should the Secretary General consider that there is indeed a conflict between the obligations deriving from links maintained between the official concerned and the authorities of the State that seconded him on the one hand and, on the other hand, the obligations incumbent upon the official concerned as a result of his appointment within the Organization, he shall approach the authorities concerned with a view to finding a solution in conformity with the Organization's interests. Should it be impossible to find an appropriate solution within a reasonable period of time, the Secretary General may terminate the appointment of the official concerned, in conformity with Regulation 11.1(3,h).

#### Regulation 1.3: Conduct

- (1) **Officials of the Organization shall conduct themselves under all circumstances in a manner befitting their status as international officials. They are not expected to give up their national sentiments, or their religious, political or philosophical convictions, but they shall at all times proceed with the reserve and tact incumbent upon them by reason of their international status.**
- (2) **Officials of the Organization shall not engage in any political or other activity that could be incompatible with the performance of their functions within the Organization, or could involve the moral or material responsibility of the Organization, without the prior authorization of the Secretary General.**
- (3) **Officials of the Organization shall refrain from any action which may reflect adversely upon their international status or upon the integrity, independence, impartiality or exemplarity of conduct required by the dignity of their functions. Only the Secretary General is empowered to make a public pronouncement on the Organization's general policy. The Staff Rules shall define the extent to which officials of the Organization other than the Secretary General may make a public pronouncement on other matters concerning the Organization.**
- (4) **Officials of the Organization shall not hold any other post or engage in any paid outside activity without the prior authorization of the Secretary General.**
- (5) **Officials of the Organization shall not accept any personal honour, decoration, favour, gift or remuneration from any government or other private or public source external to the Organization without the prior authorization from the Secretary General. However, they may accept gifts or remunerations on behalf of the Organization. Further specific exceptions may be laid down in the Staff Rules.**
- (6) **Officials of the Organization shall not take or attempt to take undue advantage of their position as officials of the Organization to gain personal benefit.**
- (7) **The Secretary General shall establish, in a Staff Instruction, procedures whereby officials of the Organization may seek, in confidence, clarification as to whether proposed action would conflict with their status as international civil servants.**

Rule 1.3.1: Political activities and membership of associations

- (1) Regulation 1.3(2) shall not hinder officials from:
  - (a) exercising their voting rights,
  - (b) joining a political party or an association, in conformity with the applicable provisions of local law, provided that such membership does not imply any action or obligation on their part contrary to the provisions of the above-mentioned Regulation.
- (2) In application of Regulation 1.3(2), an official who becomes a candidate for a political office at national level, or is elected at regional level, shall resign from the Organization in conformity with Regulation 11.3 and Rule 11.3.1. An official of the Organization who becomes candidate for a political office at regional or local level, or is elected at local level, shall at once inform the Secretary General who shall decide whether the official should resign or may be granted part-time or unpaid leave.
- (3) The professional interests of the officials of the Organization shall be defended exclusively by the Staff Committee(s) of the Organization, in conformity with the provisions of Regulation 9.2(1) and the relevant provisions of Chapter 9 of the present Rules, without prejudice to application of Rule 9.2.14. This shall not hinder the officials of the Organization from being members of trade unions or professional Organizations for international civil servants, it being understood that such bodies have no institutional role within the Organization.

Rule 1.3.2: Relations with the press

- (1) The term “press” shall include the written, oral and audiovisual press as well as the authors of any written or photographic document intended for public release.
- (2) In application of Regulation 1.3(3), any official of the Organization invited to make any form of communication to the press shall seek prior authorization from their immediate superior and the head of the communications department. They shall decide on the necessity of the interview and on the subjects to be discussed. The same procedure shall apply prior to the departure of any official on mission, whether a communication to the press is foreseen or not.
- (3) The official must subsequently report to the head of the communications department on the content of any communication made to the press.

Rule 1.3.3: Outside activities and interests

- (1) Outside activities, as referred to in Regulation 1.3(4), shall in particular include commercial activities.
- (2) Any official who has any financial interest in any business concern with which he may be required, directly or indirectly, to have official dealings on behalf of the Organization shall at once disclose the nature and extent of that interest to the Secretary General.

Rule 1.3.4: Honours, decorations, remunerations and gifts

- (1) Notwithstanding Regulation 1.3(5), an official may, without informing the Secretary General, accept any object of insignificant or no commercial value offered to him as a souvenir, commemorative item or courtesy gift.
- (2) Notwithstanding Regulation 1.3(5), an official may accept honours or decorations for services he rendered before being appointed as one of the officials of the Organization.
- (3) The rules pertaining to any gifts or remunerations accepted by an official on behalf of the Organization shall be laid down in a Staff Instruction.

Rule 1.3.5: Use of property and assets

- (1) Officials shall use the property and assets of the Organization only for official purposes and shall exercise reasonable care when utilizing such property and assets.
- (2) An official may however be authorized, in a Staff Instruction, to use such property and assets for private purposes, under certain conditions.

Rule 1.3.6: Authorization

- (1) Requests for authorization under Regulation 1.3 shall be made in writing and transmitted through the established channels.
- (2) The Secretary General shall answer a request for authorization within 10 working days of the submission of the said request. Such authorization shall be granted in writing for a specified period and may be renewed. It may also be revoked at any time, if circumstances warrant.

**Regulation 1.4: Use of information**

- (1) Officials of the Organization are bound to professional secrecy with regard to all matters relating to the activities of the Organization. They shall not communicate to any person any unpublished information acquired by them nor shall they publish or have published, individually or with other persons, any text relating to the Organization, except in the course of their duties or with prior authorization from the Secretary General.
- (2) These obligations shall continue to be binding on officials of the Organization after their cessation of service. However, these obligations shall not prevent former seconded officials from fulfilling their obligations to their national administrations.

**Regulation 1.5: Declaration of loyalty**

- (1) On taking up his post, the Secretary General shall make and sign the following declaration before the Executive Committee:

“I solemnly undertake to exercise in all loyalty, discretion and conscience the functions entrusted to me as Secretary General of the ICPO-INTERPOL, to discharge these functions and regulate my conduct with the interests of the Organization alone in view, not to seek or accept instructions in regard to the performance of my duties from any government or any authority external to the Organization, and under all circumstances to uphold the provisions governing the operation of the Organization”.

- (2) On taking up their posts, seconded officials shall sign the following declaration:

“I, the undersigned, declare that I have read the letter of approval of secondment accompanied by the Staff Regulations and Rules sent to my national administration and appointing me as an official of the ICPO-INTERPOL, and I undertake to abide by the conditions of employment applicable to my post within the Organization.

I solemnly undertake to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international official of the ICPO-INTERPOL, to discharge these functions and regulate my conduct with the interests

of the Organization alone in view, and not to seek or accept instructions from any government or any authority external to the Organization in regard to the performance of my duties within the Organization.

I declare that I shall not disclose to any unauthorized person any information which may come to my knowledge in the performance of my functions as an official of the ICPO-INTERPOL, unless such disclosure constitutes part of my duties or has been duly authorized by the Secretary General. I further undertake to inform the Secretary General immediately of any conflict that may arise between the obligations deriving from links I have maintained with the authorities of the State which seconded me on the one hand and, on the other hand, the obligations incumbent upon me as a result of my appointment within the ICPO-INTERPOL.”

- (3) On taking up their posts, officials under contract shall sign the following declaration:

“I solemnly undertake to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international official of the ICPO-INTERPOL, to discharge these functions and regulate my conduct with the interests of the Organization alone in view, and not to seek or accept instructions from any government or any authority external to the Organization in regard to the performance of my duties within the Organization. I declare that I shall not disclose to any unauthorized person any information which may come to my knowledge in the performance of my functions as an official of the ICPO-INTERPOL, unless such disclosure constitutes part of my duties or has been duly authorized by the Secretary General.”

- (4) If an official of the Organization refuses to sign the declaration of loyalty, or wishes to postpone its signature, his appointment shall be considered null and void.

**Regulation 1.6: Intellectual property**

All intellectual property rights, including copyright and patent rights, attaching to any work produced by an official in the course of his official duties and relating to the activity of the Organization, shall be vested in the Organization which alone shall hold all the relevant rights.

**Regulation 1.7: Information required of officials of the Organization**

- (1) Any official of the Organization who becomes a defendant in legal proceedings likely to compromise the dignity of his functions shall immediately inform the Secretary General, in conformity with the provisions of the Staff Rules.**
- (2) The Secretary General may, at any moment, require an official of the Organization to provide, or may have enquiries made to obtain:**
  - (a) information concerning actions prior to and subsequent to the official's appointment and relating to his aptitude, integrity and conduct;**
  - (b) information concerning the manner in which he exercises his functions as an official of the Organization;**
  - (c) information required for the management or administration of the staff, including information of a personal nature.**
- (3) The Staff Rules may make it compulsory for officials of the Organization to provide certain of the items of information mentioned in (2) above.**
- (4) A confidential, personal file shall be established for each official of the Organization. The content, establishment procedure and maintenance of this file shall be detailed in the Staff Rules. In accordance with the Staff Rules, each official of the Organization shall be entitled to:**
  - (a) consult his personal file;**
  - (b) make copies of any documents concerning him;**
  - (c) request that certain items of information be supplemented, corrected or deleted.**

**Rule 1.7.1: Information required of officials**

- (1) Officials are required to inform the human resources department, in writing and at the earliest opportunity, of any changes to their status with respect to the Staff Regulations, the present Rules and the Staff Instructions and to provide all relevant evidence of the change. This provision applies in particular to changes in nationality and changes in an official's personal or family status which could have a pecuniary effect on his allowances or internal tax, inter alia.

- (2) Any official participating in the process of reaching or reviewing an administrative decision affecting the status or entitlements of an official to whom he is closely related (i.e. parents, children, brother or sister, or related by marriage, or cohabiting with that official) or any official holding a post which is superior or subordinate in the line of authority to an official to whom he is closely related shall make his situation known to the human resources department. Such information is required pursuant to Regulation 1.7(2,c), for the purpose of application by the Organization of the Staff Regulations, the present Rules and the Staff Instructions, in particular when appropriate Rules 3.3.3, 3.3.4, 6.2.1 and 10.2.6.
- (3) Should an official omit to supply such information or supply inaccurate information, either intentionally or through gross negligence, in violation of the provisions of the Staff Regulations, the present Rules or Staff Instructions, he may be liable to application of the disciplinary procedure.

**Rule 1.7.2: Content of a personal file**

- (1) The personal file established for each official, under the terms of Regulation 1.7(4), shall contain:
  - (a) the personal information required for the management and administration of the career of the official concerned;
  - (b) the documents relating to his recruitment and appointment;
  - (c) the documents relating to his advancement, transfers and promotions;
  - (d) the official documents and assessment reports concerning his competence and conduct during service, together with any comments made by the official concerned with regard to these documents and reports;
  - (e) the official documents relating to his leave;
  - (f) any other documents concerning any official measures taken with regard to the official concerned.
- (2) No mention of the political, philosophical or religious convictions of an official may appear in his personal file.
- (3) The specific structure of the file shall be laid down in a Staff Instruction.

Rule 1.7.3: Administration of a personal file

- (1) Information contained in a personal file must:
  - (a) be communicated to the official prior to filing;
  - (b) remain confidential;
  - (c) be accurate and kept up to date.
- (2) The human resources department shall be responsible for the administration of personal files and, in particular, for recording the filing and destruction of each document contained in the file.
- (3) If data contained in a personal file is filed both electronically and on paper, for management reasons, the human resources department must ensure that the data is identical.

Rule 1.7.4: Retention period of a personal file

- (1) The personal file of an official of the Organization shall be destroyed 50 years after the date of his cessation of service.
- (2) The deletion of records of disciplinary measures may be made prior to the end of the retention period in accordance with Rule 12.3.3.

Rule 1.7.5: Access to a personal file

- (1) Every official has the right to access his personal file. Such requests should be made to the human resources department which must organize the consultation with the minimum delay.
- (2) Access to personal files shall also be granted to other officials who, within the strict limits of their functions, need to consult the said files in order to perform their tasks. A list of the positions concerned by this provision shall be laid down in a Staff Instruction. Officials who have had access to personal files are bound, outside the performance of their tasks, to respect the confidentiality of any information they may have acquired in this way.
- (3) Persons mentioned in Article II (6) of the Statute of the International Labour Organization Administrative Tribunal (ILOAT) who wish to consult a specific file shall submit a written request to the Secretary General who shall inform them, at the earliest opportunity, of the procedure to be followed.

- (4) The ILOAT, and any other administrative or judicial court or tribunal, may also write to the Secretary General asking for access to a personal file when the settlement of the case before them makes it necessary to consult the file concerned. In addition, any person responsible for defending the Organization shall be authorized to communicate to such courts or tribunals, or to any other person in whom powers are vested by the applicable law, the documents from the personal file which relate to a case before such courts or tribunals.
- (5) Personal files may only be consulted in the presence of a member of the human resources department.
- (6) Any person having right of access to a personal file may obtain copies of the documents that are of interest to him, in accordance with the procedure laid down in a Staff Instruction.

Rule 1.7.6: Rectification to information contained in a personal file

- (1) Any official may request the rectification, without delay, of inaccurate or obsolete information contained in his personal file.
- (2) The head of the human resources department may ask the official, if necessary, to produce the proof that the information concerned is not or no longer accurate or is obsolete. Failing that, the head of the human resources department shall decide, within 10 working days, on a case by case basis, whether the information concerned should be rectified, completed or deleted. The official shall be informed in writing of the decision taken and the request shall in any case be placed in the personal file.

Regulation 1.8: Privileges and immunities

- (1) **Officials of the Organization shall enjoy the privileges, immunities and facilities to which they are entitled by virtue of the international agreements concluded by the Organization or by virtue of national legislation relating to this matter.**
- (2) **Privileges and immunities are granted to the officials of the Organization and former officials in the interests of the smooth operation of the Organization and not for their personal benefit. They do not excuse such officials from fulfilling their private obligations or from strict observance of the laws in force at their duty stations. In any case where these immunities could be**

invoked, the officials of the Organization shall immediately report to the Secretary General, who will decide whether they shall be waived. Similarly, in any case where the immunities granted to him could be invoked, the Secretary General shall report to the Executive Committee; the Committee will then decide whether they shall be waived.

- (3) The above-mentioned obligations also apply to former officials of the Organization to the extent that these privileges and immunities are still granted to them after cessation of their service.

**Regulation 1.9: Professional protection**

- (1) The Officials of the Organization shall be entitled to the protection of the Organization in the performance of their functions.
- (2) Officials of the Organization may therefore seek the assistance of the Organization to protect their material or non-material interests and those of their family where these interests have been harmed by actions directed against them by reason of their being an official of the Organization. The Secretary General shall decide on the type and extent of any assistance the Organization may bring to its officials.
- (3) The Organization shall indemnify an official of the Organization who has suffered material damage in the performance of his functions or by virtue of his position, provided the official is not responsible, either intentionally or through gross negligence, for the damage, and has not received or will not receive any other compensation. Insofar as the Organization compensates one of its officials for such damage, the official concerned shall subrogate the Organization in advance in respect of any rights or claims he may have against third parties.

**Regulation 1.10: Civil liability**

Any official or former official of the Organization who causes any damage whatsoever to the Organization, either intentionally or through gross negligence, may be required to make good the damage, in whole or in part. In order to obtain redress, the Organization may institute legal proceedings against him, in accordance with the law applicable to the dispute. This shall not prevent the Organization from instituting separate disciplinary proceedings against the official.

**CHAPTER 2: APPOINTMENT AND POSTING**

**Regulation 2.1: Recruitment**

- (1) The officials of the Organization shall be recruited and appointed by the Secretary General in accordance with the provisions of the Organization's Constitution, of the present Regulations and of the Staff Rules, as well as in accordance with the applicable budgetary provisions.
- (2) Only nationals of the Organization's Member States shall be eligible for recruitment as officials of the Organization.
- (3) The chief consideration to be taken into account by the Secretary General when appointing officials shall be to provide the Organization with the services of persons possessing the highest standards of efficiency, competence and integrity.
- (4) The Secretary General shall establish appropriate security and medical standards that applicants shall be required to meet before appointment.
- (5) The Secretary General shall normally inform the Member States of the Organization of all vacancies for positions of responsibility.
- (6) The Secretary General shall provide, as far as possible, for an equitable distribution of the posts concerned among nationals of the Organization's Member States.
- (7) Officials of the Organization shall be selected without distinction as to race, religion or sex.
- (8) The recruitment procedure shall be laid down in the Staff Rules. It must, in all cases, ensure equal treatment between applicants.

**Rule 2.1.1: General conditions governing recruitment**

- (1) No applicant for a post within the Organization may claim the right to be appointed, whatever his merits as an applicant.
- (2) Unless a special waiver is granted by the Secretary General in the interests of the Organization, applications from persons outside the Organization who have not attained the legal age of majority in the State of which they are nationals shall not be considered.



- (3) The integrity and conduct of all applicants for posts within the Organization must be such as to qualify them for the performance of international functions within the Organization.
- (4) All applicants for posts within the Organization must have a working knowledge of the languages required for the performance of their functions, as indicated on the vacancy notice.

Rule 2.1.2: Employment of persons related to an official [deleted]

Rule 2.1.3: Pool of applicants

- (1) The Secretary General shall decide whether the recruitment of officials under contract shall be:
  - (a) limited to internal applicants;
  - (b) extended to both internal and external applicants in competition with each other; the term “external applicants” means those persons who are not officials as defined by Paragraph (3) of the Preamble to the Staff Regulations and the present Rules.
- (2) The Secretary General shall decide whether the recruitment of seconded officials shall be:
  - (a) open to applicants from national administrations and internal applicants;
  - (b) limited to applicants from national administrations in competition with each other, when spontaneous applications have been received;
  - (c) effected by calling upon an applicant from a national administration when only one spontaneous application has been received.
- (3) Exceptionally, the Secretary General may decide that an official be recruited by calling upon:
  - (a) a person of his choice for posts of trust and confidence;
  - (b) an official in urgent cases or in situations where a specific internal applicant is considered because of his unique qualifications and experience or because of his demonstrated aptitude in a similar post.

Rule 2.1.4: Vacancy notices

- (1) In application of Rule 2.1.3 and with the exception of cases referred to in paragraphs (2,b) (2,c) and (3), all vacancy notices shall be advertised by the most appropriate means of communication, it being understood that there should be a reasonable period of time between their publication and the closing date for applications.

- (2) Any vacancy for an unclassified post or a post classified in Grades 1 and 2 shall normally be brought to the notice of the Organization’s Member States in accordance with Regulation 2.1(5), except in cases referred to in Rule 2.1.3(3).
- (3) Each vacancy notice shall be drafted on the basis of the post description sheet, it being understood that the specific aspects of the post concerned shall also be taken into account. A Staff Instruction shall specify what a vacancy notice should indicate.

Rule 2.1.5: Applications of officials

- (1) Any official may apply for a post to be filled.
- (2) Any official of the Organization wishing to apply for a post shall forward his application in writing to the human resources department.

Rule 2.1.6: Recruitment procedure and methods

- (1) A Selection Panel shall be established for each recruitment procedure, according to the rules to be laid down in a Staff Instruction. The role of the Selection Panel is to ensure that the selection process is fair and objective and to submit to the Secretary General a list of the most suitable applicants for the post.
- (2) Recruitment shall, in principle, be based on interviews and/or tests.
- (3) The Secretary General may decide:
  - (a) to interrupt the recruitment procedure at any stage;
  - (b) not to proceed with recruitment after completion of the procedure.

Rule 2.1.7: Specific rules applying to recruitments of a temporary nature [deleted]

Rule 2.1.8: Pre-selection

- (1) The Selection Panel shall draw up the list of applicants selected to participate in the recruitment procedure, in the light of the profiles of the applicants and the vacancy notice.
- (2) Applicants selected to participate in the recruitment procedure shall be informed as soon as possible of the recruitment method(s) to be used for their selection and, if applicable, of the type of test(s) they will be asked to take.

Rule 2.1.9: Travel expenses of applicants

The Organization shall provide partial or total reimbursement of reasonable travel expenses incurred by applicants as a consequence of their participation in the recruitment procedure.

Rule 2.1.10: Conditions prior to appointment

- (1) The appointment of an official is subject both to a favourable medical report and to background clearance.
- (2) The procedure to be followed for fulfilment of the above-mentioned conditions will be laid down in a Staff Instruction.

Rule 2.1.11: Level of priority between applicants

- (1) If the application submitted by an internal applicant and that submitted by an external applicant are of equal value, both in terms of professional competencies and personal qualities, preference shall be given to the internal applicant.
- (2) Nationality may also be a criterion of choice between two external applicants or two internal applicants of equal merit.

Rule 2.1.12: Final selection

- (1) Once the recruitment procedure has been completed and the conditions mentioned in Rules 2.1.10 have been met, the Secretary General shall select one applicant, taking into account the assessment made by the Selection Panel and the criteria of Rule 2.1.11. The applicants not selected shall be informed of the decision in writing.
- (2) The appointment of an internal applicant shall constitute either a promotion or a transfer and be governed by Regulation 3.3 and Rules 3.3.1 and 3.3.2 or 3.3.3 depending on the case. The appointment of an external applicant shall be governed by Regulation 2.2 and Rule 2.2.1.

**Regulation 2.2: Notification of conditions of employment of the officials of the Organization**

- (1) **The Executive Committee shall determine the Secretary General's conditions of employment and communicate them to him in writing.**

- (2) **The officials of the Organization shall be notified of their conditions of employment as follows:**

- (a) **in the case of a seconded official, by a letter of approval of secondment, signed by the Secretary General and appointing the person concerned, sent to his national administration and of which he will receive a copy;**
- (b) **in the case of an official under contract, by an employment agreement consisting of a letter of appointment signed by the Secretary General and a letter of acceptance signed by the person appointed.**

- (3) **The letter of approval of secondment and the letter of appointment shall specify:**

- (a) **that the present Regulations, the Staff Rules and the Staff Instructions - including any amendments made to these texts - shall be applicable to the official concerned, whether seconded or employed under contract;**
- (b) **the duration of the appointment;**
- (c) **the date on which the appointment shall become effective, subject to signature by the official concerned of the declaration of loyalty, the text of which appears in Regulation 1.5 paragraphs (2), (3) and (4);**
- (d) **the functions to be performed within the Organization by the official concerned, as well as:**

- **in the case of a seconded official, the category and grade corresponding to the functions to be exercised;**
- **in the case of an official under contract, the category, grade and gross salary at the time of appointment;**

- (e) **the duty station;**
- (f) **pension, social security coverage, where appropriate;**
- (g) **any special conditions.**

- (4) **In order to obtain, in the interests of the Organization, the secondment of a person from a national administration, the Secretary General may, by exercising his discretionary power, grant the person**

**concerned special employment conditions as mentioned in (3,g) above, waiving certain provisions of the present Regulations and of the Staff Rules. However, the Secretary General may only grant such special conditions insofar as they are intended solely to allow the relevant administration or the person whose secondment is being considered to comply with the local laws applicable to the secondment and also provided that these special conditions do not undermine, in any way whatsoever, the basic principles, rights and obligations laid down in the present Regulations and in the Staff Rules.**

- (5) **No official of the Organization may claim any right or advantage that does not derive from his letter of approval of secondment or letter of appointment. A copy of the present Regulations and a copy of the Staff Rules shall be appended to the letter of approval of secondment and to the letter of appointment.**

Rule 2.2.1: Letter of acceptance

- (1) In conformity with Regulation 2.2(2,b), a person whose appointment as an official under contract is being considered shall sign his letter of acceptance and send it to the Secretary General so that it reaches him as soon as possible and at the latest by the date on which his appointment becomes effective, failing which the letter of appointment shall be deemed null and void.
- (2) However, the Secretary General may decide to allow the person concerned to hand over his letter of acceptance on the day on which he effectively takes up his post. In that case, the appointment shall become effective on the date on which the person effectively takes up his post, and that date shall be substituted for the date specified in the letter of appointment.

Rule 2.2.2: Length of service

- (1) The commencement date for calculating length of service shall be the date on which an official effectively takes up his post.
- (2) Any periods of authorized leave shall be included for calculation of length of service, except as provided in Rules 8.2.8(3) and 8.2.9(3).
- (3) If a period of sick leave exceeds 90 calendar days, the length of service of the official concerned shall be reduced by that portion of

the sick leave which extends beyond the first 90 calendar days. This provision shall not, however, apply in the event of sick leave owing to a work-related accident or to an occupational illness in which cases length of service is not affected by the absence.

- (4) Any official who has served within the Organization for a period of 25 years shall be entitled to an indemnity, the amount of which shall be specified by the Secretary General in a Staff Instruction.

**Regulation 2.3: Duty station**

**All officials of the Organization shall be assigned to a specific duty station. The duty station of an official of the Organization is the place of regular performance of the official's functions.**

Rule 2.3.1: Place of residence

An official of the Organization is bound to be ordinarily resident at a distance from his duty station that will not hamper him in the performance of his functions.

Rule 2.3.2: Teleworking

Teleworking, as defined in Staff Rule 8.1.7 (2), shall not alter the duty station of the official.

**Regulation 2.4: Position on salary scales**

- (1) **Upon appointment of an official of the Organization, the Secretary General shall decide on the step on which an official under contract holding a classified post shall be placed on the salary scale corresponding to his grade.**
- (2) **For that purpose, he shall take account of the consultative opinion expressed by the Joint Advancement Committee except in respect of officials whose position, under the terms of the Staff Rules, is not subject to consideration by that Committee.**

Rule 2.4.1: Position on salary scale

- (1) Under Regulation 2.4(2) the Secretary General shall submit to the Joint Advancement Committee for approval a grid establishing the objective criteria to be used in deciding on which step all newly appointed officials under contract holding a classified post shall be placed.

- (2) The elements taken into account by the Secretary General in application of the above grid shall be recorded in the official's personal file.

**Regulation 2.5: Probationary period**

- (1) An official under contract shall be considered to be serving a probationary period for 12 months from the date on which his appointment with the Organization becomes effective.**
- (2) During the probationary period, the Secretary General may, at any time, terminate the appointment by giving 1 month's notice. Similarly the official may, at any time, resign by giving 1 month's notice.**
- (3) On completion of the probationary period, the Secretary General may decide as follows:**
  - (a) to terminate the appointment of the official concerned by giving 1 month's notice, if he considers that it is not in the interests of the Organization to confirm the appointment;**
  - (b) to extend the probationary period by a maximum period of 3 months, which shall not be renewable, in exceptional cases and with the consent of the official concerned;**
  - (c) to confirm the appointment.**

**Rule 2.5.1: Probationary period**

- (1) If it is envisaged to terminate the appointment of an official under contract during, or at the end of his probationary period, the official should first be given the chance to meet the level of performance required.
- (2) If the appointment of an official under contract has not been terminated during his probationary period, his superiors at all the levels concerned shall, before the expiry date of the probationary period, draft a report on his competence, work and conduct, and express an opinion as to the advisability of confirming his appointment, terminating it, or proposing to him that his probationary period be extended by a maximum period of 3 months. The official shall comment on this report.

- (3) The Secretary General's decision shall be notified to the official concerned in writing, and shall be communicated to him at the latest on expiry of his probationary period.
- (4) If the appointment of an official holding a classified post is confirmed, the Secretary General may decide either to maintain the official concerned on the step he was initially placed in, or, in exceptional circumstances to grant him one or more additional steps where justified. For officials under contract holding a classified post in Grade 3 or below, the decision shall be taken after consultation of the Joint Advancement Committee.
- (5) If the appointment is terminated, the decision shall specify the reasons for termination. The 1 month's notice shall run from the date of notification of the decision.
- (6) If the Secretary General's decision has not been communicated to the official under contract concerned on expiry of his probationary period, his appointment shall be deemed to have been confirmed, on the understanding that this does not relieve the Organization of its obligation to notify him of the Secretary General's decision at the earliest opportunity. If the Secretary General decides to terminate an official's appointment in such a situation, the decision must be taken in conformity with Regulation 11.1.
- (7) If the Secretary General decides to propose to the official concerned that the probationary period be extended, the decision shall specify the duration of the proposed extension and the reasons for the proposal; it shall further state that, from the date of notification of the proposal, the official concerned shall have 5 working days to consider and reply to the proposal and that, in the event of his refusal or failure to reply within the set time-period, his appointment shall be terminated and the notice period shall be deemed to run from the date of notification of the proposal. If the official concerned agrees to the extension of his probationary period, a new report shall be prepared before expiry of the supplementary probationary period and a new decision shall be taken in accordance with the procedure described in the above paragraphs. Under no circumstances may the probationary period be extended a second time.
- (8) An official whose probationary period has been extended by the period of notice given upon termination of his appointment or upon resignation may not, under any circumstances, claim that his appointment has been confirmed.

- (9) If an official under contract is absent on sick leave while serving his probationary period, and that the overall duration of his absence on sick leave is of more than 5 working days, that period shall be extended by the duration of the absence. If, however, the overall duration of his absence on sick leave is 20 working days or more, the Secretary General may terminate the appointment of the official concerned in conformity with Regulation 2.6(2) and with paragraphs (3) and (5) above. He may not, however, terminate the appointment of the official concerned if the absence on sick leave is the result of a work-related accident or an occupational illness.
- (10) In application of Regulation 2.5(1), if the overall duration of the contract does not exceed 12 months, the overall duration of the contract shall be deemed to be part of the probationary period. If an official on probationary period is appointed to a different post after a recruitment procedure, a new probationary period shall run from the date on which the new appointment becomes effective. The Secretary General may however decide to reduce the duration of the second probationary period, provided that the cumulated duration of both probationary periods is of at least 12 months.

### CHAPTER 3: EMPLOYMENT AND CHANGES IN SITUATION

#### **Regulation 3.1: Duration of appointment**

- (1) **Officials under contract shall be appointed either for a fixed-term or for an indeterminate period. The Secretary General may decide either to extend a fixed-term appointment on one or more occasions for a further fixed-term, or to convert it to an indeterminate appointment, in conformity with the provisions of the Staff Rules.**
- (2) **Seconded officials shall be appointed for a fixed-term period, which the Secretary General may decide to extend. The cumulated length of both fixed-term periods shall in principle not go beyond 6 years. However, in exceptional circumstances, in the interest of the Organization, the Secretary General may decide to further extend such an appointment.**
- (3) **Under no circumstances may an official with a fixed-term appointment be entitled to claim its extension or its conversion to an indeterminate appointment.**

#### **Rule 3.1.1: Extensions and conversions of appointments**

- (1) An official's short-term or fixed-term appointment shall terminate without prior notice on expiry of the period specified in the letter of approval of secondment or in the letter of appointment. However, the Secretary General shall inform the official concerned of his reasoned decision not to extend the appointment at the latest 2 months before the expiry of that period. The time limit of 2 months shall be reduced to 2 weeks for short-term appointments.
- (2) In application of Regulation 3.1(2), the Secretary General may propose to the authorities of a State which has seconded an official that the period of secondment be extended for a further fixed-term. If the authorities concerned give their approval, the Secretary General's proposal, and the acceptance of that proposal, shall constitute an amendment to the letter of approval of secondment and shall be communicated to the official concerned. If the authorities concerned make a counter-proposal, the Secretary General shall:
- (a) either give his approval, in which case the counter-proposal and the Secretary General's approval shall constitute an amendment to the letter of approval of secondment of the official concerned,
- (b) or reject the counter-proposal, in which case the secondment shall terminate in conformity with paragraph (1) above.

If the authorities reject the proposal of extension, the secondment shall terminate in conformity with paragraph (1) above.

In either case, the seconded official concerned shall be informed, without delay, of the steps taken and of their outcome.

- (3) In application of Regulation 3.1(1), the Secretary General may propose to an official under contract that his appointment be extended or converted into another type of appointment. If the official under contract accepts, the Secretary General's proposal and the official's acceptance shall constitute an amendment to the employment agreement. If the official concerned rejects the proposal, his appointment shall terminate in conformity with paragraph (1) above.

- (4) The appointment of an official under contract shall be converted into an indeterminate appointment if the post held by the official is considered by the Organization to be permanent and the conduct and performance of duties of the official since he took up his post have constantly been satisfactory.

**Regulation 3.2: Appraisal and advancement**

- (1) Superiors shall regularly appraise the work and conduct of the officials placed under their authority. The procedure for preparing periodic assessment reports shall be laid down in the Staff Rules.**
- (2) The Secretary General shall decide on the advancement of officials under contract holding a classified post within the salary scales applicable to their grades on the basis of periodic assessment reports. Prior to his decision, he shall seek the consultative opinion of the Joint Advancement Committee, except in respect of officials whose position, under the terms of the Staff Rules, is not subject to consideration by that Committee.**

Rule 3.2.1: Advancement

- (1) Under Regulation 3.2(2), the Secretary General shall not consult the Joint Advancement Committee when deciding on the advancement of officials under contract holding a post classified in Grade 1 or 2. For officials under contract holding posts classified in Grades 3 to 10, the Secretary General shall consult the Joint Advancement Committee for their opinion when deciding on a two-step advancement or on a deferment of the date of their advancement.
- (2) Decisions on the advancement of officials under contract holding a classified post within the salary scales applicable to their grade shall be taken every two years, except for officials in steps 12 and 13 for whom the interval shall be three years. The relevant salary scales are defined in Appendix 1 to the present Rules.
- (3) Based on the recommendations of an official's superiors, the Secretary General may decide:
  - (a) to grant an official an advancement of one step in his grade for satisfactory service; or
  - (b) to grant an official an advancement of two steps in his grade for particularly meritorious or outstanding work accomplished throughout the entire period elapsed since the last decision on his advancement; or

- (c) to defer by up to twelve months the date of advancement of an official whose work is not considered to be satisfactory.

- (4) For the award of salary increments, satisfactory service shall be defined as satisfactory performance and conduct of officials in the post to which they have been assigned, as appraised by their superiors. For officials in steps 12 and 13, the award of salary increments shall be subject to 3 consecutive outstanding reports.
- (5) Salary increments shall be effective from the first day of the month in which the official has completed the required period of service; however, this period may be shortened when the official is promoted in accordance with the provisions of Regulation 3.3 or the advancement of the official is deferred in accordance with (3,c) above or in application of a disciplinary measure. This period may also be extended in application of Rules 8.2.8(5) and 8.2.9(6).
- (6) Any decision on advancement taken by the Secretary General shall be notified to the official under contract concerned and communicated to his immediate superior. Such decisions shall be centralized by the human resources department.

Rule 3.2.2: Periodic assessment reports

- (1) In application of Regulation 3.2(1), assessment reports shall be prepared for each official at least once a year. For officials holding an unclassified post or on short-term appointments, a simplified assessment procedure shall be applied.
- (2) The performance of each official shall be appraised on a form prescribed by the Secretary General. Periodic assessment reports shall include a self-assessment made by the official and an assessment drafted by the official's immediate superior covering the official's activity during the period since the drafting of the previous assessment report. They shall be based on objectives and other assessment criteria established by the superior after consultation of the official at the beginning of the reference period.
- (3) With a view to drafting his assessment report, the official's immediate superior shall have an interview with the official. Once the assessment report has been drafted by the official's immediate superior, it shall be communicated to the official prior to being forwarded to his superiors at all the levels

concerned, any of whom may add observations. After all the official's superiors have completed the assessment report, it shall once more be communicated to the official.

- (4) At any stage where the official receives communication of the assessment report, he shall sign the report and may, if he so wishes, append a statement relating to any part of the report which he contests. Such a statement must be made within a week from the date on which the official received communication of the report. It shall be placed in the official's personal file in the same way as the report itself.
- (5) Periodic assessment reports shall be centralized by the human resources department and filed in the official's personal file. Reports concerning officials under contract classified below Grade 2 shall be brought to the attention of the Joint Advancement Committee whenever a decision on the advancement of the official concerned is to be taken.
- (6) The provisions of the present Rule shall not prevent the activity and conduct of an official from being the subject of written memoranda in the interval between two assessment reports. Such memoranda shall be communicated to the official who shall be given the opportunity to comment on them.

Rule 3.2.3: Bonuses

- (1) Within the limits of the budget allocation for that purpose, the Secretary General, exercising his discretionary power, may decide to grant a bonus:
  - individually to an official holding a classified post;
  - collectively, to all or some of the officials holding classified posts;whom he wishes to recompense for meritorious work or outstanding service.
- (2) The maximum amount of the bonus, the relevant procedure and the conditions under which it may be granted, individually or collectively, shall be determined in a Staff Instruction.

Rule 3.2.4: Unsatisfactory work

- (1) Any official, whether seconded or under contract, whose work is appraised as unsatisfactory by his superiors, during his annual assessment or in the interval between two annual assessments, shall be notified in writing of such a fact and be given an appropriate period of time to remedy the situation.

- (2) After prior notification, failure by an official to perform the functions inherent in the post to which he is assigned in a satisfactory manner, whether due to the quality of his work or to the relations he maintains with other officials, may result:
  - (a) in the transfer with downgrading of the official if a post better suited to his capabilities is vacant; or
  - (b) in the termination of the official's appointment in accordance with Regulation 11.1(3,a).

**Regulation 3.3: Promotion, transfer and temporary assignment**

- (1) **The Secretary General may decide, within the general classification of posts, to promote officials of the Organization. Promotion shall mean the assignment of an official to a post of higher grade following a competition or a reclassification procedure. In exceptional cases, in the interests of the Organization, the Secretary General may promote an official of the Organization without competition.**
- (2) **Any official shall be entitled to promotion as a result of the reclassification of the post to which he is assigned, provided he has the required qualifications and his performance is satisfactory. Without prejudice to the recruitment of fresh talent, officials shall be given reasonable promotion possibilities.**
- (3) **The Secretary General may transfer any official of the Organization from one post to another. Transfer shall mean the assignment of an official to another post without promotion. A transfer may be effected without recourse to a competition.**
- (4) **Any official may be transferred whenever the interests of the Organization so require. Any official may at any time request consideration for transfer in his own interest.**
- (5) **If so instructed by the Secretary General in order to meet service requirements, an official of the Organization shall accept any temporary assignment to a post other than that specified in his employment agreement. The conditions governing salary supplements payable as a result of temporary assignments, as well as the payment arrangements for such supplements, shall be detailed in the Staff Rules.**

- (6) The transfer, promotion or temporary assignment of a seconded official shall be notified to that official's national administration without delay.**

Rule 3.3.1: Salary on Promotion

- (1) Upon promotion, an official under contract shall be placed on the salary scale applicable to his new grade on the first step which enables him to benefit from an increase in gross salary at least equal to five per cent of the gross salary payable to him prior to his promotion. The Secretary General may decide to grant additional steps to an official who has been promoted to take into account the aptitudes, qualifications and experience of the official concerned at the post to which he has been promoted.
- (2) The date of the periodical salary increment in the higher grade shall be the anniversary date of the promotion.

Rule 3.3.2: Fixed-term promotion

An official under contract holding an indeterminate appointment and who is promoted to a post advertised for a fixed-term period shall retain his indeterminate appointment. However, at the end of this fixed-term promotion, unless the latter is renewed or converted into an indeterminate appointment, the official concerned shall return to the grade held prior to promotion and shall be granted an advancement in steps equivalent to that which he would have received had he not been promoted.

Rule 3.3.3: Transfer

- (1) Officials of the Organization must conform to any transfer decision taken by the Secretary General in application of Regulation 3.3(3). If an official of the Organization thus transferred does not take up his new post, the Secretary General may terminate his appointment in conformity with Regulation 11.1(2,b).
- (2) However, the specific, written consent of the official concerned shall be required if the transfer decision is taken following:
- (a) the official's inability to perform his functions for medical reasons,
  - (b) modification of the responsibilities attached to the official's post with the result that he no longer has the requisite qualifications or experience,
  - (c) suppression of the official's post,

- (d) a reduction in the number of posts in the official's grade,

In such cases, the official shall make his decision known within a time-limit set by the Secretary General. If the official concerned refuses such a transfer or has not replied to the transfer proposal by the date specified, in which case the transfer is deemed to have been refused, the Secretary General may, in conformity with Regulation 11.1(3,b) to (3,e), terminate his appointment.

- (3) The Secretary General's decision on whether or not to transfer an official shall be based on the interests of the Organization. Whenever a transfer involves a change in functions, the Secretary General shall take account of the competence and qualifications of the official concerned and ensure that he has the necessary aptitudes to perform his new functions. If a transfer involves a change in duty station, the Secretary General shall, as far as possible, take into account the personal situation of any of the officials of the Organization whose transfer could be considered.
- (4) If, as a result of a transfer involving a change in duty station, the official suffers a reduction in gross monthly salary, he shall continue to receive the gross monthly salary appearing on the salary scale for his previous duty station and post.
- (5) If a transfer involves downgrading, the official concerned shall continue to receive, on a personal basis, the gross monthly salary appearing on the salary scale for his previous post, except in the following cases:
- (a) disciplinary or unsatisfactory work procedures resulting in a decision to grant the official the gross monthly salary corresponding to the step on which he was placed, in his former post, in the salary scale applicable to his new grade; and
  - (b) a transfer resulting from the official's application in a recruitment procedure or from the official's request for a transfer in his own interest.
- (6) A transfer, regardless of whether it requires the consent of the transferred official or not, shall constitute an amendment to his employment agreement. The transfer decision shall be notified in writing to the official concerned and shall be communicated to his immediate superior. The decision shall list the changes in the situation of the official concerned, the reasons for the transfer, and the date on which it shall become effective. There shall be a reasonable period of time between the date of notification of the transfer decision and its entry into force.



- (7) When an official under contract is transferred, the decision on his advancement within the salary scale applicable to his grade shall be taken at the time it would have been had he not been transferred.

Rule 3.3.4: Temporary assignments

- (1) In conformity with Article 3.3(5), an official may be called on to accept a temporary assignment for a period of up to 12 months, renewable by periods of a maximum of 12 months. However, the temporary assignment may not exceed the duration of the project to which the post is attached, or the duration of the incumbent's absence for maternity leave, sick leave, parental leave or unpaid leave.
- (2) A salary supplement shall be paid to an official under contract who is temporarily assigned to the duties and responsibilities of a post classified in a higher grade. The amount of such a supplement shall be equivalent to the gross salary increase which the official would have received had he been promoted to the post to which he is temporarily assigned. Should the official only be assigned part of the duties and responsibilities attached to the post, the salary supplement shall be adjusted accordingly.
- (3) The salary supplement shall remain unchanged for a period of up to 12 months, depending on the length of the assignment, after which it may be reviewed to take into account any change in the salary scales or the award of salary increments to the official in his regular post.
- (4) The salary supplement shall be paid from the first day of temporary assignment.

**Regulation 3.4: Professional training**

**Within the limits of the budget allocated for that purpose, and based on a training plan, the Secretary General shall provide officials of the Organization with such training as is deemed appropriate for the continued enhancement of their professional qualifications and increased efficiency in the accomplishment of their duties.**

Rule 3.4.1: Training

- (1) In application of Regulation 3.4, a request for training of an official may be initiated by the official himself or by his superiors.
- (2) Any such request shall be reasoned and made in writing.

- (3) The Secretary General, exercising his discretionary power and taking into account the training needs and priorities as identified in the established training plan, shall decide:

- (a) whether the official who has made the request may receive professional training;
- (b) whether the Organization is to meet all of the cost of the professional training of the official concerned;
- (c) whether this training is to be provided during or outside working hours.
- (4) If the cost of professional training is met by the Organization and if the training is provided during working hours, the official concerned may not refuse to undergo such training.
- (5) In any case, on successful completion of a training course determined in the interests of the Organization and approved by the official's immediate superior, the official shall be entitled to 25% of the cost of such a course. That sum shall either be paid to him or deducted from outstanding loans, provided that the official continues his career with the Organization for at least 5 years.

**Regulation 3.5: Reappointment, reinstatement and change of appointment**

**The Secretary General may, in accordance with the Staff Rules:**

- (a) **reappoint or reinstate a former official of the Organization;**
- (b) **change the appointment of a seconded official into an appointment under contract.**

Rule 3.5.1: Reappointment and reinstatement

- (1) A former official may be:
- (a) reinstated if he is recruited within the 12 months following the date of his cessation of service, or;
- (b) reappointed if he is recruited beyond the 12 months following the date of his cessation of service.
- (2) If an official is reinstated, his services shall be considered as having been continuous. For that purpose, the interval between cessation of service and reinstatement shall be considered as unpaid leave and the official shall return to the Organization any payment made to him at the time of cessation of service.

- (3) If an official is reappointed, the rules on new appointments laid down in Chapter 2 of the Staff Regulations and present Rules shall apply.
- (4) If a staff member who was not initially subject to the Staff Regulations is subsequently recruited as an official of the Organization, the provisions of the present Rules relating to reinstatement shall not apply. However, the Secretary General may decide to reduce the length of the official's probationary period or decide that the official need not serve a probationary period.

Rule 3.5.2: Change of appointment

- (1) Change of appointment shall mean change of status from secondment to contract, and from short-term appointment to a regular fixed-term appointment.
- (2) A seconded official cannot have his appointment changed into an appointment under contract until he has:
  - (a) been granted unpaid leave from his national administration, in which case he shall only be appointed for a fixed-term equal to or shorter than the duration of his leave;
  - (b) retired from his national administration or has ceased to be an official of that administration.
- (3) If one of these conditions is met, the seconded official must accept his appointment as an official under contract in conformity with the relevant provisions of the Staff Regulations and of the present Rules, and must sign the declaration of loyalty corresponding to his new legal status vis-à-vis the Organization, Regulation 1.5(4) being applicable.
- (4) Any official whose secondment is changed into an appointment under contract:
  - (a) shall be placed immediately on the salary scale applicable to his grade, in conformity with Regulation 2.4 and Rule 2.4.1.
  - (b) shall keep the length of service entitlement he has acquired within the Organization;
  - (c) shall, by virtue of his declaration of loyalty, be subject to the conditions of employment resulting from his new legal status vis-à-vis the Organization and, except in (b) above, shall lose the rights deriving from his previous legal status.

- (5) If an official incurs heavy expenses as a result of his change of appointment, the Secretary General may, upon the express written request of the official, waive the provisions which prevent him to:
  - (a) reimburse the official removal expenses;
  - (b) grant the official both the installation allowance and the expatriation allowance.

**CHAPTER 4: CLASSIFICATION AND RECLASSIFICATION OF POSTS**

**Regulation 4.1: Classification of posts**

- (1) The Secretary General shall make appropriate provision for the classification of posts in accordance with the duties and responsibilities attaching to them.**
- (2) The Staff Rules shall determine which posts may be considered as unclassified.**

Rule 4.1.1: Classified and unclassified posts

- (1) Posts shall be classified in categories and grades according to a post rating method established by the Secretary General in a Staff Instruction and related to the nature of the duties, the level of responsibilities and the qualifications required. Such posts shall be known as classified posts.
- (2) The posts of:
  - (a) Secretary General; and
  - (b) Executive Director;shall be known as unclassified posts. The Secretary General may adjust the titles of such posts as necessary.

Rule 4.1.2: Classification process

- (1) When a newly-created post is to be classified, the superior under whose authority the post concerned is placed shall be responsible for the description of the said post, with the assistance of the human resources department.

- (2) In order to describe the post concerned, the superior shall complete a post description sheet, the form of which shall be prescribed by the Secretary General, setting out the duties and requirements specific to the post.
- (3) The post description sheet established by the superior concerned shall serve as a basis for rating the post, by application of the established post rating method.

**Regulation 4.2: Reclassification of posts**

- (1) **The Secretary General shall take decisions on reclassification of posts, whether vacant or filled.**
- (2) **Any official of the Organization is entitled upon request to an examination of the classification of his post in accordance with the conditions and procedures laid down in the Staff Rules.**

**Rule 4.2.1: Reclassification procedure**

- (1) A reclassification procedure may be initiated by the Secretary General, the superior under whose responsibility the post to be reclassified is placed or the human resources department, or the incumbent of the post, when the duties and responsibilities attached to a particular post have evolved to such an extent that the post description is no longer accurate. A Staff Instruction shall specify the periodicity at which a reclassification procedure may be initiated.
- (2) The reclassification procedure shall comprise:
  - (a) the completion of a post description sheet;
  - (b) application of the post rating method to the post to be reclassified, including desk audits, if necessary;
  - (c) review of any other post(s) which may be affected.
- (3) When the reclassification procedure is initiated by the incumbent of the post, all other officials holding the same post description shall be informed of the initiation of such a process. In the case of a review of other post(s) affected, the incumbent(s) concerned shall also be informed.
- (4) The Secretary General's decision on reclassification shall be based on the established post description sheet and the post rating.

**Rule 4.2.2: Request for reclassification [deleted]**

**Rule 4.2.3: Effects of a reclassification**

- (1) If, as a result of the reclassification procedure, it appears that particular post(s) should be reclassified while the other posts in the same department with the same title and in the same grade should keep their classification, the Secretary General shall decide which official(s) shall be transferred to the reclassified post(s).
- (2) When a post which is already filled is reclassified at a higher grade, that post shall first be offered to the incumbent of the post which has been reclassified, in which case Regulation 3.3 pertaining to promotion shall apply.
- (3) If the reclassification of a post results in the post being placed in a lower grade, the incumbent of the post shall keep his grade on a personal basis, unless the Secretary General decides to transfer the official to a post of equal grade.
- (4) If, at the outcome of the reclassification procedure, it appears that the grade of the post should not be changed, the incumbent of the post and his superior shall be notified.

**CHAPTER 5: EMOLUMENTS**

**Regulation 5.1: Emoluments**

**Emoluments shall comprise salary, salary supplements and allowances.**

**Regulation 5.2: Salaries and salary supplements**

- (1) **The salary scales applicable to officials under contract holding a classified post, comprising an appropriate number of steps for each grade, shall be laid down in the Staff Rules.**
- (2) **The Staff Rules shall also provide for a minimum and maximum salary for officials under contract holding unclassified posts.**
- (3) **For the purpose of the present Regulations, of the Staff Rules and of the Staff Instructions, salary supplements shall comprise overtime compensatory payments, stand-by duty compensatory payments and salary supplements payable as a result of temporary assignments.**

Rule 5.2.1: Determination of salary

- (1) The salary scale applicable at the reference duty station and specific salary scales by grade and step are given in Appendix 1 to the present Rules. The Secretary General adjusts and adopts the salary scales applicable at other duty stations on the basis of the comparative cost of living at the duty station concerned. The amounts appearing in the salary scales are given in euros and correspond to a gross monthly salary, exclusive of any salary supplement, allowance or deduction. Pursuant to Regulation 14.5(1), when an official appointed on a short-term contract is required to perform duties and responsibilities which do not correspond exactly to those of a given classified post or when the official is not assigned to a given classified post, appropriate provision shall be made to ensure that the salary of the official reflects his duties and responsibilities.
- (2) The amounts of gross monthly salary referred to in the salary scales shall be subject to deductions for the purpose of the internal tax, in conformity with Regulation 5.7, and of the social security contributions, in conformity with Regulation 7.1(4) and Rule 7.1.1. For the purpose of the present Rules, the net salary shall be understood as the gross monthly salary after the above-mentioned deductions.
- (3) In cases where an official receives a salary supplement subject to the deductions mentioned above, the amount of the salary supplement concerned shall be added to his gross salary for calculation of the said deductions.

**Regulation 5.3: Allowances**

**The Staff Rules shall determine the amounts of any allowances payable by the Organization, as well as the conditions under which they are due to the officials of the Organization.**

Rule 5.3.1: Installation allowance

- (1) The Organization shall pay an installation allowance to:
  - (a) officials under contract assuming a post within the Organization;
  - (b) officials transferred to another duty station;provided that at the time of their appointment or transfer they were not living within the area of their duty station. For officials on short-term

appointments converted into a fixed-term appointment following a normal recruitment procedure in application of Regulation 14.5(3), the place of residence at the time of the initial appointment shall be taken into account to determine whether payment of the installation allowance is due.

- (2) The installation allowance shall be paid as soon as the official takes up his post.
- (3) The amount of the installation allowance shall be given in a Staff Instruction, taking into account the family status and the duty station of the officials.
- (4) The Organization shall grant a supplement to cover the expenses specifically connected with finding a new residence. This supplement shall be calculated on the basis of the expenses actually incurred by the official concerned and his family, within the limits specified in a Staff Instruction.

Rule 5.3.2: Expatriation allowance

- (1) An expatriation allowance shall be paid each month to officials who are not nationals of the State of their duty station, who have not been resident in that State for more than three years and who provide proof of their expatriate status.
- (2) Following an agreement reached between the Organization and the authorities of the State concerned, the expatriation allowance may be paid directly to those authorities. In addition, the allowance may be abolished either partially or totally, either in application of such an agreement or by a decision taken by the Secretary General, in the light of the remuneration and of the allowances paid to the official concerned by his national administration.
- (3) The expatriation allowance shall be paid each month to officials for a duration of 6 years.
- (4) The amount of the expatriation allowance shall be given in a Staff Instruction, taking into account the family status and the duty station of the official concerned.

Rule 5.3.3: Monthly compensatory allowance

- (1) The Secretary General may grant seconded officials who are nationals of the State in which their duty station is situated a monthly compensatory allowance to compensate for any loss or reduction of net salary, allowances or

other benefits the officials received or would have received for performing their functions in their national administrations.

- (2) The amount and arrangements for payment of the monthly compensatory allowance shall be laid down in Staff Instructions.

Rule 5.3.4: Transport allowance

In partial compensation for the daily cost of transport between place of work and residence, the Organization shall pay to officials under contract a monthly fixed allowance, the amount of which shall be established for each duty station and laid down in a Staff Instruction.

Rule 5.3.5: Special interpretation allowance

- (1) Officials under contract who have been selected to perform, in addition to their duties, interpretation work for the Organization shall be entitled to a special interpretation allowance.
- (2) The certification requirements, amount of allowance, and the provisions for payment of the allowance shall be laid down in a Staff Instruction.

Rule 5.3.6: Short-term allowance

Officials under contract appointed for a short-term who are not nationals of the country of the duty station, shall be entitled to a short-term allowance, the modality of payment and the amount of which shall be established in a Staff Instruction. Pursuant to Regulation 14.5(1), this allowance shall be paid in lieu of the allowances provided for in Staff Rules 5.3.1 and 5.3.2, as well as travel and removal expenses provided for in Staff Rules 6.1.4 and 6.2.1.

Rule 5.3.7: Expertise allowance

- (1) An expertise allowance shall be paid each month to officials holding posts of certain categories where specific expertise in a field relevant to their post is necessary. The amount of the expertise allowance shall be laid down in a Staff Instruction.
- (2) The categories of posts to which this allowance applies shall be determined by the Executive Committee.

**Regulation 5.4: Payment and adjustment of emoluments**

- (1) The Staff Rules shall specify the arrangements for the payment of emoluments due to the officials of the Organization.**
- (2) The emoluments of the officials of the Organization shall be examined at least once a year by the Executive Committee which shall decide, following a proposal from the Secretary General, whether they should be adjusted.**

Rule 5.4.1: Calculation of emoluments

- (1) The portion of emolument payable to an official shall be calculated pro rata temporis on the basis of one-thirtieth of the emolument concerned:
  - (a) if the official concerned takes up his post or ceases his service during the course of a month;
  - (b) if the emolument of the official concerned is suspended for part of a month, in application of the Staff Regulations or the present Rules.
  - (c) if the amount of the emolument of the official concerned has varied during the course of a month with the result that he is entitled to a different emolument for each fraction of that month.
- (2) The present rule shall not apply to the installation and transport allowances referred to in Rule 5.3.1 and 5.3.4 respectively.

Rule 5.4.2: Payment of emoluments

- (1) Unless otherwise specified in the present Rules, an official shall only have the right to receive his emoluments for periods during which he actually worked in the Organization's service. In addition, the payment of allowances shall be subject to the accuracy, and updating whenever appropriate, of the information supplied by the officials concerned, in conformity with Regulation 1.7 and Rule 1.7.1.
- (2) An official shall receive the emoluments due to him in application of the provisions of the present Rules on a monthly basis, deduction having been made of any sums owed by the official concerned to the Organization and due for payment. Payment shall be made at the latest on the first day of the following month, although corrective payments made necessary by modifications in the bases used for the calculations may be made later.

- (3) The Secretary General may decide, following the receipt of a written and reasoned request of the official concerned to pay part of his emoluments into a bank account in a State other than that in which the duty station of the official concerned is located.

Rule 5.4.3: Double payments

- (1) Two officials who are married or cohabit, shall not both be entitled to claim reimbursement of their travel and removal expenses or any of the allowances whose payment depends on the family status of officials. Consequently, the Organization shall cover the travel and removal expenses of two such officials only once, and shall pay only one set of the allowances to which their family status entitles them. The Secretary General shall decide, in accordance with the principles of equity, on how the payments are to be shared between the two officials concerned.
- (2) When two officials of the Organization divorce, or separate in the case of persons who cohabit, the sums payable to cover their travel and removal expenses and the allowances to which they are entitled shall be calculated on the basis of their new family status, it being however understood that the dependent children taken into account for the calculation are those who are living, or considered to be living, with the official concerned.

**Regulation 5.5: Exceptional payments**

**The Staff Rules shall detail, subject to financial availabilities, the conditions under which the Secretary General may grant advances and loans to the officials of the Organization.**

Rule 5.5.1: Advances

- (1) Subject to cash-flow availabilities, the human resources department may grant an official who has so requested, an advance against emoluments of up to the amount of his monthly emoluments.
- (2) The amount paid shall be deducted from the emoluments due for a maximum of three months following the month in which the advance was authorized.

Rule 5.5.2: Personal loans

- (1) Subject to cash-flow availabilities, the Secretary General may grant a loan to an official:
  - (a) because of special circumstances connected with the official's personal situation;
  - (b) for an official's personal development;
  - (c) for miscellaneous use.
- (2) The Secretary General shall lay down in a Staff Instruction:
  - (a) the conditions under which an official may benefit from a loan;
  - (b) the maximum amount of a loan;
  - (c) arrangements for reimbursement of a loan.

Rule 5.5.3: Asset related loans

Subject to the balance available on the General Reserve Fund and the Financial Regulations governing its use, and within the limits of the provisions laid down in Appendix 4 to the present Rules, the Secretary General, exercising his discretionary power, may grant a loan to an official who submits a reasoned request for such a loan in conformity with the procedure laid down in the said provisions.

**Regulation 5.6: Currency of payment**

**The emoluments due to the officials of the Organization shall be paid in the currency in which the salary is expressed. The Secretary General may authorize exceptions to this provision on receipt of a written request from the official concerned stating the specific reasons for such exceptions.**

Rule 5.6.1: Exchange rate

When, in application of the Staff Regulations and of the present Rules, the Organization pays one of its officials a sum of money in a currency other than that in which it is expressed in the applicable provisions or in which it has been fixed, the conversion of that sum into another currency shall be governed by the exchange rate adopted by the Organization.

**Regulation 5.7: Taxation of the officials of the Organization**

- (1) **Officials under contract shall pay an internal tax on their salaries and salary supplements, at the rates and under the conditions laid down in the Staff Rules.**
- (2) **When the agreements concluded between the Organization and the States in which its officials are stationed, or the applicable local laws so permit, with a view to avoiding double taxation, the officials of the Organization shall be exempted from payment of the Organization's internal tax if a State other than the State in which they are stationed levies income tax on their salaries and salary supplements.**

**Regulation 5.8: Recovery of payments made in error**

**The Organization shall be entitled to recover any payment made in error to one of its officials. The Staff Rules shall determine the time-limit for recovery and detail the recovery procedures.**

**Rule 5.8.1: Recovery of payments made in error**

- (1) In application of Regulation 5.8, the Organization's right to recover payments made in error to one of its officials shall lapse after two years or, in a case where a series of payments has been made in error, two years after the date of the last payment. The time-limit for recovery shall cease to apply on the date of notification:
  - (a) of the decision to initiate the recovery process; or
  - (b) of the decision to initiate a procedure designed to calculate the amount to be recovered.
- (2) The recovery of a series of payments made in error shall be limited to an amount equal to the overpayments made during the twelve months immediately preceding the last overpayment. However, if the overpayments were made as a result of negligence on the part of the official who received the payments, the Organization may recover the amounts paid in error during the three years immediately preceding the last payment.
- (3) If at the time when he received a sum from the Organization the official concerned knew that he was not entitled to it, the Organization's right to demand reimbursement of the sums paid in error shall expire after ten years.

- (4) Unless otherwise specified in a written agreement between the Secretary General and the official concerned, the reimbursement shall be made by deductions over a period not exceeding ten months, from the emoluments due to the official concerned. However, if the official has been immediately notified of the error, the reimbursement shall be made during the month following that in which an error was made. Moreover, on submission of a request by the official concerned to the human resources department, the Secretary General may grant a longer period for reimbursement if, in the circumstances, such an extension would be justified and equitable.
- (5) If the appointment of the official concerned is terminated for any reason whatsoever, any sum that is still outstanding, in respect of the reimbursement of sums paid in error, at the date on which his cessation of service becomes effective, shall be payable immediately. To that effect, the Organization may withhold the outstanding sum from the full and final settlement if the latter is sufficient to allow full or partial repayment of the said amount. If the amount due under the full and final settlement is nil or insufficient to allow the outstanding sum to be fully paid off, the official concerned must reimburse the sum due. Otherwise, the Organization may institute proceedings against the official in accordance with the legal provisions applicable to disputes and, in the case of a seconded official, may inform his national administration that he has not paid off his outstanding debt.

**CHAPTER 6: TRAVEL AND REMOVAL EXPENSES**

**Regulation 6.1: Travel expenses**

**Subject to the conditions laid down in the Staff Rules, the Organization shall cover travel expenses incurred in connection with the following events:**

- (a) **the assumption of his post by an official under contract;**
- (b) **a duly authorized mission of an official of the Organization;**
- (c) **the transfer of an official of the Organization to another duty station;**
- (d) **the cessation of service of an official under contract.**

Rule 6.1.1: Travel expenses entitlements

- (1) In application of Regulation 6.1(b), any official shall be entitled to the payment by the Organization of the following travel expenses:
  - (a) transport tickets as specified in Rules 6.1.2 and 6.1.3;
  - (b) a subsistence allowance for each 24-hour period of the duration of the mission, as specified in Rule 6.1.5;
  - (c) additional expenses, as specified in Rule 6.1.6.
- (2) In application of Regulation 6.1(a), (c) and (d), any official shall be entitled to the reimbursement by the Organization of the cost of transport tickets, as specified in Rules 6.1.2 and 6.1.4. These provisions shall also apply to his spouse or common-law spouse and to any of his dependent children whenever they follow him.

Rule 6.1.2: Route, mode and standard of transportation

- (1) Travel shall be by the most direct route, using the most appropriate and most economical mode of transportation.
- (2) The standard of transportation for officials below Grade 1 shall be tourist or economy class when they travel by air or sea and business class when they travel by rail. However, officials holding unclassified posts and officials classified in Grade 1 shall always have the option to travel business class, whatever the mode of transportation and where available. Exercising his discretionary power, the Secretary General may decide, in particular in the light of the length of the journey, that an official below Grade 1 shall travel in a class higher than the standard specified above.
- (3) Travel by private vehicle may be authorized, at the request of the official, subject to conditions to be laid down in a Staff Instruction.

Rule 6.1.3: Purchase of tickets for officials on mission

- (1) The Organization shall in principle supply the transport ticket.
- (2) If the Organization authorises an official to obtain his transport ticket himself, he shall be reimbursed on presentation of supporting vouchers, it being understood that the amount

reimbursed shall not exceed the cost of the transport ticket that the Organization itself would have supplied.

- (3) If, owing to circumstances beyond his control, the official concerned is obliged to obtain his transport ticket himself without having received prior authorization to do so, he shall as far as possible conform to Rule 6.1.2 and shall be reimbursed by the Organization on presentation of supporting vouchers as specified in paragraph (2) above.
- (4) Any official for whom the Organization has purchased a transport ticket and who failed to undertake his journey shall have to give sufficient grounds for such failure or repay for the cost of the ticket.

Rule 6.1.4: Reimbursement of transport tickets for other approved travel

- (1) In application of Regulation 6.1(a), (c) and (d), the Organization shall reimburse the cost of transport tickets for 1 journey per person, unless covered by other means and provided that the expenses have actually been incurred. However, reimbursement under Regulation 6.1(d) shall not in any circumstances exceed the cost of a transport ticket back to the place where the official was residing prior to his appointment within the Organization.
- (2) The official concerned may claim reimbursement of such travel expenses at the latest 3 months from the travel date.
- (3) The Organization shall not reimburse the cost of transport tickets under Regulation 6.1(d):
  - (a) if the official resigns;
  - (b) if, in application of Regulation 11.1 (2,a) and (2,b), the Secretary General terminates the official's appointment because the latter has deserted his post or has not taken up the post to which he is assigned following a transfer;
  - (c) if, in application of Regulation 11.1 (2,c) et (3,g), the Secretary General terminates the official's appointment as the result of a disciplinary dismissal or summary dismissal.



Rule 6.1.5: Subsistence allowance for officials on mission

- (1) The Secretary General shall issue a Staff Instruction specifying the amount of the subsistence allowance according to the place of destination of the official on mission. The subsistence allowance, payable before departure, shall be deemed to cover all the expenses that may be incurred by an official for a journey over a 24-hour period, with the exception of the expenses covered by Rule 6.1.6. However, no subsistence allowance shall be granted for missions made within the area of the official's duty station, it being understood that the official shall be entitled to reimbursement of his meal if he is unable to return to the Organization for lunch.
- (2) For calculation of the subsistence allowance, the length of the mission shall be increased by 2 hours for a round trip by rail or by sea and 3 hours for a round trip by air in order to cover travel time between home or office and the main station, airport or port, and return.
- (3) Where the mission lasts less than 8 hours, an official shall receive 25% of the daily subsistence allowance. The same applies for any period of less than 8 hours over and above any complete 24-hour period.
- (4) Where the mission lasts 8 or more but less than 24 hours and does not involve staying in a hotel, the official shall receive 50% of the daily subsistence allowance.
- (5) Where the mission lasts 8 or more but less than 24 hours and involves staying in a hotel, the official shall receive the full amount of the daily subsistence allowance.
- (6) Where the costs of meals and overnight accommodation are included in the travel costs, the daily subsistence allowance shall be reduced by 15% for each meal and 50% for overnight accommodation. The same applies in cases where the official expenses are covered by a State, an administration, a company or any other institution inviting him and if the amount payable is equal to or greater than the allowance the Organization would have paid. Any official undertaking a journey must specify the expenses thus covered.

- (7) If accommodation is imposed by the Organization, or by a State, an administration, a company or any institution inviting him, and the cost of night accommodation exceeds 50% of the subsistence allowance, the official concerned shall be entitled on presentation of supporting evidence, to a readjustment of the subsistence allowance to cover the difference.
- (8) An official shall not be entitled to a subsistence allowance in respect of annual leave taken at the place of mission prior to, or upon completion of, the mission.
- (9) Subsistence allowance in respect of missions exceeding 1 month or missions involving several officials at a time shall be the subject of special arrangements under a Staff Instruction issued by the Secretary General.

Rule 6.1.6: Additional expenses

In addition to the expenses covered by the subsistence allowance, the Secretary General shall determine, in a Staff Instruction, the limits within which supplementary reimbursement may be claimed.

Rule 6.1.7: Time off in compensation of missions

The Secretary General shall specify, in a Staff Instruction, the duration of any rest period which may be granted to an official undertaking a mission because of the length of the journey, because of time differences, or because of the need to travel on a day other than a working day. He may lay down specific rules in respect of missions exceeding 1 month or missions involving several officials at a time.

**Regulation 6.2: Removal expenses**

**Subject to the conditions laid down in the Staff Rules, the Organization shall also cover removal expenses incurred in connection with the following events:**

- (a) the assumption of his post by an official under contract;**
- (b) the transfer of an official of the Organization to another duty station;**
- (c) the cessation of service of an official under contract.**

Rule 6.2.1: Removal expenses entitlements

- (1) Unless covered by other means, an official shall be entitled to have his removal expenses paid by the Organization, if the distance, in a straight line, between the official's last place of residence and his new place of residence is equal to or more than 50 kilometres. The same applies to his spouse or common-law spouse and to any of his dependent children whenever they follow him.
- (2) The Organization shall cover the expenses in connection with only 1 removal per event and within the limits of the quantities of personal effects, to be specified in a Staff Instruction.
- (3) The Organization will not, however, pay the expenses if the removal takes place later than 12 months from the date of any of the events mentioned in Regulation 6.2.

Rule 6.2.2: Payment of removal expenses

- (1) The payment of removal expenses will be subject to the regulations in force for concluding contracts and carried out in accordance with a procedure specified in a Staff Instruction.
- (2) The Organization will not pay the cost of removal expenses under Regulation 6.2(c):
  - (a) if the official resigns;
  - (b) if, in application of Regulation 11.1 (2,a) and (2,b), the Secretary General terminates the official's appointment because the latter has deserted his post or has not taken up the post to which he is assigned following a transfer;
  - (c) if, in application of Regulation 11.1 (2,c) et (3,g), the Secretary General terminates the official's appointment as the result of a disciplinary dismissal or summary dismissal.

**CHAPTER 7: STAFF WELFARE**

**Regulation 7.1: Social security**

- (1) The officials of the Organization shall be covered by the compulsory social security schemes in force in the State in which they are stationed, unless otherwise stated in local legal texts or in agreements concluded by the Organization either with the State in which its officials are stationed or with that State's social security institutions.**

- (2) If the officials of the Organization are not covered by the compulsory social security schemes in force in the States in which they are stationed or if the Organization deems such schemes inadequately cover the officials of the Organization, and without prejudice to the application of the provisions governing the Organization's finances:**
  - (a) the Executive Committee may decide to establish compulsory or non-compulsory internal social security schemes;**
  - (b) the Secretary General may decide to affiliate officials to private social security schemes or to pay the officials concerned a fixed sum that will allow them to take out their own private cover.**
- (3) The Secretary General may further decide to pay or refund expenses in connection with an illness or physical injury suffered by an official of the Organization while on mission.**
- (4) Unless otherwise stated in provisions relating to the schemes covering the officials of the Organization, the Executive Committee shall decide on the financial contributions to be paid by the officials of the Organization to the social security schemes by which they are covered.**
- (5) The arrangements for applying the various social security schemes to the officials of the Organization shall be specified in the Staff Rules.**

Rule 7.1.1: Social security

- (1) In application of Regulation 7.1(1), the Organization shall make arrangements for any official under contract to receive social security benefits.
- (2) Without prejudice to the application of Regulation 7.1(1), the authorities of the State that seconded an official to the Organization shall in principle make arrangements for him to receive social security benefits. The Organization may however agree to make such arrangements in case of an existing agreement between the State of which the official is a national and the State of his duty station, or in other relevant cases. Retirement benefits shall nevertheless always remain the responsibility of the authorities of the State concerned or that of the official himself.

- (3) Officials receiving social security benefits by virtue of an internal scheme established by the Organization or of private schemes to which they have been affiliated by the Organization shall be informed by the human resources department of what benefits are provided and under what conditions. They shall also be informed of any modifications to such benefits or conditions. Likewise, the human resources department shall, as far as possible, provide assistance to officials affiliated by the Organization to a social security scheme under local legislation in force at the duty station whenever they seek information concerning their rights before the appropriate local bodies.
- (4) The Secretary General shall issue Staff Instructions specifying the financial contributions to be paid by the officials who benefit from social security measures:
  - (a) when the relevant local legislation or the bodies to which the officials are affiliated do not fix such contributions;
  - (b) when the officials receive social security benefits by virtue of an internal scheme established by the Organization or of private social security schemes to which they have been affiliated by the Organization.
- (5) Any official under contract benefiting from social security measures as a result of arrangements made by the Organization shall have his financial contribution deducted from the gross salary and salary supplements payable to him by the Organization, except when the Organization, in application of Regulation 7.1(2,b), pays an official a fixed sum allowing him to take out his own private cover. Specific arrangements shall be made for the payment of the financial contribution of a seconded official benefiting from social security measures as a result of arrangements made by the Organization.

**Regulation 7.2: Health and safety requirements within work premises**

The Organization's work premises shall meet local health and safety requirements at each duty station. Internal health and safety requirements may also be introduced.

**Rule 7.2.1: Health and Safety Committee**

- (1) A Health and Safety Committee shall be set up in each duty station, provided that the number of officials assigned to the duty station is equal to, or greater than 50.
- (2) The functions of the Health and Safety Committee shall be:
  - (a) where necessary to propose the implementation of internal health and safety requirements;
  - (b) to recommend to the Secretary General any measures deemed appropriate to ensure that applicable health and safety requirements are met within the Organization's work premises;
  - (c) to give a consultative opinion to the Secretary General on health and safety issues under discussion within the Organization.
- (3) Time and premises shall be made available to the members of the Health and Safety Committee in order for them to accomplish their functions.
- (4) The Secretary General shall lay down, in a Staff Instruction, the rules pertaining to the composition and functioning of the Health and Safety Committee.

**Regulation 7.3: Exceptional measures of a social nature**

- (1) In the event of an official of the Organization finding himself in a particularly serious personal situation, the Secretary General shall be empowered to take exceptional measures to support the official concerned or his family. To this effect, he may:
  - (a) agree, as a special measure, to facilitate or extend the application of certain provisions of the present Regulations and the Staff Rules;
  - (b) grant a sum of money drawn on a solidarity fund set up for that purpose, following consultation with a Management Committee. This Committee shall be composed of three members appointed by the Secretary General.

- (2) **Responsibility for these exceptional measures, taken as an expression of the General Secretariat's solidarity with an official in need, shall rest with the Secretary General alone. Application of the present Regulation may only be delegated in conformity with Article 45 of the Organization's General Regulations.**

**CHAPTER 8: WORKING HOURS AND LEAVE**

**Regulation 8.1: Working hours**

- (1) **The Staff Rules shall lay down the working time of the officials of the Organization as well as any specific rule pertaining to stand-by duty or shift work.**
- (2) **In addition, officials of the Organization may be required in the interest of the smooth operation of the Organization to work overtime. The Staff Rules shall lay down procedures regarding compensation for such work.**

**Rule 8.1.1: Normal working week**

- (1) The normal working week shall consist of 5 working days of 7,5 hours each (excluding meal breaks). Officials shall normally work from Monday to Friday inclusive.
- (2) Depending on the duty station and nature of work, the working hours shall be organized under one of the following systems:
- (a) fixed working hours;
  - (b) flexible working hours;
  - (c) shift work;

**Rule 8.1.2: Fixed working hours**

The Secretary General shall determine:

- (1) in which duty stations the fixed working hours' system shall be applied;
- (2) the daily working schedule.

**Rule 8.1.3: Flexible working hours**

- (1) With the exception of officials subject to fixed working hours or shift work, all officials shall follow the flexible working hours' system.
- (2) Under such system, any official can determine himself his time of arrival at his place of work and his time of departure therefrom, provided that:
  - (a) it is not prejudicial to his professional duties and to service requirements,
  - (b) the official is present at work on every working day, except in the case where leave is authorized;
  - (c) at the end of the year, the official's working hours equal the number of hours he would have had if he had followed the normal working week throughout that entire year.
- (3) Each superior is responsible for ensuring that:
  - (a) the work schedules of officials in his work department enables the department to meet its work demands efficiently, and
  - (b) there is clarity and predictability in the work schedules of all officials in the department.
- (4) In keeping with these responsibilities, a superior may request that an official's work schedule take place at specific hours, if he deems such action necessary in order to:
  - (a) maintain or improve the efficiency of either the official's work, or the department's work as a whole; or
  - (b) guarantee adequate staffing level during the normal working hours; or
  - (c) ensure that the flexible working hours' system benefits all officials of his work department equally.
- (5) The time of arrival of an official at work and his time of departure therefrom shall automatically be recorded by a time recording device made available for that purpose.
- (6) At the end of each day, if the time spent at work is less than 7,5 hours, the official shall be debited with the difference and if it is more than 7,5 hours, he shall be credited with the difference.

- (7) The Secretary General shall lay down in a Staff Instruction:
- (a) the conditions under which credit leave may be taken;
  - (b) the consequences of a regular debit or credit of hours;
  - (c) the maximum credit of hours that may be carried forward at the end of each calendar year.

Rule 8.1.4: Shift work

- (1) In the interest of the smooth operation of the Organization, the Secretary General shall define in a Staff Instruction the departments whose character requires the establishment of shift-rotation schedules to allow continuity of service. A shift-rotation schedule determines both the shift working hours and the rotation of officials on each shift.
- (2) Superiors are responsible for establishing shift-rotation schedules based on the workload of their department.
- (3) With a view to establishing shift-rotation schedules, superiors shall apply the following rules:
  - (a) A shift shall normally consist of not less than 5 hours and not more than 12.
  - (b) If the shift lasts longer than 8 hours, a 30 minutes meal break shall be allowed and shall count as working time;
  - (c) Officials assigned to shift work shall be entitled to a rest period proportionate to the length and to the painstaking character of their shift before beginning the next period of work; the Secretary General shall issue a Staff Instruction providing guidelines for the establishment of such rest periods;
  - (d) Superiors shall inform officials assigned to shift work of their work schedules at least 2 weeks before a new schedule is to begin;
  - (e) Superiors may, in response to urgent or exceptional circumstances, temporarily change work schedules to meet the demands of the work department. Such temporary changes shall only last as long as the urgent or exceptional circumstances so require;
  - (f) An official on shift work may request to change shifts in the case of a personal

emergency or exceptional circumstances, and/or when he and another official wish to switch their shifts. Approval of such changes is not an entitlement and is given at the discretion of the superior, in light of the particular circumstances and service requirements;

- (4) Superiors are responsible for ensuring that an accurate record of shift work attendance is maintained in each department.
- (5) Officials under contract assigned to shift work shall be entitled to a compensatory payment, the amount of which shall be determined in a Staff Instruction.
- (6) For shift work of 7.5 hours or more occurring on a non-working day, officials under contract shall be entitled to a meal allowance, as determined in a Staff Instruction.

Rule 8.1.5: Overtime

- (1) Overtime shall only be performed at the written express request of, and within the limits fixed by, his superior.
- (2) For officials working under the fixed or flexible working hours' system; overtime shall mean work performed:
  - (a) on a non-working day;
  - (b) on a working day between 10 p.m and 5 a.m;
  - (c) on a working day between 5 a.m and 10 p.m (outside the lunch break) to the extent to which that time exceeds both 7,5 hours of time spent at work on that day and 37,5 hours of time spent at work by the end of the week;
- (3) For officials performing shift work, overtime shall mean work performed in addition to the regular shift, the modalities of which shall be determined in a Staff Instruction.
- (4) The time spent by an official travelling to his place of duty and back shall not be considered as overtime.
- (5) Unless exceptional service needs so require, an official shall not work more than 40 hours of overtime during one month.
- (6) The official's superior having requested the overtime to be worked shall be responsible for the verification and recording of the overtime and its notification to the human resources

department in due course. Overtime of less than half an hour per day shall be disregarded. Overtime requests shall be processed in accordance with a procedure established in a Staff Instruction.

- (7) Any unjustified refusal to work overtime may give rise to disciplinary action.
- (8) Officials in Grade 6 or below shall be entitled to compensation for overtime, which shall consist of either time off, subject to service requirements, or payment. Seconded officials shall only be entitled to time off.
- (9) The overtime hours shall be compensated at the rate of:
  - (a) 1.25 times the period of overtime worked on working days and Saturdays from 5 a.m to 10 p.m;
  - (b) 1.5 times the period of overtime worked on working days and Saturdays from 10 p.m to 5 a.m or on Sundays;
  - (c) 2 times the period of overtime worked on public holidays.
- (10) For officials subject to the flexible working hours' system, the working time record shall be adjusted to take into account the form of compensation.
- (11) Officials in Grades 3 to 5 shall not be entitled to compensation for overtime except when required to work substantial or recurrent periods of overtime, in which case the Secretary General shall decide whether to grant time off or payment.
- (12) Officials holding unclassified posts or classified in Grades 1 and 2 shall not be entitled to compensation for overtime.
- (13) Officials performing overtime of 7.5 hours or more on a non-working day shall further be entitled to a meal allowance, as determined in a Staff Instruction.

Rule 8.1.6: Stand-by duty

- (1) The Secretary General may request an official to perform stand-by duty and be on call outside his normal working hours.
- (2) The Secretary General shall lay down in a Staff Instruction the conditions under which stand-by duty gives rise to financial compensation, as well as the amount of such compensation.

- (3) Officials on stand-by duty called upon to go to their place of work shall be entitled to compensation in accordance with the rules on overtime.
- (4) Officials assigned to shift work shall not be requested to perform stand-by duty following a shift of more than 8 hours completed between 10 p.m and 5 a.m or on a non-working day, unless exceptional circumstances so require.

Rule 8.1.7: Special working arrangements

- (1) The Secretary General shall determine in Staff Instructions the conditions under which superiors may consent to short-term arrangements for working at home.
- (2) In addition, the Secretary General may, in exceptional cases and in the interest of the Organization authorize an official to perform teleworking. Teleworking shall be understood as the use of telecommunications technologies to enable officials to work at a distance from the Organization's premises.

Rule 8.1.8: Part-time work

- (1) In addition to the fact that an official may be recruited to the Organization to work part-time, the Secretary General may authorize an official who is already working under contract for the Organization to work part-time, on receipt of an express, written, reasoned request from the official concerned and if service requirements permit, the term "part-time" being understood to mean the performance of at least 50% of full-time work. The Secretary General shall determine, in a Staff Instruction, the proportions by which working time may be reduced.
- (2) An official who is already working under contract for the Organization and who is authorized to work part-time shall receive written notification of the working hours he must thenceforth observe. Authorization shall be given for a maximum period of 1 year and may be renewed, under the same conditions, at the express request of the official under contract concerned. Notification to work part-time shall constitute an amendment to his employment agreement, detailing the organization of working hours and the main implications for the official's working conditions.

- (3) The Secretary General may, at the request of the official under contract concerned, authorize the latter to resume full-time working. Similarly, he may, to meet service requirements, withdraw or temporarily suspend the authorization to work part-time.
- (4) Officials working part-time will receive the proportion of the gross salary for their grade and step corresponding to the hours they work as a proportion of full-time working hours. The Secretary General shall lay down in a Staff Instruction the conditions under which officials may be authorized to work part-time and the rules applicable to the calculation of allowances, compensation, leave and social security entitlements.
- (5) Part-time work shall not alter the length nor lead to any extension of a fixed-term appointment.

Rule 8.1.9: Absence

- (1) Unauthorized absence of an official without a satisfactory explanation given by the end of the third working day shall render an official liable to disciplinary action under Regulation 12.1.
- (2) Any unauthorized absence may, by decision of the Secretary General, be counted against the annual leave entitlement of the official concerned, or entail withholding the corresponding emoluments, independently of any disciplinary action that may be taken.
- (3) Where an official is absent for more than 14 calendar days without giving a satisfactory explanation, he shall be deemed to have abandoned his post and his appointment shall be deemed to have terminated on the first day of his absence, without notice.

Regulation 8.2: Leave

- (1) **Officials of the Organization shall be entitled to a maximum of 12 public holidays. They shall be determined by the Secretary General in a Staff Instruction, taking into account local practice at the duty station.**
- (2) **Officials of the Organization shall be entitled to paid annual leave; the number of days' leave and the conditions under which they may be taken shall be specified in the Staff Rules.**

- (3) **The conditions governing sick leave, maternity leave, parental leave, unpaid leave and special leaves, shall be set out in the Staff Rules.**

Rule 8.2.1: Annual leave

- (1) Any official shall be entitled to 2,5 working days' annual leave per complete calendar month worked. A fraction of a month - provided it amounts to at least 5 working days - will be taken into consideration when calculating the annual leave entitlement. This will be done by applying the following formula:

$$\frac{2.5 \times \text{number of days}}{30}$$

The result will be rounded up to the next half day.

- (2) An official's entitlement to annual leave shall be calculated from the date of his appointment in respect of the first calendar year of service, and thereafter at the beginning of each calendar year.
- (3) Leave entitlement shall accrue on the basis of the total length of service completed, including any period of sick leave, maternity leave or annual leave, and when applicable of temporary suspension of secondment. However, periods of unpaid leave and parental leave will not count towards entitlement to annual leave.
- (4) Annual leave may be taken in one or more instalments at the convenience of the official concerned and with due regard to the requirements of the service. It shall, however, include at least one period of 10 consecutive working days per calendar year. The Secretary General may issue a Staff Instruction setting out a maximum number of consecutive days' annual leave which may be taken at any one time.
- (5) The Secretary General shall determine, in a Staff Instruction, the limits and arrangements for carrying forward annual leave not taken during previous calendar years.
- (6) To meet service requirements, any official may be called upon to interrupt or postpone his departure on annual leave. In such circumstances and on presentation of documentary evidence, the Secretary General shall grant the official concerned compensation for any loss suffered because of the measures he had to take as a result of the interruption or postponement of his annual leave or of his

having been obliged to travel to a specific place. In addition, the Secretary General may, in accordance with the principles of equity, grant him compensation for the inconvenience caused by the interruption or postponement of his annual leave.

- (7) Where, during his annual leave, an official suffers from an illness that would have kept him away from work, his annual leave entitlement shall be extended by the period of illness duly established by medical certificate.
- (8) On cessation of service, financial compensation in respect of unused annual leave may not exceed 30 working days. For the purpose of calculating the above compensation the number of days' payable in respect of outstanding annual leave will be reckoned in the same way as if the leave had been taken when the official was still in post.
- (9) Any official who has taken leave in advance and in excess of that due to him on cessation of his service will repay to the Organization the emoluments received by him for the corresponding period. In addition, in the case of seconded officials, the Organization shall inform the authorities of the State which seconded the official of the matter.

**Rule 8.2.2: Additional leaves**

- (1) Subject to service requirements, an official shall be entitled to 1 day's leave per year, corresponding to a national holiday of his country or a religious holiday when the day concerned is one of his normal working days. Pursuant to Regulation 14.5(1), officials appointed on short-term shall not be entitled to such leave.
- (2) At his discretion, the Secretary General may grant in a Staff Instruction up to 2 additional days' leave per calendar year, to all or to a group of officials.
- (3) The Secretary General may issue a Staff Instruction granting officials additional days' leave if they take annual leave during certain specified periods of the year. The number of additional leave days shall vary with the number of annual leave days taken during these periods, in conformity with the Staff Instruction issued by the Secretary General, it being understood, however, that no more than 3 additional leave days may be granted per calendar year. However, additional leave days shall not themselves generate entitlement to additional leave days. Pursuant to Regulation

14.5(1), officials on short-term appointments shall not be entitled to such leave.

- (4) If any of the paid additional leaves described in paragraphs (1), (2) and (3) are not taken during the calendar year, they shall be forfeited without indemnity.
- (5) For special reasons, paid additional leave days may be granted to an official at the discretion of the Secretary General.

**Rule 8.2.3: Leave for family reasons**

- (1) Special leave for family reasons, the duration of which shall vary in conformity with the following table, shall be granted to officials in the particular cases specifically enumerated.

	Marriage	Birth/ Adoption	Serious illness	Death
Official	5	-	-	-
Spouse/Common-law spouse	-	-	5	5
Children	3	3	5	5
Father, mother	2	-	3	5
Brothers, sisters	2	-	2	2
Grandchildren	2	1	1	2
Grandparents	1	-	2	2
Aunts, uncles	1	-	-	1
Nephews, nieces	1	-	-	1
Parents-in-law, step-parents	1	-	-	1
Brothers-in-law, sisters-in-law, step-brothers, step-sisters	1	-	-	1

- (2) Special leave for family reasons may not be authorized more than 3 times in any one calendar year. However, the head of the human resources department may grant an official additional special leave in the event of the death of a person mentioned in the table in (1) above.
- (3) Special leave for family reasons shall further include leave for a child's illness, within the limits of 3 days' absence per year and per dependent child, provided that the official's spouse or common-law spouse does not benefit from leave for the same purposes.
- (4) The Secretary General shall lay down in a Staff Instruction implementation details relating to special leave for family reasons.



Rule 8.2.4: Leave for travel

- (1) Any official shall be entitled to leave for travel, varying with the length of the journey:
  - (a) if he takes annual leave in the State of which he is a national, or in which he has his main family ties, insofar as this State is not that of his duty station and on the understanding that leave for travel may only be granted in application of the present provision once in every 2 calendar years; a newly-appointed official shall therefore be entitled to leave for travel, for the first time, during the second year following that during which he took up his post.
  - (b) if he takes special leave, in conformity with Rule 8.2.3, to attend the funeral of his spouse, his common-law spouse, one of his children, his father or his mother.
- (2) Leave for travel for the outward and return journey shall be:
  - (a) one day when the overall travel time by the approved route between the duty station and his place of residence in the State of which he is a national, or in which he has his main family ties, or the place of the funeral is between 12 and 30 hours;
  - (b) 2 days when the overall travel time by the approved route is greater than 30 hours.
- (3) The official concerned shall furnish the human resources department with documentary evidence to show that he actually travelled to the State of which he is a national, or in which he has his main family ties, or to the place of the funeral, depending on the case.
- (4) If leave for travel has not been taken, in the case of (1,a) above, within the year during which the official became entitled to take it, the official concerned may be granted leave for travel during the following year, in which case the two-year entitlement period shall run from the year during which he was last granted leave for travel.
- (5) If leave for travel has not been taken, in the case of (1,b) above, at the time of the special leave, it shall be forfeited without indemnity.

Rule 8.2.5: Leave for installation

Any official who changes his residence on taking up his post or on his transfer to another duty station shall be entitled to 3 days' leave for installation purposes, to be taken within the 12 months of the

event. Upon the express written request of the official, the Secretary General may grant up to 2 additional days' leave because of the distance involved, or because of compelling obligations incumbent upon the official concerned as a result of his change of residence. Pursuant to Regulation 14.5(1), officials on short-term appointments shall not be entitled to such leave.

Rule 8.2.6: Sick leave

- (1) Under the conditions laid down below, any absence resulting from illness (whether occupational or not) or from physical injury (whether or not caused by a work-related accident as defined by the applicable social security scheme) shall be considered as sick leave.
- (2) An official who considers himself unable to carry out his duty by reason of sickness or accident must inform his superior as soon as possible and produce a medical certificate in accordance with paragraph (3) below. Where an official's absence due to sickness or accident does not exceed 2 consecutive working days, he will not be required to produce a medical certificate unless and until his total uncertified sick leave in any one calendar year exceeds a total of 6 working days;
- (3) An official obliged through sickness or accident to absent himself from duty for more than 2 consecutive days, must submit or ask his doctor to send on his behalf a medical certificate stating the date on which the absence from duty begins and its probable duration. The medical certificate must be sent under confidential cover to the head of the human resources department within 2 days of the official's ceasing work. This certificate must also state whether the official concerned must spend his period of illness away from his place of duty. If so, the certificate must reach the head of the human resources department before the official's departure.
- (4) Sick leave begins on the first day of absence through sickness or accident. The relevant social security provisions are applicable from that time.
- (5) An official under contract on sick leave shall be entitled to paid sick leave for up to 90 calendar days. During paid sick leave, the official concerned shall retain his appointment and the date of the decision on his advancement shall remain unchanged. He shall be entitled to his net salary and any salary supplement referred to in Rule 8.1.4 (5) due to him, reduced, where appropriate, by any sums

which are paid to him either by third parties or by the Organization, in application of the social security provisions. The 90 calendar days' period of paid sick leave shall expire without prejudice to any continued entitlement to social security benefits.

- (6) Except when the Organization has agreed, in conformity with Rule 7.1.1(2), to make arrangements for a seconded official to receive social security benefits, the seconded official's rights during his sick leave shall be governed by the arrangements made by the authorities of the State which seconded him. However, the head of the human resources department shall inform those authorities of any sick leave period exceeding 30 calendar days.
- (7) The head of the human resources department may require an official on sick leave to undergo a medical examination by a doctor approved by the Organization. Similarly, he may require an official to undergo a medical examination by a doctor approved by the Organization and may, if he considers it appropriate, decide to exempt the official from performing his duties. This period of exemption shall be assimilated to sick leave. An official who has to undergo a medical examination or a vaccination required by the Organization may absent himself for that purpose during his working hours.
- (8) Any official exposed to a serious contagious disease must submit to the doctor approved by the Organization a medical certificate stating the disease and date of diagnosis. On the advice of the doctor, the head of the human resources department may require the official not to come to work during the period when transmission of the disease is most probable, but to hold himself at the Organization's disposal, in which case he shall be entitled to the emoluments due to him for the entire period. If a member of the official's family, living with him, is suffering from a serious contagious disease, the Organization must be informed.
- (9) The Secretary General may authorize an official to work therapeutic part-time, on receipt of an express written request from the official concerned, accompanied by the prescription made by the official's doctor and following any applicable social security provisions. Authorized therapeutic part-time shall be assimilated to sick leave.

(10) Sick leave shall expire:

- (a) when the official resumes work, or, failing this,

- (b) on the expiry of the contract in the case of a fixed-term appointment;
- (c) on the issue of a medical certificate that the official is incapable of resuming his duties on expiry of the 90 calendar days period of sick leave allowed by (5) above without prejudice to any continued entitlement to social security benefits;

(11) When an official resumes work after an absence due to sickness or accident, whether covered, or not, by a medical certificate, he must immediately inform the head of the human resources department.

(12) In addition to laying himself liable to the disciplinary measures laid down in the Rule 12.1.3 an official who fails to inform his immediate superior in good time or to produce the medical certificates required will forfeit annual leave entitlement for a number of days equal to his period of uncertified absence. Failing a sufficient balance of accrued annual leave, he will forfeit his emoluments for the same period. Should verification reveal that absence from duty has been falsely attributed to sickness this will be deemed to constitute unsatisfactory conduct within the meaning of Rule 12.1.1, and may consequently lead to disciplinary proceedings.

#### Rule 8.2.7: Maternity leave

- (1) An official who is pregnant shall be entitled, on the production of a medical certificate showing the probable date of confinement, to maternity leave. The duration of this leave shall be determined in conformity with the rules in force in the compulsory social security scheme to which the Organization has subscribed. Maternity leave may not, under any circumstances, be less than 8 consecutive weeks. Any extension of maternity leave beyond the period specified, supported by a medical certificate, shall be considered as sick leave.
- (2) An official who is pregnant shall inform the human resources department of her condition by the end of the fourth month of her pregnancy at the latest.
- (3) One month before her departure on maternity leave, an official who is pregnant shall be entitled, on request, to have the length of her working day reduced, in a manner agreed upon with her immediate superior, by up to 1 hour. This entitlement shall not result in any reduction of the emoluments due to her.

- (4) An official on maternity leave shall retain her rights to remuneration and the date of the decision on her advancement shall remain unchanged. She shall continue to pay her social security contributions. Her post shall not be declared vacant. However, the emoluments due to her shall be reduced, where appropriate, by any sums which are paid to her either by third parties or by the Organization, in application of the relevant social security provisions, as a consequence of her stopping work to take maternity leave.
- (5) Unless the appointment of an official expires, in conformity with the duration specified in her employment agreement, during her maternity leave, or her appointment is terminated in application of Regulation 11.1(2, d) to (2, f) before the expiry of her maternity leave, the termination of her appointment for any reason whatsoever, shall not be notified to her or take effect before expiry of her maternity leave.
- (6) If a child is entrusted, with a view to adoption, to an official, by an adoption institution recognized by the State of his duty station or the State of which he is a national, or in which he has his main family ties, the official concerned shall be entitled, starting from the date on which the child arrives at his home, under the same conditions as those which apply to maternity leave, to a period of leave the duration of which shall be determined in conformity with the applicable social security provisions.
- (7) The Secretary General shall inform the authorities of the State which seconded the official concerned that the latter has requested maternity or adoption leave.
- (2) Parental leave may be granted for a maximum initial period of 1 year. It may be renewed once for a maximum period of 1 year. The request for the extension shall be submitted at least 1 month before the end of the period of leave under way. The Secretary General may, at the official's request, authorize him to resume his functions before the expiry of his leave. The request for an early return shall be submitted at least 3 months before the end of the period of leave in progress.
- (3) During his period of service with the Organization, an official shall not be authorized to take parental leave more than once. If the duration of parental leave exceeds 3 consecutive months, the entire period of such leave shall not be taken into account for calculation of length of service.
- (4) An official on parental leave shall not receive any emoluments from the Organization. Similarly, the official concerned shall not have his social security contributions covered by the Organization if the period of leave lasts longer than 1 month. An official authorized to take parental leave may not accept any other employment outside the Organization.
- (5) At the end of his parental leave, an official shall return to his former post or, failing that, to a vacant post consistent with his qualifications and experience.
- (6) The period of parental leave shall not count towards the accrual of annual leave and the date of the decision on advancement shall be deferred by the length of that period of leave. The granting of parental leave shall not have the effect of extending the duration of a fixed-term appointment.

#### Rule 8.2.8: Parental leave

- (1) The Secretary General may authorize parental leave for an official who submits an express, reasoned request, provided that:
  - (a) the official concerned has completed at least 1 year's service with the Organization and has taken all his accrued annual leave;
  - (b) service requirements permit;
  - (c) the youngest child of the official concerned is under 3 years of age;
  - (d) where applicable, the authorities of the State which seconded the official concerned have given their agreement.

#### Rule 8.2.9: Unpaid leave

- (1) The Secretary General may, after consulting the appropriate superior of an official under contract, grant the latter unpaid leave, not exceeding 3 years:
  - (a) to enable him to complete studies or research deemed to be in the interests of the Organization; or,
  - (b) to enable him to accept outside employment, particularly in another international organization;
  - (c) for personal reasons.
- (2) The Secretary General shall grant unpaid leave to any official under contract who is called up for compulsory military service by the appropriate authorities of the State of which he is a national and who provides evidence of the compulsory nature of the said military service.

- (3) An official under contract authorized to take unpaid leave shall not receive any emoluments from the Organization. Similarly, the official concerned shall not have his social security contributions covered by the Organization if the period of leave lasts more than 1 month. If the duration of unpaid leave exceeds 3 consecutive months, the entire period of such leave shall not be taken into account for calculation of length of service.
- (4) The official concerned may be asked to take all his accrued annual leave before being allowed to take unpaid leave.
- (5) The Secretary General may authorize an official under contract who so requests, to resume his functions before the expiry of his unpaid leave. The request for an early return shall be submitted at least 3 months before the end of the period of leave in progress. In exceptional circumstances, the Secretary General may decide to interrupt a period of unpaid leave granted for reasons other than under (2) above to meet imperative service requirements.
- (6) At the end of his unpaid leave, an official shall return to his former post or, failing that, to a vacant post consistent with his qualifications and experience.
- (7) The period of unpaid leave shall not count towards the accrual of annual leave and the date of the decision on advancement shall be deferred by the length of that period of leave. The granting of unpaid leave shall not have the effect of extending the duration of a fixed-term appointment.

## CHAPTER 9: STAFF RELATIONS

### **Regulation 9.1: Relations with the officials of the Organization**

The Secretary General shall take the necessary steps to ensure that the officials of the Organization may participate in the discussion of matters concerning them.

#### **Rule 9.1.1: Submission of observations**

All officials may submit observations and grievances to the Secretary General via their superiors with copy to the human resources department. In the event the observation or grievance of the official involves his superior(s), it shall be submitted to the Secretary General via the human resources department only. It shall be understood that the superiors of the official or the human resources department, as appropriate, must transmit the observations to the Secretary General without delay.

### **Regulation 9.2: Staff Committees**

- (1) In accordance with the conditions relating to staffing levels laid down in the Staff Rules, a Staff Committee shall be established at each duty station to represent, before the Secretary General, the officials of the Organization performing their functions at the duty station concerned.
- (2) The Members of the Staff Committees shall be elected from among the officials of the Organization, in accordance with the provisions of the Staff Rules.
- (3) The Staff Rules shall enumerate the officials of the Organization whose functions are incompatible with exercising voting rights or sitting on the Staff Committee.
- (4) Each Staff Committee shall exercise the official functions assigned to it below. Under the conditions laid down in the Staff Rules, it shall be empowered to:
  - (a) represent the interests of the officials of the Organization before the Secretary General;
  - (b) make proposals with a view to improving the working conditions of the officials of the Organization;
  - (c) designate the persons who shall represent the officials of the Organization on each of the Joint Committees established by virtue of the present Regulations;
  - (d) participate in the organization of social activities for the benefit of the officials or, where appropriate, run certain such activities, and propose, if necessary, the establishment of other such activities;
  - (e) express its point of view to the Organization's governing bodies, through the Secretary General.
- (5) In accordance with the conditions laid down in the Staff Rules, the Secretary General or one of his representatives and the members of the relevant Staff Committee shall meet periodically at each duty station.
- (6) Serving a term of office as a representative of the officials of the Organization on a Staff Committee or on any of the Joint Committees established by virtue of the present Regulations shall not, under any circumstances, be prejudicial to the professional situation of the person concerned or to the course of his career.

- (7) **The Staff Rules shall detail the resources made available by the Secretary General to the members of each Staff Committee in order to ensure that they dispose of the time, premises and means of expression required for the conduct of the activities attached to their office. Each Staff Committee shall also be granted a budget in order to exercise the functions assigned to it under (4,a) and (4,b) above.**
- (8) **The rules of procedure of each Staff Committee shall be adopted by its members and shall be submitted to the Secretary General for approval.**

Rule 9.2.1: Constitution of a Staff Committee

- (1) A Staff Committee may be set up in each duty station at the initiative of the Secretary General or at the request of at least 10 officials, provided that the number of the officials assigned to the duty station is equal to, or greater than 50.
- (2) For the purpose of implementing Staff Regulation 9.2(4,a), (4,b), (4,c) and (4,e), the Staff Committees at the different duty stations shall exchange and discuss their proposals, whether they are joint proposals or specific to the respective duty station.

Rule 9.2.2: Composition of a Staff Committee

- (1) The Secretary General shall set out in a Staff Instruction the composition requirements and criteria according to which a Staff Committee shall be deemed to be validly composed and representative of all the officials of the duty station.
- (2) If these requirements are not met, no Staff Committee shall carry out any functions until fresh elections are held.
- (3) The members of the Staff Committees may be re-elected. The term of office shall be set out in a Staff Instruction. The term of office may be reduced in the event of by-elections or cancellation of elections.
- (4) At the time of election of the members of each Staff Committee, alternates may also be elected and a list of their names drawn up. The Secretary General shall lay down in a Staff Instruction the conditions for drawing up the list, together with the conditions for replacement of a member of a Staff Committee, in conformity with Rule 9.2.10 of the present Rules.

- (5) Officials of the duty station shall be informed without delay of any change in the composition of a Staff Committee.

Rule 9.2.3: Voting rights and eligibility

- (1) Except in the case of the officials referred to in paragraph (3) below, officials holding posts at the duty station on the date of publication of the lists of electoral colleges may elect representatives to the Staff Committee.
- (2) Except in the case of the officials referred to in paragraph (3) below, all of the officials of the duty station may stand as candidates and be members or alternates of the Staff Committee, provided that they have completed six months' service.
- (3) In conformity with Regulation 9.2(3), the following persons shall not be entitled to elect representatives to the Staff Committee or to sit on the said Committee as members or as alternates:
  - (a) the highest-ranking official of the Organization,
  - (b) officials of the duty station holding unclassified posts or posts classified in Grade 1,
  - (c) the head of the human resources department.

Rule 9.2.4: Organization of elections

- (1) The Secretary General shall inform the officials of the date for the election of members of a Staff Committee, by means of a Staff Instruction. The Staff Instruction shall call for and announce the procedure for candidates, and indicate the number of seats to be filled according to the number of officials in each electoral college at a specific date, as well as the calendar for the organization of the elections.
- (2) The Secretary General shall correct any obvious errors in the lists of candidates and shall inform the officials of the duty station of the corrections. The lists of candidates and any subsequent corrigenda will be made known to the officials of the duty station.
- (3) The conditions and the deadlines for the holding of by-elections shall be set out in a Staff Instruction.

Rule 9.2.5: Election procedure

The Secretary General shall lay down, by way of Staff Instruction, a fair and transparent election procedure which shall ensure that voting is secret.

Rule 9.2.6: Publication of results

The Secretary General shall issue a Staff Instruction publishing the results of the election and the composition of the newly-elected Staff Committee.

Rule 9.2.7: Disputes relating to elections

- (1) All the documents relating to the organization and holding of an election shall be kept by the human resources department for at least 1 year after the date of that election and, in any event, until final settlement of the last dispute concerning the election in question.
- (2) Officials who object to any aspects of the lists of candidates may do so under the conditions and by the deadlines to be set by the Secretary General in a Staff Instruction. A decision by the Secretary General may be challenged in conformity with Article 13.1 of the Staff Regulations.
- (3) In conformity with Regulation 13.1, candidates who were not elected may challenge the results of an election as published in conformity with Rule 9.2.6.
- (4) The Secretary General, taking into account the consultative opinion of the Joint Appeals Committee, shall decide to cancel the election if any irregularity in the preparation of lists of candidates, or in the conduct of the election, may have modified the outcome of the election with the result that the composition of the newly elected Staff Committee differs from what it might have been.
- (5) In the event of cancellation of elections, fresh elections shall be held under the conditions and by the deadlines to be set by the Secretary General in a Staff Instruction.

Rule 9.2.8: Functions of a Staff Committee

- (1) In pursuance of the objectives specified in Regulation 9.2(4), the Staff Committee shall be informed by the Secretary General of any proposed amendments to the Staff Regulations and to the present Rules, unless circumstances are such that, within a reasonable period of time, the Secretary General cannot consult the said Committee and the latter cannot give its opinion.

- (2) The Staff Committee may draw the Secretary General's attention, in writing, to any matter affecting the interests of the officials of the duty station. The Secretary General shall inform the Staff Committee, within a reasonable period of time, of any action he proposes to take with regard to the matters raised.
- (3) The Secretary General may refer to the Staff Committee any matter of a general nature affecting the interests of the officials of the duty station or arising out of the application of the Staff Regulations or the present Rules, including matters arising out of any individual case which may concern all or some of the officials of the duty station.
- (4) In conformity with Regulation 10.2 and with Rules 10.2.1, 10.2.2(2) and 10.2.3, the Staff Committee shall designate the persons who shall represent the officials on the Standing Joint Committees, and shall prepare lists of persons who may be called upon to represent the said officials on the Ad hoc Joint Committees.
- (5) When the Staff Committee is responsible for organizing social activities in conformity with Regulation 9.2(4,d), it shall respect any budget limitations and act in accordance with the applicable procedures. The Staff Committee shall submit to the Secretary General an annual financial report at the end of its term of office.
- (6) The Staff Committee shall keep the officials regularly informed of its activities.

Rule 9.2.9: Functioning of a Staff Committee

- (1) In application of Regulation 9.2(7), the Secretary General shall provide safeguards to the Staff Committees in order to ensure that they have the time, premises and means of expression required for the conduct of the activities attached to their office.
- (2) Members of a Staff Committee shall exercise their functions as representatives of the officials during their working hours. The Secretary General shall grant them each a time allowance of 15 hours per month to perform their duties as representatives, within limits which are compatible with the smooth running of the departments to which they belong. Under exceptional circumstances and on receipt of a duly reasoned request, the Secretary General may grant a member an additional time allowance. In all cases, members of a Staff Committee shall give their immediate superiors prior notice whenever they intend to use their time allowance, specifying the date and the time when they intend to make use of it. The Secretary General may issue a Staff Instruction setting out the conditions under which alternates of the Staff Committees may benefit from a time allowance.

- (3) The Secretary General shall place at the disposal of the Staff Committees, at their place of work, the material facilities required to enable them to perform their duties, in particular allocating them a meeting room and granting them, upon receipt of a duly reasoned request, secretarial, translation and document-reproduction services.
- (4) Each Staff Committee shall submit to the Secretary General an annual budget implementation report. The Staff Committees shall also present their budgets to the staff at the beginning of each financial year, and a budget implementation report at the end of each financial year. The formula for calculating the budget and each of its modifications shall be published in a Staff Instruction. In addition to the resources available in accordance with Staff Regulation 9.2(7), the Staff Committees are entitled to seek and obtain other resources provided that the Staff Regulations and Rules and the Financial Regulations and Rules are respected.
- (5) The Staff Committees and the officials may communicate freely with each other, it being understood that the content of their communications shall be reasonable and appropriate. In particular, the Secretary General shall make available to the Staff Committees facilities for circulating documents or messages to inform the officials about any matter concerning them, in conformity with Staff Regulation 9.2(4) and Staff Rule 9.2.8.
- (6) The safeguards given to the Staff Committees for its functioning may only be withdrawn if the interests of the Organization so require.
- (7) A Staff Committee may seek assistance from officials who are not members of the Committee in order to accomplish some of its activities, it being understood that the activities in question shall be carried out on behalf of the Committee and that they shall be supervised by at least one member of the Committee. Participation by officials who are not members of the Committee in the Committee's activities shall be subject to the conditions set by the Secretary General following a proposal from the Committee.

Rule 9.2.10: Loss of entitlement

A member of a Staff Committee shall cease to be entitled to sit on the said Committee if:

- (a) he has been transferred to a post which is incompatible with membership of the said Committee, in application of Rule 9.2.3(3);
- (b) he is transferred to another duty station;

- (c) he ceases to be an official of the Organization;
- (d) for any reason whatsoever during his term of office, he does not perform his functions within the Organization for a period exceeding 6 consecutive months;
- (e) he resigns from the said Committee.

Rule 9.2.11: Dissolution of a Staff Committee

- (1) The conditions and deadlines whereby the Secretary General issues a decision to dissolve a Staff Committee during its term of office shall be set in a Staff Instruction.
- (2) Following its dissolution, no Staff Committee shall exercise its functions until fresh elections are held under the conditions and by the deadlines to be set by the Secretary General in a Staff Instruction.

Rule 9.2.12: Obligation of discretion

In addition to the professional secrecy incumbent upon all the officials under the terms of Staff Regulation 1.4(1), members of a Staff Committee shall be bound to observe absolute discretion with regard to information which is of a confidential nature and which is presented or designated as such by the Secretary General or his representatives.

Rule 9.2.13: Regular meetings

- (1) Meetings shall be held on a quarterly basis at the duty station concerned; they shall be attended by the Secretary General, or a representative designated by him, and the members of the Staff Committee.
- (2) The purpose of these regular meetings shall be:
  - (a) to enable the Secretary General to inform the Committee concerned of various matters of interest to the officials of the duty station;
  - (b) to give the members of the Staff Committee concerned the opportunity to ask the Secretary General or his representative questions about his policy regarding the administration or management of the officials of the duty station, and to express their points of view.
- (3) Attendance at the regular meetings by members of the Staff Committees is an obligatory part of their service; they may only be excused for legitimate reasons. The time they spend at such meetings shall not be deducted from their time allowance.

- (4) The procedure for convening and holding regular meetings shall be laid down in Staff Instructions.

Rule 9.2.14: Consultation in the absence of a Staff Committee

If there is no Staff Committee in office in each duty station, consultation between the officials and the Secretary General shall be governed by the terms of Regulation 9.1.

**CHAPTER 10: JOINT CONSULTATIVE COMMITTEES**

**Regulation 10.1: Role of Joint Committees**

- (1) Joint Committees shall be established to deliver a consultative opinion to the Secretary General on matters pertaining to an official's rights and obligations under the present Regulations.**
- (2) The number and type of Joint Committees to be established by virtue of the present Regulations shall be defined in the Staff Rules.**

Rule 10.1.1: Constitution of Joint Committees

The Joint Committees set up in application of the Staff Regulations shall be the following:

- (a) the Joint Advancement Committee (standing committee);
- (b) the Joint Disciplinary Committee (ad hoc committee);
- (c) the Joint Appeals Committee (ad hoc committee);
- (d) the Interim Joint Pension Committee (standing committee).

**Regulation 10.2: Composition of Joint Committees**

- (1) Each of the Joint Committees set up by virtue of the present Regulations shall, in application of the provisions of the Staff Rules, be composed of officials appointed by the Secretary General and of officials designated by the Staff Committee at the General Secretariat.**

- (2) Only officials who have been in the Organization's service for at least 12 months shall be eligible to sit on the Joint Committees.**

- (3) Participation in Joint Committees shall be considered as an official function and is obligatory. The officials appointed or designated for that purpose may be excused only in the circumstances listed in the Staff Rules.**

Rule 10.2.1: Eligibility

- (1) Only officials assigned to the General Secretariat may be members of a Joint Standing Committee. In addition, only officials under contract may be members of the Interim Joint Pension Committee.
- (2) The Secretary General, members of the human resources department and members of the legal department, as well as their respective superiors shall not be members of a Joint Committee.
- (3) The Chairman of a Joint Committee shall not be a member of another Joint Committee.
- (4) The officials making up the Joint Standing Committees shall only be members of one Committee.

Rule 10.2.2: Composition of Ad hoc Joint Committees

- (1) Each Ad hoc Joint Committee shall be composed of 3 members, as follows:
  - (a) the Chairman and his alternate, appointed by the Secretary General for a two-year renewable term of office;
  - (b) 2 members selected by the Chairman in conformity with the rules set forth in (3) below, from the list drawn up jointly by the Staff Committees, in conformity with (2) below.
- (2) At the beginning of each year, the Staff Committees shall draw up a list containing the names of 15 seconded officials and 15 officials under contract, it being understood that, as far as possible, this list shall be representative of the various grades in which posts within the Organization are classified and that officials shall be placed on the list, irrespective of whether they were placed on the previous list drawn up by the Staff Committee.



- (3) When a matter is brought before an Ad hoc Joint Committee, the Chairman shall designate the 2 other members of the Committee, observing the following rules as far as possible:
  - (a) 2 of the 3 members shall have the same legal status vis-à-vis the Organization (secondment or appointment under contract) as the official whose case the Committee is to consider;
  - (b) 2 of the 3 members shall be classified in a grade equal to or higher than that of the official concerned.
  - (c) at least 1 of the 3 members shall be from the same duty station as the official concerned.
- (4) If, because of the composition of the list or because the persons whose names are on the list mentioned in (2) above are temporarily unable to carry out their Committee duties, it proves impossible to observe the rules set forth in (3) above, the Chairman shall compose the Committee in the most equitable manner possible.
- (5) As soon as possible, the Chairman shall notify the official concerned of the composition of the Ad hoc Joint Committee which is to handle his case. The official concerned may object once, in writing and on any grounds, to up to 2 members of the Committee other than the Chairman within 3 working days of the date of notification of the Committee's composition.

Rule 10.2.3: Composition of Standing Joint Committees

- (1) The Standing Joint Committees shall be composed of 4 members and 4 alternates, chosen from among the officials of the General Secretariat as follows:
  - (a) the Chairman and his alternate appointed by the Secretary General for 2 years;
  - (b) 1 member and 1 alternate appointed by the Secretary General for 2 years;
  - (c) 2 members and 2 alternates designated jointly by the Staff Committees for 2 years.
- (2) The Chairman, the other members and the alternates may be re-appointed after expiry of their terms of office.

Rule 10.2.4: Temporary replacement

- (1) Any member of a Standing Joint Committee temporarily unable to carry out his committee duties shall be replaced by his alternate for as long as necessary.
- (2) If both are temporarily unable to carry out their committee duties, the Secretary General or the Staff Committee at the General Secretariat, depending on who appointed or designated them, shall proceed to temporary replacements so that any matters under consideration may be handled without delay.

Rule 10.2.5: Loss of Entitlement

- (1) A member of a Joint Committee shall cease to be entitled to sit on that committee if:
  - (a) he ceases to be an official of the Organization;
  - (b) he is transferred to a post which is incompatible with a seat on that committee, in conformity with Rule 10.2.1;
  - (c) he is transferred to another duty station;
  - (d) he is absent, for any reason whatsoever, for 6 consecutive months or more.
- (2) When a member ceases to be entitled to sit on a Standing Joint Committee, he shall be replaced by his alternate for the remainder of his term of office and the Secretary General shall appoint, or the Staff Committee at the General Secretariat shall designate, depending on the case, a new alternate for the member to serve for the remainder of the relevant term of office.
- (3) When an alternate ceases to be entitled to sit on a Standing Joint Committee, the Secretary General shall appoint or the Staff Committee at the General Secretariat shall designate, depending on the case, a new alternate to serve for the remainder of the relevant term of office.
- (4) Whenever an official whose name is on the list established by the Staff Committee at the General Secretariat ceases to be entitled to sit on an Ad hoc Joint Committee, the Staff Committee shall supplement the list.

Rule 10.2.6: Non-participation

- (1) An official called upon to sit on a Joint Committee shall be released from his obligation to participate by the Chairman if the official:
  - (a) submits legitimate grounds for being excused from serving to the Chairman, if at all possible within 3 working days of the date of notification of the composition of the Joint Committee or, in the case of a Standing Joint Committee, of the date of notification of the meeting;
  - (b) provides written evidence that, on the date scheduled for the committee meeting, he will be on leave or on mission or has professional obligations which would make it impossible for him to attend the said meeting.
- (2) The Chairman of a Joint Committee may also release an official from his obligation to participate:
  - (a) if he considers that, for obvious reasons, the impartiality of the official might be contested or if the official himself gives reasons for believing that his impartiality might be contested.
  - (b) if the case examined by the Joint Committee concerns the official called upon to sit on the committee or his immediate superiors or his subordinates.
- (3) Similarly, the Chairman may release himself from his obligation to participate if he believes that there are reasons for which his impartiality might be contested or if the case examined by the Joint Committee he is chairing concerns his immediate superiors or his subordinates.
- (4) In the case of Standing Joint Committees, the release shall only concern those meetings where the case giving rise to the official's release is to be discussed.

**Regulation 10.3: Procedure for Joint Committees**

- (1) **Each Joint Committee shall enjoy complete independence in performing its functions and shall not accept instructions, or be subjected to pressure, from any quarter, intended to influence the content of its opinions.**

- (2) **The Secretary General shall make available to each Joint Committee the staff and equipment it needs to perform its tasks.**
- (3) **The procedure governing the operation of each of the Joint Committees shall be laid down in the Staff Rules.**
- (4) **Each Joint Committee shall communicate its reasoned opinion to the Secretary General, accompanied by dissenting opinions, if any.**
- (5) **The Joint Committee's reasoned opinion shall be communicated to the official concerned.**

Rule 10.3.1: Meetings of Joint Committees

- (1) The Chairman shall set the date for the meeting. He shall convene the meeting at least 5 working days before the date set and shall, at the same time, communicate to the members of the Committee all relevant documents. The Standing Joint Committees shall meet as far as possible once a month, except when there are no cases to be examined. In addition, a member of the human resources department shall be present at the Standing Joint Committee meetings to act as adviser-rapporteur; he shall under no circumstances be considered as a member of the Joint Committee.
- (2) A Joint Committee cannot hold a valid meeting if one of its members, including the alternate replacing him in the case of Standing Joint Committees, is absent.
- (3) The composition of each Joint Committee shall remain the same for the entire period needed to settle a case which has been brought before it, except in cases where an official ceases to be entitled to sit on a Joint Committee pursuant to Rule 10.2.5.
- (4) The Chairman shall preside over the discussions of the Joint Committee, shall fix the duration of meetings and may require members of the said Committee to be present for periods outside the normal working day. Such periods may be considered as overtime in accordance with Rule 8.1.5.
- (5) Meetings of Joint Committees shall be held in camera. The proceedings of Joint Committees shall be confidential. All persons attending such meetings, for any reason whatsoever, shall be bound to secrecy with respect to any information which may come to their knowledge as a result.

Rule 10.3.2: Examination of cases by Joint Committees

- (1) The members of Joint Committees shall be completely independent and impartial in their examination of cases brought before them.
- (2) Except where otherwise specified, the Chairman of a Joint Committee may, either on his own initiative or at the request of the official concerned or of the Secretary General, order any investigative measures that he or the Committee deems necessary to settle the case brought before it including, in particular, enquiries, the appearance of the official whose case has been brought before the Committee, and the hearing of witnesses. No official of the Organization summoned by the Chairman of a Joint Committee to be heard before that Committee may refuse to appear, unless he writes to the Chairman giving legitimate grounds for being excused, particularly within the meaning of Rule 10.2.6, or invoking the legal privilege.
- (3) The Chairman of a Joint Committee may ask the Secretary General, in writing, to furnish any document and any information which he or the Committee deems necessary for examination of a case brought before it, without prejudice to the legal privilege but including any document or information contained in the personal file of the official concerned.
- (4) The human resources department shall help the Joint Committees obtain any information they may require to settle the cases brought before them.
- (5) The official concerned and the Secretary General shall have access to all documents and forms of evidence submitted to the Joint Committees.

Rule 10.3.3: Assistance before the Joint Committees

- (1) No person from outside the Organization may attend meetings of the Joint Committees as a representative of the official whose case is to be examined.
- (2) Without prejudice to (1) above, any official whose case is being considered by a Joint Committee may have recourse to a counsel to advise him and, if necessary, prepare any written document intended for a procedure before a Joint Committee.

- (3) The Organization shall not cover the costs incurred by an official who has called upon a counsel to assist him in proceedings before a Joint Committee.
- (4) Any official whose case is being considered by a Joint Committee may, when attending meetings to which he is summoned by the Chairman, be assisted by an official chosen by him, except members of the human resources department and of the legal department.
- (5) An official may refuse to assist an official who requests his assistance before a Joint Committee. However, the Staff Committee shall be bound to ensure that assistance is provided to any official who so wishes and whose case is examined by a Joint Committee.
- (6) The fact that an official assists a colleague before a Joint Committee shall not, under any circumstances, be prejudicial to his professional situation or to the course of his career.
- (7) Any official assisting a colleague whose case is being considered by a Joint Committee shall be bound to secrecy.

Rule 10.3.4: Basis for a consultative opinion

- (1) The members of Joint Committees shall decide on the content of their consultative opinions after hearing the views of all the parties concerned. A consultative opinion shall only be given after the Joint Committee concerned has made a detailed study of the case brought before it.
- (2) The members of Joint Committees shall base their opinions on documentary evidence, on the terms of the employment agreement of the official concerned, and on the provisions of the Staff Regulations, the present Rules and the Staff Instructions. Insofar as they can find no grounds for their consultative opinion in those provisions and their interpretation, they shall have recourse to general principles of law, and to principles of equity.
- (3) Only evidence about which the official concerned has had an opportunity to express himself may be used by a Joint Committee as a basis for its opinion on his case.
- (4) Members of a Joint Committee shall not be allowed to abstain to vote on matters put to the vote. Joint Committees shall adopt consultative opinions by a simple majority. The Chairman's vote shall be preponderant.

- (5) If the cases brought before it relate to the same problem a Joint Committee may decide to handle such cases together and formulate a single consultative opinion.

Rule 10.3.5: Consultative opinion

- (1) A consultative opinion shall comprise:
- (a) a statement of the relevant facts concerning the case brought before the Joint Committee;
  - (b) an account of the procedure followed, including copies of relevant documents submitted to the Committee and, where applicable, of witnesses' statements received by the Committee;
  - (c) the opinion of the Joint Committee, duly substantiated, accompanied where relevant by the individual opinions of its members on given points.
- (2) The Chairman of the relevant Joint Committee shall sign the consultative opinion. The opinion shall be forwarded to the Secretary General within a reasonable period of time following the date on which the matter was referred to the Committee.
- (3) The Chairman shall inform the official whose case has been examined by the Committee of the date on which its consultative opinion was forwarded to the Secretary General.

Rule 10.3.6: Decision of the Secretary General

- (1) When making his decision, the Secretary General shall take into account the consultative opinion communicated to him but shall not be bound by it. Furthermore, notwithstanding the procedure applicable by the Joint Committees, the Secretary General may, before making his decision, hear the official concerned and order additional enquiries or checks.
- (2) If, before making his decision, the Secretary General has ordered additional enquiries or checks to be carried out in conformity with (1) above, he may not take his decision until after he has given the official concerned an opportunity to express himself about any new elements liable to have a bearing on that decision.
- (3) The Secretary General shall justify his decision. He shall communicate it, in writing, to the official concerned within a reasonable period of time, to the immediate superior of the

official concerned, and to the Chairman of the Committee which examined the case. Pursuant to Regulation 10.3(5), the Secretary General shall also provide the official with a copy of the consultative opinion of the Joint Committee.

**CHAPTER 11: CESSATION OF SERVICE**

**Regulation 11.1: Termination of appointment**

- (1) **The Secretary General may terminate the appointment of an official subject to the conditions applicable to the relevant cases stated in the following paragraphs. In specific cases, the Secretary General may also terminate the appointment of an official if such action would be in the interests of the Organization and provided that the official concerned consents to the action.**
- (2) **The appointment of an official of the Organization may be terminated without prior notice and without the award of an indemnity:**
- (a) **if the official is considered, under the terms of the Staff Rules, to have deserted his post,**
  - (b) **if the official has not taken up the post to which he is assigned following a transfer under the provisions of Regulation 3.3;**
  - (c) **as the result of summary dismissal on disciplinary grounds;**
  - (d) **for a seconded official, if the Member State concerned rescinds the secondment agreement;**
  - (e) **for a seconded official, following an agreement between the Organization and the Member State concerned;**
  - (f) **for a seconded official, if an alteration in the legal situation in the Member State concerned constitutes an obstacle to continuing the secondment of the official concerned.**
- (3) **The appointment of an official of the Organization may be terminated subject to prior notice and the award of an indemnity:**
- (a) **if the official, under the terms of the Staff Rules, does not perform the functions inherent in the post to which he is assigned in a satisfactory manner;**

- (b) if the official is unable to perform his functions for medical reasons;
  - (c) if the duties attaching to an official's post are modified in such a way that he no longer has the requisite qualifications or experience;
  - (d) if the official's post is suppressed;
  - (e) if there is a reduction in the number of posts in the grade of the official concerned;
  - (f) if an official is no longer a national of one of the Organization's Member States;
  - (g) as a result of a dismissal on disciplinary grounds;
  - (h) for a seconded official, in the case of a conflict of obligations, under the terms of the Staff Rules.
- (4) Before the appointment of an official is terminated in application of paragraphs (3,b) to (3,e), the official shall be informed of the situation and efforts shall be made over 3 months to reassign him to a vacant post consistent with his qualifications and experience. For that purpose the official shall be entitled to priority consideration of his application for posts which are the subject of a vacancy notice during that period. Moreover, the Organization shall provide the official with appropriate training if such training will facilitate his transfer to another post. If a suitable post is found, it shall be offered to the official concerned, in conformity with the relevant Regulations and Rules. If no suitable post is found, the official shall be notified of the decision to terminate his appointment in conformity with paragraph (10) below. The notice period to which the official is entitled shall begin to run on the date of notification of that decision. If a suitable post is found but the official refuses to take up such a post, the notice period to which the official is entitled shall begin to run on the date of his refusal.
- (5) If pursuant to (4) above, the official refuses to take up a vacant post offered to him although it does not involve downgrading or change of duty station, he shall not be entitled to the termination indemnity.
- (6) If pursuant to (3) above, a seconded official is able to resume service with his national administration within a reasonable period of time, he shall not be entitled to the termination indemnity.
- (7) If the appointment of an official is terminated pursuant to (3,g) above, the Secretary General may reduce both the duration of the notice period and the amount of the termination indemnity.
- (8) If the appointment of an official is terminated pursuant to (3,a) above, the Secretary General may reduce by up to 50 % the amount of the termination indemnity.
- (9) In cases of agreed termination, pursuant to (1) above, the Secretary General may increase by up to 25 % the amount of the termination indemnity.
- (10) In accordance with the provisions of the Staff Rules, the official concerned shall be notified in writing of any decision to terminate his appointment taken under (2) and (3) above. The decision shall detail the grounds for terminating the official's appointment. It shall also indicate, in accordance with (2), (3), (5), (6) and (7) above, whether a period of notice is applicable, in which case its duration shall be specified, and whether a termination indemnity is payable.

Rule 11.1.1: Termination of appointment on medical grounds

- (1) In conformity with Regulation 11.1 (3,b), the Secretary General may terminate the appointment of an official if the latter is unable to perform his functions as a consequence of an infirmity or a diminution of his physical or mental faculties.
- (2) An official's inability to perform his functions must be jointly certified by a doctor approved by the Organization and a duly qualified doctor treating the official. In the event of a disagreement, a third doctor shall be consulted. In any case the inability must be certified as of long duration or likely to recur frequently.
- (3) Before a vacant post is offered to the official, in conformity with Regulation 11.1 (4), the official must be considered medically fit for such a post by a doctor approved by the Organization.

Rule 11.1.2: Notice of termination of appointment

- (1) In conformity with Regulation 11.1 (3), the Secretary General shall give the following notice on termination of appointment:
  - (a) 1 month in the case of officials on short term appointments
  - (b) in the case of an official holding a fixed-term appointment:
    - (i) 2 months if he holds a post classified below Grade 2; or
    - (ii) 4 months, if he holds an unclassified post or a post classified in Grade 2 or above; and
  - (c) in the case of an official holding an indeterminate appointment:
    - (i) 3 months if he holds a post classified below Grade 2; or
    - (ii) 6 months, if he holds an unclassified post or a post classified in Grade 2 or above.
- (2) The notice period shall run from the date on which the decision to terminate the appointment is notified, or from any subsequent date mentioned in the decision of termination of appointment.
- (3) At the express, written request of the official, the Secretary General may decide to shorten or waive the notice period. In such circumstances, cessation of service shall take effect on the date specified in the Secretary General's decision and the official shall only be entitled to the emoluments due to him for the period prior to that date.
- (4) The Secretary General may decide, in the interests of the Organization, that an official should not perform his functions for the whole or part of the notice period, in which case the official concerned shall be entitled each month to the emoluments due to him during the full duration of the notice period.
- (5) Once a decision to terminate an appointment has been notified to an official, the Secretary General may not revoke his decision without the consent of the official concerned.

Rule 11.1.3: Indemnity on termination of appointment

- (1) The amount of the indemnity payable by the Organization on termination of the appointment of an official under contract to whom this indemnity is granted in application of Regulation 11.1 (3) and who has at least 1 year's service with the Organization, shall be calculated on the basis of the following cumulative scale:
  - (a) from the first year to the fifth year of service, the indemnity shall correspond to 30% of the monthly gross salary of the official concerned for each year of service;
  - (b) from the sixth year to the tenth year of service, it shall correspond to 37.5% of the monthly gross salary of the official concerned for each year of service;
  - (c) from the eleventh year to the fifteenth year of service, it shall correspond to 45% of the monthly gross salary of the official concerned for each year of service;
  - (d) from the sixteenth year of service onwards, it shall correspond to 60% of the monthly gross salary of the official concerned for each year of service.
- (2) The monthly gross salary used as the basis for calculating the indemnity on termination of appointment shall correspond to the arithmetic mean of the salaries, to which the official concerned was entitled during the last three calendar months of his service in the Organization, including, when appropriate, any salary supplement due in application of Rule 8.1.4 (5) and Rule 3.3.4.
- (3) A Staff Instruction shall detail the method of calculating the indemnity payable by the Organization on termination of the appointment of a seconded official to whom this indemnity is granted by virtue of Regulation 11.1 (3).
- (4) The indemnity on termination of appointment shall fall due as soon as the said termination actually takes effect as a consequence of the event creating the indemnity entitlement.
- (5) Any periods during which an official was employed as a seconded official shall be deducted from his length of service entitlement for the purpose of calculating the indemnity on termination of his appointment as an official under contract.

**Regulation 11.2: Expiry of appointment**

**In accordance with Regulation 2.2 (3,b), and without prejudice to the application of Regulation 3.1 (1) and (2), fixed-term appointments shall terminate without prior notice on the expiry date specified in the letter of approval of secondment, or in the case of officials under contract, in the letter of appointment.**

**Regulation 11.3: Resignation**

**Any official of the Organization may resign on giving the Secretary General the notice required under the terms of the relevant Staff Regulations or Staff Rules.**

**Rule 11.3.1: Resignation**

- (1) An official who resigns shall inform the Secretary General unequivocally in writing of his intention to leave the service of the Organization definitively.
- (2) The periods of notice referred to in Rule 11.1.2 shall apply, mutatis mutandis, to notice of resignation.
- (3) The rules pertaining to notice of termination of appointment shall apply mutatis mutandis, to notice of resignation.
- (4) An official who has tendered his resignation may not withdraw his resignation once it has been accepted by the Organization, unless the Secretary General agrees on the withdrawal.
- (5) An official who considers his resignation as legitimate, within the meaning of Rule A.3.3 (1,c), must expressly invoke this reason in his resignation letter and provide all elements to support it. Only such express invocation shall allow for the initiation of the procedure established under Rule A.3.3.

**Regulation 11.4: Age-limit**

**Officials of the Organization shall not normally be retained in service beyond the age of 65 years. The Secretary General may, in exceptional cases and in the interests of the Organization, extend this age limit, in which case he shall inform the official concerned sufficiently in advance.**

**Rule 11.4.1: Early Retirement**

Any official who is entitled to retire prior to the age of 65 years, in accordance with the provisions of the retirement benefit scheme to which he is subject, shall, when he wishes to leave the Organization, inform the Secretary General in writing:

- (a) at least 3 months prior to the date on which he is due to retire if he holds a post classified below Grade 2;
- (b) at least 6 months prior to the date on which he is due to retire if he holds an unclassified post or a post classified in Grades 1 and 2.

**Rule 11.4.2: Decision of cessation of service**

- (1) An official who reaches the age-limit or who retires before the age of 65 shall be notified a decision of cessation of service.
- (2) The decision of cessation of service shall take effect on the last day of the month during which the official concerned reaches the age-limit or retires.

**Rule 11.4.3: Indemnity on retirement**

- (1) Officials who have at least 5 years of service with the Organization shall be entitled to an indemnity on retirement as follows:
  - (a) officials under contract aged at least 60 years who leave the Organization for retirement in conformity with Rule 11.4.1;
  - (b) officials under contract who are notified a decision of cessation of service because they have reached the age-limit, in conformity with Regulation 11.4.
- (2) The amount of the indemnity on retirement shall represent one-fifth of the monthly gross salary for each full year of service. No pro rata calculation shall be made of days and months.
- (3) The monthly gross salary used as the basis for calculating the indemnity on retirement shall correspond to the arithmetic mean of the salaries to which the official concerned was entitled during the last three calendar months of his service with the Organization, including, when appropriate, any salary supplement due in application of Rule 8.1.4 (5) and Rule 3.3.4.
- (4) Any period during which an official was employed as a seconded official shall be deducted from his length of service entitlement for the purposes of calculating his retirement indemnity as an official under contract.

**Regulation 11.5: Death**

**Within reasonable limits and insofar as such expenses are not met by third parties, the Organization shall cover the expenses relating to the death of an official of the Organization and the repatriation of his body if his death is attributable to the performance of his functions or occurs while he is on mission.**

**Rule 11.5.1: Death**

- (1) If the Organization covers the expenses relating to the death of an official or the repatriation of his body, the persons who would have had to meet those expenses and who benefit from their being covered by the Organization, must subrogate the Organization simultaneously in respect of their entitlement to reimbursement of the said expenses by third parties.
- (2) Any decision resulting from the cessation of service of the deceased official, shall be notified to the persons referred to in Article II(6) of the Statute of the International Labour Organization Administrative Tribunal (ILOAT), on receipt of their written request.
- (3) If, in application of the relevant social security provisions, the beneficiaries of a deceased official are entitled to benefits in connection with the latter's death, they shall be responsible for making the necessary arrangements to receive such benefits. The human resources department shall endeavour to assist them in carrying out these formalities.

**Regulation 11.6: Effects of cessation of service**

**The Staff Rules shall lay down the effects of cessation of service.**

**Rule 11.6.1: Information to be given to the authorities of a State which seconded an official**

If the appointment of a seconded official is terminated for a reason other than those referred to in Regulation 11.1 (2,d) and (2,e), the Secretary General shall, as soon as possible, inform the authorities of the State which seconded the official concerned.

**Rule 11.6.2: Medical examination on cessation of service**

On cessation of service, for any reason whatsoever, an official shall be required to undergo a medical examination carried out by a doctor approved by the Organization. If the official refuses to undergo such an examination prior to his departure, he shall sign a document forfeiting his right to make any subsequent claim against the Organization in respect of illnesses or injuries which allegedly occurred before the effective date of cessation of service.

**Rule 11.6.3: Settlement of entitlements**

- (1) On cessation of service for any reason whatsoever, the following operations shall be carried out:
  - (a) calculation, in conformity with Rules 5.4.1, 5.4.2, of the emoluments due to the official concerned up to the date of his cessation of service;
  - (b) settlement of the balance of annual leave of the official concerned, in conformity with Rule 8.2.1 (8) and (9);
  - (c) settlement of any sums due to the Organization in connection with:
    - an advance, in conformity with Rule 5.5.1,
    - a personal loan, in conformity with Rule 5.5.2,
    - an asset-related loan, in conformity with Rule 5.5.3,
    - the recovery of payments made in error, in conformity with Rule 5.8.1;
  - (d) settlement of any other sums which the Organization may owe the official or which he may owe the Organization;
- (2) The settlement of the entitlements of the official concerned, carried out in conformity with (1) above, shall be the subject of a final settlement of account.
- (3) Within the limits of the provisions of Rules 6.1.1 and 6.2.1, officials under contract shall be entitled to have travel and removal expenses for themselves and their families covered by the Organization on their cessation of service.



(4) Depending on the reasons for cessation of service, and in conformity with the relevant provisions of the Staff Regulations and of the present Rules, the decision on cessation of service may entitle an official to payment by the Organization of:

- (a) a retirement indemnity calculated in conformity with Rule 11.4.3;
- (b) a termination indemnity calculated in conformity with Rule 11.1.3.

Rule 11.6.4: Obligations binding beyond cessation of service

In conformity with the provisions of the Staff Regulations, of the present Rules and of the Staff Instructions, certain obligations shall continue to be binding on former officials, in particular the obligation in Regulation 1.4 relating to the use of information, and the obligation in Regulation 1.8 relating to privileges and immunities.

Rule 11.6.5: Internal Scheme for the Compensation of Involuntary Loss of Employment

Under the conditions and according to the provisions laid down in Appendix 3 to the present Rules, officials under contract may be entitled to benefits in application of the Internal Scheme for the Compensation of Involuntary Loss of Employment.

Rule 11.6.6: Certificate of service and reference

- (1) On cessation of service, an official shall receive a certificate of service relating to the post(s) held, the nature of his duties and the length of his service within the Organization.
- (2) The Secretary General shall prepare, at the express written request of the official or of his national administration, a reference concerning his competence, the quality of his work and his conduct in the performance of his functions.

CHAPTER 12: DISCIPLINE

**Regulation 12.1: Disciplinary measures for unsatisfactory conduct or misconduct**

**In accordance with the Staff Rules, the Secretary-General may:**

- (a) impose disciplinary measures on officials of the Organization whose conduct is unsatisfactory;**
- (b) summarily dismiss an official of the Organization for serious misconduct.**

Rule 12.1.1: Unsatisfactory conduct and misconduct

- (1) Any act or omission, whether deliberate or resulting from negligence committed by an official in contravention of the terms of his declaration of loyalty, of the Staff Regulations, Staff Rules or Staff Instructions, or of the standards of conduct befitting his status as an international official, may constitute unsatisfactory conduct within the meaning of Regulation 12.1 and may lead to the institution of disciplinary proceedings and the imposition of disciplinary measures for unsatisfactory conduct or misconduct.
- (2) Misconduct is understood as a particularly serious unsatisfactory conduct which may warrant the official's dismissal or summary dismissal in accordance with rule 12.1.3(1) (i) and (j).

Rule 12.1.2: Warning

- (1) Direct superiors may give oral or written warnings to their subordinates for unsatisfactory conduct which is not serious enough to warrant the institution of formal disciplinary proceedings. Such warnings may also be given by the head of the human resources department if he considers that an official has not fulfilled an obligation vis-à-vis the human resources department or that the official's behaviour or attitude is contrary to the rules of conduct and general discipline. In such a case, the head of the human resources department shall inform the immediate superior of the official concerned of the warning that he has given.
- (2) A warning, whether written or oral, is by its nature informal. Its purpose is to help the official concerned not to repeat the action for which he was called to order and to inform him that, if he does not heed the warning, disciplinary proceedings may be instituted. Warnings shall therefore not be recorded in the official's personal file.

- (3) Under no circumstances shall a warning be considered as a disciplinary measure. However, in the event that other acts or omissions committed by the official result in the institution of disciplinary proceedings, the unsatisfactory conduct which gave rise to the warning may be taken into consideration in the disciplinary proceedings.

Rule 12.1.3: Disciplinary measures

- (1) Disciplinary measures may take one of the following forms:
- (a) Reprimand;
  - (b) Obligation to undertake training or take other specific action to remedy the situation, with the official's consent. Failure to give such consent shall result in the application of another disciplinary measure;
  - (c) Restitution and/or fine;
  - (d) Transfer without downgrading;
  - (e) Suspension from duty with reduced emoluments or without emoluments for a period not exceeding two weeks;
  - (f) Deferment of advancement of officials under contract for a period not exceeding twelve months;
  - (g) Relegation by one step of officials under contract;
  - (h) Transfer with downgrading;
  - (i) Dismissal with or without forfeiture of part of the relevant period of notice, the termination indemnity and other allowances, including the ISCILE compensation;
  - (j) Summary dismissal for serious misconduct with forfeiture of the termination indemnity and other allowances, including the ISCILE compensation.
- (2) A single action or omission amounting to unsatisfactory conduct or misconduct shall not give rise to more than one disciplinary measure.

Rule 12.1.4: Criteria for imposing disciplinary measures

- (1) The disciplinary measure must be proportionate to the seriousness of the unsatisfactory conduct.
- (2) In assessing the seriousness of the unsatisfactory conduct, the following criteria shall be taken into consideration:
- (a) the degree to which the standard of conduct has been breached by the official;
  - (b) the gravity of the adverse consequences and damage caused to the Organization, its personnel or any third party;
  - (c) the recurrence of unsatisfactory conduct by the official, particularly when there is a repetition of unsatisfactory conduct of a similar nature;
  - (d) the official position held by the official and the extent to which the official was entrusted with responsibilities in matters to which the unsatisfactory conduct relates;
  - (e) collusion with other officials in the act of unsatisfactory conduct;
  - (f) whether the unsatisfactory conduct was a deliberate act or committed through gross negligence;
  - (g) the official's length of satisfactory service; and
  - (h) the official's admission of the unsatisfactory conduct prior to the date the unsatisfactory conduct is discovered and any action taken by the official to mitigate any adverse consequences resulting from his unsatisfactory conduct.
- (3) The disciplinary measure of dismissal for misconduct is particularly appropriate:
- (a) in case of serious or recurrent unsatisfactory conduct;
  - (b) when the unsatisfactory conduct has jeopardized, or would in the future be likely to jeopardize, the reputation of the Organization and its personnel;
  - (c) in case of serious threats of officials against their superiors or other officials;
  - (d) when it is found that an official has misused funds of the Organization or other public funds;
  - (e) when the unsatisfactory conduct relates to matters for which the official is entrusted with specific responsibilities and when the official has deliberately ignored such responsibilities;

- (f) if the official has, prior or subsequent to appointment, deliberately misled the Organization through false statement, misrepresentation or fraud;
  - (g) when the breach of trust is so serious that continuation of the official's services is not in the interest of the Organization.
- (4) The disciplinary measure of summary dismissal can only be imposed when the misconduct is blatant and the interests of the Organization require immediate termination of the official's appointment.

**Regulation 12.2: Preliminary inquiry and interim measures**

**Where an official of the Organization is alleged to have engaged in unsatisfactory conduct or misconduct for which disciplinary measures may be imposed or where an incident of possible unsatisfactory conduct or misconduct is discovered, the Secretary General is empowered, within the limits specified in the Staff Rules, to undertake any preliminary inquiry he deems necessary to establish the truth and to take any interim measures he deems appropriate for the proper handling of the situation.**

**Rule 12.2.1: Preliminary inquiry**

- (1) Where an official is alleged to have engaged in unsatisfactory conduct or misconduct for which disciplinary measures may be imposed or where an incident of possible unsatisfactory conduct or misconduct is discovered, a preliminary inquiry will be undertaken, if necessary, to determine the substance and circumstances of the matter.
- (2) The purpose of the preliminary inquiry is to determine whether there is sufficient evidence to merit the institution of formal disciplinary proceedings. In the course of such inquiry, the official concerned may be asked to provide explanations.
- (3) The Secretary General shall appoint an official to conduct the preliminary inquiry.
- (4) The official conducting the preliminary inquiry may avail himself of the assistance of other departments.
- (5) All officials have a duty to cooperate with the official conducting the preliminary inquiry.

**Rule 12.2.2: Interim measures**

- (1) When a charge of unsatisfactory conduct or misconduct is made against an official, the Secretary General may temporarily assign the official to another post or to other duties until the end of the inquiry of the charges against him.
- (2) When a charge of misconduct or serious misconduct is made against an official and if the Secretary General considers that the charges are well founded and that the official's continuance in office pending the results of an inquiry might be prejudicial to the service, the Secretary General may alternatively suspend him from duty during the inquiry of the charges against him and pending completion of disciplinary proceedings, after giving him the opportunity to be heard.
- (3) Such suspension shall be with pay unless the Secretary General considers that the charges of misconduct against the official concerned may justify his dismissal or summary dismissal. The suspension shall be without prejudice to the rights of the official and shall not constitute a disciplinary measure. Consequently, if a suspension is without pay and the charge of misconduct is subsequently not sustained, any salary withheld shall be restored.
- (4) The Secretary General shall notify in writing the official concerned of his decision to temporarily assign him to another post or to other duties or to suspend him. The decision shall state the reasons for the decision and its probable duration. In case of suspension, the decision shall specify as to whether the official is to continue to receive his salary during the period of suspension.
- (5) The interim measures mentioned above may normally be taken for a maximum of 4 months, except where the Joint Disciplinary Committee has been asked for its opinion in the matter and considers that an additional inquiry is necessary, or pending the result of criminal proceedings. Interim measures shall be re-examined after 2 months.

**Regulation 12.3: Disciplinary procedure**

- (1) **No disciplinary proceedings may be instituted against an official unless he has been notified in writing of the allegations against him, and of his right to seek the assistance of another official in his defence, and has been given a reasonable opportunity to respond to those allegations.**

- (2) **No official shall be subject to disciplinary measures until the matter has been referred to a Joint Disciplinary Committee for advice as to what measures, if any, are appropriate. However, no such advice shall be required:**
  - (a) **if referral to the Joint Disciplinary Committee is waived by mutual agreement of the official concerned and the Secretary-General;**
  - (b) **in respect of summary dismissal imposed by the Secretary-General in cases where the seriousness of the misconduct warrants immediate termination of appointment.**
- (3) **In the event that the case is not submitted to the Joint Disciplinary Committee in accordance with (2) above, the official or former official concerned may, within 2 months of having received written notification of the measure, request that the measure be reviewed by such a Committee. Such a request shall not have the effect of suspending the measure. After the advice of the Committee has been received, the Secretary-General shall decide as soon as possible what action to take in respect thereof.**
- (4) **The Secretary General shall inform the President of the Organization in advance of the institution of any disciplinary proceedings against officials holding positions of responsibility.**
- (5) **Any decision by the Secretary General to impose a disciplinary measure on an official of the Organization shall be notified to the official concerned in writing, stating the reasons for the decision.**
- (6) **The Secretary General shall inform the administration of origin of any seconded official against whom disciplinary measures have been taken.**
- (7) **All the disciplinary measures laid down in the Staff Rules shall be recorded in the personal files of the officials concerned. However, under the conditions detailed in the Staff Rules and on expiry of the period stipulated therein, records of disciplinary measures shall be deleted from personal files.**

Rule 12.3.1: Procedural requirements

- (1) Pursuant to Regulation 12.3(4), if the Secretary General intends to institute disciplinary proceedings against an official holding an unclassified post or a post classified in Grade 1, he shall inform the President of the Organization.
- (2) Pursuant to Regulation 12.3(1), if the Secretary General intends to institute disciplinary proceedings against an official, he shall address to the official a confidential memorandum in duplicate describing the unsatisfactory conduct or misconduct and informing the official of the charges against him. The confidential memorandum shall be sent not later than 15 working days following establishment of the facts that may amount to unsatisfactory conduct or misconduct.
- (3) The official concerned shall be given a time limit of 10 working days in which to supply explanations and justifications in writing to the Secretary General, who may extend this time limit in circumstances beyond the official's control. The official shall be advised that he may nominate another official to assist him, except members of the human resources department and of the legal department.
- (4) Within 10 working days of receiving the explanations and justifications given by the official, the Secretary General shall decide:
  - (a) not to institute disciplinary proceedings; or
  - (b) to institute disciplinary proceedings and to seek the opinion of the Joint Disciplinary Committee, except in situations described in Regulation 12.3(2); or
  - (c) in situations described in Regulation 12.3(2), to impose a disciplinary measure.
- (5) When, pursuant to (4,a) above, the official concerned has been invited to give his explanation of an alleged unsatisfactory conduct and it has subsequently been decided not to institute disciplinary proceedings against him, he shall be so informed in writing. In such event, no trace of the disciplinary proceedings is to appear in the official's personal file.
- (6) When, pursuant to (4,b) above, the official concerned has been invited to give his explanation of an alleged unsatisfactory conduct and it has subsequently been decided to institute disciplinary proceedings against him, he shall be so informed in writing and the Secretary General shall send a copy of the notification together with the elements which led to the institution of the disciplinary proceedings to the Chairman of the Joint Disciplinary Committee.

(7) When, pursuant to (4,c) above, the official concerned has been invited to give his explanation of an alleged unsatisfactory conduct and it has subsequently been decided to impose him a disciplinary measure, he shall be so informed in writing and the decision shall specify the reasons for the disciplinary measure.

Rule 12.3.2: Procedure before the Joint Disciplinary Committee

(1) The Chairman of the Joint Disciplinary Committee to which the Secretary General has referred the case, in conformity with Regulation 12.3(2) and Rule 12.3.1(4), shall inform the official concerned in writing of:

- (a) the composition of the Committee, in conformity with Rule 10.2.2;
- (b) the date, time and place of the Committee meeting during which his case is to be examined;
- (c) his right to present his defence at the Committee meeting, either in writing or orally;
- (d) his right to nominate another official to assist him, except members of the human resources department and of the legal department.

(2) Proceedings before a Joint Disciplinary Committee shall normally be limited to the original written presentation of the case, together with brief statements and rebuttals, which may be made orally or in writing, but without delay. If the Committee considers that it requires the testimony of the official concerned or of other witnesses, it may, at its sole discretion, obtain such testimony by written affidavit, by personal appearance before the Committee, or by other means of communication. All officials have a duty to cooperate with the Committee, without prejudice to the legal privilege.

(3) The meeting of the Joint Disciplinary Committee shall be held at the earliest 10 working days after the notification referred to in Rule 12.3.1 (6) above.

(4) Before the Joint Disciplinary Committee gives its consultative opinion, an official who is the subject of disciplinary proceedings must have had an opportunity, when presenting his defence, to express his position with regard to any item of evidence on which the Committee may base its opinion.

(5) The Joint Disciplinary Committee shall give a reasoned opinion on whether the official concerned is guilty or not, on the degree of his guilt and on the disciplinary measure appropriate to the alleged unsatisfactory conduct(s), after consideration of all the documents and statements produced before the Committee.

(6) The drafting and delivery of the consultative opinion to the Secretary General shall be made in conformity with Rule 10.3.5.

(7) In reaching his decision, the Secretary General shall take account of any evidence in the official's defence. The Secretary General shall notify the official concerned of his decision in conformity with Rule 10.3.6.

Rule 12.3.3: Deletion of records of disciplinary measures

(1) If the disciplinary measure is one of the 6 mentioned in Rule 12.1.3 (a) to (f), the official may, after a period of 3 years, request in writing to the head of the human resources department, that the record of it be deleted from his personal file. The period before the request can be made shall be 5 years for all other disciplinary measures, except for dismissal and summary dismissal, the record of which may not be deleted from the personal file. However, if the official receives a new disciplinary measure within this period, the record of his previous disciplinary measure in his personal file shall be maintained until the record of the new disciplinary measure is deleted.

(2) The human resources department shall only withdraw the document recording the decision on the disciplinary sanction and its concomitant reasons at the written request of the official concerned and provided that the document is replaced by another document which shall be signed and dated by that official and shall state that the former document has been validly withdrawn. Furthermore, if the decision affected the administrative situation of the official concerned, the original document shall only be withdrawn provided that a memorandum which specifies the administrative situation of the said official on the date of withdrawal of the document concerned, and which is signed and dated by that official and countersigned by the head of the human resources department is placed in the personal file.

**CHAPTER 13: DISPUTES RESOLUTION SYSTEM**

**Regulation 13.1: Internal procedures for the settlement of disputes**

- (1) Any official of the Organization or, where applicable, any other person designated in Article II (6) of the Statute of the Administrative Tribunal of the International Labour Organisation (ILOAT), may:
  - (a) challenge an administrative decision, taken by the Secretary General, which he considers is prejudicial to his interests and conflicts with the terms of his employment agreement or with any pertinent provisions of the present Regulations, of the Staff Rules or of the Staff Instructions;
  - (b) lodge a claim in writing requesting the Secretary General to take a decision on his case, the grounds for which have not previously been the subject of any decision by the Secretary General. The Secretary General shall notify his decision, giving reasons, to the official concerned within 60 calendar days following receipt of the claim. When the period has expired, the absence of a reply to the claim shall be deemed to be an implicit decision of rejection which may also be challenged.
- (2) A decision may be challenged within the Organization either through the review procedure or directly through the internal appeal procedure. These two procedures cannot be initiated simultaneously with respect to the same decision.

**Rule 13.1.1: Limitation periods for a request for review and for an internal appeal**

- (1) The request for review shall be made within 30 calendar days of the notification of the challenged decision.
- (2) The internal appeal shall be lodged within 60 calendar days of notification of the challenged decision.
- (3) In the case of a complex decision or a series of successive decisions, the limitation period shall run from the date of notification of the last decision.

**Rule 13.1.2: Content of the request for review and of the internal appeal**

- (1) The request for review and the internal appeal shall be addressed in writing to the Secretary General. They shall be signed and dated by the official and shall include the following documents:
  - (a) copy of the challenged decision or of the request for a decision by the official;
  - (b) written summary of the reasons.
- (2) If the request mentioned in (1) above is incomplete, the Secretary General shall inform the official of that fact immediately, and shall ask him to provide the missing elements within 5 working days of the notification of this information.
- (3) Expiry of the limitation period shall not prejudice the admissibility of the request if the latter was submitted before expiry of the said limitation period and supplemented in conformity with (2) above.
- (4) The challenging of a decision shall be treated as a request for review if the official has not clearly indicated his choice between the review procedure and the internal appeal procedure.

**Rule 13.1.3: Admissibility of a request for review or of an internal appeal**

- (1) Upon receipt of a request for review or of an internal appeal, the Secretary General shall first examine whether it is admissible. In particular, it may be declared not to be admissible when it:
  - (a) challenges an act which does not constitute an administrative decision which can be challenged;
  - (b) does not comply with formal requirements prescribed in Rule 13.1.2;
  - (c) is lodged outside the relevant limitation period prescribed in Rule 13.1.1;
  - (d) is lodged by a person who is neither an official of the organization nor one of the persons designated in Article II (6) of the Statute of the ILOAT;
  - (e) challenges a final decision or a decision on a matter upon which a judgement has been pronounced by the ILOAT, having the authority of res judicata;

- (2) In circumstances beyond the official's control, however, the Secretary General may consider admissible a request for review or an internal appeal brought after the limitation periods prescribed in Rule 13.1.1.
- (3) When the Secretary General rejects a request for review or an internal appeal on grounds of admissibility, he shall give the reasons for his decision in writing. The challenged decision shall then become final.
- (4) When the Secretary General considers a request for review or an internal appeal admissible, the review procedure or internal appeal procedure shall continue.

#### Rule 13.1.4: Application of the challenged decision

Application of the challenged decision shall not be suspended pending the outcome of the review procedure or internal appeal.

#### **Regulation 13.2: Review procedure**

**A request to review a decision shall be addressed in writing to the Secretary General who shall take a new decision at the conclusion of the procedure.**

#### Rule 13.2.1: Review procedure

- (1) The review procedure may be initiated by an official prior to lodging an internal appeal. At the conclusion of this procedure, the Secretary General shall take a new decision which shall cancel and replace the initial decision and which may be subject to internal appeal.
- (2) The Secretary General shall lay down the terms of the review procedure in a Staff Instruction, notably with regard to the possible recourse to a mediator.
- (3) The Secretary General shall notify the official concerned of his decision.

#### **Regulation 13.3: Internal appeal procedure**

**An internal appeal shall be addressed in writing to the Secretary General who, if he deems it admissible, shall consult the Joint Appeals Committee prior to taking a decision on the merits of the appeal.**

#### Rule 13.3.1: Referral to the Joint Appeals Committee

- (1) On receipt of an internal appeal, the Secretary General must refer the matter to the Joint Appeals Committee within 10 working days,
- (2) When referring a matter to the Joint Appeals Committee, the Secretary General shall forward to its Chairman
  - (a) the documents submitted by the official concerned;
  - (b) and where applicable, a copy of the consultative opinion expressed by a Joint Committee concerning the decision that is being challenged

#### Rule 13.3.2: Composition of the Joint Appeals Committee

- (1) Notwithstanding the rules on composition described in Regulation 10.2 the Joint Appeals Committee shall preferably be composed of persons of recognised competence in law.
- (2) No member of the Joint Committee that expressed a consultative opinion concerning the decision that is being challenged shall be entitled to sit on the Joint Appeals Committee.
- (3) The Chairman shall give the official concerned written notification of the composition of the Joint Appeals Committee, in conformity with Rule 10.2.2(5), and inform him of the assistance he may seek in conformity with Rule 10.3.3.

#### Rule 13.3.3: Written memoranda

- (1) While notifying him of the composition of the Joint Appeals Committee, the Chairman shall give the official 10 working days from the date of receipt of such notification, to complete his internal appeal, should he so wish, by way of a written memorandum addressed to the Chairman of the Committee.
- (2) A written memorandum shall be signed and dated, but shall not be subject to any other conditions relating to its form. It shall state, inter alia, the reasons and grounds for the internal appeal made by the official and shall be accompanied by any documents he wishes to bring before the Committee.
- (3) Upon receipt of the written memorandum or at the end of the period referred to in (1) above if no such memorandum was submitted by the official, the Chairman of the Committee shall

request the Secretary General to reply within 10 working days. For this purpose, the Chairman shall send to the Secretary General any document submitted by the official. The Secretary General's memorandum shall be forwarded to the Chairman of the Committee who shall send a copy of it to the official.

- (4) If the Secretary General's memorandum contains new elements, and the Chairman of the Committee considers it necessary for the official to pronounce on those elements, the Chairman shall give him the opportunity to submit an additional reply. This provision shall apply to each written reply from the official or from the Secretary General.
- (5) Should one or other or both parties fail to provide their memoranda within the prescribed limitation period, the Committee shall give its consultative opinion on the basis of the elements at its disposal.

Rule 13.3.4: Powers of the Joint Appeals Committee

- (1) The Joint Appeals Committee shall give a consultative opinion only on the aspects of the decision raised and challenged by an official in his internal appeal. The Chairman may invite the official to clarify the substance of his appeal.
- (2) The Joint Appeals Committee shall verify the facts invoked by the official or by the Secretary General insofar as they are disputed, and shall take account of any other fact that is pertinent to the settlement of the internal appeal, unless the appeal relates to a decision to apply a disciplinary measure, in which case the Committee may take the initiative of verifying any fact even if it is not disputed.
- (3) The Joint Appeals Committee shall check on whether the proper procedure was followed for taking the decision, unless the procedure followed is not challenged. Except in the situation described in (5,b) below, it shall give a consultative opinion on the substance of the case brought before it, even if it finds that there was some irregularity in the procedure followed for taking the challenged decision.
- (4) If the procedural irregularity concerned was such as to influence the Secretary General's decision in a manner detrimental to the official, and if responsibility for the procedural irregularity can be attributed to the Joint Committee that expressed the opinion on which the challenged decision was based, the Joint Appeals Committee shall take the

procedural steps which should have been taken by the first Committee and, in the opinion it sends to the Secretary General, shall draw conclusions based on the correct application of the prescribed procedure.

- (5) If the procedural irregularity concerned was such as to influence the Secretary General's decision in a manner detrimental to the official, and if responsibility for the procedural irregularity can be attributed to the Secretary General, the Joint Appeals Committee shall:
  - (a) if circumstances permit:
    - either take the procedural steps which should initially have been taken by the Secretary General,
    - or ask the Secretary General to remedy the irregularities committed in applying the procedure which should initially have been observed,

and, in the opinion it sends to the Secretary General, shall draw conclusions based on the correct application of the prescribed procedure;

- (b) if circumstances do not permit application of (a) above, recommend to the Secretary General that he should annul the challenged decision for reasons of procedural irregularity.
- (6) If, taking account of the consultative opinion expressed by the Joint Appeals Committee, the Secretary General decides to annul the challenged decision for reasons of procedural irregularity, he shall apply the procedure that should initially have been observed when he takes his subsequent decision.
- (7) The Joint Appeals Committee shall verify, within the limits of the aspects challenged by the official, whether the decision concerned conforms to the official's employment agreement, to the Staff Regulations, to the present Rules and to any pertinent Staff Instructions.
- (8) When, in application of Regulation 13.1, an official or former official of the Organization appeals against a disciplinary measure imposed on him and refers the matter to the Joint Appeals Committee, the Committee shall, notwithstanding the application of the provisions of (1) to (7) above, give an opinion on the validity of the allegation that an unsatisfactory conduct or misconduct has been committed and on the appropriateness of the disciplinary measure.



Rule 13.3.5: Procedure before the Joint Appeals Committee

- (1) The Joint Appeals Committee shall proceed in conformity with Regulation 10.3 and Rule 10.3.4 and shall give a reasoned opinion after consideration of all the documents and written and oral statements produced before the Committee.
- (2) The drafting and delivery of the consultative opinion to the Secretary General shall be made in conformity with Rule 10.3.5.
- (3) In reaching his decision, the Secretary General shall take account of any evidence in the official's defence. The Secretary General shall notify the official concerned of his decision in conformity with Rule 10.3.6.

Rule 13.3.6: Interruption of the internal appeal procedure

Any internal appeal in progress shall be immediately interrupted:

- (a) on the initiative of the Secretary General, if the official gives his express written consent and this is officially noted by the Chairman of the Joint Appeals Committee;
- (b) on the initiative of the official, if he informs the Chairman of the Joint Appeals Committee, in writing, that he is withdrawing his internal appeal.

Regulation 13.4: Appeals to the Administrative Tribunal of the ILO

After having used all the means available to him under Regulation 13.1, an official of the Organization or, where applicable, any other person designated in Article II (6) of the Statute of the ILOAT shall have the right to appeal to the ILOAT in accordance with the conditions set forth in the Statute of that Tribunal.

Rule 13.4.1: Appeals to the Administrative Tribunal

- (1) The Secretary General may, in agreement with the official, exempt the latter from the obligation to exhaust internal procedures by authorizing him to challenge a decision directly before the ILOAT. In such cases, the challenged decision shall be considered as final, and the official shall be deemed to have exhausted all other means of appealing against it.

- (2) In accordance with the provisions of Article VII (2) of the Statute of the ILOAT, the appeal must be filed within 90 calendar days following notification to the official of the challenged decision.
- (3) In the event that the Secretary General does not take action within 60 calendar days when a request for a review or an internal appeal is referred to him, the challenged decision shall be deemed to be final and may then be challenged before the ILOAT.
- (4) The filing of an appeal with the ILOAT shall not imply suspension of the execution of the challenged decision.

Regulation 13.5: Settlement by mutual agreement

**In exceptional cases the Secretary General shall be empowered, in the interests of the Organization and, where applicable, within the limits of budgetary provisions, to conclude in writing any mutually agreed settlement designed to end a disagreement or dispute arising from application of the terms of an employment agreement or of any pertinent provision of the present Regulations, the Staff Rules or the Staff Instructions, provided that the official of the Organization concerned or, if applicable, any other person covered by Article II (6) of the Statute of the ILOAT agrees, on conclusion of the settlement, to renounce all right of appeal in respect of the said disagreement or dispute.**

CHAPTER 14: GENERAL PROVISIONS

Regulation 14.1: Liaison with other international organizations

- (1) The Secretary General may loan the services of an official of the Organization to an intergovernmental organization, provided it is within the interests of the Organization. The consent of officials under contract or that of the authorities of the State which seconded an official shall be required. Such a loan shall be governed by the terms of a cooperation agreement to be concluded between the Organization and the intergovernmental organization concerned.
- (2) Under the same conditions, the Secretary General may agree to a staff member of an intergovernmental organization working within the Organization.

**Regulation 14.2: Adoption and entry into force**

- (1) **The present Regulations constitute an Appendix to the Organization's General Regulations.**
- (2) **The present Regulations and the Staff Rules shall enter into force on 1 January 2005 for all officials of the Organization.**

**Regulation 14.3: Amendments**

- (1) **The provisions of the present Regulations may be amended by the General Assembly.**
- (2) **The provisions of the Staff Rules may be amended by the Executive Committee, in a manner consistent with the present Regulations, following a proposal by the Secretary General.**
- (3) **All amendments to the present Regulations or to the Staff Rules shall be made without prejudice to the acquired rights of the officials of the Organization.**

**Regulation 14.4: Interpretation**

**In the present Regulations and in the Staff Rules, terms referring to persons in the masculine gender are equally applicable to men and women.**

**Rule 14.4.1: Terminology**

- (1) The term "present Rules" includes the Appendices to the said Rules.
- (2) For the purposes of the present Rules, a single official is one who is unmarried, divorced or widowed.
- (3) For the purposes of the present Rules, a common-law spouse is the person with whom an official of the Organization declares that he has been living for at least one year. A Staff Instruction shall further specify the procedure and requirements for such declaration and the status of a common-law spouse.
- (4) For the purposes of the present Rules, dependent children are the legitimate, illegitimate or adopted children of an official or of his spouse or common-law spouse, as well as children of whom an official, or his spouse or common-law spouse, is the guardian and who:
  - (a) are aged under 21, or 25 if they are full time students;

- (b) are doing their compulsory national service;
  - (c) suffer from serious and continuous alteration of their physical or mental capacities, irrespective of their age, provided that they are significantly supported by the official concerned.
- (5) For the purposes of the present Rules, the family of an official consists of his spouse or common-law spouse and/or his dependent children.

**Rule 14.4.2: Correction of errors**

The Secretary General may, at any time, correct any error in respect of an addressee or a calculation or any other obvious material error which may have occurred in a decision on an individual case. The correction of such an error by the Secretary General shall be a decision on an individual case.

**Rule 14.4.3: Requests**

- (1) If the Secretary General or one of his representatives receives a written request from an official and there is some doubt about the content or legal nature of the request, he shall ask the official concerned to provide the necessary clarifications. Until those clarifications have been provided, the request shall have no legal effect under the terms of the Staff Regulations, the present Rules and the Staff Instructions.
- (2) Paragraph (1) above shall apply, mutatis mutandis, to former officials of the Organization and to all other persons covered by Article VI of the Statute of the ILOAT.

**Rule 14.4.4: Compensation following the annulment of a decision**

If, in conformity with the provisions of the Staff Regulations and of the present Rules, the Secretary General annuls a decision on an individual case and if, in spite of this annulment, the situation of the person concerned cannot be restored to the status quo ante, the Secretary General is empowered to grant compensation for any prejudice which that person may have sustained as a result of it being impossible to restore his situation to the status quo ante, provided that he renounces all rights to any subsequent claim to such an indemnity.

**Regulation 14.5: Non-applicable provisions to officials engaged on short-term appointments**

- (1) The Executive Committee may decide that provisions in the present Regulations and the corresponding Staff Rules and Staff Instructions concerning the following matters shall be not applicable to officials engaged on short-term appointments:**
  - (a) Advancement;**
  - (b) Promotion;**
  - (c) Emoluments;**
  - (d) Travel and removal expenses;**
  - (e) Leave (except for annual, sick and maternity leave);**
  - (f) Staff Committees;**
  - (g) Composition of Joint Committees;**
  - (h) Notice of termination;**
  - (i) Termination indemnity;**
  - (j) Involuntary loss of employment;**
- (2) When exercising the power granted under Regulation 14.5(1) the Executive Committee shall lay down, in the Staff Rules, different conditions of employment, rights and duties for officials of the Organization appointed for a short term.**
- (3) Short-term appointments may be extended, but cannot be converted into another type of appointment without a normal recruitment procedure being applied.**
- (4) The term “short-term appointment” refers to any appointment made for an initial period of not more than 18 months, for which the Secretary General has decided not to apply the normal recruitment procedure.**

**Regulation 14.6: Time limit for submission of requests**

No request under the present Regulations, the Staff Rules, the Staff Instructions, or an employment agreement shall be considered if it is submitted more than two years after the date on which the official concerned was in a position to submit a request for an entitlement.

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**STAFF MANUAL**

**APPENDIX 1 – SALARY SCALE**

**Rule A.1.1: Classified posts**

- (1) The salary scales given below are applicable to officials under contract holding classified posts.
- (2) When the salary scales are adjusted in application of Regulation 5.4(2), by the application of a percentage, the result of that operation shall be rounded down to the nearest whole number if the number after the decimal point is lower than five and rounded up to the nearest whole number if the number after the decimal point is equal to or higher than five.

**REFERENCE DUTY STATION SALARY SCALE**

**Date of entry into force: 1 January 2018  
(in euros)**

<b>Grade Step</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
1	7,292	6,412	4,939	4,435	3,602	2,974	2,599	2,330	2,229	2,055
2	7,697	6,768	5,213	4,679	3,801	3,138	2,744	2,458	2,353	2,169
3	8,102	7,126	5,488	4,926	4,004	3,307	2,888	2,590	2,478	2,284
4	8,508	7,480	5,759	5,174	4,204	3,471	3,031	2,716	2,602	2,400
5	8,911	7,838	6,035	5,420	4,403	3,638	3,176	2,847	2,725	2,513
6	9,317	8,194	6,308	5,667	4,604	3,800	3,320	2,974	2,849	2,628
7	9,722	8,550	6,584	5,911	4,805	3,967	3,465	3,104	2,972	2,742
8	10,141	8,916	6,866	6,164	5,013	4,138	3,614	3,238	3,100	2,859
9	10,577	9,301	7,162	6,431	5,227	4,316	3,769	3,377	3,232	2,981
10	11,032	9,701	7,469	6,707	5,450	4,501	3,930	3,524	3,371	3,109
11	11,506	10,118	7,791	6,994	5,685	4,695	4,100	3,674	3,520	3,244
12	12,002	10,552	8,126	7,297	5,931	4,895	4,277	3,835	3,668	3,381
13	12,517	11,005	8,474	7,608	6,184	5,106	4,459	3,997	3,827	3,529
14	13,054	11,481	8,840	7,936	6,449	5,325	4,651	4,168	3,991	3,679

**Rule A.1.2: Unclassified posts**

The Secretary General shall determine the amount of the gross salary that officials under contract holding unclassified posts shall be entitled to. In any case, the salary paid to such officials shall not be less than the amount due to an official placed in step 7 of Grade 1 and not more than the amount due to an official placed in step 14 of Grade 1 increased by a maximum of 40%.

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**APPENDIX 2 – RULES GOVERNING THE  
INTERNAL TAXATION SYSTEM**

**Rule A.2.1: General provisions**

- (1) In application of Regulation 5.7, officials shall be taxed on the salaries and salary supplements they receive from the Organization. This tax shall be determined under the conditions and collected in accordance with the procedure laid down below.
- (2) The proceeds of the tax shall be entered as income in the Organization’s budget.

**Rule A.2.2: Taxable Income**

- (1) The tax shall be due every month on the total salaries and salary supplements received from the Organization by those liable to taxation, subject to the following provisions.
- (2) When calculating the taxable income, the following benefits and allowances shall be deducted:
  - (a) Family allowances;
  - (b) Education allowance;
  - (c) Indemnities paid on cessation of service;
  - (d) Sums paid by the Organization to an official as damages, as well as any sums paid in application of exceptional measures of a social nature provided for in Regulation 7.3 and any indemnity paid on his death to his beneficiaries;
  - (e) Payment of capital and interest of any indemnities or reimbursements relating to a supplementary pension scheme, even if that scheme is optional, to which the Organization has made a financial contribution.
- (3) Sums withheld by the Organization from the salary and salary supplements of those liable to taxation in respect of contributions to social security and unemployment schemes, whether the schemes concerned are statutory or instituted by the Organization, shall be deducted in order to calculate the taxable income.
- (4) If an official liable to taxation contributes to a compulsory retirement scheme and is exempted from contributing to the retirement schemes covered by paragraph (3), the contribution actually paid shall be deducted when calculating that person’s taxable income. This deduction shall not exceed the sum which would otherwise have been withheld.

- (5) The taxable income shall be the sum obtained once paragraphs (1) to (4) of the present Rule have been applied and 30% of the remaining sum has been deducted.

**Rule A.2.3: Assessment of tax**

- (1) Tax shall be assessed on the taxable income as calculated in accordance with the provisions of Rule A.2.2, using the scale given below. To take account of individual family situations, the various income brackets shall be multiplied by the number of points allocated to each official liable to taxation, on the basis of any general criteria adopted in application of Rule A.2.4.

<b>2018 – Reference Duty Station</b>			
<b>BRACKET</b>	<b>AMOUNT IN EUROS</b>		<b>RATE (%)</b>
<b>Bracket N° 1</b>	0	633	<b>0</b>
<b>Bracket N° 2</b>	634	1,260	<b>8</b>
<b>Bracket N° 3</b>	1,261	1,680	<b>12</b>
<b>Bracket N° 4</b>	1,681	1,996	<b>14</b>
<b>Bracket N° 5</b>	1,997	2,314	<b>16</b>
<b>Bracket N° 6</b>	2,315	3,360	<b>17</b>
<b>Bracket N° 7</b>	3,361	6,299	<b>21</b>
<b>Bracket N° 8</b>	6,300	8,397	<b>27</b>
<b>Bracket N° 9</b>	8,398	12,600	<b>30</b>
<b>Bracket N° 10</b>	12,601	99,999	<b>35</b>

Officials holding short-term appointments shall benefit from a 0% rate irrespective of the amount of their taxable income.

- (2) The income brackets shall be adjusted on 1 January each year, to follow any changes in emoluments in application of Regulation 5.4(2).
- (3) When a taxable payment relates to a period of less than one month, the tax shall be levied at the rate applicable to the corresponding monthly income.
- (4) When a taxable payment relates to a period of more than one month, the tax shall be assessed as though payment had been spread evenly over the period concerned.
- (5) Taxable regularization payments which do not relate to the month during which they are made shall be subject to the tax to which they would have been liable had they been made at the normal dates.

Rule A.2.4: Family situation

- (1) In application of Rule A.2.3(1), each taxable official with no dependants shall be allocated points, depending on his situation, as follows:
  - (a) Single, divorced or widowed: 1 point
  - (b) Married: 2 points
  - (c) An additional half-point is allocated for each official and/or spouse in the event of invalidity;
- (2) In application of Rule A.2.3(1), each taxable official with dependants shall be allocated points, depending on his situation, as follows:
  - (a) Single or divorced, or widowed but with no dependent child of the marriage with the deceased spouse:
    - For the first dependant: + 1 point
    - For each additional dependant: + 0.5 point
  - (b) Widowed, with one or more dependent children of the marriage with the deceased spouse:
    - For the first dependant: + 1.5 points
    - For each additional dependant: + 0.5 point
  - (c) Married, for each dependant: + 0.5 point
  - (d) An additional half-point is allocated for each dependant in the event of invalidity.
  - (e) An additional half-point is allocated for the third dependent child.

Rule A.2.5: Definition of dependants

- (1) Dependent children are defined as follows:
  - (a) Children meeting the conditions set out in Rule 14.4.1(4) of the present Staff Rules.
  - (b) Spouses of children of the official and/or the latter's spouse, who are under 21 or are full-time students under 25, are considered as dependants if they are still being significantly supported by the official.
  - (c) Grandchildren of the official and/or the latter's spouse are considered as dependants if they are being significantly supported by the official and if the official's or spouse's child who is the parent of such grandchildren is under 21 or a full-time student under 25.

- (2) Other dependants are defined as those who are invalids and also the parents, grandparents or great-grandparents of an official if they are being significantly supported by the official.

Rule A.2.6: Date on which the family situation is taken into account

- (1) Any alteration in the family situation shall be taken into account as and from the first day of the month following that in which the alteration occurred.
- (2) Any child meeting national service obligations shall be taken into account for the months during which these obligations are being met.

Rule A.2.7: Invalidity

In the present rules the term "invalidity" means an invalidity of at least 60% unless otherwise specified.

Rule A.2.8: Payment of tax

The tax shall be deducted each month at source. The amount shall be rounded down to the nearest euro.

Rule A.2.9: Reduction of tax

If an official pays a maintenance allowance in application of a statutory obligation or a court order, to his divorced or legally separated spouse, or to his or his spouse's parents, grandparents or great-grandparents or descendants, and if the expenditure so incurred would in all fairness justify a reduction in that official's tax, the Secretary General may, at the official's request, exercise his discretionary powers to reduce that tax, giving reasons for his decision.

Rule A.2.10: Assessment by household

When both spouses are officials of the Organization, their tax shall be calculated individually on the basis of the applicable provisions. However, dependants shall be taken into account only when calculating the tax payable by the spouse with the higher salary.

Rule A.2.11: Internal scheme for the compensation of involuntary loss of employment

None of the sums paid in application of Appendix 3 of the Staff Rules, relating to the Internal scheme for the compensation of involuntary loss of employment, shall be subject to the Organization's internal tax scheme.

Rule A.2.12: Tax statement

- (1) Before 15 February each year, the Secretary General shall provide each official with a statement indicating, for the previous year:
  - the gross emoluments, other than the amounts and allowances specified in Rule A.2.2(3), paid to that official,
  - his net taxable income, as determined in accordance with the present Rules,
  - the amount of tax deducted by the Organization.
- (2) A copy of the statement shall be sent to the tax authorities in the Headquarters country.

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**APPENDIX 3 – RULES ON THE INTERNAL SCHEME FOR THE COMPENSATION OF INVOLUNTARY LOSS OF EMPLOYMENT**

Rule A.3.1: General provisions

- (1) An Internal Scheme for the Compensation of Involuntary Loss of Employment, hereinafter referred to as "ISCILE", is hereby established.
- (2) The ISICLE only applies to officials under contract as defined in the Preamble.
- (3) The "Gross Salary" means the gross monthly salary as defined in Rule 5.2.1.

Rule A.3.2: Non participation

- (1) ISCILE shall not apply to an official who, at the time of his recruitment, is already in receipt of a retirement pension.
- (2) Pursuant to Regulation 14.5(1), ISCILE shall not apply to officials appointed on short term.

Rule A.3.3: Compensation entitlement

- (1) Compensation shall be payable pursuant to:
  - (a) termination of appointment as defined in Regulation 11.1 (3,a) to (3,f);
  - (b) the expiry of appointment, in conformity with Regulation 11.2, unless expressly excluded in the letter of appointment.
- (2) No compensation shall be payable pursuant to:
  - (a) retirement;
  - (b) reaching the age limit as defined in Regulation 11.4;
  - (c) death;
  - (d) refusal of a proposal made by the Secretary General to extend a fixed term appointment, or to convert it into an indeterminate appointment, provided that such proposal concerns the same post than the one held by the official;
  - (e) termination during or at the end of the probationary period;
  - (f) termination of appointment under Regulation 11.1 (1) and 11.1 (2).

Rule A.3.4: Contributions

- (1) The contributions to the ISCILE shall be determined and adjusted by the Secretary General.
- (2) The contributions paid by the officials shall be deducted from their Gross Salary on a monthly basis.
- (3) Contributions shall be suspended during periods of parental and unpaid leave exceeding one month.
- (4) When an official is on unpaid sick leave, in accordance with Rule 8.2.6(5), the contributions shall remain unchanged, but shall be calculated by reference to the sums which are paid to him, in application of the social security provisions.

**Rule A.3.5: Compensation**

Upon cessation of service, an official entitled to ISCILE compensation shall receive a lump-sum payment, the amount of which shall be calculated in accordance with the following table:

Months of Last Gross Salary		
Length of service	Age of the official	
	< 55 years old	≥ 55 years old
< 3 years	3	6
≥ 3 < 6 years	6	9
≥ 6 < 10 years	9	12
≥ 10 < 20 years	12	18
≥ 20 years	18	24

For the purposes of the present Rule, “Length of service” corresponds to the periods of service during which the official participated in the Scheme.

**Rule A.3.6: ISCILE Compensation and the indemnity on termination of appointment**

Payment of ISCILE compensation shall have no effect on the entitlement of an official under contract to an indemnity on termination of appointment by virtue of Regulation 11.1.

**APPENDIX 4 – ASSET RELATED LOANS**

In conformity with Staff Rule 5.5.3, the present Appendix lays down the provisions governing loans granted by the Organization to its officials.

**Rule A.4.1: Purpose of loans**

- (1) The loans which the Secretary General may grant to officials making requests in conformity with the procedures laid down in this Appendix, are for use in financing:
  - (a) the acquisition of property and property rights relating to the main residence of the official concerned;
  - (b) expenditure on the construction, repair, improvement or upkeep of property and property rights relating to the main residence of the official concerned;
  - (c) the acquisition of a vehicle.
- (2) A loan may only be used to finance the project for which it was granted.

**Rule A.4.2: Maximum amount of loans and rate of interest**

- (1) The maximum amount for which a loan can be granted is:
  - four months grade 5 step 6 salary of the relevant salary scale of the official’s duty station for property related loans;
  - two months grade 5 step 6 salary of the relevant salary scale of the official’s duty station for loans related to the purchase of a vehicle;
- (2) The rate of interest payable by the official when reimbursing the sums shall be fixed at the start of each financial year. The rate of interest shall remain the same throughout the duration of the loan.
- (3) If the official chooses to repay the loan early, the interest payable at the date of the repayment shall be calculated, but no penalty or administrative charge will be made.

**Rule A.4.3: Repayment period**

- (1) Loans shall be repaid by means of even monthly instalments, taking into account any adjustments made to the first instalment, over a maximum period of:
  - eight years for property related loans;
  - five years for loans related to the purchase of a vehicle.
- (2) If the official concerned has a fixed-term contract, the repayment period shall not extend beyond the end of the contract. However, an official whose fixed-term contract is extended or converted into an indeterminate appointment may request an extension of the repayment period within the maximum (initial repayment period included).

**Rule A.4.4: Granting the loan**

- (1) Any official of the Organization may apply for a loan by filling in a standard form, available from the human resources department. Officials who have already benefited from a loan may only apply for a new loan after a period of 5 years.
- (2) After the file has been studied by the Organization, a preliminary loan proposal will be made to the official concerned. The proposal will set out the terms of the loan, the repayment conditions and all obligations incumbent on the borrower.



- (3) The official has 10 working days from receipt of the proposal to accept or reject it. Furthermore, acceptance may be withdrawn before the loan contract becomes final, by written notification to the human resources department.
- (4) The loan contract shall become final 5 working days after acceptance and the Organization shall immediately make the sum to be borrowed available to the official concerned by cheque or transfer.

Rule A.4.5: Repayment management

- (1) Repayment arrangements shall be as follows:
  - For officials under contract, the monthly instalments shall be deducted from their salaries;
  - For seconded officials who receive monthly allowances directly from the Organization, the monthly instalments shall be deducted from their allowances;
  - For seconded officials who do not receive monthly allowances directly from the Organization or any monthly allowances at all, the monthly instalments shall be paid to the Organization in Euros.
- (2) The first instalment shall be paid during the month following the one in which the loan was made available to the official concerned.
- (3) If the sums granted are not used for the purposes specified, the Organization may demand the immediate repayment of the remaining sums due and institute disciplinary proceedings.
- (4) If the asset is sold, the Organization may demand the immediate repayment of the remaining capital due.
- (5) If the official's appointment is terminated for any reason whatsoever, the sum remaining due on the date of cessation of service shall be payable immediately. To that effect, the Organization may deduct the sum remaining due from any amount owing to the official. If the amount owing to the official concerned is nil or does not suffice to repay the full sum remaining due, the official concerned must repay that sum; otherwise INTERPOL may take legal proceedings against him under the law applicable to the dispute and, in the case of seconded officials, may inform their administrations that they have not paid their debts to the Organization.

**APPENDIX 5 – RULES OF THE INTERIM RETIREMENT PLAN**

Rule A.5.1: General Provisions

- (1) The Interim Retirement Plan hereby established only applies to officials under contract as defined in the Preamble. Such officials shall hereinafter be referred to as “Eligible officials”.
- (2) The “Plan” means the Interim Retirement Plan of the Organization.
- (3) A “Participant” means the Eligible official who has elected to participate in the Plan.
- (4) The “Gross Salary” means the gross monthly salary as defined in Staff Rule 5.2.1.

Rule A.5.2: Participation

- (1) Participation will be suspended during periods of parental and unpaid leave.
- (2) Once the Organization establishes a permanent pension scheme, the Participants will automatically become Participants in the permanent scheme.

Rule A.5.3: Contributions

- (1) The Organization will contribute to the Plan in respect of each Participant 15% of his Gross Salary. The Organization will also cover the administrative expenses related to the Plan.
- (2) Each Participant will contribute to the Plan 10% of his Gross Salary.
- (3) Both contributions will be paid by the Organization into the INTERPOL Pension Fund.
- (4) When an official is on unpaid sick leave, in accordance with Staff Rule 8.2.6(5), the percentage of contributions shall remain unchanged but shall be calculated by reference to the sums which are paid to him in application of the social security provisions.

Rule A.5.4: Accumulated Account

The Organization will allocate to each Participant the contributions paid by the Participant and by the Organization in respect of that Participant, increased by a proportionate share of any interest generated on the Fund. These allocations in respect of each Participant will form his Accumulated Account.

Rule A.5.5: Benefits

- (1) A Participant who ceases service will be entitled to his Accumulated Account.
- (2) If a Participant dies, the benefits to which he would have been entitled will be payable to his successors upon receipt of satisfactory proof.
- (3) The Organization may pay the benefits at such a place and in such a manner as it determines. It may defer making the payment until it is satisfied of the identity and address of the beneficiaries.

Rule A.5.6: Transfers

Transfer of benefits into the Plan and transfer of benefits out of the Plan may be made at the discretion of the Organization.

Rule A.5.7: Administration

The Pension Committee shall be consulted by the Secretary General on:

- (1) all matters of a general policy nature relating to the Plan;
- (2) issues relating to the administration of the Plan and payment of benefits;
- (3) issues of interpretation of the provisions of the Rules of the Plan.
- (4) the management and investment of the assets of the Plan; it being understood the INTERPOL Pension Fund is used by the Organization to keep and invest the assets of the Plan separately from all its other assets, solely for use in providing the benefits and paying the expenses (if any) of the Plan. No assets of the Plan will be used for any other purpose.

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INTERPOL

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*Financial Regulations*

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[II.C/FREG/GA/1985(2017)] [II.C/FRUL/EC/2005(2014)]



**REFERENCES**

The ICPO-INTERPOL Constitution (Articles 38, 39 and 40) and General Regulations (Articles 51 and 52).

The Financial Regulations adopted by the General Assembly at its 59th session (Ottawa, 1990 – Resolution AGN/59/RES/4), which came into force on 1 January 1991. These Regulations were amended as follows:

- By Resolution AGN/61/RES/2 adopted at the 61st General Assembly session (Dakar, 1992). Date of entry into force of these amendments: 1 January 1993.
- By Resolution AGN/63/RES/2 adopted at the 63rd General Assembly session (Rome, 1994). Date of entry into force of these amendments: 1 January 1995.
- By Resolution AGN/65/RES/23, adopted at the 65th General Assembly session (Antalya, 1996). Date of entry into force of these amendments: 1 July 1997.
- By Resolution AGN/67/RES/15 adopted at the 67th General Assembly session (Cairo, 1998). Date of entry into force of these amendments: 1 January 1999.
- By Resolution AG-2001-RES-01 adopted at the 70th General Assembly session (Budapest, 2001). Date of entry into force of these amendments: 1 January 2002.
- By Resolution AG-2002-RES-15 adopted at the 71st General Assembly session (Yaoundé, 2002). Date of entry into force of these amendments: 1 January 2003. Prior to this, a set of Implementing Rules had been adopted by the Executive Committee at its 133rd session (18-20 June 2002). The Implementing Rules are incorporated in the Financial Regulations in the form of rules (in the grey sections of the text).
- By Resolution AG-2003-RES-01 adopted at the 72nd General Assembly (Benidorm, 2003). Date of entry into force of these amendments: 2 October 2003.
- By Resolution AG-2004-RES-03 adopted at the 73rd General Assembly (Cancún, 2004). Date of entry into force of these amendments: 1 January 2005.
- By decision No. 4 adopted by the Executive Committee at its 146th session (Lyon, 7-9 June 2005). Date of entry into force of the amendment concerning Implementing Rule 119.2/2 (depreciation provisions): 1 January 2006.
- By Resolution AG-2006-RES-15 adopted at the 75th General Assembly (Rio de Janeiro, 2006). Date of entry into force of these amendments: 1 January 2007. Prior to this, the Implementing Rules had been revised by the Executive Committee at its 150th session (Lyon, 30 May-2 June 2006) and adopted by decision No. 1. Date of entry into force of the amendments concerning the Implementing Rules: 1 January 2007.
- By Decision No. 6 taken by the Executive Committee at its 158th session (Lyon, 24-26 June 2008). Date of entry into force of the amendment of Implementing Rule 3.7.1 concerning the conditions for the acceptance of donations and sponsorship: 1 July 2008.
- By Resolution AG-2008-RES-12 adopted at the 77th General Assembly (St Petersburg, 2008). Date of entry into force of the amendments: 1 January 2009.
- By Decision No. 1 taken by the Executive Committee at its 179th session (Cartagena de Indias, 19-20 October 2013). Date of entry into force of amendments to Implementing Rules 4.4.1 to 4.4.8 concerning procurement thresholds: 1 November 2013.
- By Resolution AG-2014-RES-15 adopted at the 83rd General Assembly (Monaco, 2014). Date of entry into force of the amendments: 31 March 2015.

The Regulations, as amended, replace those which were adopted by the General Assembly at its 54th session (Washington, D.C., 1985) and which came into force on 1 January 1986.

These Regulations were amended:

- By Resolution GA-2017-86-RES-04 adopted at the 86th General Assembly (Beijing, 2017). Date of entry into force of the amendments: 1 January 2018.

**INFORMATION NOTE**

The financial management of the ICPO-INTERPOL's activities is governed by the Organization's Constitution, its General Regulations, the Financial Regulations, and the Implementing Rules for the Financial Regulations.

The Financial Regulations and their Implementing Rules are hereby presented with:

- Financial Regulations in bold text
- Implementing Rules for the Financial Regulations in plain text

The Financial Regulations are approved by the General Assembly, in application of Article 8(d) of the Constitution and Article 51 of the General Regulations. The Financial Regulations are an Appendix to the General Regulations.

The Implementing Rules for the Financial Regulations are approved by the Executive Committee in application of Article 22(e) of the Constitution, General Assembly Resolution AG-2006-RES-15, and Financial Regulation 8.1(3).





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CHAPTER 1:  
GENERAL PROVISIONS

SECTION 1:  
APPLICABILITY AND GENERAL PRINCIPLES

**Regulation 1.1: Applicability**

- (1) The financial management of the ICPO-INTERPOL's activities is governed by the Organization's Constitution, its General Regulations, the present Financial Regulations, which are an Appendix of the General Regulations, any other financial provisions adopted in application of these texts.
- (2) The applicable accounting standards shall be the International Public Service Accounting Standards (IPSAS).
- (3) All operational sub-structures, wherever located, are integral parts of the General Secretariat. They are therefore subject to the above mentioned texts, including any specific provisions contained therein.
- (4) For the purpose of the present Financial Regulations, Implementing Rules, and Financial Directives, the definitions laid down in the Appendix to the present Regulations shall apply.

**Rule 1.1.1: Implementing rules**

The present Implementing Rules are adopted in accordance with the provisions of the Financial Regulations.

**Regulation 1.2: General principles**

- (1) The Organization's budget shall be presented in a consolidated manner. It shall therefore consist of the regular budget and the Project Trust Accounts, consisting of trust funds and special accounts.
- (2) The regular budget, trust funds and special accounts shall be administered in accordance with the principles of sound financial management, and in particular those of economy and cost-effectiveness.
- (3) The consolidated budget and the financial documents shall be established in euros.

- (4) The Organization's financial and procurement documents, and their supporting vouchers, shall be preserved for at least five years following the approval of the related financial statements by the General Assembly. Detailed provisions concerning the preservation of these documents and responsibilities of staff members concerned shall be established under Financial Directives.

SECTION 2:  
AUTHORITY AND RESPONSIBILITY

**Regulation 1.3: Authority of the Secretary General**

- (1) The Secretary General shall have authority for the financial management of the Organization's ordinary and special activities.
- (2) The Secretary General shall be responsible for the management of the regular budget, trust funds and special accounts.
- (3) The Secretary General shall decide on the methods and procedures required for the financial management of the Organization's activities.
- (4) The Secretary General shall issue any Financial Directives required by the present Regulations and their Implementing Rules, or that he considers necessary to complete or construe these texts.

**Regulation 1.4: Delegation of financial powers**

- (1) In application of Article 45 of the General Regulations, if the Secretary General is unable to carry out his duties, his financial powers shall be exercised in the interim by the highest-ranking staff member in the General Secretariat, provided the Executive Committee has no objection.
- (2) Moreover, the Secretary General may delegate to any staff member such of his powers as he considers necessary for the effective financial administration of the Organization.
- (3) The system for the exercise of delegated financial powers implemented by the Secretary General shall comply with general provisions laid down in Implementing Rules.

## FINANCIAL REGULATIONS

### Rule 1.4.1: General provisions on delegation of financial powers

- (1) All financial powers are exercised within the limits laid down in the Financial Regulations and/or in the present Rules.
- (2) Delegation holders shall exercise their authority in the name of the Secretary General.
- (3) Financial powers are delegated in conformity with the principle of separation and incompatibility between authorizing and accounting functions.
- (4) Copies of the delegations of powers, accompanied by specimens of the signatures of the delegation holders, and cancellations of delegations of powers, shall be communicated according to specific procedures established by the Secretary General.
- (5) The continuity of financial powers must be maintained in the absence of the delegation holders.
- (6) The staff member in charge of the internal audit department shall only have delegation for committing expenditure required to carry out his audit activities.

### Rule 1.4.2: Participation of staff members

Staff members shall have clearly defined roles in the execution of financial processes.

### Regulation 1.5: Responsibility

All staff members have the responsibility to comply, in the course of their duties, with the Financial Regulations, Implementing Rules, and Financial Directives. Any staff member acting in contravention to these texts may be subject to the application procedures provided for in the Staff Manual.

## CHAPTER 2: CONSOLIDATED BUDGET

### SECTION 1: PREPARATION OF THE DRAFT CONSOLIDATED BUDGET

#### Regulation 2.1: Financial period

The financial period shall run from 1 January to 31 December.

### Regulation 2.2: Preparation of the draft consolidated budget

- (1) The draft consolidated budget shall be prepared on the basis of the Strategic Framework and the General Programme of Activities.
- (2) The draft General Programme of Activities shall distinguish between ordinary activities to be funded by the regular budget and special activities to be funded by trust funds or special accounts.
- (3) The draft consolidated budget shall include formal commitments of extrabudgetary resources.
- (4) The Executive Committee shall give the Secretary General directives for drawing up the draft budget for the following financial period. These directives shall include:
  - (a) the total budget needed for the Organization to achieve its objectives,
  - (b) the evolution rates for expenditure in the light of the Programme of Activities and the cost of living, and
  - (c) any other parameters that the Executive Committee considers it advisable to specify.

### SECTION 2: CONTENT OF THE CONSOLIDATED BUDGET DOCUMENT

#### Regulation 2.3: Distribution of income and expenditure

- (1) Income shall be itemized by source and expenditure by nature and purpose and, where appropriate, by project, according to a nomenclature established by the Secretary General.
- (2) Itemizing by purpose shall be linked to the Organization's Strategic Framework and General Programme of Activities.

#### Regulation 2.4: Content of the consolidated budget document

- (1) The consolidated budget document shall consist of any information, appendices and explanatory statements relating to the regular budget and to other accumulated financial resources and liabilities, which are required for informed decision-making by the General Assembly and Executive Committee.

- (2) The document relating to the regular budget shall consist at least of the following:
- (a) a general policy statement on the objectives to be achieved with the regular budget, according to the programme of activities for the financial period;
  - (b) the economic assumptions on which the regular budget is based, financial explanations on the Organization's income, expenditure and statutory Funds, distinguishing in each case between the costs of existing services, adjusted by the rate of inflation, and the costs of proposed new services, together with their effect on the budget;
  - (c) a table of budgeted total income and expenditure, as well as financing and sequestering operations in relation to the statutory Funds, including comparative data on the implementation of the budget for the current and preceding financial periods.
- (3) The documents relating to the specific budgets, trust funds and special accounts shall consist at least of the table mentioned in paragraph (2,c) above.
- (4) When appropriate, the essential elements mentioned under paragraph (2) above shall be the subject of an ongoing, indicative forecast covering two financial periods. This forecast shall be attached to the regular budget and submitted for information to the General Assembly. It shall be revised each year, as necessary.

**SECTION 3:**

**REGULATIONS SPECIFIC TO THE PREPARATION OF THE DRAFT REGULAR BUDGET**

**Regulation 2.5: Non-allocation**

- (1) The draft regular budget shall balance, with total income covering total expenditure. Therefore, income may not be allocated to cover specific items of expenditure.
- (2) Notwithstanding the present Regulation, certain income is allocated, in particular:
  - (a) indemnities and penalties received by the Organization;
  - (b) reimbursement during the financial period of costs or payments made in error;

- (c) income from the payment of a service carried out by a staff member of the Organization on the instructions of the Secretary General or with his approval;
- (d) transfers to statutory Funds;
- (e) tax reimbursements, including refund of taxes incorporated in the price of the goods or services recovered by the Organization;
- (f) internal tax.

**Regulation 2.6: Non-offsetting**

- (1) Offsetting income against expenditure in the draft regular budget is forbidden.
- (2) Notwithstanding the present Regulation, reductions, discounts, and rebates may be deducted from bills, invoices, or statements, which shall then be recorded of the net amount.
- (3) Unless it is established in advance that the Organization cannot be reimbursed of indirect taxes included in the price of goods sold or services rendered, such taxes may be deducted from bills, invoices, or statements, which shall then be recorded at the net amount.

**SECTION 4:**

**APPROVAL OF THE DRAFT CONSOLIDATED BUDGET**

**Regulation 2.7: Approval of the draft consolidated budget**

- (1) After approval by the Executive Committee, the draft budget shall be circulated to the Organization's Members within the time limit specified in Article 13 of the General Regulations.
- (2) The Secretary General may submit to the approval of the Executive Committee a revised draft budget if he considers that the estimates contained in the draft budget need further revision. After approval by the Executive Committee, the revised draft budget shall be circulated to the Organization's Members within the time limit specified in Article 13 of the General Regulations.
- (3) Following proposals from the Executive Committee, the General Assembly shall approve the draft budget. It may introduce changes as necessary.

**CHAPTER 3:  
IMPLEMENTATION OF THE REGULAR  
BUDGET**

**SECTION 1:  
IMPLEMENTING PRINCIPLES**

**Regulation 3.1: Authorizing and accounting functions**

- (1) As far as implementation of the budget is concerned, the functions of authorizing and accounting for income and expenditure shall be separate and mutually incompatible.
- (2) The application of such principle shall be detailed by the Secretary General in Financial Directives.

**SECTION 2:  
INCOME**

**Regulation 3.2: Statutory contributions**

- (1) Members' statutory contributions are due annually and are compulsory, without prejudice to the financial commitments of the host Members.
- (2) Notwithstanding Regulation 3.3(3), any partial payment made by a Member shall be set, pro rata, against the amount due as the statutory contribution towards the regular budget.
- (3) Members' statutory contributions to the regular budget shall represent a percentage of the appropriations of the Organization, taking into account adjustments for other income for the financial period.
- (4) Statutory contributions to the regular budget are distributed among Members according to the procedures and scale of distribution adopted by the General Assembly by simple majority.
- (5) Within the regular budget, statutory contributions to the specific budgets of Regional Bureaus shall be distributed among the Members concerned. The procedures and scale used to determine the distribution of contributions shall be adopted by such Members by simple majority.
- (6) Unless specifically stated otherwise, any other payment shall be considered to be a voluntary contribution.
- (7) Members may make advance payments toward statutory contributions for subsequent financial periods.

**Regulation 3.3: Payment of statutory contributions**

- (1) The Secretary General shall call up the statutory contributions and indicate to Members the modalities for payment of such contributions.
- (2) Members' statutory contributions are due as from 1 January of the corresponding financial period; they shall be paid as soon as possible, and not later than 30 April of that financial period.
- (3) Any payments made by Members in connection with statutory contributions shall be set against their longest outstanding debts.
- (4) The first contribution payable by a new Member shall fall due on 1 January following the date of its admission by the General Assembly.
- (5) Statutory contributions that are due when a Member withdraws from the Organization shall remain due.
- (6) Statutory contributions to the Organization shall be paid in euros. However, in the event of difficulty, payments may be made in other currencies, in which case they shall be converted to euros and credited to the account of the Member concerned.
- (7) Members or other international organizations, amongst other entities, may pay statutory contributions on behalf of other Members of the Organization.

**Regulation 3.4: Rescheduling of arrears**

- (1) Member's arrears for the current and previous financial periods may be rescheduled under a specific agreement.
- (2) The terms of the rescheduling agreement shall be negotiated by the Secretary General and the Member concerned. The agreement shall be signed by the Secretary General. However, for rescheduling agreements including partial cancellation of arrears, prior approval by the Executive Committee shall be required.
- (3) The rescheduling period may not exceed ten years and the sum to be repaid shall amount to at least the total of the Member's arrears for the current financial period and the previous financial period.
- (4) During the rescheduling period, the Member concerned must also, in accordance with the provisions of Regulation 3.3, pay its statutory contributions called up during that period.

- (5) Provided that the Member continues to fulfil its obligations arising from the rescheduling agreement and promptly pays the statutory contributions called up during the rescheduling period, application to that Member of the measures provided for in the first paragraph of Article 52 of the General Regulations shall be suspended.
  - (6) If the Member fails to fulfil its obligations arising from the rescheduling agreement or from the terms of paragraph (4) above, the Secretary General shall notify that Member that the rescheduling agreement has been terminated. In such circumstances, the Secretary General shall apply the provisions of Article 52 of the General Regulations, until that Member has fulfilled all its financial obligations towards the Organization.
- (2) The Executive Committee shall define the amount of the contributions mentioned in paragraph 1(d) above which may be paid into the regular budget.
  - (3) The Executive Committee authorizes the Secretary General to recover fees for services provided mentioned in paragraph 1(e) above in conformity with the Organization's service-for-fee framework.
  - (4) The Secretary General may accept contributions in kind made to the Organization by its Members, provided that they are intended for purposes compatible with the principles, aims and activities of the Organization;
  - (5) Where the contributions in kind directly or indirectly give rise to an additional financial liability for the Organization, the Secretary General shall request prior authorization from:

**Regulation 3.5: Cancellation of arrears**

- (1) A Member's arrears may be partially cancelled provided that the Member concerned concludes a rescheduling agreement with the Organization in conformity with the terms of Regulation 3.4. However, the cancelled arrears shall again become due if the Member fails to fulfil its obligations arising from the rescheduling agreement, or does not promptly pay the statutory contributions called up during the rescheduling period.
  - (2) In exceptional circumstances considerably affecting a Member's economy, the General Assembly may partially or totally cancel the Member's arrears, without the need for a rescheduling agreement.
- (a) the General Assembly, where the total amount of the additional financial liability is equal to or greater than 5 per cent of the expenditure of the regular budget;
  - (b) the Executive Committee, where the total amount of the additional financial liability is less than 5 per cent of the expenditure of the regular budget.
- (6) Contributions in kind made to the Organization and accepted by the Secretary General shall be recorded in the Organization's accounts at the fair value of the item at the date of its acquisition.

**Regulation 3.6: Other income**

- (1) The following categories of resources shall be considered to be other income and shall be paid into the regular budget:
  - (a) Income derived from investments;
  - (b) Refunds of expenses effectively incurred;
  - (c) Voluntary contributions from the Organization's Members with no specified purpose;
  - (d) Small contributions with no specified purpose;
  - (e) Fees for services provided;
  - (f) Management costs and fees for programmes undertaken by means of a trust fund or special account;
  - (g) Proceeds from the sales of goods;

**Rule 3.6.1: Small contributions with no specified purpose**

In application of Regulation 3.6(2), small contributions with no specified purpose, whose amount does not exceed EUR 20,000, shall be paid into the regular budget.

**Regulation 3.7: Authorization to negotiate and conclude loan agreements**

- (1) The Secretary General may negotiate and conclude loan agreements to meet the Organization's needs up to 250,000 euros. Should the total amount of the loans exceed 250,000 euros during a financial period, he shall request prior authorization from the Executive Committee.



- (2) Unless otherwise authorized by the General Assembly, in no circumstances shall the amount of such loans exceed the total amount of the General Reserve Fund increased by 50 per cent of Members' statutory contributions due for the corresponding financial period.
- (3) Leasing operations shall not be considered as a loan requiring authorization from the Executive Committee.

**SECTION 3:  
BANK ACCOUNTS AND INVESTMENTS**

**Regulation 3.8: Bank accounts**

The Secretary General shall choose the banks or institutions in which the Organization's moneys shall be kept.

**Regulation 3.9: Deposits and investments**

- (1) The Secretary General shall ensure that deposits or investments are made with banks who offer guarantees of morality and reputation, on the basis of solicited proposals.
- (2) The Secretary General shall ensure that the terms and conditions of deposits and investments are negotiated in accordance with the principle of sound financial management. He shall assess these terms and conditions periodically and, where necessary, renegotiate them.
- (3) When making investments or deposits the Secretary General shall ensure that the following criteria are met, in order of priority:
  - (a) security, in terms of the choice of financial institution, minimum risk of exchange losses, and losses due to the nature of the investment;
  - (b) liquidity, so that assets may be realized quickly;
  - (c) profitability, seeking to benefit from the most favourable market conditions.

**SECTION 4:  
TRANSFERS OF APPROPRIATIONS**

**Regulation 3.10: Transfers of appropriations**

- (1) The Secretary General may transfer appropriations within core functions, subject to any limits which may be established by the Executive Committee. However, prior authorization from the Executive Committee is required for transfers between core functions.
- (2) Notwithstanding paragraph (1) above, transfer of appropriations within the regular budget from the general budget to a specific budget, and vice versa, shall require prior approval of the Executive Committee.

**Rule 3.10.1: Exceptions to Executive Committee authorization**

In urgent cases, or to protect the Organization's interests, the Secretary General shall submit the matter to the President for decision. The President shall inform the Executive Committee, at each session, of any authorization granted under this provision.

**SECTION 5:  
EXPENDITURE**

**Regulation 3.11: Limit to expenditure commitments**

- (1) No expenditure commitment shall be made unless there is an appropriation, under the Core Function concerned, approved in conformity with the provisions in force, the available balance of which is sufficient to cover the expenditure payable during the financial period in which the commitment becomes effective.
- (2) Expenditure commitments shall remain within the limits set by the appropriations for the various Core Functions, subject to the exceptions provided for in Regulations 3.13 and 3.15.

**Regulation 3.12: Expenditure commitments in excess of appropriations**

- (1) Expenditure commitments in excess of appropriations are subject to authorization from the Executive Committee. Exceptions to such authorization may be established within the Implementing Rules.
- (2) The origin of resources for financing such expenditure shall be specified.

**Rule 3.12.1: Exceptions to Executive Committee authorization**

- (1) The Secretary General may incur expenditure commitments in excess of appropriations up to an amount of 300,000 euros per operation.
- (2) Should the amount of the commitment be greater than 300,000 euros, the Secretary General must refer the matter to the Executive Committee.
- (3) In urgent cases, or to protect the Organization's interests, the Secretary General shall submit the matter to the President for decision. The President shall inform the Executive Committee, at each session, of any authorization granted under this provision.

**Regulation 3.13: Multiyear commitments**

- (1) The Secretary General may, if necessary, enter into expenditure commitments for future financial periods provided that the activity is to be continued in future years, and that the necessary appropriations have been approved by the General Assembly.
- (2) Appropriations covering this expenditure during the current financial period shall form the basis for calculating appropriations for the following financial period.
- (3) In these cases, the sums due during each financial period shall be included in the respective budgets before any further commitments are recorded.

**Rule 3.13.1: Expected commitments**

Ordinary management expenditure may be charged as an expected commitment against the appropriations for the following financial periods once they have been voted by the General Assembly.

**Regulation 3.14: Ex gratia payments**

The Secretary General may make ex gratia payments which are compatible with the principles, aims, and activities of the Organization.

**Regulation 3.15: Cover of deficits and allocation of surpluses**

The Secretary General may cover deficits and allocate surpluses in accordance with the following guidelines:

- (1) deficits may be covered through the General Reserve Fund;

- (2) surpluses shall be allocated, by order of priority:
  - (a) to replenish the General Reserve Fund up to the level required in Regulation 6.3;
  - (b) to replenish other Funds up to their respective mandatory levels, wherever applicable.
  - (c) to other Funds and specific activities, carried out within one financial period.

**CHAPTER 4:  
FUNDS**

**SECTION 1:  
STATUTORY FUNDS**

**Regulation 4.1: Management of the Organization's Funds**

- (1) Funds shall be administered in accordance with the applicable provisions, unless otherwise provided for by the General Assembly.
- (2) Expenditure from the Organization's Funds shall not be subject to the principle of budget annuality.

**Regulation 4.2: Creation of the Organization's Funds**

- (1) The creation of funds, other than those provided for under the present Regulations, shall require a General Assembly decision. The General Assembly shall specify the purpose of such funds, the amounts to be held in them, and the methods to be used to replenish them.
- (2) Sequestering operations may be carried out on such funds.

**Regulation 4.3: General Reserve Fund**

- (1) A General Reserve Fund shall be set up. The level of the Fund, in conjunction with the level of the Permanent Fund for Crisis Relief, for the following financial period, calculated on the basis of the previous period, shall amount at least to the total sum of:
  - (a) 117 per cent of the total amount of statutory contributions, owing to the Organization by Members covered under Article 52 of the General Regulations, and

- (b) one sixth of the operating expenditure on the Organization's regular budget, excluding expenditure to cover for depreciation allocations and expenditure valued on an in-kind basis, for the previous financial period.
- (2) An appropriate portion of the General Reserve Fund shall be held in the form of liquid resources and short-term cash deposits.
- (3) Sequestering operations may be carried out on the General Reserve Fund.
- (4) The Secretary General may draw upon the General Reserve Fund to finance within a financial period:
  - (a) expenditure entered in the budget, pending the payment of statutory contributions;
  - (b) advances to cover expenses committed that are not yet covered by available liquidities;
  - (c) advances for emergencies as determined by the Secretary General, in consultation with the President if the amount is equal to or greater than 300,000 euros;
  - (d) any other purpose determined by the General Assembly.
- (5) Sums withdrawn from the General Reserve Fund shall be reimbursed to the Fund during the same financial period, as soon as the necessary income becomes available.

**Regulation 4.4: Capital Investment Fund**

- (1) A Capital Investment Fund shall be set up to finance acquisitions of movable and immovable assets which are subject to depreciation.
- (2) The General Assembly shall make an allocation to the Capital Investment Fund every year to finance the replacement of movable and immovable assets, which have been subject to depreciation during the previous financial period. The amount of the allocation shall correspond to the amount of such depreciation.
- (3) The General Assembly shall determine the amount allocated to the Capital Investment Fund for the acquisition of movable and immovable assets subject to depreciation, other than replacements, in which case it shall specify the type of such assets.

**SECTION 2:  
TRUST FUNDS AND SPECIAL ACCOUNTS**

**Regulation 4.5: Applicable rules**

- (1) All trust funds and special accounts shall be governed by the INTERPOL Guidelines for Extrabudgetary Resources, the present Regulations and their Implementing Rules, the instrument concerning the management of the trust fund or special account, and the general conditions adopted by the Executive Committee.
- (2) Special accounts shall also be governed by the agreement relating to the account concluded between INTERPOL and the donors.
- (3) In the event of a conflict of interpretation between the provisions of the present Regulations and the other provisions, the present Regulations shall prevail.

**Regulation 4.6: General principles**

- (1) The total annual amount of extrabudgetary resources planned for utilization shall not exceed the limit of 50 per cent of the annual draft consolidated budget as decided by the General Assembly.
- (2) The total annual donation from a single donor, other than the INTERPOL Foundation for a Safer World, shall not exceed 15 per cent of the annual draft consolidated budget as decided by the General Assembly.
- (3) Extrabudgetary resources shall be subject to due diligence concerning donors and potential donors.
- (4) Extrabudgetary resources paid by one or more donors into a trust fund or a special account shall be used exclusively for the purpose for which they were paid.
- (5) Expenses can only be committed for special activities where they can be financially backed by the formal commitments of resources existing at the time for a trust fund or special account.

**Rule 4.6.1: Due diligence**

- (1) The Secretary General shall ensure the systematic and documented verification of the integrity of donors and potential donors and their reputation in financial and legal matters. To this aim, the Secretary General shall:
  - (a) establish due diligence procedures, in conformity with the guidelines of the Executive Committee,

- (b) after consultation of the Executive Committee, appoint a due diligence officer, who shall report to him and who shall ensure the continuous supervision of due diligence checks on donors and potential donors.
- (2) The due diligence officer shall perform his functions exclusively on the basis of the due diligence guidelines of the Executive Committee and the due diligence procedures established by the Secretary General.
- (3) The Executive Committee shall receive from the Secretary General reports on the conduct of due diligence checks on donors and potential donors. The Secretary General shall ensure in particular that those cases identified by the due diligence officer are reported to the Executive Committee. In that case, the Secretary General shall bring his decision and the due-diligence officer's advice to the attention of the Executive Committee.

Rule 4.6.2 Separation and accounting of resources

- (1) Separate accounting records shall be kept for each trust fund and each special account.
- (2) Contributions in kind shall be recorded in the Organization's financial statements as at their fair value at the date of the acquisition.

**Regulation 4.7: Creation**

- (1) **Trust funds may be created by the General Assembly for a specific purpose and in conformity with the aims of the Organization. The General Assembly may also stipulate therein any necessary conditions for donations from private entities.**
- (2) **Special accounts may be created by the Secretary General exclusively with governments, intergovernmental organizations and other public entities for a specific purpose and in conformity with the aims of the Organization.**

Rule 4.7.1: Creation of special accounts

The agreements negotiated with donors in the framework of the creation of special accounts should specify, inter alia:

- (a) the purpose of the special account;
- (b) its beneficiaries;
- (c) its resources;
- (d) the procedures whereby the Secretary General and the donors approve the special activities funded from the said special account;

- (e) the nature and frequency of financial reports on the use of the special account;
- (f) the procedure for closing the special account and its assets;
- (g) the provisions applying to the settlement of disputes;
- (h) any specific conditions, limits, or restrictions proposed by donors and approved by the Executive Committee pursuant to Regulation 4.9(c).

**Regulation 4.8: Functions of the Secretary General**

**The Secretary General shall have the authority to:**

- (a) **negotiate and conclude agreements with the donors;**
- (b) **accept extrabudgetary resources;**
- (c) **interrupt, adjust or terminate the funding of a special activity after consultation with the donors.**

**Regulation 4.9: Functions of the Executive Committee**

**The Executive Committee:**

- (a) **shall adopt rules, general conditions, due diligence guidelines and guidelines relating to the acceptance, management and use of extrabudgetary resources by the Secretary General;**
- (b) **shall supervise the creation by the Secretary General of special accounts;**
- (c) **may, in the context of special accounts, approve any specific conditions, limits or restrictions proposed by donors on the use and management of extrabudgetary resources that constitute exceptions to the general policies and practices of the Organization.**

Rule 4.9.1: Referral to the Executive Committee

- (1) The Secretary General shall refer to the Executive Committee for approval:
  - (a) any proposed contribution to a trust fund or a special account, the amount of which is equal to or greater than 500,000 euros per year, with the exception of contributions proposed by the Organization's Members or by intergovernmental organizations;
  - (b) any proposed contribution to a trust fund or a special account, acceptance of which will or is likely to result, directly or

indirectly, in additional financial obligations for the Organization;

- (c) any proposed contribution linked to a plan to establish a complex public-private partnership;
  - (d) any proposed contribution to a trust fund or special account for which the Secretary General considers that the Executive Committee's prior approval is necessary.
- (2) The Secretary General shall refer to the Executive Committee for approval his proposal for the termination of any funding of a special activity which has been previously approved by the Executive Committee in conformity with paragraph (1) above.

**Regulation 4.10: Reporting**

- (1) **The Secretary General shall prepare financial reports on the activities undertaken and the utilization of resources. The reports shall be prepared and submitted to the donors to any trust fund and special account in conformity with the terms of the instrument creating the said fund or account.**
- (2) **The Secretary General shall report on all financial operations relating to the trust funds and special accounts in conformity with Financial Regulations and the rules of each trust fund and each special account. To this aim, it shall prepare financial documents to be submitted to the Executive Committee and the General Assembly in conformity with Regulation 6.2.**
- (3) **The financial documents mentioned under paragraph (2) above shall be audited in conformity with the Present Regulations and the rules of the financial management of each trust fund and each special account.**

**CHAPTER 5:  
PROCUREMENT**

**SECTION 1:  
PROCUREMENT PROCEDURES AND PRINCIPLES**

**Regulation 5.1: Procurement procedures**

- (1) **Procurement of works, goods, and services shall be made through the procedures listed below, in accordance with the provisions to be laid down in the Implementing Rules approved by the Executive Committee and the Financial Directives issued by the Secretary General:**
  - (a) **open call for tenders,**

- (b) **limited competition,**
- (c) **direct negotiation.**

- (2) **The Executive Committee may establish exceptions to the application of the procedures listed above.**

**Rule 5.1.1: Exceptions to procurement procedures**

The procurement procedures do not apply to:

- (a) contracts between the Organization and
  - (i) a State
  - (ii) an authority, public administration, or entity in charge of a public service;
  - (iii) an international organization;
- (b) loans and investments covered by Regulations 3.7 and 3.9;
- (c) foreign currency exchange operations;
- (d) employment agreements with the Organization's staff members;
- (e) leases of immovable property.

**Regulation 5.2: Procurement principles**

- (1) **Procurement shall be subject to the following principles:**
  - (a) **safeguard of the interests of the Organization;**
  - (b) **cost-effectiveness;**
  - (c) **non-discrimination;**
  - (d) **transparency;**
  - (e) **fairness;**
  - (f) **integrity**
- (2) **The amount of the transaction shall not be estimated with the intention of avoiding the application of provisions contained within the Financial Regulations, Implementing Rules, and Financial Directives.**
- (3) **In the following cases, the amount of the transaction shall be calculated according to the criteria set below:**
  - (a) **when a contract is executed upon delivery of works, goods, and/or services, the amount of the transaction will be equal to the price of such works, goods, and/or services.**
  - (b) **when a contract is executed over a certain period of time, the amount of the transaction shall be equal to the total price of work, goods, and/or services delivered. The maximum duration of the transaction shall be fixed with a view to safeguarding the Organization's best interests and**

according to the guidelines set by the Executive Committee. In any event, it shall not be fixed with the intention of avoiding the application of provisions contained within the Financial Regulations, Implementing Rules, and Financial Directives.

- (c) whenever a contract is both executed upon delivery of works, goods, and/or services, and over a certain period of time, the amount of the transaction shall be equal to the global price of works, goods, and/or services delivered.

Rule 5.2.1: unfair advantage to donors

Donors shall not be granted any preference when responding to call for tenders, limited competition or direct negotiation procedures organized by the Organization.

Regulation 5.3: Authority for signing contracts

- (1) **Contracts may be signed only by persons who are empowered to incur expenditure commitments under the terms of the Financial Regulations, Implementing Rules, and Financial Directives, and within the limits of the maximum sum for which the person concerned is authorized to sign.**
- (2) **Authority for signing contracts shall follow the rules on commitment of expenditure.**

Rule 5.3.1: Executive Committee authorization for signing contracts

A new authorization from the Executive Committee or the President is required in case of substantial modifications to the contract after authorization to sign it has been granted pursuant to Regulation 5.3(2). The Procurement Committee shall be consulted as to the substantial nature of the modifications to the contract.

**SECTION 2:**

**SCOPE OF APPLICATION OF THE PROCEDURES**

Regulation 5.4: Scope of application of the procedures

- (1) **The open call for tenders procedure shall be applied prior to the conclusion of contracts for the procurement of goods or services, when the amount of the transaction is equal to or exceeds 300,000 euros.**
- (2) **When the amount of the transaction is between 150,000 euros and 300,000 euros, either the open call for tenders' procedure**

**or the limited competition procedure may be applied.**

- (3) **Specific exceptions to paragraphs (1) and (2) above may be laid down in implementing Rules.**

Rule 5.4.1: Application of the limited competition procedure

- (1) In application of Regulation 5.4(2), the open call for tenders or limited competition procedures may be applied when the amount of the transaction is between EUR 150,000 and EUR 300,000.
- (2) Notwithstanding Regulation 5.4(1), when owing to considerations of fact or law, only certain suppliers are able to execute the contract and their identities are known to the Secretary General, the latter may apply the limited competition procedure, after consulting the Procurement Committee.

Rule 5.4.2: Application of the direct negotiation procedure

- (1) When the amount of the transaction is equal to, or does not exceed 150,000 euros, the Secretary General may engage in direct negotiations.
- (2) In application of Regulation 5.4(3), the direct negotiation procedure may be applied in cases where:
- (a) the General Assembly or the Executive Committee so decide;
  - (b) the proper application of security measures or protection of confidential information connected with the Organization's activities is incompatible with the nature of the open call for tenders procedure or the limited competition procedure;
  - (c) the quality of the services required is intrinsically linked with the supplier's person;
  - (d) the matter is so urgent that there is not enough time to apply the open call for tenders or limited competition procedures;
  - (e) a contract that was satisfactorily performed is to be extended or renewed, it being understood that in such cases the open call for tenders or limited competition procedure should be reapplied after an economically or technically appropriate period;
  - (f) a new contract is to be signed for the same object with a contractor who has been chosen after an open call for tenders within the previous 12 months.

- (g) a contract cannot be technically or economically separated from the initial contract without great inconvenience to the Organization or, although separable from the execution of the initial contract, is strictly necessary to its later stages:
    - (i) provided the amount of the transaction does not exceed 25 per cent of the initial amount, regardless of the procurement procedure followed for the award of the initial contract; and
    - (ii) this exception is not applied more than three times.
  - (h) the price of the goods or services is the same, whoever the supplier may be;
  - (i) considerations of fact or law require that the contract be implemented by a particular supplier;
  - (j) the application of a purchasing policy linked with a plan for standardizing goods makes the open call for tenders and the limited competition procedures inappropriate.
  - (k) a new contract needs to be concluded following the anticipated termination of an existing contract for performance failure on the part of the provider previously selected through an open call for tender or limited competition procedure.
- (3) Except in cases referred to in paragraph (2,a) and (2,g) above, the reasons for all applications of paragraph (1) above must be stated and the External Auditors informed.

Rule 5.4.3: Works

- (1) Contracts relating to the procurement of works may be concluded by direct negotiation or by any procedure that is customary in the country in which the asset is located and that is likely to satisfy the Organization's requirements and interests.
- (2) The conclusion of the contract relating to such transactions shall be preceded by an expert valuation of the asset concerned, unless it is obvious that the scale of the transaction is of minor significance.

Rule 5.4.4: Open call for tenders procedure

- (1) The Secretary General shall prepare a document describing the technical and administrative features of the project, designed to enable candidates to set out the main facts and considerations that will be taken into account in the selection process.

- (2) The Secretary General shall publish an open call for tenders specifying the nature of the goods or services required, stating how the document referred to in paragraph (1) above may be consulted or obtained, and setting a time limit for the receipt of offers.
- (3) Once the deadline referred to in paragraph (2) above has expired, the Procurement Committee, appointed by the Secretary General, shall open the offers and verify that they were received within the time limit.
- (4) The offers shall then be analysed by the requesting department together with the procurement unit and a report on the analysis and its findings produced and submitted to the Procurement Committee.
- (5) The Secretary General shall choose the offer that is economically and technically the most advantageous for the Organization, taking into account, inter alia, the price, operating costs, technical qualities, the professional and financial guarantees offered by each candidate, the availability of goods and/or services, the length of time proposed for executing the contract, and the Organization's security requirements. If it is in the interests of the Organization, the Secretary General may select an offer including variants not covered in the document referred to in paragraph (1) above.
- (6) The Secretary General may decide not to select any of the offers submitted in response to a call for tenders if none of the offers appears acceptable to him. In this case, he may, after giving reasons in writing for rejecting the offers, and after consulting the Procurement Committee, publish another open call for tenders, issue a request for offers under limited competition, or engage in direct negotiations with potential suppliers.

Rule 5.4.5: Limited competition procedure

- (1) The Secretary General shall prepare:
  - (a) a request for offers on the goods or services required by the Organization;
  - (b) a list of suppliers to be invited to compete. The list shall be established with reference to criteria guaranteeing their qualifications, experience, and independence. It may be drawn upon a permanent Roster of Suppliers established under conditions laid down by the Secretary General.
- (2) The Secretary General shall send copies of the request for offers to the listed suppliers and inform them of the date by which offers are to be submitted.

- (3) The open call for tenders procedure shall then be followed, mutatis mutandis.
- (4) If the offers submitted in response to a limited competition procedure are such that the real value of the goods or services concerned would have warranted the publishing of an open call for tenders, the procedure shall be cancelled and an open call for tenders published.

Rule 5.4.6: Direct negotiation procedure

- (1) Direct negotiations are conducted by the Secretary General, who shall hold any discussions and make any comparisons that appear appropriate, in the light of the Organization's requirements and interests.
- (2) When it is obvious that the amount of the transaction is small, the Secretary General shall not be bound to observe any formalities prior to its conclusion.

**SECTION 3:  
PROCUREMENT COMMITTEE**

**Regulation 5.5: Procurement Committee**

- (1) The Secretary General shall appoint a Procurement Committee to perform the following functions:
  - (a) formulating opinions concerning:
    - (i) the regularity of the procurement procedure followed;
    - (ii) a change to the initial amount of the transaction which brings it to the threshold requiring another procurement procedure to be initiated;
    - (iii) any exception to the open call for tenders or limited competition procedures, with the exception of those cases where the General Assembly or the Executive Committee so decide, or in application of Rule 5.4.3(g);
    - (iv) any question raised during the conclusion or implementation of a contract at the request of the Secretary General;
  - (b) opening the envelopes containing offers and recording their contents.
- (2) Whenever the Secretary General does not follow the opinion of the Committee, he shall record the underlying reasons in writing.

**CHAPTER 6:  
ACCOUNTS AND MANAGEMENT OF  
ASSETS**

**Regulation 6.1: Accounting system**

The Secretary General shall define the main components of the accounting system and establish the corresponding chart of accounts. These shall include, inter alia, accounting on the regular budget, statutory Funds and trust funds.

**Regulation 6.2: Closure of accounts**

At the close of the financial period, the Secretary General shall prepare the financial documents to be submitted to the Executive Committee and General Assembly.

**Regulation 6.3: Financial statements**

- (1) The Secretary General shall publish the Organization's annual financial statements and present them in a consolidated form.
- (2) The Secretary General shall send these documents to the Members.

**Regulation 6.4: Reporting**

- (1) The report on the outcome of the consolidated budget shall be submitted in the same form as the approved budget, and shall reconcile the budgetary results with the financial statements.
- (2) The report shall provide information on, but not be limited to:
  - (a) the original consolidated budget appropriations,
  - (b) the appropriations modified in the course of the implementation of the consolidated budget, and
  - (c) the use of appropriations.

**Regulation 6.5: Management of assets**

The Organization's movable and immovable assets shall be managed according to specific procedures, such as asset revaluation, writing-off and depreciation, established by the Secretary General in Financial Directives.



CHAPTER 7:  
AUDIT

**Regulation 7.1: Duty to report**

Should a staff member, in particular one in charge of accounting for income and expenditure, observe any irregularity in the implementation of the Financial Regulations, implementing Rules, and Financial Directives, he shall refer the matter to his hierarchy, who shall decide on the appropriate course of action.

SECTION 1:  
INTERNAL AUDIT

**Regulation 7.2: Internal audit**

- (1) The Secretary General shall establish an internal audit function, which must be performed in compliance with the relevant international standards.
- (2) The internal auditors shall be independent, and have direct access to the Secretary-General, in the exercise of their internal audit functions.
- (3) All staff members shall have a duty to cooperate with the internal auditors, who shall have access to all information necessary for the completion of the audit.

**Regulation 7.3: Scope of the internal audit**

- (1) The internal audit shall include:
  - (a) studying and assessing the compliance of financial operations with applicable provisions, as well as the proper application of the financial processes;
  - (b) identifying the risks related to financial management;
  - (c) issuance of recommendations derived from paragraphs (a) and (b).
- (2) The internal audit procedures shall be laid down by the Secretary General in Financial Directives.

SECTION 2:  
EXTERNAL AUDIT

**Regulation 7.4: External auditors**

- (1) Following a proposal from the Executive Committee, the General Assembly shall appoint External Auditors to conduct an

external audit of the Organization's accounts and financial statements.

- (2) The appointment shall be for a period of three years, and may be renewed once.
- (3) The External Auditors must be either an international firm of auditors or a governmental auditing service in a country that is a Member of the Organization.
- (4) The amount of the indemnities paid to the External Auditors, in connection with the performance of their duties for the Organization, shall be set by the Secretary General.

**Regulation 7.5: Scope of external audit**

- (1) The External Auditors shall audit the accounts and financial statements in accordance with generally accepted international auditing standards, and subject to the Supplementary Terms of Reference set out in Appendix 2 to these Regulations.
- (2) The Executive Committee and the General Assembly may ask the Auditors to carry out certain specific tasks, which shall be the subject of separate reports.

**Regulation 7.6: Independence and access to information**

- (1) The External Auditors shall be independent and shall have sole responsibility for conducting the audit. The Secretary General shall provide them with all facilities and confidential documents having financial implications which are strictly necessary for the completion of their task.
- (2) In exceptional cases, the Secretary General may deny the External Auditors access to some of these documents. The Executive Committee is then immediately informed and the restriction may only be removed by a decision on its part.

**Regulation 7.7: Audit report**

- (1) The External Auditors shall draft their report on the basis of the financial statements for the previous year, which shall be submitted by the Secretary General before the end of February of the following year.
- (2) The External Auditors shall communicate the draft of their report to the Secretary General and allow him to give any explanations needed for the final drafting of the report.

- (3) They shall send the final audit report to the President and Secretary General at the latest by the end of April of the following year, and then present it to the Executive Committee and the General Assembly.
- (4) The schedule for the above-mentioned procedure shall be determined in each year by the Secretary General in consultation with the External Auditors.

**Regulation 7.8: Approval of financial statements and discharge**

- (1) The General Assembly shall approve the Organization's consolidated financial statements.
- (2) After approving the financial statements and reviewing the report of the External Auditors, the General Assembly shall grant the Secretary General a discharge in respect of the performance of his duties.

**CHAPTER 8:  
FINAL PROVISIONS**

**Regulation 8.1: Amendments and derogations**

- (1) The General Assembly may adopt derogatory provisions to the present Financial Regulations by a simple majority, provided that such action does not infringe the Organization's Constitution or General Regulations. Such provisions shall be valid either for a single financial period or for the period between two sessions of the General Assembly. Their extension shall require the voting majority and procedure required for amendment of the present Financial Regulations.
- (2) Whenever the Secretary General considers that a serious event justifies special emergency measures, he may waive certain provisions of the present Regulations and corresponding Implementing Rules in order to ensure that the Organization's essential activities are maintained. For that purpose, he shall seek the agreement of the President as to the seriousness of the event. Should the President disagree, the other Executive Committee members shall be consulted and a majority of two-thirds required. Any waiver to the provisions of the present Regulations and Implementing Rules shall apply for a maximum period of three months, and be reported to the General Assembly. The three-month period may only be extended once for a further three months, following a reasoned decision by the President of the Organization.

- (3) Following a proposal by the Secretary General, the provisions of the Implementing Rules may be amended by the Executive Committee, in a manner consistent with the present Regulations.

**Regulation 8.2: Interpretation**

- (1) In the present Regulations and in the Implementing Rules, terms referring to persons in the masculine gender are equally applicable to men and women.
- (2) In case of a doubt as to the interpretation of any of the present Regulations and their Implementing Rules, the Secretary General is authorized to rule thereon, provided the interpretation does not infringe the Organization's Constitution or General Regulations. He shall notify the Executive Committee of the interpretation applied.

**Regulation 8.3: Adjustment of thresholds**

The thresholds established within the present Regulations and the Implementing Rules shall be adjusted by the Secretary General according to the rate of inflation approved by the General Assembly upon approval of the consolidated budget, and rounded up to the next hundred.

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**APPENDIX 1:  
WORKING DEFINITIONS**

**The financial terms used in these Regulations are in line with the standard definitions used in the International Public Sector Accounting Standards (IPSAS). Where no formal definition exists under IPSAS or where there is a specific interpretation of a term used in INTERPOL, the definitions given below prevail.**

**Accounting functions** shall involve recovering the Organization's income, paying for expenditure, and preserving vouchers corresponding to operations and accounting documents.

**Amount of the transaction** shall mean the actual or presumed price of the service or goods for which the contract is to be concluded, without including VAT, unless it is established in advance that the Organization cannot be reimbursed of such a tax.

**Appropriations** constitute an authorization to the Secretary General to commit expenditure for the related financial period, for the purposes for which they were voted and up to the amount voted.

**Arrears** shall mean statutory contributions unpaid by the date on which they are due in accordance with Regulation 3.3.

**Authorizing functions** shall involve recognizing the claims of the Organization on third parties, incurring expenditure commitments and issuing recovery orders and payment orders.

**Budget** shall be the financial expression of a plan, or of a part of a plan, of the Organization for a specific period, containing proposed sources and quantum of incomes, and detailing expenditures on operations and on investments, with simultaneous regard to the effects on the accumulated financial resources and liabilities of the Organization.

**Consolidated budget** – the budget consisting of the regular budget, trust funds and special accounts.

**Contract** shall mean a written agreement between the Organization and a supplier which creates an obligation, and serves as evidence of this obligation. Purchase orders shall be considered as contracts for the purposes of the present Regulations, Implementing Rules, and Financial Directives.

**Donations** shall include all subsidies, grants, gifts, and bequests, monetary or in kind, received by the Organization.

**Donor** – any government, intergovernmental or non-governmental organization, public or private entity, including foundations and similar institutions, making a contribution to the regular budget, trust fund or special account administered by INTERPOL.

**Expenditure commitment** shall mean any act whereby the Organization creates a claim on its assets.

**External Audit** shall be understood as an examination and review aimed at verification and certification of the Organization's accounts and financial statements by an independent auditor external to the Organization.

**Extrabudgetary resources** – any contribution, whether financial or in kind in the form of services, supplies or equipment, not included in the Organization's equity but credited to a trust fund or special account.

**Ex gratia payments** shall be understood as payments made where there is no legal liability but the moral obligation is such as to make payment desirable.

**Financing operations** involve outlays of financial resources of the Organization, either out of its accumulated financial resources, or from specific income received for this purpose from Members or external bodies, for the achievement of stated organizational objectives.

**Internal Audit** shall mean an examination and review of the Organization's financial operations, carried out by a specific department within the Organization, with the purpose of improving the efficiency of financial management.

**Offer** shall mean a proposal to supply goods or services at a specified price which is presented by a potential supplier under sealed cover in response to an open call for tenders or limited competition procedure. Under an open call for tenders, offers are subject to special conditions of receipt and handling.

**Procurement** is the purchase or rental by the Organization of all works, goods, and services necessary for its functioning or for the implementation of the programme of activities.

**Programme of activities** – a document submitted by the Secretary General to the General Assembly in conformity with Article 8(c) of the Organization's Constitution, which plans the General Secretariat's activities for the coming year with a view to maximizing results in line with the Organization's aims and strategic priorities.

**Regular budget** – the budget comprising statutory contributions and other income received by the Organization under Regulation 3.6.

**Sequestering operations** involve setting aside or adding to the cumulative financial resources of the Organization, by either diverting specific income received for this purpose from Members or external bodies, or by adding budget surpluses to the cumulative financial resources of the Organization.

**Special account** – a mechanism for collecting and managing resources created by the Secretary General exclusively with governments, intergovernmental organizations and other public entities, making it possible to receive contributions held for third parties in order to support special activities in conformity with INTERPOL’s aims and strategic priorities.

**Special activities** – any activities funded by extrabudgetary resources, in conformity with the Organization’s aims and strategic priorities, and conducted in isolation or in association with one or more ordinary activities.

**Statutory contributions** – all amounts to be paid by Members towards the regular budget of the Organization for a financial period in accordance with a determined scale.

**Transfer of appropriations** – shall mean an increase in one budget expenditure item offset by decreasing by the same total amount another budget expenditure item.

**Trust funds** – mechanisms created by the General Assembly for collecting and managing resources, making it possible to receive contributions from all entities including private donors, singly or jointly with others, and held for third parties in order to support special activities in conformity with INTERPOL’s aims and strategic priorities.

**Works** shall be taken to mean the outcome of building or civil engineering.

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**APPENDIX 2:  
SUPPLEMENTARY TERMS OF REFERENCE  
OF THE EXTERNAL AUDITORS**

- (1) The Auditors shall audit the accounts and financial statements of the Organization to satisfy themselves that:
  - (a) the financial statements correspond to the Organization's accounts and give a true and fair view of the financial situation and operations of the Organization;
  - (b) the financial transactions recorded in the accounts have been carried out in accordance with the applicable financial rules;
  - (c) the accounting standards were applied on a consistent basis from one period to another; and
  - (d) the securities and resources on deposit and on hand have been certified by the depositaries or actually checked.
- (2) The Auditors shall make spot checks of the accounts and other supporting vouchers they deem necessary.
- (3) The Auditors' report should mention:
  - (a) the type and scope of their examination;
  - (b) matters affecting the completeness or accuracy of the accounts, including where appropriate:
    - (i) any amounts which ought to have been received but which have not been brought to account;
    - (ii) any amounts for which a legal obligation exists and which have not been recorded or reflected in the financial statements;
    - (iii) expenditure not properly substantiated;
    - (iv) whether proper accounts have been kept;
  - (c) the following additional matters:
    - (i) cases of fraud or presumptive fraud;
    - (ii) wasteful or improper expenditure of the Organization's money or other assets;
    - (iii) expenditure likely to commit the Organization to further outlay on a large scale;
    - (iv) any defect in the general system or detailed regulations governing the control of income and expenditure, or of assets;
    - (v) any commitment of expenditure which does not comply with the applicable provisions;
- (d) the accuracy of the records of assets as determined by stock-taking and examination of the records;
- (4) The External Auditors are not required to mention any matter referred to in the foregoing provisions which, in their opinion, is neither material to the financial position presented by the financial statements, or significant to the financial affairs of the Organization.
- (5) The Auditors may make appropriate observations concerning the accounting methods used and the financial statements.
- (6) The External Auditors shall respect the confidential nature of any information and documents which have been made available to them, and shall not make use of such information or documents except in direct connection with the performance of the audit.
- (7) The External Auditors shall have no power to disallow financial operations, but shall draw to the attention of the Secretary General any transaction concerning which they entertain doubt as to legality.

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A photograph of a row of white classical columns in a hall, receding into the distance. The columns are supported by a series of steps. The number '15' is overlaid in a large, bold, red serif font in the center of the image.

15







INTERPOL

*INTERPOL Guidelines for  
Extrabudgetary Resources*

[II.C/IGER/GA/2013]



**REFERENCES**

The present guidelines were adopted by the General Assembly at its 82nd session in Cartagena de Indias, Colombia, 2013 (Resolution AG-2013-RES-08).

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The aim of the guidelines below is to regulate the management mechanism for INTERPOL's extrabudgetary resources and facilitate the conclusion and implementation of agreements between INTERPOL and donors in a manner that preserves the Organization's integrity, independence and reputation. They form the basis on which Article 38 of INTERPOL's Constitution can be implemented.

**1. Extrabudgetary resources must be used for the achievement of the Organization's aims**

INTERPOL's aims are to ensure the widest possible cooperation between all criminal police authorities, and to develop institutions likely to contribute to the prevention and suppression of ordinary law crimes.

Extrabudgetary resources are meant to fund additional operations that are not covered by the Organization's budget, but are included in its programme of special activities.

As with the Organization's budget, extrabudgetary resources that are collected must be intended to achieve the Organization's aims, and all financial agreements between the Organization and donors must be in line with the strategic priorities defined by INTERPOL and contribute to implementing a programme or a project validated by the Organization.

**2. The funding of activities by extrabudgetary resources must not harm or endanger the development or sustainability of the Organization's core functions.**

Extrabudgetary resources are a means for the Organization to develop its activities, including its core functions. However, the general functioning of the Organization should not be subject to the availability of such resources.

When it establishes relations with donors, the Organization must ensure that the extrabudgetary income it agrees to manage is in addition to the resources laid down in the budget, and that if that income was interrupted for any reason, the Organization's core functions would not be under threat.

**3. External entities wishing to make contributions to INTERPOL's programmes and activities must share the fundamental values and principles of the Organization**

INTERPOL was created to promote and strengthen international police cooperation, and the Organization therefore undertakes to cooperate with donors that are willing and have the resources to be able to contribute to the prevention or the suppression of crimes, be they general or pertaining to specific crime areas.

The Organization cooperates with donors that respect international conventions and generally accepted principles in terms of Human Rights, labour law and protection of the environment. Similarly, INTERPOL will cooperate with donors concerned with respecting the rule of law and public order.

Due diligence will be carried out to ensure that this principle is observed and that the reputation and independence of the Organization are protected at all times.

**4. The management of extrabudgetary resources must be transparent**

All agreements must be based on a full understanding of the parties' respective expectations and roles, and the accountability deriving from the agreement. For example, an agreement must specify the objectives set, the benefits anticipated, the risks shared, the resources used and the schedule established for that purpose. Similarly, documents, transactions and/or additional operations must accurately reflect assets and liabilities, the financial operations carried out, and the results obtained under these agreements.

The operating mechanism of the trust funds set up for the purposes of managing extrabudgetary resources must also reflect this clear division of responsibilities between the parties.

The competent bodies of the Organization, its member countries and the general public must be informed in an appropriate manner means about the nature and scope of all agreements concluded between INTERPOL and a donor.

**5. INTERPOL's neutrality and independence must be guaranteed at all times**

Article 3 of INTERPOL's Constitution enshrines the Organization's neutrality by explicitly forbidding INTERPOL from engaging in matters of political, military, religious and racial character. This approach applies to the sharing of police data, as well as to INTERPOL's relations with external partners. The Organization will not therefore establish relations with donors, or will cease existing relations with donors, if these relations are likely to affect its neutrality.

Moreover, as an international organization, INTERPOL ensures that the independence of its actions is as widespread as possible. This means obligations for the Secretary General and INTERPOL staff who, in conformity with Article 30 of INTERPOL's Constitution, may not accept instructions from any government or authority outside the Organization, and must abstain from any action which might be prejudicial to their international mission. This also means that the Organization must ensure its independence when managing extrabudgetary resources. For this reason, the acceptance of extrabudgetary resources is dependent upon the development of activities or programmes that are in line with the Organization's aims and priorities.

**6. Extrabudgetary resources must not give an unfair advantage to donors**

The conclusion of an agreement with a donor shall not give rise to market exclusivity and shall in no way imply the endorsement or preference of that donor, its products or services.

Consequently, fundraising and procurement processes are managed and maintained separately.

**7. The use of INTERPOL's name, logo and emblems by donors must be in compliance with INTERPOL's regulations on the matter**

INTERPOL's distinctive signs are an integral part of INTERPOL's status as an international organization and of its image. Consequently, they benefit from special protection under the 1883 Paris Convention for the Protection of Industrial Property. In addition, the emblem and the logo are registered trademarks.

In principle, INTERPOL's distinctive signs may only be used in an official capacity.

However, in the management of extrabudgetary resources, a donor may be authorized to use INTERPOL's name, logo and emblem. In such cases, it is crucial for INTERPOL's distinctive signs to be strictly protected and monitored, as associating donors with the Organization's image is subject to specific conditions.

Any authorizations must be granted expressly and in advance, and in compliance with INTERPOL's rules on the use of its distinctive signs.

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16







INTERPOL

*Guidelines on INTERPOL's  
Relations with Foundations  
and Similar Institutions*

[II.C/GRFI/GA/2013]



**REFERENCES**

The present guidelines were adopted by the General Assembly at its 82nd session in Cartagena de Indias, Colombia, 2013 (Resolution AG-2013-RES-08).

## **GUIDELINES ON INTERPOL'S RELATIONS WITH FOUNDATIONS AND SIMILAR INSTITUTIONS**

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Cooperation between INTERPOL and foundations and similar non-governmental institutions wishing to contribute to the funding of activities initiated or led by INTERPOL must be based on the Guidelines for Extrabudgetary Resources adopted by the General Assembly and the following principles and methods:

- 1. Foundations and similar institutions must meet the following criteria:**
    - (a) That they pursue objectives which are in conformity with INTERPOL's aims and values, and with the ethical principles recognized by the international community, including those proclaimed in the Universal Declaration of Human Rights;
    - (b) That they have the will and the means to contribute to the achievement of INTERPOL's aims and its programme of activities;
    - (c) That they are non-profit-making;
    - (d) That they possess suitable information facilities to make their work known;
    - (e) That they are endowed with legal personality under national law.
  - 2. The Secretary General may conclude an agreement between INTERPOL and a foundation or a similar institution meeting the criteria set out in point 1 above, under the following conditions:**
    - (a) The Secretary General has consulted the National Central Bureau of the INTERPOL member country, or any other competent authority designated by that member country, on whose territory the foundation or institution concerned has its headquarters;
    - (b) The cooperation envisaged falls within the context of the strategic priorities defined by the General Assembly or any other legitimate purpose approved by the General Assembly;
    - (c) The cooperation takes place without prejudice to the INTERPOL rules on extrabudgetary resources;
    - (d) The cooperation takes place without prejudice to INTERPOL's rules on the use of the Organization's distinctive signs;
    - (e) Any written agreement governing cooperation between INTERPOL and a foundation or similar institution shall be subject to the prior approval of the General Assembly;
  - (f) Any agreement governing cooperation between INTERPOL and a foundation or similar institution shall be assessed every five years by the General Secretariat and may, if necessary, be terminated by the Secretary General.
- 3. Foundations and similar institutions shall, pursuant to the provisions of the agreement, undertake to:**
    - (a) keep the Secretary General informed of their activities relevant to INTERPOL's programme;
    - (b) provide funding, whenever necessary, towards certain activities under INTERPOL's programme of activities;
    - (c) invite INTERPOL, whenever necessary, to send a representative to their meetings and to take part in their activities of relevance to the Organization's programme.
  - 4. The Secretary General shall make available to the Organization's member countries and the general public the list of foundations and similar institutions with which the Organization has concluded an agreement in conformity with the present guidelines.**
  - 5. The Secretary General shall report regularly to the Executive Committee on the measures taken to cooperate with these foundations and similar institutions.**
  - 6. The General Assembly shall be kept regularly informed of the assistance that these foundations and similar institutions have provided to INTERPOL in its work.**

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A photograph of a row of white classical columns in a hall, receding into the distance. The columns are supported by a series of steps. The number '17' is overlaid in a large, bold, red serif font in the center of the image.

17





INTERPOL

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*Provisions concerning the  
Management of the INTERPOL Fund  
for International Police Cooperation*

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[II.C/PMFC/GA/2014 (2016)]





**REFERENCES**

Article 4.7(1) of the Financial Regulations.

Provisions concerning the Management of the INTERPOL Fund for International Police Cooperation adopted by Resolution AG-2014-RES-15 at the 83rd session of the General Assembly (Monaco, 2014), and which came into force on 31 March 2015.

85th General Assembly session, Resolution AG-2016-RES-11 adopting amendments to the provisions concerning the management of the INTERPOL Fund for International Police Cooperation.

**PROVISIONS CONCERNING THE MANAGEMENT OF THE INTERPOL FUND FOR  
INTERNATIONAL POLICE COOPERATION**

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The General Assembly of the International Criminal Police Organization – INTERPOL,

Having regard to Financial Regulation 4.7(1),

HAS ADOPTED THE FOLLOWING PROVISIONS:

**Article 1: Establishment of the Fund**

An INTERPOL Fund for International Police Cooperation (hereinafter referred to as “the Fund”) is hereby established.

**Article 2: Purpose of the Fund**

- (1) The resources of the Fund are intended to:
  - (a) ensure the widest possible cooperation between all criminal police authorities; and
  - (b) develop all institutions likely to contribute effectively to the prevention and suppression of ordinary-law crimes.
- (2) To this end, the resources of the Fund shall be used to implement the Organization’s strategic priorities and the programme of special activities whose financing by the Fund has been approved by the General Assembly.

**Article 3: Operations on the Fund**

- (1) The resources in the Fund shall make it possible to:
  - (a) develop tools and services to facilitate international police cooperation among the Organization’s Members and provide the latter with technical assistance;
  - (b) develop training programmes;
  - (c) provide financial assistance in the form of subsidies or co-funding of projects;
  - (d) develop institutions likely to contribute to the prevention and suppression of ordinary-law crimes;
  - (e) undertake any other activity included in the programme of special activities adopted by the General Assembly and agreed between the General Secretariat and the donor.
- (2) The beneficiaries of the Fund shall be:
  - (a) the Organization's Members;
  - (b) law-enforcement bodies;
  - (c) international, governmental or non-governmental organizations, and public or private entities, when they take part in the prevention and suppression of ordinary-law crimes.

**Article 4: Resources of the Fund**

- (1) Governments, international, governmental or non-governmental organizations, and any public or private entities meeting the general conditions laid down by the Executive Committee may make contributions to the Fund.
- (2) The following shall be credited to one or other of the Fund’s accounts:
  - (a) contributions paid in any usable currency;
  - (b) the money equivalent of contributions in kind, whether these take the form of services, supplies or equipment;
  - (c) interest from resources in the Fund, including any interest generated by investments;
  - (d) any other resources authorized by the General Assembly.

**Article 5: Management and administration of the Fund**

- (1) The Secretary General shall be responsible for management and administration of the Fund.
- (2) The resources of the Fund shall be managed and administered in accordance with:
  - (a) these Provisions;
  - (b) the INTERPOL Financial Regulations and their Implementing Rules;
  - (c) the directives and general conditions adopted by the Executive Committee pursuant to Article 9;
  - (d) the agreement concluded with the donor in conformity with Article 9.2.
- (3) The Secretary General shall exercise the same care and diligence in the discharge of his functions under these provisions as he exercises with respect to the administration and management of the regular budget of the Organization.
- (4) After consulting the Executive Committee, the Secretary General shall appoint an Administrative Director of the Fund who shall oversee the day-to-day management of the Fund, in application of the directives given by the Executive Committee. The employment conditions of the Administrative Director shall be governed by the INTERPOL Staff Regulations and Rules.

**PROVISIONS CONCERNING THE MANAGEMENT OF THE INTERPOL FUND FOR  
INTERNATIONAL POLICE COOPERATION**

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- (5) The Secretary General shall place at the disposal of the Fund the staff necessary to ensure the proper functioning of the Fund, taking into account the need for good management and economy. The employment of this staff shall be governed by the INTERPOL Staff Regulations and Rules.
- (6) A fee shall be deducted from each contribution to the Fund to cover the costs of management and administration of special activities. The amount of this fee shall be set in the contribution agreement by application of the policy on administrative fees for extrabudgetary resources as in force upon signature of the contribution agreement concerned.
- (7) The Secretary General shall choose the bank or establishment in which the sums paid into the Fund shall be kept.

**Article 6: Structure of the Fund**

- (1) The Fund shall comprise the following sub accounts:
  - (a) A sub-account for contributions with no specified purpose;
  - (b) Any sub-account that the Executive Committee deems it necessary to open.
- (2) The Secretary General shall make a list of sub-accounts in the Fund available to the Organization's Members.

**Article 7: Separation of resources**

The resources of the Fund shall at all times be held, used, committed, invested or otherwise disposed of entirely separately from the resources making up the regular budget of the Organization.

**Article 8: Operating Rules of the Fund**

- (1) The transfer of resources from one sub-account to another shall be forbidden.
- (2) Contributions received without any purpose being specified shall be credited to the sub account for contributions without a specified purpose.
- (3) Contributions received for purposes specified by the donor(s) shall be entered into a given sub-account set up in accordance with the provisions of Article 6 above.

- (4) The Organization may invest any resources of this Fund which are not immediately required for use. The interest on the investment shall be used exclusively for the purpose of the Fund, keeping in mind the criteria of security, liquidity and profitability.

**Article 9: Supervision by the Executive Committee**

- (1) The Executive Committee shall adopt directives concerning the acceptance of contributions to the Fund.
- (2) The Executive Committee, acting in compliance with the Financial Regulations, shall lay down the general conditions to be accepted by all donors wishing to contribute to the Fund.
- (3) The Executive Committee shall advise the Secretary General on all matters of policy affecting the activities of the Fund, and shall supervise the Secretary General's management of the Fund.

**Article 10: Procurement**

- (1) The Organization's Financial Regulations and their Implementing Rules on Procurement shall apply to the resources of the Fund.
- (2) No restriction shall be placed by any donor with respect to the procurement of goods and services for special activities.

**Article 11: Start of funding of special activities from resources in the Fund**

The funding of a special activity from resources in the Fund shall be effective from the date the extrabudgetary resources allowing the said special activity to be funded are formally committed to the Fund.

**Article 12: Reports**

- (1) The Administrative Director of the Fund shall prepare activity reports and financial reports on the use of the Fund, which the Secretary General shall submit to the Executive Committee.

**PROVISIONS CONCERNING THE MANAGEMENT OF THE INTERPOL FUND FOR  
INTERNATIONAL POLICE COOPERATION**

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- (2) The Secretary General shall report in particular to the Executive Committee, at each of its ordinary sessions, on the contributions to the Fund that have been accepted between such sessions pursuant to the directives decided upon by the Executive Committee.
  - (3) The Secretary General shall submit an annual report to the General Assembly on the Fund's operation, management and budget.
  - (4) Financial reports on the special activities undertaken and the use of resources of a specific sub-account of the Fund shall be submitted annually to the donors to the sub-account.
  - (5) The Secretary General shall be responsible for reporting on all the financial operations on the Fund, and shall publish annual financial statements in compliance with the Organization's Financial Regulations.
- (4) The unused balance of appropriations in the Fund or sub-account shall be paid back to the donors within the conditions set out in the General Conditions adopted by the Executive Committee.
  - (5) Any donor may, however, decide to make the sums to be repaid in application of (4) above available to the Organization for any other purpose.

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**Article 13: Audit**

The Fund shall be subject to the internal and external auditing procedures provided for in the Organization's Financial Regulations.

**Article 14: Liability**

The Organization shall not be liable to any beneficiary, donor, or third party for any damage, loss or injury incurred as the result of, or in connection with, the implementation of a special activity supported by this Fund, beyond what is provided for in these Provisions.

**Article 15: Privileges and immunities**

The privileges and immunities accorded to the Organization shall apply to the property, assets, archives, income, operations and transactions of the Fund.

**Article 16: Closure of the Fund**

- (1) The General Assembly may decide on the closure of the Fund.
- (2) The Executive Committee may decide on the closure of any of the sub-accounts of the fund.
- (3) In the event of closure of the Fund or a sub-account, the Secretary General shall first settle any commitments due under the special activities concerned.

A photograph of a row of white classical columns in a hall, receding into the distance. The columns are supported by a series of steps. The number '18' is overlaid in a large, bold, red serif font in the center of the image.

18





INTERPOL

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*General Conditions  
of the INTERPOL Fund  
for International Police Cooperation*

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[II.C/GCIF/EC/2015 (2016)]





**REFERENCES**

The General Conditions of the INTERPOL Fund for International Police Cooperation adopted by the Executive Committee at its 184th session (2015 –Lyon).

Revised version of the General Conditions of the INTERPOL Fund for International Police Cooperation approved during the 189th session of the Executive Committee (Lyon, 2016)

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**GENERAL CONDITIONS OF THE INTERPOL FUND FOR  
INTERNATIONAL POLICE COOPERATION**

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**PREAMBLE**

**Whereas** the International Criminal Police Organization – INTERPOL, hereinafter referred to as “the Organization”, decided to create the INTERPOL Fund for International Police Cooperation with the adoption of General Assembly Resolution AG-2014-RES-15 on Extrabudgetary resources;

**Whereas** this Resolution also adopted the Provisions concerning the Management of the INTERPOL Fund for International Police Cooperation, hereinafter referred to as “the Fund”;

**Whereas**, in furtherance of the foregoing, the INTERPOL General Assembly tasked the Executive Committee to approve the General Conditions applicable to the contributions received from donors;

The Executive Committee, **having regard** to Financial Regulation 4.9 and Article 9 of the Provisions Concerning the Management of the Fund,

**Has established** the following General Conditions of the INTERPOL Fund for International Police Cooperation:

**CHAPTER I: THE RESOURCES**

**Article 1: Purpose of the Fund**

- (1) The resources of the Fund are intended to:
  - (a) ensure the widest possible cooperation between all criminal police authorities; and
  - (b) establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary-law crimes.
- (2) To this end, the resources of the Fund shall be used to implement the Organization’s strategic priorities and the programme of special activities whose financing by the Fund has been approved by the General Assembly.

**Article 2: Resources of the Fund**

The following resources can be credited to one or other of the Fund’s accounts:

- (a) contributions paid in any usable currency;
- (b) the money equivalent of contributions in kind, whether these take the form of services, supplies or equipment;

- (c) interest from resources in the Fund, including any interest generated by investments;
- (d) any other resources authorized by the General Assembly.

**Article 3: Contribution Agreement**

- (1) Governments, international, governmental or non-governmental organizations, and any public or private entities meeting these General Conditions may make contributions to the Fund.
- (2) Contributions shall be subject to a Contribution Agreement which shall comply with the foregoing rules and conditions and specify at least:
  - (a) the terms of payment of the contribution;
  - (b) the currency of the contribution;
  - (c) the administrative fee rate;
  - (d) the purpose of the contribution or the specific sub-account of the Fund, if any, to which the donor may wish to contribute as described in the framework of the programme of special activities or to complement the regular budget;
  - (e) the communications and visibility policy applicable to that contribution, in conformity with the Organization’s policy on the use of its distinctive signs;
  - (f) the communications language and contact points for all communications in connection with the Contribution Agreement;
  - (g) the entry into force, amendment and termination of the Contribution Agreement;
  - (h) any other term as may be required or permitted by these General Conditions.

**CHAPTER II: USE OF THE RESOURCES  
CONTRIBUTED TO THE FUND**

**Article 4: Use of the resources contributed to the Fund**

The resources contributed to the Fund may be used to support the regular budget or activities agreed upon in the programme of special activities which relate to the following:

- (a) develop tools and services to facilitate international police cooperation among the Organization’s Members and provide the latter with technical assistance;

**GENERAL CONDITIONS OF THE INTERPOL FUND FOR  
INTERNATIONAL POLICE COOPERATION**

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- (b) develop training programmes;
  - (c) provide financial assistance in the form of subsidies or co-funding of projects;
  - (d) develop institutions likely to contribute to the prevention and suppression of ordinary-law crimes;
  - (e) undertake any other activity included in the programme of special activities adopted by the General Assembly and agreed between the General Secretariat and the donor.
- (c) The overall financial framework of the Organization, which is constituted *inter alia* of:
    - a. the Provisions concerning the management of the INTERPOL Fund;
    - b. the INTERPOL Financial Regulations and their Implementing Rules.
- (3) The Secretary General shall exercise the same care and diligence in the discharge of his functions under these provisions as he exercises with respect to the administration and management of the regular budget of the Organization.

**Article 5: Potential beneficiaries of the resources contributed to the Fund**

The potential beneficiaries of the resources contributed to the Fund may be:

- (a) the Organization's Members;
- (b) law-enforcement bodies;
- (c) international, governmental or non-governmental organizations, and public or private entities, when they take part in the prevention and suppression of ordinary-law crimes.

**Article 6: Crediting of the contributions to a sub-account of the Fund**

- (1) If the donor does not specify the purpose of its contribution or the sub-account of the Fund to which it should be credited, the contribution shall be credited to the sub-account of the Fund for contributions with no specified purpose.
- (2) The transfer of resources from one sub-account to another shall be forbidden.

**CHAPTER III: ADMINISTRATION OF THE  
RESOURCES**

**Article 7: The Organization's administration of the resources contributed to the Fund**

- (1) The Secretary General shall be responsible for the management and administration of the resources contributed to the Fund.
- (2) The resources contributed to the Fund shall be managed and administered in accordance with:
  - (a) The Contribution Agreement concluded with the donor;
  - (b) these General Conditions;

**Article 8: Administrative fee**

A fee shall be deducted from the resources contributed to the Fund to cover the costs of management and administration of the Fund and the special activities. The amount of this fee shall be set in the contribution agreement by application of the policy on administrative fee for extrabudgetary resources as in force upon signature of the contribution agreement considered.

**Article 9: Separation of resources**

The resources of the Fund shall at all times be held, used, committed, invested or otherwise disposed of entirely separately from the resources making up the regular budget of the Organization.

**Article 10: Investment of the resources contributed**

The Organization may invest any resources contributed to the Fund which are not immediately required for use. The interest on the investment shall be used exclusively for the purpose of the Fund, keeping in mind the criteria of security, liquidity and profitability.

**Article 11: Procurement, award of grants and selection and hire of staff and experts**

- (1) The procurement of goods, works or services, the award of grants as well as the selection and hire of staff and experts by the Organization and its partners in the context of the special activities shall be carried out solely in accordance with the Organization's applicable rules and procedures.
- (2) Nothing in the Contribution Agreement can be considered as a waiver of the Organization's rules and procedures. In case of contradiction between any current or future rules and

**GENERAL CONDITIONS OF THE INTERPOL FUND FOR  
INTERNATIONAL POLICE COOPERATION**

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procedures of the Organization and the Contribution Agreement, the rules and procedures of the Organization shall prevail.

- (3) No restrictions shall be placed by any donor with respect to the procurement of goods and services for special activities.
- (4) Donors shall not be granted any preference when responding to calls for tenders, limited competition or direct negotiation procedures organized by the Organization.

**Article 12: Audit**

- (1) The resources contributed to the Fund shall be subject to the internal and external auditing procedures provided for in the Organization's rules and regulations.
- (2) The costs of the external audit shall be covered by the donor.

**Article 13: Reports**

- (1) The Administrative Director of the Fund shall prepare activity reports and financial reports on the use of the Fund, which the Secretary General shall submit to the Executive Committee.
- (2) The Secretary General shall submit an annual report to the General Assembly on the Fund's operation, management and budget.
- (3) Financial reports on the special activities undertaken and the use of resources of a specific sub-account of the Fund shall be submitted annually to the donors to the sub-account.
- (4) The Secretary General shall be responsible for reporting on all the financial operations on the Fund, and shall publish annual financial statements in compliance with the Organization's rules and regulations.

**CHAPTER IV: GENERAL**

**Article 14: Confidentiality**

- (1) In accordance with the terms of the Contribution Agreement, the Organization and the donor shall preserve the confidentiality of any document, information or other material that is confidential.
- (2) Any information and data communicated by the Disclosing Party to the other Party or of which the Receiving Party has become aware, for whatever purpose, shall be considered

confidential. Conversely, only that information which has been specifically described by the Disclosing Party as being non-confidential shall be considered as such.

- (3) The Parties shall obtain each other's prior written consent before publicly disclosing such information unless:
  - (a) The concerned Party agrees to release the other Party from the earlier confidentiality obligations;
  - (b) The confidential information becomes public through other means than in breach of the confidentiality obligation through disclosure by the Party bound by that obligation;
  - (c) The disclosure of confidential information is required by law. In no case can disclosure put into jeopardy the Organization's privileges and immunities or the safety and security of the Organization's staff.

**Article 15: Liability**

The Organization shall not be liable to any beneficiary, donor, or third party for any damage, loss or injury incurred as the result of, or in connection with, the implementation of a special activity supported by this Fund, beyond what is provided for in these General Conditions, the Provisions concerning the Management of the Fund and the INTERPOL Financial Regulations and their Implementing Rules.

**Article 16: Observation of laws and regulations**

The donor is considered to have acted in compliance with and to have observed all applicable laws and regulations. It is required to have satisfied its fiscal and social obligations. It alone shall bear the consequences in case of breach.

**Article 17: Privileges and immunities**

- (1) The privileges and immunities accorded to the Organization shall apply to the property, assets, archives, income, operations and transactions of the Fund;
- (2) Nothing in the Contribution Agreement shall be interpreted as a waiver of any privileges or immunities accorded to any Party by its constituent documents or international law.

**Article 18: Ownership, right to use and transfer of results**

To the extent legally possible, ownership, title and industrial and intellectual property rights of the results of the Contribution Agreement and the reports and other documents relating to it shall be

**GENERAL CONDITIONS OF THE INTERPOL FUND FOR  
INTERNATIONAL POLICE COOPERATION**

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vested in the Organization, together with beneficiaries as the case may be, or as otherwise agreed by the Organization.

**Article 19: Non-exclusivity**

The Contribution Agreement shall not be deemed to be exclusive and the Parties and their affiliates may engage in other business activities, and provide funds to or receive funds from third parties to the Contribution Agreement.

**Article 20: Assignment**

The Contribution Agreement may not be assigned, in whole or in part, with or without compensation, by either Party without the prior written consent of the other.

**CHAPTER V: SUSPENSION AND  
TERMINATION**

**Article 21: Suspension or early termination of the Contribution Agreement.**

- (1) The Secretary General of the Organization may, depending on the circumstances, and after consultation with the donor, suspend or terminate the Contribution Agreement if:
  - (a) it comes to his knowledge that the donor does not share the basic values and principles of the Organization or ceases to adhere to such values and principles;
  - (b) the donor is in breach of the confidentiality obligations set out in the present General Conditions and in the Contribution Agreement;
  - (c) the donor fails to fulfil a substantial obligation incumbent on it under the terms of the Contribution Agreement.
- (2) In those cases covered by paragraph (1,a) and (1,b) above, the Contribution Agreement shall be terminated/suspended from the date of receipt by the donor of the written notification of termination/suspension. In those cases covered by paragraph (1,c) above, the Contribution Agreement shall be terminated/suspended at the end of the thirty-day notice period.
- (3) The Secretary General of the Organization may, or may be invited by the donor to, suspend or terminate the Contribution Agreement if unforeseen circumstances beyond the control of the Parties so require, in particular in cases of *force majeure*, providing that all reasonable efforts have been made previously by the Parties towards the

rectification or elimination of the consequences derived from the circumstances in question.

- (4) Upon early suspension or termination of the Contribution Agreement, the following provisions shall apply with respect to the resources contributed by the donor:
  - (a) The Secretary General shall interrupt the receipt of any further contribution from the donor.
  - (b) The Secretary General shall cease using the resources contributed by the donor remaining in the Fund except those incidental to the orderly adjustment of the special activities, to the changes in their financing and the settlement of the direct or contingent commitments that may have already been made on basis thereof.
- (5) Upon early termination of the Contribution Agreement the resources contributed by the donor remaining in the Fund shall be paid back to the donor except for those covered under paragraph (4,b) above.

**Article 22: Duty to inform**

Donors shall immediately inform the Organization if they have reasons to believe that they and/or those holding positions of responsibility in it are involved in a situation or event that could be against the basic values and principles of the Organization, such as, but not limited to:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an agreement with creditors, have suspended business activities, are the subject of proceedings concerning such matters, or are in any analogous situation arising from similar procedure provided for in national legislation or regulations;
- (b) they have been convicted of an offence in respect of their professional conduct by a judgment which has the force of *res judicata*;
- (c) in professional terms, they have committed a serious fault, observed by any means available;
- (d) they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to the purpose of the Fund and the special activities it supports;

- (e) they have not fulfilled applicable social and fiscal obligations or any other obligation imposed by legislation and/or regulation applicable to it whether local, national or international (such as but not limited to prohibition of child labour and terrorism financing);
- (f) they are subject to a conflict of interest.

**Article 23: Termination**

The Contribution Agreement shall end by the “end date” set in the agreement, unless it is subject to early termination pursuant to Article 22 or Article 25 of the General Conditions and to any additional specific termination arrangement included in the Contribution Agreement that is in conformity with the present General Conditions.

**Article 24: Closure of the Fund**

- (1) The General Assembly may decide on the closure of the Fund.
- (2) The Executive Committee may decide on the closure of any of the sub-accounts of the Fund.
- (3) In the event of closure of the Fund or a sub-account, any agreement whereby resources are contributed to the Fund or sub-account shall be subject to renegotiation or termination.
- (4) The Secretary General shall first settle any commitments due under the special activities concerned by the closure of the Fund or sub-account.
- (5) The unused balance of appropriations in the Fund or sub-account shall be paid back to the donors within the conditions set out in Article 21(5) above.
- (6) Any donor may, however, decide to make the sums to be repaid in application of (5) above available to the Organization for any other purpose.

**CHAPTER VI: FINAL PROVISIONS**

**Article 25: Dispute resolution**

- (1) If a disagreement should arise between the Organization and a donor concerning any matter arising out of or relating to the interpretation, application or performance of the Contribution Agreement, including its existence, validity or termination, both Parties shall try to find an amicable settlement to the disagreement in question.
- (2) If an amicable settlement to the disagreement cannot be reached, any party to the Contribution Agreement may, unless the Parties decide otherwise, submit any dispute, controversy or claim arising out of or relating to the interpretation, application or performance of the Agreement, including its existence, validity or termination, to final and binding arbitration:
  - (a) by an arbitral tribunal composed as determined by the Parties, in conformity with the Permanent Court of Arbitration Optional Rules for Arbitration between International Organizations and Private Parties, as in effect on the date of the agreement, when the donor is a private entity.
  - (b) by an arbitral tribunal composed as determined by the Parties, in conformity with the Permanent Court of Arbitration Optional Rules for Arbitration Involving International Organizations and States, when the donor is a government, intergovernmental organization or other public entity.
- (3) Any reference, either direct or indirect, to a national law or regulation in the Contribution Agreement may not be construed as constituting acceptance of the applicability of such national law to the said Contribution Agreement.

**Article 26: Interpretation**

In the event of a conflict between (i) the Provisions concerning the Management of the Fund and (ii) the present General Conditions, the former shall take precedence over the latter.

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INTERPOL

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# *Due Diligence Guidelines*

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[DDGL/EC/2015]



**REFERENCES**

Due Diligence Guidelines adopted by the Executive Committee at its 184th session (2015 –Lyon).

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## DUE DILIGENCE GUIDELINES

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THE EXECUTIVE COMMITTEE,

CONSIDERING Rule 4.6.1 of the Implementing Rules for the Financial Regulations, which provides that the Secretary General shall establish a due diligence procedure in conformity with the Guidelines of the Executive Committee,

PURSUANT TO Resolution AG-2014-RES-15 on extrabudgetary resources, in which the General Assembly, meeting at its 83rd session in Monaco, asks the Executive Committee to adopt, inter alia, Due Diligence Guidelines,

DECIDES to adopt the following Due Diligence Guidelines:

### GUIDELINE 1

The due diligence procedure will seek to ensure that:

- the donor or potential donor shares INTERPOL's fundamental values and principles;
- the donor or potential donor's activities are compatible with the principles, aims and activities of INTERPOL;
- the origin of the contribution is neither financially nor legally flawed;
- the contribution is intended for purposes compatible with the principles, aims and activities of INTERPOL.

### GUIDELINE 2

Due diligence shall specifically seek to mitigate the risks of INTERPOL – as the International Criminal Police Organization – being associated with criminals and/or criminal activities.

### GUIDELINE 3

In order to achieve its purpose, due diligence shall be performed on:

- the legal person which is the donor or potential donor;
- the natural person who is the donor or potential donor, or linked closely or remotely thereto;
- the origin of the contribution;
- the intention behind the contribution.

### GUIDELINE 4

Due diligence shall be performed on non-governmental organizations and other private entities, including foundations and similar institutions.

Conversely, due diligence shall not be performed on any government or intergovernmental organization.

### GUIDELINE 5

Due diligence shall be performed prior to, and during the course of, the relationship between INTERPOL and the donor.

Prior due diligence shall be performed at the earliest stage of discussions with the potential donor.

### GUIDELINE 6

Due diligence shall, in principle, be performed at the INTERPOL General Secretariat and shall include a consultation of the relevant INTERPOL Members through their National Central Bureaus.

Where necessary, the INTERPOL General Secretariat may call on an external investigating firm to supplement the inquiry.

If a donation is made through the INTERPOL Foundation, the General Secretariat will build on the due diligence conducted by the Foundation.

### GUIDELINE 7

The officials of the General Secretariat performing due diligence shall, at all times, be responsible for safeguarding the interests of the Organization and its reputation.

They shall observe the strict confidentiality that must surround the due diligence process.

### GUIDELINE 8

The Organization shall set up and maintain a Due Diligence Office which will be the cornerstone of the system.

The Due Diligence Officer shall be entrusted with support duties, supervisory duties and registrar duties, as defined by the Secretary General, to be part of the terms of assignment of the Due Diligence Officer.

**GUIDELINE 9**

The Secretary General shall be accountable to the Executive Committee and the General Assembly for the work performed by the Due Diligence Officer.

**GUIDELINE 10**

There shall be two different levels of due diligence:

- Regular checks to be made for all contributions or potential contributions;
- Thorough checks to be made in cases where issues of concern have been raised.

**GUIDELINE 11**

Once INTERPOL has accepted a contribution, the Due Diligence Officer and the official primarily in contact with the donor are jointly tasked with monitoring the donor and the contribution.

The Due Diligence Officer may decide to initiate random due diligence on any donor or contribution.

The official primarily in contact with the donor is under an obligation to report any doubt that may arise during the course of the relationship between INTERPOL and the donor regarding the integrity of the donor or the lawfulness of the contribution.

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INTERPOL

*Terms of Reference of the  
Heads of National Central Bureau  
Conference*

[II.D/HNCB/GA/2013]



**REFERENCES**

82nd General Assembly session, Resolution AG-2013-RES-10, adopting the Terms of Reference of the Heads of National Central Bureau Conference

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**TERMS OF REFERENCE OF THE HEADS OF NATIONAL CENTRAL BUREAU CONFERENCE**

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The General Assembly of the International Criminal Police Organization – INTERPOL,

In view of Article 32 of the Organization’s Constitution,

HAS ADOPTED THE FOLLOWING TERMS OF REFERENCE:

**Article 1: Applicable Rules**

- (1) The Heads of National Central Bureau Conference, hereinafter referred to as “the Conference”, is established under Article 32 of the Constitution and Resolution AG-2013-RES-10.
- (2) In addition to these Terms of Reference, the Conference may adopt its own Rules of Procedure, which it shall submit for approval by the General Assembly.

**Article 2: Terms of Reference**

- (1) The Conference shall examine:
  - (a) issues relating to strengthening cooperation between National Central Bureaus;
  - (b) operational issues relating to international police cooperation, particularly in cases of persons wanted by INTERPOL and its Members;
  - (c) issues concerning the design, deployment and use of the tools and operational services most suitable for the National Central Bureaus and national law-enforcement agencies;
  - (d) issues concerning the identification and drawing up of national best practices on the exchange of data and organization of international police cooperation;
  - (e) issues relating to the evaluation of National Central Bureaus;
  - (f) issues relating to the evaluation of national entities;
  - (g) issues concerning relations between the National Central Bureaus and the General Secretariat;
  - (h) any other operational subject on the agenda of the General Assembly, which the General Assembly asks the Conference to examine.
- (2) The Secretary General or his delegate may report on the Conference’s work to the General Assembly.
- (3) The Conference shall adopt conclusions on matters relating to its Terms of Reference.

**Article 3: Composition**

- (1) The Conference shall be composed of all the serving Heads of National Central Bureau appointed by the competent national authority or their representatives.
- (2) The meetings of the Conference shall be chaired by the Secretary General or his delegate.
- (3) The Heads of National Central Bureau or their representatives shall have voting rights at the Conference under the same conditions as in plenary sessions of the General Assembly.

**Article 4: Chairperson**

The Chairperson of the Conference shall:

- (a) chair meetings of the Conference and direct the discussions, ensuring good order and continuing dialogue;
- (b) ensure that the debates remain within the Conference’s remit.

**Article 5: Meetings**

- (1) Unless there are exceptional circumstances, the Conference shall meet once a year.
- (2) The Annual Heads of National Central Bureau Conference shall, in principle, be held at the Organization’s Headquarters.

**Article 6: Agenda**

- (1) The General Secretariat shall set the draft agenda for the Heads of National Central Bureau Conference.
- (2) The General Secretariat shall take all necessary steps to gather suggestions for items to be included on the Conference’s agenda submitted by the Conference’s members.
- (3) The General Secretariat shall communicate the draft agenda to the Heads of National Central Bureau at the latest one month before the meeting, along with the appropriate supporting documents.

**Article 7: Revision of the Terms of Reference**

The Conference shall make any appropriate recommendations with a view to having its Terms of Reference revised by the General Assembly.

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A row of white classical columns in a hall, with the number 21 overlaid in red. The columns are arranged in a perspective that recedes into the distance. The number 21 is centered in the middle of the image, rendered in a bold, dark red serif font.

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INTERPOL

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*NCB Service Standards*

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[II.D/SERS/GA/2004]



**REFERENCES**

73rd General Assembly session, Resolution AG-2004-RES-13, approving the Revised Interpol NCB Service Standards.

**NCB SERVICE STANDARDS**

No.	ISSUE	AGREED STANDARD
1.	Position and status of NCBs	<p>NCBs should be co-located with other international or regional law enforcement cooperation entities. Where possible these entities should:</p> <ul style="list-style-type: none"> <li>(i) be responsible to the same governmental authority;</li> <li>(ii) be part of the same parent organization;</li> <li>(iii) share a common management structure;</li> <li>(iv) be located within the same building.</li> </ul>
2.	Provide a 24 hour communication service	<p>(a) NCBs should provide a 24 hour a day, 365 day a year communication service carried out, preferably, by NCB personnel. Messages sent through INTERPOL channels should be capable of being accessed and acted upon at all times. NCBs should have I-24/7 communication links with other NCBs and the General Secretariat and, where possible, use INTERPOL standard message formats.</p> <p>(b) NCBs should transmit images and fingerprints using I-24/7.</p> <p>(c) NCBs should have effective and secure communications with their national law enforcement agencies preferably via electronic means.</p> <p>(d) NCBs must advise the General Secretariat promptly of any changes required (details of normal hours of operation, NCB contact details, language capability) to the NCB Address Book which is accessible via I-24/7.</p>
3.	Language capability	<p>(a) NCBs should have the capability to communicate orally and in writing in all INTERPOL working languages. (where possible)</p> <p>(b) NCBs should have permanent (i.e. 24hr) access to translation facilities able to handle INTERPOL working languages.</p>
4.	Law enforcement and judicial vocabulary	<p>NCBs should ensure all members of its personnel have a good working knowledge of official/legal/law enforcement vocabulary in general use.</p>
5.	Decision making support	<p>NCBs should have a published mechanism to “call-out” (outside normal office hours) an NCB official who is authorized to make decisions concerning action to be taken in urgent cases.</p>
6.	Initiating and managing enquiries	<p>(a) NCBs should have the authority to initiate enquiries and influence the action taken 24 hours a day, 7 days a week.</p> <p>(b) NCBs should consider setting up a network of liaison officers within national and regional law enforcement agencies in their country in order to ensure that enquiries are dealt with rapidly and completely.</p>
7.	Contact Officer	<p>(a) In the regions where a network of Contact Officers exists, NCBs should appoint a Contact Officer and sufficient deputies.</p> <p>(b) The main task of the Contact Officer is to provide a focal point for urgent or complex cases which require special intervention.</p> <p>(c) The Contact Officer should be at sufficient rank or grade to ensure that relevant activities are executed rapidly and completely.</p> <p>(d) In order to provide continuity, a Contact Officer should be appointed to the post for at least a period of 3 years.</p>

**NCB SERVICE STANDARDS**

No.	ISSUE	AGREED STANDARD
		<p>(e) The Contact Officer should be able to speak at least two INTERPOL working languages.</p> <p>(f) The Contact Officer should attend annual regional meetings.</p> <p>(g) NCBs should give consideration to the role the Contact Officer might play in establishing an effective liaison between any foreign liaison officers based within their country and the NCB.</p>
8.	Intelligence coordination	<p>(a) NCBs should adopt a system which identifies the criminal information in its message traffic that has the potential to be developed into intelligence.</p> <p>(b) NCBs have to ensure this data is transmitted, within the limits of national laws, to the General Secretariat in order to populate its intelligence databases.</p> <p>(c) NCBs should ensure that appropriate information derived from its activities will be inserted into national intelligence databases.</p> <p>(d) NCBs should ensure that they comply with any restrictions on the use of information which is applied by another country.</p> <p>(e) NCBs should consider the nomination of an Intelligence Coordinator, who is able to assist in fulfilling the above described tasks.</p>
9.	Handling and structure of outgoing messages	<p>(a) NCBs should ensure the classification of messages is in accordance with INTERPOL standards. Messages received from national law enforcement agencies by NCBs should be classified, on receipt, according to the degree of urgency or importance. They should be forwarded to the appropriate NCBs as follows:</p> <p style="padding-left: 20px;">(i) If “Urgent” – immediately</p> <p style="padding-left: 20px;">(ii) If “Non-urgent” – within 24 hours.</p> <p>(b) The INTERPOL standard message formats should be used whenever possible.</p> <p>In order to ensure that the receiving NCB can make a proper assessment of an incoming message:</p> <p>(c) The reason for any urgent classification should be clearly stated at the beginning of the message.</p> <p>(d) Each message should be headed with a title or a resume of subject area, e.g. “Request for fingerprints”.</p> <p>(e) The type of crime should be clearly stated at the beginning of all operational requests.</p> <p>(f) Outgoing messages should contain the reference number of the originating NCB and also the reference number of the destination NCB if known.</p>

**NCB SERVICE STANDARDS**

No.	ISSUE	AGREED STANDARD
10.	Time limits for national law enforcement agencies to provide responses to the NCBs	<p>(a) Upon receipt of a request from abroad, NCBs should require law enforcement agencies in their country to respond to enquiries within agreed maximum timescales as follows:</p> <ul style="list-style-type: none"> <li>- URGENT cases where the reason for the urgent classification is clear - within 24 hours;</li> <li>- NON-URGENT cases - as soon as possible and within 1 month.</li> </ul> <p>(b) NCBs should ensure the ‘time limits for response to enquiries’ set out here are agreed with the law enforcement agencies in their own member country and published.</p>
11.	Fast-track system	NCBs should have a system which gives priority to messages where the reason for the urgent classification is clear. Such messages must be transmitted immediately.
12.	Quality control of messages	<p>(a) NCBs should ensure, by carrying out sampling checks that outgoing messages transmitted from the NCB are classified with the correct priority and contain the correct detail as at 9 above.</p> <p>(b) Suitably experienced members of staff should review the content of a sample of messages before they are transmitted to ensure they are of good quality.</p> <p>(c) The text of incoming and outgoing messages, which have been translated within the NCB, should be assessed for quality and accuracy.</p>
13.	Monitoring progress of messages/enquiries	<p>(a) NCBs should put in place a system to monitor the progress of enquiries sent to their own national law enforcement agencies and other NCBs.</p> <p>(b) NCBs should gather information on a regular basis regarding their compliance with time limits [see 9 &amp; 10 above]. This information should be used to take remedial action.</p> <p>(c) NCBs should immediately acknowledge receipt of all messages bearing imminent deadlines. They should include their NCB’s reference number in their acknowledgement. Any difficulties which are foreseen in meeting the imminent deadline should also be communicated immediately.</p> <p>(d) NCBs should ensure that appropriate review dates for each case are set.</p> <p>(e) NCBs should issue a reminder if a response has not been received to a non-urgent message within the requested timescale.</p> <p>(f) NCBs should issue a cancellation message if an enquiry/message is no longer required at the earliest opportunity to avoid unnecessary work.</p>
14.	Registry system	<p>(a) NCBs should have preferably electronic Records Management System which allows immediate retrieval of current and archived case files without the risk of error.</p> <p>(b) NCBs should search the Registry in order to find relevant information before opening a new case file.</p>

**NCB SERVICE STANDARDS**

No.	ISSUE	AGREED STANDARD
15.	Provision of specific categories of information	<p>(a) NCBs should have direct access to their national databases in order to respond to requests for information in the following categories:</p> <ul style="list-style-type: none"> <li>(i) Wanted persons, missing persons, stolen motor vehicles, other stolen property;</li> <li>(ii) Convicted persons, criminal records, fingerprints, photographed criminals, DNA, serving prisoners, telephone subscribers, vehicle owners/registration;</li> <li>(iii) Passport applications/photos, company registers, driving licenses, voters' registers, tax registers.</li> </ul> <p>(b) NCBs should actively support the introduction of electronic versions of the above mentioned national databases in their countries.</p>
16.	INTERPOL services and databases	<p>(a) NCB personnel should be provided with ready access to an appropriate level of INTERPOL services and databases in accordance with their professional needs.</p> <p>(b) NCBs should ensure all enquiries received from national law enforcement agencies are searched against the INTERPOL databases.</p> <p>(c) NCBs should make maximum use of the INTERPOL databases by contributing relevant data and keeping it updated.</p> <p>(d) NCBs should keep under review which law enforcement agencies in their country should have access to selected services and databases via the I-24/7 system.</p>
17.	Management control of key functions	<p>NCBs should ensure effective and efficient management of their key functions. NCBs should be able to influence or have direct control over their:</p> <ul style="list-style-type: none"> <li>- communications</li> <li>- records management</li> <li>- security</li> <li>- case handling</li> <li>- training.</li> </ul>
18.	Knowledge of policy guidelines	<p>NCBs should ensure all members of their staff have ready access to its policies, procedures, guidelines and instructions. Wherever possible, these should be stored electronically.</p>
19.	Development strategy	<p>NCBs should develop a strategy for dealing with the following:</p> <ul style="list-style-type: none"> <li>- Marketing, to national users and appropriate governmental authorities, the services provided by the NCB and the General Secretariat, in particular I-24/7;</li> <li>- Identifying opportunities for providing INTERPOL services to new national users;</li> <li>- Determine quality and relevance of services provided by requesting feedback from national users;</li> <li>- Insisting on electronic communications, using INTERPOL standard message formats within the country and minimizing the use of fax messages and letters;</li> </ul>

**NCB SERVICE STANDARDS**

No.	ISSUE	AGREED STANDARD
		<ul style="list-style-type: none"> <li>- Completing formal agreements with their national law enforcement agencies setting out the services which each will provide for each other;</li> <li>- Where operational benefits may be achieved, key law enforcement agencies should be represented within the NCB;</li> <li>- Ensuring that NCB functions are considered when developing relevant, new national systems;</li> <li>- Ensuring that national governments give sufficient consideration to the activities of the NCB when negotiating involvement in future law enforcement cooperation initiatives and agreements.</li> </ul>
20.	Provision of specialist teams	<p>(a) NCBs should consider allocating case officers to particular crime or other areas in accordance with national and international priorities in order to create centres of excellence.</p> <p>(b) NCBs should provide the General Secretariat with organization charts showing how the NCB is structured and routinely provide a revised version whenever the Bureau is re-organized.</p>
21.	Training	<p>(a) NCBs should have a published internal training strategy for NCB personnel concerning initial training for new staff and ongoing training for existing staff;</p> <p>(b) NCBs should have a published external training strategy for national law enforcement agencies and judicial authorities to ensure they make appropriate use of INTERPOL channels for progressing international enquiries;</p> <p>(c) As a minimum, training strategies should include:</p> <ul style="list-style-type: none"> <li>- data protection and security issues</li> <li>- I-24/7 services and use of related technology</li> <li>- business procedures and NCB Service Standards</li> <li>- legislation</li> <li>- languages</li> </ul>
22.	Security	<p>(a) Access to NCB premises and equipment should be controlled to avoid unauthorized access to INTERPOL information.</p> <p>(b) NCBs should nominate a Security Officer to oversee the implementation of the I-24/7 Security Charter and ensure respect for any I-24/7 security policy and procedures adopted and published by INTERPOL. These persons should guarantee the integrity of the system by controlling access to I-24/7 facilities. Security Officers should ensure effective and efficient maintenance, and upgrade firewalls and anti-virus tools as required. Security Officers should ensure that I-24/7 operates within an appropriate security environment.</p> <p>(c) NCB personnel should pay constant attention to and adopt a shared responsibility for the security of the I-24/7 system.</p> <p>(d) Access by users of I-24/7 services should be granted under the direction of the Head of NCB and the level of access should be commensurate with the individual users' professional needs.</p> <p>(e) NCBs should ensure that INTERPOL's criminal information databases and national intelligence databases are only accessed for a bona fide reason and should provide a system for monitoring this.</p>



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**NCB SERVICE STANDARDS**

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<b>No.</b>	<b>ISSUE</b>	<b>AGREED STANDARD</b>
23.	Integrity	(a) Concerns about integrity are a barrier to the exchange of sensitive information between NCBs. NCBs should develop effective systems for the recruitment of personnel with high levels of integrity, honesty, ethical standards and expertise.  (b) NCBs should take steps to ensure that NCB staff maintains their level of integrity throughout their service.
24.	Implementation of Service Standards	NCBs should create an Action Plan which sets out the steps which they are taking to implement the Service Standards. This Plan should be updated annually and a copy sent to the General Secretariat. A copy should also be sent to the governmental authority responsible for the NCB. NCBs are encouraged to include in the Plan details of any other development initiatives which they are undertaking.

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A photograph of a row of white classical columns in a hall, receding into the distance. The columns are supported by a series of steps. The number '22' is overlaid in a large, bold, red serif font in the center of the image.

22





INTERPOL

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*Statute of the Commission for the  
Control of INTERPOL's Files*

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[II.E/RCIA/GA/2016]



**REFERENCES**

73rd General Assembly session, Resolution AG-2004-RES-08, approving the Rules relating to the Control of Information and Access to INTERPOL's Files, which replace the second part (Articles 15 to 27) of the "Rules on International Police Cooperation and on the Internal Control of INTERPOL's Archives" which is abrogated.

78th General Assembly session, Resolution AG-2009-RES-13, amending Article 2(a) and 2(b) of the Rules.

85th General Assembly session, Resolution AG-2016-RES-06, adopting the Statute of the Commission for the Control of INTERPOL's Files and abrogating the Rules on the Control of Information and Access to INTERPOL's Files.

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# **STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

## **Article 1: Aim**

- (1) The aim of the present Statute is to define the work of the Commission for the Control of INTERPOL's Files.
- (2) The Commission for the Control of INTERPOL's Files shall be constituted and shall function in accordance with the present Statute.

- (b) the power, as provided for in Article 26 of the present Statute, to carry out the necessary checks and to take decisions binding on the Organization and give opinions concerning the processing of personal data in the INTERPOL Information System;
- (c) the exclusive power, as provided for in Article 28 of the present Statute, to examine and take decisions that are final and binding with regard to requests for access to, or correction and/or deletion of, data processed in the INTERPOL Information System.

## **CHAPTER 1: GENERAL PROVISIONS**

### **Article 2: Definitions**

- (1) The definitions given in Article 1 of INTERPOL's Rules on the Processing of Data shall apply to the present Statute.
- (2) "The Commission" refers to the Commission for the Control of INTERPOL's Files, as provided for in Articles 5 and 36 of INTERPOL's Constitution.
- (3) "INTERPOL's rules" refers to INTERPOL's Constitution and its Rules on the Processing of Data, unless otherwise specified in the present Statute.

### **Article 3: Competence and powers of the Commission**

- (1) The Commission shall be competent to perform the functions conferred on it by Article 36 of the Constitution, namely:
  - (a) Ensure that the processing of personal data by the Organization is in compliance with INTERPOL's rules;
  - (b) Provide the Organization with advice about any project, operation, set of rules or other matter involving the processing of personal data in the INTERPOL Information System;
  - (c) Examine and decide on requests for access to data, and/or for the correction or deletion of data, processed in the INTERPOL Information System.
- (2) To perform its functions, the Commission shall have:
  - (a) full access to the INTERPOL Information System in accordance with Article 19 of the present Statute;

### **Article 4: Independence of the Commission**

The Commission shall be independent in the performance of its functions.

### **Article 5: Cooperation of the Members of the Organization**

The Members of the Organization shall:

- (1) respect the competence and independence of the Commission;
- (2) respond diligently to requests from the Commission in accordance with their national laws;
- (3) to the extent permitted by their national laws, ensure that no national authority within their territories interferes in the Commission's work or attempts to take decisions directed at the Organization in matters falling within the Commission's competence.

## **CHAPTER 2: ORGANIZATION OF THE COMMISSION**

### **SUB-CHAPTER 1: STRUCTURE AND COMPOSITION OF THE COMMISSION**

#### **Article 6: Structure**

- (1) The Commission shall consist of two chambers:
  - (a) A Supervisory and Advisory Chamber, which shall have the power to perform the functions described in Article 3(1)(a) and (b) of the present Statute;

# **STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

- (b) A Requests Chamber, which shall have the power to perform the function described in Article 3(1)(c) of the present Statute.

- (2) The members of each Chamber of the Commission may consult and/or participate as non-voting members in the work and deliberations of the other Chamber.

## **Article 7: Chairperson**

- (1) The Chairperson shall preside over both Chambers of the Commission, direct their work, and supervise the administration of the Commission and the work of its Secretariat.
- (2) The Chairperson shall be elected by all the members of the Commission from among the members of the Requests Chamber.

## **Article 8: Composition**

- (1) The Commission shall be composed of seven members, elected from among persons of high moral character, impartiality and integrity who possess the qualifications required for appointment to senior positions in their field of expertise.
- (2) The members of the Commission shall be nationals of the Organization's Members, be of different nationalities, and be fluent at least in one of the working languages of the Organization. As far as possible, the members of the Requests Chamber should represent the principal legal systems of the world.
- (3) The Supervisory and Advisory Chamber shall consist of the Chairperson, a member with expertise in data protection, and a member with expertise in electronic data processing.
- (4) The Requests Chamber shall consist of five members:
  - (a) A lawyer with data-protection expertise;
  - (b) A lawyer with recognized international experience in police matters, in particular international police cooperation;
  - (c) A lawyer with international criminal law expertise;
  - (d) A lawyer with human rights expertise;
  - (e) A lawyer who holds or has held a senior judicial or prosecutorial position, preferably with experience in international judicial cooperation.

## **SUB-CHAPTER 2: MEMBERS OF THE COMMISSION**

### **Article 9: Election**

- (1) The members of the Commission shall be elected by the General Assembly.
- (2) Whenever necessary, the Secretary General shall address a written request to the Organization's Members inviting them to nominate, within a given time, persons with the required qualifications and expertise to perform the duties of a member of the Commission. Each Member may propose one candidate per post.
- (3) Every nomination shall be accompanied by a statement specifying the candidate's qualifications for the position.
- (4) The Executive Committee shall prepare a list of all eligible candidates who possess the required qualifications, with the accompanying documents, and submit that list to the General Assembly.
- (5) The General Assembly shall elect the members of the Commission by secret ballot in accordance with the Rules of Procedure of the General Assembly. Those candidates who obtain a simple majority of votes shall be considered as elected. Depending on his or her experience, a person may be candidate for several vacant posts.

### **Article 10: Terms of office**

- (1) The terms of office of the members of the Commission shall be five years, renewable once for an additional term of three years.
- (2) For the purposes of the first election under the present Statute:
  - (a) one of the members of the Supervisory and Advisory Chamber shall be selected by lot to serve for a term of four years;
  - (b) two of the members of the Requests Chamber shall be selected by lot to serve for a term of four years;
  - (c) the other members shall serve for a term of five years;
  - (d) the current members of the Commission may be elected for one non-renewable term.

## **STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

- (3) If a member of the Commission is no longer able to perform his/her functions, or has resigned, a new member shall be elected for the remainder of his/her predecessor's term of office. The new member may subsequently be re-elected for one non-renewable term of three years. A temporary replacement may be appointed by the Executive Committee to serve until the next General Assembly session.

### **Article 11: Independence**

- (1) The members of the Commission shall serve in their personal capacity.
- (2) In the exercise of their functions, the members of the Commission shall be independent, remain free from external influence, whether direct or indirect, and neither solicit nor accept instructions from any person, body or government.
- (3) Members of the Commission shall abstain from any action or activity likely to interfere with the exercise of their functions or to affect confidence in their independence.
- (4) The Organization and its Members shall abstain from any action which might influence the members of the Commission or its Secretariat, or be prejudicial to the discharge of their functions.
- (5) The Chairperson of the Commission shall ensure that the rules on the independence of the Commission and its members are respected.

### **Article 12: Impartiality**

- (1) A member of the Commission shall not participate in any case in which his/her impartiality might reasonably be doubted.
- (2) The Commission's Operating Rules shall set out the criteria and procedures regarding the application of this Article.

### **Article 13: Remuneration**

The General Assembly shall decide on the remuneration of the members of the Commission. Such remuneration shall not be reduced during their terms of office.

### **Article 14: Dismissal and temporary suspension from office**

- (1) A member of the Commission may be dismissed only by the General Assembly in the following instances:
  - (a) on the proposal of the Commission in the event of the member's misconduct or incapacity;
  - (b) on the proposal of the Executive Committee and after consulting the Commission in the event of the member's repeated or serious misconduct.
- (2) In urgent cases, the Executive Committee may, after consulting the Commission, temporarily suspend a member until the next session of the General Assembly, in the event of his/her misconduct or incapacity.

## **SUB-CHAPTER 3: SECRETARIAT OF THE COMMISSION**

### **Article 15: Secretariat**

- (1) The Secretariat shall be a permanent body headed by a Secretary who shall act under the authority of the Commission. The Secretary shall be a legal professional with wide experience, notably in the fields of international criminal law, human rights and/or data protection.
- (2) The staff of the Secretariat shall be selected by the Commission. In the selection of the Secretariat's staff, account shall be taken of the need for:
  - (a) the representation of all working languages of the Organization;
  - (b) the representation of the principal legal systems of the world;
  - (c) the appropriate presence of staff members with judicial or court registry experience and/or familiarity with international criminal law, human rights law and/or data protection, and demonstrated skills in legal analysis and writing.

## **STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

- (3) The Secretariat shall assist the Commission in effectively carrying out its functions under the present Statute. In particular, it shall take all appropriate steps to:
  - (a) perform administrative operations for the Commission, or arrange for them to be performed;
  - (b) prepare files for consideration by the Commission;
  - (c) act as an interface and coordinator between the Commission and the Organization or any other body;
  - (d) carry out studies and other tasks as instructed by the Commission or its Chairperson.
- (4) The staff of the Secretariat shall exercise their duties in complete independence and shall receive and accept instructions exclusively from the Commission.
- (5) For administrative purposes exclusively, the staff of the Secretariat shall have the rights and obligations of a member of the General Secretariat's staff.

### **SUB-CHAPTER 4: FUNCTIONING OF THE COMMISSION**

#### **Article 16: Sessions**

- (1) The Commission shall determine the venue, number and duration of its sessions to carry out its functions effectively, but shall meet at least three times a year. Sessions shall be convened by the Chairperson of the Commission.
- (2) The Commission's sessions shall be held *in camera* and, in principle, only members of the Commission and its Secretariat may attend them. Nonetheless, the Commission may invite other persons whose presence it considers is necessary.
- (3) The Commission shall make publicly available the general timeframe of its planned sessions for each calendar year.
- (4) To facilitate the preparation for its sessions, the Commission shall provide the General Secretariat in due time, and preferably one month before each session, with the list of issues to be discussed by both Chambers.

#### **Article 17: Delegation of powers**

Each of the Commission's Chambers may delegate some of its powers to one or several of its members in order to perform its functions effectively. Such delegation may include the power to take decisions in between sessions.

#### **Article 18: Languages**

- (1) The working languages of the Commission shall be those of the Organization as specified in Article 54 of the General Regulations, namely Arabic, English, French and Spanish.
- (2) The Commission may decide which of the working languages it will use for its internal files and deliberations.

#### **Article 19: Access to the INTERPOL Information System**

For the purpose of carrying out its functions effectively, the Commission shall have free and unlimited access to all data processed in the INTERPOL Information System, irrespective of the place, form or medium involved.

#### **Article 20: Confidentiality and professional secrecy**

- (1) The files of the Commission shall be confidential.
- (2) The requests submitted to the Commission under Chapter 4 of the present Statute shall be treated by the Requests Chamber as confidential and shall not be recorded in the INTERPOL Information System. However, the Requests Chamber may decide:
  - (a) in order to examine the requests, to disclose information, when deemed necessary in the exercise of its functions, having regard to the facts of the case and the rights and freedoms of the applicant;
  - (b) to record a request or parts of it in the INTERPOL Information System in order to update or correct data already contained in the INTERPOL Information System.
- (3) The members of the Commission, its Secretariat, and any expert appointed by the Commission under the present Statute shall consider as confidential all information that comes to their knowledge in the exercise of their functions, unless the proper discharge of their functions requires otherwise. The obligation of confidentiality shall continue to apply after they cease to be active in any of those capacities.

# **STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

## **Article 21: Consultation**

- (1) The Commission may directly consult the General Secretariat, sources of data or other entities which have access to the INTERPOL Information System as provided for in INTERPOL's Rules on the Processing of Data. Consultation of national entities shall take place through the National Central Bureau of the Member concerned.
- (2) The Commission may consult other international or national bodies, including data protection bodies, on matters related to its functions, whereas consultation of national authorities shall take place through the National Central Bureau of the Member concerned.
- (3) In consulting other entities or bodies, the Commission shall take into consideration confidentiality requirements and any restrictions.

## **Article 22: Experts**

The Commission may entrust any individual or body with recognized expertise with the task of providing expert advice, subject to confidentiality requirements and restrictions.

## **Article 23: INTERPOL General Secretariat**

The INTERPOL General Secretariat shall provide in due time the necessary support to the Commission to enable it to carry out its functions effectively, in particular by:

- (a) providing premises and the necessary infrastructure;
- (b) forwarding to the Commission any request made under Chapter 4 of the present Statute as soon as the General Secretariat receives it;
- (c) communicating to the Commission any information requested by the Commission and available to the General Secretariat or as provided for in INTERPOL's Rules on the Processing of Data;
- (d) communicating to the Commission any other relevant information to enable it to perform its functions;
- (e) facilitating its sessions;
- (f) respecting and protecting the Commission's competence and independence.

## **Article 24: Budget**

Following a proposal from the Commission, the General Assembly shall allocate to the Commission the annual budget necessary to perform its functions.

## **Article 25: Operating Rules**

- (1) Subject to the provisions of this Statute, the Commission shall enact its own operating rules to carry out its functions.
- (2) The operating rules of the Commission shall include, *inter alia*, provisions on the following points:
  - (a) Organization of work;
  - (b) Procedures for maintaining and protecting the confidentiality of the Commission's work;
  - (c) Election procedure and term of office of the Chairperson;
  - (d) Venue, number and duration of the Commission's sessions;
  - (e) Procedures concerning the adoption of decisions by the Commission's Chambers;
  - (f) Criteria and procedure for the withdrawal of its members;
  - (g) Procedure to determine the admissibility of requests;
  - (h) Other matters relating to the effective functioning of the Commission.
- (3) The operating rules adopted by the Commission shall be made public in all working languages of the Organization.

## **CHAPTER 3: THE SUPERVISORY AND ADVISORY CHAMBER**

### **Article 26: Powers of the Supervisory and Advisory Chamber**

In accordance with Article 3 of the present Statute, the Supervisory and Advisory Chamber of the Commission shall have the power to:

- (1) in its supervisory capacity, carry out the necessary checks to ensure that the processing of personal data by the Organization is in compliance with INTERPOL's rules, and take decisions binding on the Organization on the measures

## **STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

required to remedy any non-compliance with INTERPOL's rules as well as recommendations on how to improve the processing of personal data by the Organization;

- (2) in its advisory capacity, give opinions on all matters referred to in the INTERPOL Rules on the Processing of Data and on any other matter involving the processing of personal data, either on its own initiative or at the request of the General Secretariat.

### **Article 27: Decisions, opinions and recommendations**

- (1) The decisions, opinions and recommendations shall be made in writing and shall be reasoned.
- (2) The Supervisory and Advisory Chamber shall communicate its decisions, opinions and recommendations to the General Secretariat.
- (3) The General Secretariat shall implement the decisions of the Supervisory and Advisory Chamber as soon as possible, and shall report to the Commission on such implementation.
- (4) The General Secretariat shall strive to follow up on opinions and recommendations made by the Supervisory and Advisory Chamber as soon as possible, and shall report to the Commission on their implementation.
- (5) If the General Secretariat disagrees with the opinions or recommendations made by the Supervisory and Advisory Chamber, it shall so inform the Commission as soon as possible and indicate the reasons for its disagreement. In such a case, the Commission may inform the Executive Committee of that disagreement, so that the latter may take any appropriate measure.

## **CHAPTER 4: THE REQUESTS CHAMBER**

### **Article 28: Powers of the Requests Chamber**

- (1) In accordance with Article 3 of the present Statute, the Requests Chamber shall have exclusive power to:
  - (a) decide on its competence to process requests submitted under the present Statute;

- (b) examine and decide on requests for access to, or correction and/or deletion of, data processed in the INTERPOL Information System.

- (2) Nothing in the present Statute shall prevent:
  - (a) any person or entity from submitting a request to the competent authorities of the source of the data asking those authorities to take action regarding the data processed by that source in the INTERPOL Information System;
  - (b) the source of data from correcting or deleting the data it processes in the INTERPOL Information System;
  - (c) the General Secretariat from blocking, correcting or deleting, in accordance with INTERPOL's rules, data processed in the INTERPOL Information System.

## **SUB-CHAPTER 1: INSTITUTION OF THE PROCEEDINGS**

### **Article 29: Right to access, correct and delete data**

- (1) Any person or entity shall have the right to submit directly to the Commission a request for access to, or correction and/or deletion of, data processed in the INTERPOL Information System and concerning that person or entity.
- (2) The Organization and its Members undertake to respect this right.

### **Article 30: Submission of requests**

- (1) For the purposes of the present Chapter, any individual or entity submitting a request to the Commission shall be referred to as an applicant.
- (2) A request shall be submitted to the Commission in writing, in one of INTERPOL's working languages, by the applicant or a duly authorized representative. A request for correction or deletion of data shall set out the reasons therefor.
- (3) There shall be no charge for the submission of a request.

## **STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

### **Article 31: Communication after the submission of a request**

- (1) The Requests Chamber shall acknowledge the receipt of a request at the earliest opportunity, and shall inform the applicant of the applicable procedure and timeframe.
- (2) The Requests Chamber shall be the only point of contact for the applicant during the entire proceedings.
- (3) On request or at its own initiative, the Requests Chamber shall inform both the applicant and the source of data of the status of the request and any relevant developments. In addition, the Requests Chamber shall inform them of the date on which the request will be examined and the deadline for any additional submissions.
- (4) The Requests Chamber shall communicate with the applicant and the source of the data in the working languages of the Organization used by them, and shall use different forms of communication as appropriate, including electronic forms of communication.

### **Article 32: Admissibility of requests**

- (1) The Requests Chamber shall examine the admissibility of each request and inform the applicant, at the earliest opportunity and no later than one month from its receipt by the Commission, whether the request is admissible.
- (2) The Commission shall declare inadmissible any request considered to be incompatible with the provisions of the present Statute and the admissibility criteria defined by the Commission in its Operating Rules.
- (3) If the request is declared inadmissible in whole or in part, the Requests Chamber shall explain the reasons to the applicant.

## **SUB-CHAPTER 2: PROCEDURE AFTER A REQUEST HAS BEEN DECLARED ADMISSIBLE**

### **Article 33 Examination of requests**

- (1) When a request is considered admissible, the Requests Chamber shall determine whether data concerning the applicant are being processed in the INTERPOL Information System.

- (2) If no data concerning the applicant are being processed at the time the request is examined, the Requests Chamber may decide on appropriate measures, taking into consideration confidentiality requirements.
- (3) If data concerning the applicant are being processed in the INTERPOL Information System, and if the request is for correction or deletion, the Requests Chamber shall examine the compliance of the processing of the data with INTERPOL's rules. If the request only concerns access to the data, the Requests Chamber may nonetheless decide to examine the compliance of the processing of those data with INTERPOL's rules. The scope of review of a request shall be limited to examining the compliance of the processing of data with INTERPOL's rules.

### **Article 34: Consultations**

- (1) If additional information is required to examine the request, the Requests Chamber shall seek information or clarification from the source of the data and/or the General Secretariat.
- (2) The Requests Chamber may also seek information or clarification from any other entity in accordance with Article 21 of the present Statute.

### **Article 35: Communication of information**

- (1) Information connected with a request shall be accessible to the applicant and the source of the data, subject to the restrictions, conditions and procedures set out in this article.
- (2) Prior to disclosing information, the Requests Chamber shall consult the owner of that information, namely the applicant or source of the data.
- (3) The communication of information may be restricted at the decision of the Requests Chamber, on its own initiative or at the request of the source of data, the General Secretariat or the applicant, for one or more of the following reasons:
  - (a) To protect public or national security or to prevent crime;
  - (b) To protect the confidentiality of an investigation or prosecution;
  - (c) To protect the rights and freedoms of the applicant or third parties;



## **STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

- (d) To enable the Commission or the Organization to properly discharge their duties.
- (4) Any restriction on the disclosure of information must be justified and must specify whether some information, such as summaries, may be provided. The absence of justification alone will not lead to the disclosure of the content of the information but may be taken into consideration by the Requests Chamber in assessing and deciding on a request.
- (5) Where deemed appropriate, and provided that this does not compromise the confidentiality of the case, the Requests Chamber may direct the applicant to contact the competent authorities of the source(s) of data.
- (3) Decisions shall be provided to the applicant and the source of data, subject to confidentiality requirements and restrictions and in accordance with Article 41 of the present Statute.

### **Article 39: Remedies**

- (1) The Requests Chamber may decide on any appropriate corrective actions to ensure that data are processed in the INTERPOL Information System in accordance with INTERPOL's rules.
- (2) If the Requests Chamber finds that data have not been processed in accordance with those rules, in addition to any decision on the corrective actions to be taken with regard to such data, it may decide on other appropriate remedies to be granted by the Organization to the applicant.
- (3) Any remedy to be granted by the Organization may only relate to the Organization's responsibilities in the particular case and to the processing of data in the INTERPOL Information System.
- (4) To determine such remedies, the Requests Chamber shall take into consideration, *inter alia*, the following factors:
- (a) The information available to the Organization when the data were processed;
- (b) The role and responsibilities of the relevant entities involved in the processing of data;
- (c) The steps that have been taken or should reasonably have been taken by the applicant before the competent authorities of the source of the data;
- (d) Any remedy already provided to the applicant by the competent authorities of the source of data, or available to him/her from those authorities;
- (e) The position expressed by the Organization;
- (f) The obligation of non-interference with the Organization's functions, as provided for in Article 46 of the present Statute.
- The Requests Chamber shall examine a request on the basis of written submissions. Hearings may be held only if deemed necessary by the Requests Chamber for the examination of requests.

### **Article 36: Written submissions and hearings**

### **Article 37: Provisional measures**

- (1) At any time during the proceedings, the Requests Chamber may decide on provisional measures to be taken by the Organization in relation to the processing of the data concerned.
- (2) Provisional measures shall be implemented in accordance with the procedure specified in Article 41 of the present Statute.

## **SUB-CHAPTER 3: DECISIONS AND REMEDIES**

### **Article 38: Nature and content of decisions**

- (1) The decisions of the Requests Chamber shall be final and binding on the Organization and the applicant.
- (2) Decisions shall be given in writing in one of the Organization's working languages. They shall be reasoned and shall contain, *inter alia*, a summary of the proceedings, the submissions of the parties, a statement of the facts, the application of INTERPOL's rules, an analysis of legal arguments, and operative parts.

### **Article 40: Timeframe for decisions**

- (1) The Requests Chamber shall decide on a request for access to data within four months from the date on which the request was declared admissible.

## **STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

- (2) The Requests Chamber shall decide on a request for correction and/or deletion of data within nine months from the date on which the request was declared admissible.
- (3) The Requests Chamber may decide that the circumstances of a particular request warrant an extension of the time limit. Any such extension shall be reasonable, promptly communicated to the General Secretariat, the source of data and the applicant, and shall also be explained in the decision.
- (4) The Requests Chamber may take decisions between sessions and devise any appropriate procedures in order to discharge its function effectively within the time limits set by the present Article.

### **Article 41: Notification and implementation of decisions**

- (1) The written decision of the Requests Chamber shall be provided to the General Secretariat within one month from the date on which the decision was made.
- (2) The General Secretariat shall implement a decision within one month from the date on which it was received, unless it seeks further clarifications needed for the implementation of the decision. In the latter case, the General Secretariat shall proceed with the implementation within one month from the date on which the clarifications were received. The General Secretariat shall promptly notify the Commission of the implementation of its decision.
- (3) The Requests Chamber shall provide its written decision to the applicant and to the source of data and notify them of the implementation of its decision by the Organization taking into consideration confidentiality requirements and restrictions. Decisions on requests for access shall be provided within one month from the date on which they were adopted by the Requests Chamber. Decisions on requests for correction and/or deletion of data shall be provided promptly and no later than one month from the date on which the Requests Chamber received notification of their implementation.
- (4) If data have been corrected or deleted as a result of a decision by the Commission, the General Secretariat shall promptly notify the Organization's Members which had received the data concerned, other than the source of the data, of any corrections or deletions. At the request of a Member other than the source

of data, and subject to confidentiality requirements and restrictions, the Commission may supply its decision and any clarification.

### **Article 42: Revision**

- (1) Applications for the revision of decisions of the Requests Chamber may be made only when they are based on the discovery of facts which could have led the Requests Chamber to a different conclusion if that fact had been known at the time at which the request was being processed.
- (2) Applications for revision must be made within six months after the discovery of the fact.
- (3) The timeframe for a decision on a request for revision shall be that provided for in Article 40 of the present Statute.

## **CHAPTER 5: PUBLICATIONS AND RETENTION OF FILES**

### **Article 43: Annual report**

- (1) The Commission shall produce an annual report on all its activities and submit it to the General Assembly.
- (2) The Commission's annual report shall be made public in all working languages of the Organization.

### **Article 44: Publication of decisions, recommendations and opinions**

Subject to the confidentiality requirements, restrictions and other conditions set forth in the present Statute, the Commission shall endeavour to make its decisions, opinions, recommendations and reports public in all working languages of the Organization.

### **Article 45: Retention of the Commission's files**

- (1) The Commission shall keep its files, its decisions, opinions and recommendations for a period of 30 years.
- (2) The Commission may nevertheless retain the files, decisions, opinions and recommendations necessary for the pursuit of any other legitimate purpose set out in Article 132 and in accordance with the timeframe specified in Article 134 of INTERPOL's Rules on the Processing of Data.

**STATUTE OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

**CHAPTER 6:  
FINAL PROVISIONS**

**Article 46: Non-interference with the Organization's functioning**

Nothing in the present Statute shall be interpreted as allowing any fundamental interference with the assets and activities necessary for the functioning of the Organization.

**Article 47: Status**

The present Statute constitutes an appendix to the Organization's Constitution.

**Article 48: Abrogation**

The present Statute abrogates and replaces the Rules on the Control of Information and Access to INTERPOL's Files which were adopted by the General Assembly at its 73rd session by Resolution AG-2004-RES-08.

**Article 49: Amendment**

The present Statute may be amended by a decision of the General Assembly in accordance with Article 44 of the Constitution and the General Assembly's Rules of Procedure.

**Article 50: Entry into force**

The present Statute shall enter into force on 11 March 2017.

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A photograph of a row of white classical columns in a hall, receding into the distance. The columns are supported by a series of steps. The number '23' is overlaid in a large, bold, red serif font in the center of the image.

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INTERPOL

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*Operating Rules of  
the Commission for the Control of  
INTERPOL's Files*

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[II.E/RCCF/CCF/2017]





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**PREAMBLE**

The Commission for the Control of INTERPOL's Files ("the Commission"),

Having regard to the Statute of the Commission (hereinafter referred to as "the Statute"), which entered into force on 11 March 2017, and in particular Articles 3 and 25(1) of the Statute,

Adopts the following Operating Rules on 28 March 2017 which replace the Commission's Operating Rules that entered into force on 1 November 2008.

**TITLE 1:  
ORGANISATION AND WORK OF THE  
COMMISSION**

**CHAPTER 1:  
INDEPENDENCE AND IMPARTIALITY OF  
THE COMMISSION**

**Rule 1: Incompatible activities**

- (1) In accordance with Article 11(1) and (2) of the Statute, the members of the Commission shall serve in their personal capacity and represent neither their administration, nor the NCB of their country, nor their country, nor any other entity.
- (2) In accordance with Articles 4, 11(3) and (4) and 12 of the Statute, the members of the Commission shall not, during their term of office, engage in any action or activity which may appear to be incompatible with their independence or impartiality, in accordance with the present Rules. They shall take all appropriate measures to ensure respect of the independence and impartiality of their function and of the Commission.
- (3) In accordance with Article 11(5) of the Statute, each member shall communicate to the Chairperson any concern regarding his/her independence and/or impartiality.
- (4) In the event of a disagreement between the Chairperson and the member concerned, any question arising shall be decided by the Commission.

**Rule 2: Withdrawal of members**

- (1) A member of the Commission may not take part in any way in the consideration of a case, if he/she may be seen to have a real or perceived, direct or indirect conflict of interest with respect to the case concerned, that would challenge his/her independence or impartiality, that is if:
  - (a) he/she has a personal interest in the case (including a spousal, parental or other close family relationship), personal or professional relationship, or a subordinate relationship with any of the parties;
  - (b) he/she has previously acted in the case, either as a consultant, advocate or adviser of a party or of a person having an interest in the case, or as a member of another international or national body, or in any other capacity;
  - (c) he/she engages in any political, administrative, professional or any other activity which is incompatible with his/her independence or impartiality;
  - (d) he/she is a national of the country source of the data challenged by an applicant;
  - (e) for any other reason, when his/her independence or impartiality may legitimately be called into doubt.
- (2) When a member withdraws for one of the reasons referred to above, he/she:
  - (a) shall notify the Chairperson, who shall exempt the member from sitting,
  - (b) shall not be present during discussions and deliberations of the case and shall not have access to documents concerning the case.
- (3) In the event of any doubt or disagreement on the part of the member concerned or the Chairperson as to the existence of one of the grounds referred to in Rule 2(1), that issue shall be decided by all members of the Commission. After hearing the views of the member concerned, the Commission shall deliberate and vote, without that member being present. The decision shall be taken by a majority of the members present and voting.
- (4) In case of withdrawal of the Chairperson, Rule 9 below shall apply.
- (5) The withdrawal of a member shall be recorded in the minutes of the session and in the text of the Decision of the case concerned.

**Rule 3: Solemn declaration**

- (1) Before taking up office, each member shall, at the first meeting of the Commission at which the member is present or, in case of need, before the President of the Commission, make the following solemn declaration: "I solemnly declare that I will exercise my functions as a member of the Commission honorably, independently and impartially and that I will keep secret all materials, information and deliberations".
- (2) The declaration shall be signed by the member and kept in the records of the Commission.
- (3) This act shall be recorded in the minutes.

**CHAPTER 2:  
RESIGNATION AND DISMISSAL OF  
MEMBERS**

**Rule 4: Resignation**

- (1) The resignation of a member of the Commission shall be notified to the Chairperson who shall inform the other members of the Commission.
- (2) The Chairperson shall transmit the resignation to the General Secretariat. Article 10(3) of the Statute shall apply for the election of a new member.

**Rule 5: Dismissal from office**

- (1) In accordance with Article 14(1)(a) of the Statute, the Commission may propose the dismissal from office of a member who has ceased to fulfil the required conditions for office, due to misconduct or incapacity. Such decision shall be taken in session by at least five votes of the other members, cast in a secret ballot.
- (2) Any member of the Commission may set in motion the procedure for dismissal from office.

**CHAPTER 3:  
CHAIRPERSON AND VICE CHAIRPERSON**

**Rule 6: Election**

- (1) The Chairperson shall be elected by all the members of the Commission from among the members of the Requests Chamber in accordance with Article 7(2) of the Statute. Only the members who are present shall take part in the election. To be elected, the Chairperson shall receive at least five votes cast in a secret ballot.
- (2) If no candidate achieves the required majority in the first round of voting, a second round shall take place between the two candidates having received the most votes. In the event of a tie between two candidates in the final round, preference shall be given to the member having precedence according to the date of his/her taking up office as member of the Commission. If the length of time they have served as members is the same, they shall take precedence according to age.
- (3) The Commission shall also elect a Vice Chairperson, pursuant to the same procedure.

**Rule 7: Term of office**

- (1) The Chairperson and the Vice Chairperson shall be elected for a term of office of 3 years.
- (2) They may be reelected for a second term, for the remainder of their mandate.

**Rule 8: Functions**

- (1) The functions of the Chairperson are established in Article 7(1) and Article 16(1) of the Statute.
- (2) The Chairperson of the Commission shall convene and preside sessions of the Commission and direct the discussions over both Chambers.
- (3) The Chairperson shall represent the Commission and, in particular, be responsible for its relations with the authorities of INTERPOL.
- (4) For the purposes of the first election under the present Rules, the session shall be convened and chaired by the member of the Commission having precedence according to the date of his/her taking up office as member of the Commission. If the length of time they have served as members is the same for all, the member having precedence according to age shall act as Chairperson.

- (5) The Vice Chairperson shall assume the functions of the Chairperson in the circumstances outlined in Rule 9 below.

**Rule 9: Replacement of the Chairperson**

The Vice Chairperson shall assume the functions of the Chairperson in case of resignation, dismissal, withdrawal or absence of the Chairperson, or if he/she is unable to carry out his/her duties, as long as the office is vacant.

**CHAPTER 4:  
RAPPORTEURS**

**Rule 10: Appointment and functions of the Rapporteurs**

- (1) In application of Article 17 of the Statute, which provides for the possibility for the Commission to delegate some powers to one or several members, the members of each Chamber may appoint from among themselves one or more Rapporteurs with the function of facilitating the Commission's work and taking decisions in between sessions of the Commission.
- (2) The Rapporteurs may be assisted by any other member of the Commission. They shall report back to the Commission.
- (3) The Rapporteurs shall participate in discussions and deliberations of the cases for which they serve as Rapporteurs.

**Rule 11: Term of office**

- (1) The Rapporteurs shall be appointed for 3 years.
- (2) They may be reappointed for the remainder of their mandate.

**CHAPTER 5:  
SECRETARIAT OF THE COMMISSION**

**Rule 12: Functions of the Secretariat**

- (1) In accordance with Article 15 of the Statute, the Secretariat of the Commission shall take all necessary and appropriate measures, within the limits of its remit, to ensure the smooth operation of the Commission's work. The Secretariat shall assist the members of the Commission in performing their duties.

- (2) The Commission shall supervise the work of the Secretariat, relating in particular to its relation with the Chairperson, the Vice Chairperson or the Rapporteurs, the selection of its staff, and/or the preparation of the decisions of the Commission.

**CHAPTER 6:  
GENERAL FRAMEWORK FOR THE WORK  
OF THE COMMISSION**

**Rule 13: Confidentiality and professional secrecy**

- (1) The work and the files of the Commission are confidential.
- (2) The Commission's files and reports are reserved for internal use only, unless it expressly decides otherwise in conformity with Article 20 of the Statute.
- (3) In the exercise of their duties, members of the Commission and its Secretariat shall consider as confidential all documents and information that come to their knowledge as a consequence of, or in connection with, their membership of the Commission.
- (4) Members of the Commission and its Secretariat shall take all appropriate measures to ensure respect of the confidentiality requirements of the Commission's work, as described in Rule 29 below.

**Rule 14: Working languages**

- (1) The working languages of the Commission shall be those of the Organization, namely Arabic, English, French and Spanish.
- (2) In accordance with Article 18(2) of the Statute, the working language selected by the Commission for the processing of its internal files is English.
- (3) Interpretation in Arabic, English, French and Spanish may be provided during the sessions of the Commission.

**Rule 15: Timeframes set by the Commission**

- (1) In addition to the timeframes established in Article 40 of the Statute, the Commission may set deadlines within which it wants to receive any information requested.

- (2) Such deadlines may be extended by the Commission upon receipt of a reasoned demand.

**Rule 16: Organization of sessions**

- (1) In accordance with Article 16(1) of the Statute, the Commission shall meet at least three times a year. The sessions of the Commission shall be held at the Organization's Headquarters, unless otherwise decided by the Commission. Where necessary, the Commission may decide to allow remote participation by telephone and video.
- (2) The dates of the Commission's sessions shall be set by its Chairperson after consultation with the members of the Commission.

**Rule 17: Attendance at sessions**

- (1) In accordance with Article 16 of the Statute, the Commission's sessions shall be held *in camera*. Its deliberations shall remain secret. In principle, only members and the Commission's Secretariat shall attend the Commission's sessions.
- (2) In case of unavailability, the member concerned shall inform the Chairperson as soon as possible.
- (3) The Commission may nonetheless invite other persons whose presence it may consider useful.
- (4) If the person is not already bound by rules of confidentiality of the Organization, Rule 3 above shall apply *mutatis mutandis*.

**Rule 18: Relations between Chambers**

The meetings of the Supervisory and Advisory Chamber and of the Requests Chamber shall be scheduled in a manner that allows members of each Chamber of the Commission to consult and/or participate as non-voting members in the work and deliberations of the other Chamber, as provided in Article 6(2) of the Statute.

**CHAPTER 7:  
CONCLUSIONS OF THE COMMISSION**

**Rule 19: Conclusions**

- (1) For the purposes of the present Rules, conclusions of the Commission include any decisions, opinions and recommendations made by the Commission.
- (2) In accordance with Articles 26(1) and 38(1) of the Statute, decisions of the Chambers of the Commission which require any action by the General Secretariat to ensure compliance with INTERPOL's rules are binding decisions.
- (3) Conclusions of the Commission are in principle reached during its sessions, except in the case of delegation of powers in accordance with Article 17 of the Statute. Conclusions may be reached by the Commission also in between the sessions, if necessary and deemed possible.
- (4) In accordance with Article 27(1) of the Statute, when the Commission considers that it has received sufficient information to reach a conclusion on a question or case under examination, it shall draw reasoned conclusions.

**Rule 20: Quorum**

- (1) The quorum of the Commission as a whole shall be four members present and voting.
- (2) The quorum of the Supervisory and Advisory Chamber shall be two members of that Chamber present and voting.
- (3) The quorum of the Requests Chamber shall be three members of that Chamber present and voting.
- (4) If there is no quorum, the Chairperson shall adjourn the session of the Chamber concerned.

**Rule 21: Votes**

- (1) A member shall vote in the Chamber he/she has been elected to. The Chairperson shall vote in both Chambers.
- (2) Each member of the Commission shall have one vote. Votes shall be taken by a show of hands, unless decided otherwise.

- (3) The conclusions of the Commission as a whole shall be reached by a majority of the members of the Commission, subject to Rule 34 below. The conclusions of each Chamber shall be reached by a majority of the members of the Chamber concerned. Members shall not abstain from deciding on the admissibility of a request and from adopting conclusions.
- (4) In the event of an equality of votes, a fresh vote shall be taken and, if there is still equality, the Chairperson shall have a casting vote.

**TITLE 2:  
SUPERVISORY AND ADVISORY CAPACITY**

**Rule 22: General provisions**

- (1) For the performance of its functions, as stated in Article 26 of the Statute, the Supervisory and Advisory Chamber may seek information or clarification from the General Secretariat, in particular its Data Protection Officer, and the sources of data processed through INTERPOL's channels, or may invite them to provide any information.
- (2) In this respect the Supervisory and Advisory Chamber may set timeframes within which the General Secretariat or the source of data consulted shall provide the information requested or any comments concerning its decisions, opinions or recommendations.

**Rule 23: Supervision and advice**

- (1) The Supervisory and Advisory Chamber may examine and assess in light of INTERPOL's rules, any matter involving the processing of personal data in the INTERPOL Information System, to identify any potential sources of risks and to provide guidance on the processing of data, including to ensure effective implementation of applicable rules.
- (2) For that purpose, the Supervisory and Advisory Chamber may undertake various checks. These checks may be decided in light of issues identified or questions raised by the Requests Chamber.
- (3) The Supervisory and Advisory Chamber may determine the scope and subject of these checks and the way in which they shall be carried out.

- (4) The Supervisory and Advisory Chamber shall inform the General Secretariat of the checks undertaken in the context of its supervisory capacity.

**Rule 24: Notification of conclusions**

- (1) The Supervisory and Advisory Chamber shall provide its findings to the General Secretariat. It may decide to address provisional findings to the General Secretariat, for comments or information.
- (2) The Supervisory and Advisory Chamber may also provide its findings to the Requests Chamber. It shall do so when the Requests Chamber asked it to address an issue identified in the context of the examination of requests.

**TITLE 3: REQUESTS**

**CHAPTER 1:  
GENERAL PROVISIONS**

**Rule 25: Registration**

The Requests Chamber shall register all requests it receives.

**Rule 26: Joint examination**

At the request of the applicants or at its own initiative, the Requests Chamber may decide to process together requests that relate to the same case or which raise the same or similar issues.

**Rule 27: Additional information**

- (1) In addition to consultations foreseen in Articles 21 and 34 of the Statute, the Commission may invite the applicant to provide further information or clarifications relating to his/her request, as well as to supply any additional items which may be needed in support of the request, within a set deadline.
- (2) The Commission may also invite the General Secretariat to provide its views on a case or on the implementation of INTERPOL's rules, within a set deadline.

**Rule 28: Hearings**

In accordance with Article 36 of the Statute, the Commission shall meet applicants, or their duly authorized representatives or hold hearings, if it considers this necessary for the examination of a request.

**Rule 29: Confidentiality**

- (1) In accordance with Article 20(2) of the Statute and with Rule 13 above, the information, work and files of the Commission are confidential. In the exercise of their duties, the members of the Commission and its Secretariat shall consider as confidential all information, work and files that come to their knowledge as a consequence of, or in connection with their membership of the Commission. They shall take all appropriate measures to respect the confidentiality of a request, and of the items making up the request submitted to the Commission.
- (2) When necessary, special handling procedures may be adopted by the Requests Chamber to ensure specific confidentiality requirements.

**CHAPTER 2:  
ADMISSIBILITY OF REQUESTS**

**Rule 30: Criteria of admissibility of requests**

- (1) A request shall be considered admissible if the following conditions are met:
  - (a) the request includes an original letter sent by post and signed by the applicant, explaining the purpose of the request;
  - (b) it is written in one of the Organization's working language (Arabic, English, French and Spanish);
  - (c) the request comes from the person whom it concerns, or from that person's duly authorized representative(s);
  - (d) where the applicant is represented by a duly authorized representative, the request shall be accompanied by an original power of attorney signed by the applicant authorizing his/her representative to access any information about him/her recorded in INTERPOL's files;
  - (e) where the applicant is represented by a legal representative, the request shall be accompanied by the corresponding written declaration or certificate;

- (f) where the applicant is an entity, the request shall be accompanied by documents showing that the individual who lodged the application on behalf of the entity has standing or authority to represent the entity, for example an extract from the Chamber of Commerce register or minutes of the governing body;
- (g) the request shall be accompanied by a copy of a readable and non-redacted identity document belonging to the applicant in order to prove his/her identity. Where the applicant is an entity, the full name, date of incorporation or registration, the official registration number (if any), and the official address shall be provided;
- (h) where the applicant submits a request for correction and/or deletion of information processed in the INTERPOL Information System, the request shall set out the reasons, and be accompanied by a summary of arguments in support of the request, making specific reference to any relevant attached document in the form provided for by the Secretariat. The Requests Chamber shall only take into consideration the attached documents which are or have been translated into one of INTERPOL's working languages, as described in paragraph 1(b) of the present Rule 30.

- (2) If, upon receipt of such request, further information is needed from the applicant to determine the admissibility of the request, the Requests Chamber shall invite the applicant to submit any missing or additional information within a given time limit. At the same time, the Commission shall inform the applicant that as a consequence of the failure to provide the information requested within the deadline that it specified, no admissibility decision nor further action will be taken in respect to the request concerned.
- (3) The examination of such request may continue if the requested information is submitted at a later date.
- (4) The Requests Chamber shall not deal with requests when it considers them as:
  - (a) clearly unreasonable, for instance, because of their repetitive or systematic nature;
  - (b) not within the Requests Chamber's competence, as set out in the Statute.

In such cases, the Commission may refrain from carrying out the action or actions



requested and shall not be obliged to reply to the person or persons introducing the request.

**Rule 31: Decision on admissibility of requests**

- (1) Once the criteria of admissibility established in Rule 30 above have been fulfilled, the request shall be declared admissible.
- (2) If the criteria of admissibility established in Rule 30 above have not been fulfilled, the Requests Chamber shall declare the request inadmissible.
- (3) In both situations, the Requests Chamber shall inform the applicant of its decision at the earliest opportunity in accordance with Article 32(1) of the Statute.
- (4) A decision not to deal with a request in whole or in part shall be explained to the applicant.

(2) Any proposal for amendment to the present Rules shall be communicated to the Secretariat to the Commission at least one month before the session at which it is to be discussed. On receipt of such a proposal, the Secretariat shall inform all members of the Commission at the earliest possible moment.

(3) Any Rule may be amended by a majority of five members of the Commission. The amendments shall enter into force upon adoption.

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**CHAPTER 3:  
CONCLUSIONS OF THE REQUESTS  
CHAMBER**

**Rule 32: Notification of conclusions**

- (1) In compliance with Articles 40 and 41 of the Statute and with Rule 19(4) above, when its conclusions have become final, the Requests Chamber shall provide the reasoned conclusions to the General Secretariat and to the applicant, within the time frames set by the Statute and by the Commission.
- (2) The Requests Chamber may also decide to address interim conclusions or interim replies to the General Secretariat and to the applicant.

**TITLE 4:  
FINAL PROVISIONS**

**Rule 33 : Non-derogation**

The present Rules shall not be construed as derogating from any of the provisions of the Statute of the Commission.

**Rule 34: Entry into force of the Rules and amendments**

- (1) The present Rules shall enter into force upon adoption by at least five members of the Commission.



A row of white classical columns in a hall, with the number 24 overlaid in red. The columns are arranged in a perspective that recedes into the distance. The number 24 is rendered in a bold, serif font, with the '2' being a dark red color and the '4' being a slightly lighter shade of red. The background is a soft, out-of-focus white, suggesting a bright, clean interior space.

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INTERPOL

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*INTERPOL's Rules on the  
Processing of Data*

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[III/IRPD/GA/2011 (2016)]



## REFERENCES

51st General Assembly session, Resolution AG/51/RES/1, adopting the “Rules on International Police Cooperation and on the Internal Control of INTERPOL’s Archives”.

55th General Assembly session, Resolution AGN/55/RES/2, delegating to the Executive Committee the adoption of the “Rules on the Deletion of Police Information Held by the General Secretariat”, and the decision taken by the Executive Committee at its 84th session (Saint Cloud, France, 4-6 March 1987) adopting these Rules.

59th General Assembly session, Resolution AGN/59/RES/7, adopting the “Rules Governing the Database of Selected Information at the ICPO-INTERPOL General Secretariat and Direct Access by NCBs to that Database”.

70th General Assembly session, Resolution AG-2001-RES-08, adopting the “Rules Governing Access by an Intergovernmental Organization to the INTERPOL Telecommunications Network and Databases”.

72nd General Assembly session, Resolution AG-2003-RES-04, adopting the “Rules on the Processing of Information for the Purposes of International Police Cooperation”.

76th General Assembly session, Resolution AG-2007-RES-09, adopting the “Implementing Rules for the Rules on the Processing of Information for the Purposes of International Police Cooperation”.

80th General Assembly session, Resolution AG-2011-RES-07 approving the Rules on the Processing of Data and abrogating, on 30 June 2012, the “Rules on the Processing of Information for the Purposes of International Police Cooperation”, the “Implementing Rules for the Rules on the Processing of Information for the Purposes of International Police Cooperation”, and the “Rules Governing Access by an Intergovernmental Organization to the INTERPOL Telecommunications Network and Databases”.

The English version of the rules was corrected by the General Secretariat on 14 March 2013, in application of the provisions of Article 33(3) of the Rules of Procedure of the ICPO-INTERPOL General Assembly.

83rd General Assembly session, Resolution AG-2014-RES-18 adopting amendments to INTERPOL’s Rules on the Processing of Data.

85th General Assembly session, Resolution AG-2016-RES-06 adopting amendments to INTERPOL’s Rules on the Processing of Data.

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**PREAMBLE**

The General Assembly of the International Criminal Police Organization – INTERPOL,

CONSIDERING Article 2, paragraph 1 of the Organization's Constitution,

HAVING CONSULTED the Commission for the Control of INTERPOL's Files in accordance with Article 36, paragraph 2 of the Constitution,

CONSIDERING that it is the responsibility of the General Assembly, in accordance with Article 8(d) of the Constitution, to determine the operating rules for the INTERPOL Information System regarding data processing,

HAS ADOPTED THE FOLLOWING RULES:

**Article 1: Definitions**

For the purposes of the present Rules:

- (1) "Ordinary-law crime" means any criminal offences, with the exception of those that fall within the scope of application of Article 3 of the Constitution and those for which specific rules have been defined by the General Assembly.
- (2) "Data" means any item of information, irrespective of its source, pertaining to constituent elements of ordinary-law crimes, the investigation and prevention of such crimes, the prosecution of the offenders and punishment of the offences, and any information pertaining to missing persons and unidentified dead bodies.
- (3) "Personal data" means any data about an identified natural person or a person who may be identified by means that may reasonably be used.
- (4) The "INTERPOL Information System" means all the structured material resources and software used by the Organization – databases, communications infrastructure, advanced sensor technology and other services – to process data through its channels in the context of international police cooperation.
- (5) "Processing" means any operation or set of operations performed on data, whether or not by automatic means, such as collection, recording, consultation, transmission, use, disclosure and deletion.
- (6) "Source" means any National Central Bureau which processes data in the INTERPOL Information System, and which is ultimately responsible for those data, or any international entity or private entity whose data are processed in the INTERPOL Information System, or on behalf of which data are recorded in the System, and which is ultimately responsible for them.
- (7) "National Central Bureau" means any body designated by a country to perform the liaison functions provided for under Article 32 of the Organization's Constitution.
- (8) "National entity" means any entity legally authorized to fulfil the role of a public institution in enforcing the criminal law that has specifically been authorized by the National Central Bureau of its country, by an agreement and within the limits determined by that National Central Bureau, to directly consult data processed in the INTERPOL Information System or to directly provide data for processing purposes within that System.
- (9) "International entity" means any international, intergovernmental or non-governmental organization which fulfils an international public interest mission, which has concluded an agreement with the Organization on the exchange of data and which has been granted direct or indirect access to a part of the INTERPOL Information System by the Organization.
- (10) "Private entity" means any legal person governed by private law such as a business, company, commercial association or a not-for-profit organization, not covered by the category of international entities, which has concluded an agreement with the Organization on the exchange of data, and in particular, on the processing of data in the INTERPOL Information System.
- (11) "Request for international cooperation" means any steps taken by a National Central Bureau, an international entity or the General Secretariat via the INTERPOL Information System to send a request for assistance to one or more of the Organization's Members to carry out a specific action in conformity with the Organization's aims and activities.
- (12) "International alert" means any steps taken by a National Central Bureau, an international entity or the General Secretariat via the INTERPOL Information System to send a notification to one of more of the Organization's Members about specific threats to public safety, persons and property.

- (13) "Notice" means any request for international cooperation or any international alert published by the Organization at the request of a National Central Bureau or an international entity, or at the initiative of the General Secretariat, and sent to all the Organization's Members.
- (14) "Diffusion" means any request for international cooperation or any international alert from a National Central Bureau or an international entity, sent directly to one or several National Central Bureaus or to one or several international entities, and simultaneously recorded in a police database of the Organization.
- (15) "Message" means any request for international cooperation, any international alert or any data that a National Central Bureau or international entity with powers of investigation and prosecution in criminal matters chooses to send directly to one or several National Central Bureaus or to one or several international entities through the INTERPOL Information System but that it chooses, unless otherwise indicated, not to simultaneously record in a police database of the Organization.
- (16) "Direct access" means entering and obtaining data in the INTERPOL Information System by expressly authorized persons using automatic means and without assistance from the General Secretariat.
- (17) "Indirect access" means entering and obtaining data in the INTERPOL Information System with assistance of the General Secretariat.
- (18) "Particularly sensitive data" means any personal data revealing racial or ethnic origin; political opinions; religious or philosophical convictions; trade-union membership; or concerning health or sexuality.
- (19) "Interconnection" means any electronic link which involves connecting a part of the INTERPOL Information System to a part of another information system.
- (20) "Download" means any operation involving the exportation of data from the INTERPOL Information System into another information system.
- (21) "Upload" means any operation involving the importation of data from another information system into the INTERPOL Information System.
- (22) "Crime analysis" means the methodical identification and provision of insight into the relationship between data carried out in the context of international police cooperation.
- (23) "Status of a person" means information about a person in connection with an event which warrants the processing of data in the INTERPOL Information System.
- (24) "Positive query result" means a presumed match between data already processed in the INTERPOL Information System and other data that are entered in this system.
- (25) "Advanced sensor technology" means technology which facilitates the identification of persons and objects through automated data processing and may allow semi-automated decision-making, which requires human intervention for verification purposes.

#### **Article 2: Aim**

The aim of the present Rules is to ensure the efficiency and quality of international cooperation between criminal police authorities through INTERPOL channels, with due respect for the basic rights of the persons who are the subject of this cooperation, in conformity with Article 2 of the Organization's Constitution and the Universal Declaration of Human Rights to which the said Article refers.

#### **Article 3: Subject**

The present Rules lay down the general principles, the responsibilities and the arrangements for the functioning of the INTERPOL Information System.

#### **Article 4: Scope**

- (1) The processing of data through INTERPOL channels shall be done exclusively in the INTERPOL Information System.
- (2) The present Rules shall apply to all data-processing operations performed in the INTERPOL Information System.
- (3) Notwithstanding the applicable provisions of the present Rules, the General Assembly may adopt a separate legal framework whereby the Organization's Members agree to follow rules governing the processing of data for purposes of international judicial cooperation.

**TITLE 1:  
GENERAL PRINCIPLES**

**CHAPTER I:  
PRINCIPLES CONCERNING  
INTERNATIONAL POLICE COOPERATION**

**Article 5: Compliance with the principles of governance and responsibilities associated with the processing of data**

- (1) International police cooperation through INTERPOL channels shall take place in accordance with the basic rules governing the Organization's operations, in particular its Constitution.
- (2) The processing of data in the INTERPOL Information System shall be performed in conformity with, in particular, Articles 2, 3, 26, 31, 32, 36 and 41 of the Constitution.
- (3) The Organization's Members shall endeavour to exchange a maximum of information of interest for the purposes 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.
- (4) At the national level, the National Central Bureaus shall play a central role concerning the processing of data in the INTERPOL Information System.
- (5) The source shall be fully responsible for the data it processes in the INTERPOL Information System, regardless of the method used for such processing, and for the consequences directly resulting from such processing, and shall take appropriate measures to correct any incorrect processing of data.
- (6) INTERPOL shall be fully responsible for any unauthorized or incorrect use and/or storage of data by INTERPOL and for the consequences directly resulting from such unauthorized or incorrect use and/or storage of data, and shall take appropriate measures to correct any incorrect processing of data by the Organization.
- (7) Recipients of data processed in the INTERPOL Information System shall be fully responsible for:
  - (a) any action taken at the national level based on data they have received;
  - (b) taking the appropriate measures so that data received are immediately updated at the national level once they have been informed of any modification or deletion.

**Article 6: Access to the INTERPOL Information System**

- (1) National Central Bureaus are entitled to direct access to the System in the performance of their functions pursuant to the Constitution. This access shall include:
  - (a) the recording, updating, and deletion of data directly in the Organization's police databases, as well as the creation of links between data;
  - (b) direct consultation of the Organization's police databases, subject to specific conditions determined for each database and to restrictions and confidentiality rules laid down by their sources;
  - (c) use of INTERPOL's notices and diffusions allowing the transmission of requests for cooperation and international alerts;
  - (d) following up on positive query results;
  - (e) transmission of messages.
- (2) Access by national entities and international entities to the INTERPOL Information System is subject to authorization, and to the conditions provided for in Articles 21 and 27, respectively, of the present Rules.

**Article 7: Control of data processing**

- (1) National Central Bureaus and international entities shall retain, at all times, control over the processing of their data, in accordance with the present Rules. Any National Central Bureau or international entity shall be free, in particular, to restrict the access to or the use of its data in one of the Organization's police databases, under the conditions provided for in Article 58 of the present Rules.
- (2) Data processed in the INTERPOL Information System shall be those provided by National Central Bureaus, national entities and international entities. Nevertheless, data supplied by private entities in application of Article 28 of the present Rules or those recorded by the General Secretariat in application of Article 24(2) of the present Rules, may also be processed in the System.

**Article 8: Use of INTERPOL notices and diffusions**

- (1) Requests for cooperation and international alerts through INTERPOL channels shall be sent by means of INTERPOL notices or diffusions.

- (2) National Central Bureaus are entitled to use INTERPOL notices and diffusions in the performance of their functions pursuant to the Constitution. For international entities, entitlement shall be subject to authorization.
- (3) The publication of INTERPOL notices and the transmission of diffusions shall be in accordance with Articles 73 et seq. of the present Rules.
- (4) National Central Bureaus may send requests for cooperation and international alerts by means of messages, in accordance with Article 9 below. For international entities with powers of investigation and prosecution in criminal matters, this option shall be subject to authorization.

**Article 9: Direct communication using messages**

- (1) The INTERPOL Information System enables direct communication between National Central Bureaus by means of messages.
- (2) National Central Bureaus are entitled to send messages in the performance of their functions pursuant to the Constitution. For international entities, entitlement shall be subject to authorization.
- (3) National Central Bureaus or international entities shall, prior to sending a message, ensure that it is in conformity with the present Rules.
- (4) The General Secretariat may not record a message in one of the Organization's police databases without the prior consent of the National Central Bureau or international entity that sent the said message. The National Central Bureau or international entity is presumed to have given prior consent if the General Secretariat is one of the recipients of the said message.
- (5) Further entitlements to communicate directly by means of messages may be granted in the context of specific projects or initiatives. In exceptional circumstances, a National Central Bureau may entitle expressly authorized persons who are not members of its staff to send such messages.

**CHAPTER II:  
PRINCIPLES CONCERNING  
INFORMATION PROCESSING**

**Article 10: Purposes of international police cooperation**

- (1) The processing of data in the INTERPOL Information System may only be carried out for a given, explicit purpose which is in conformity with the Organization's aims and activities.
- (2) Data shall be processed in the INTERPOL Information System for at least one of the following purposes:
  - (a) to search for a wanted person with a view to his/her detention, arrest or restriction of movement;
  - (b) to locate a person or an object of interest to the police;
  - (c) to provide or obtain information related to a criminal investigation or to the criminal history and activities of a person;
  - (d) to warn of a person, an event, an object or a modus operandi related to criminal activities;
  - (e) to identify a person or a dead body;
  - (f) to carry out forensic analyses;
  - (g) to carry out security checks;
  - (h) to identify threats, crime trends and criminal networks.
- (3) The National Central Bureaus, national entities and international entities shall be responsible for determining the purpose of processing their data and for performing regular reviews, particularly once this purpose may have been achieved.
- (4) The General Secretariat shall put in place mechanisms and tools to guarantee compliance with the said purpose at all times, under the conditions provided for in Articles 125 to 127 of the present Rules.
- (5) The National Central Bureaus, national entities and international entities shall comply with this purpose when using data.
- (6) National Central Bureaus, national entities and international entities shall only be allowed to process data for other purposes of international police cooperation or for administrative purposes if the processing is in conformity with the Organization's aims and activities, and is not incompatible with the purpose for which the data were initially processed in the INTERPOL Information System. The source shall be notified of such processing and shall retain the right to oppose it, under the conditions provided for in Articles 64 and 65 of the present Rules.



Such processing shall be the sole responsibility of the National Central Bureau, national entity or international entity choosing to process the data for purposes other than those for which the data had initially been processed.

- (7) Data may also be processed for any other legitimate purpose distinct from international police cooperation, under the conditions provided for in Articles 132 et seq. of the present Rules.

**Article 11: Lawfulness**

- (1) Data processing in the INTERPOL Information System should be authorized with due regard for the law applicable to the National Central Bureau, national entity or international entity and should respect the basic rights of the persons who are the subject of the cooperation, in accordance with Article 2 of the Organization's Constitution and the Universal Declaration of Human Rights to which the said Article refers.
- (2) The National Central Bureaus, national entities and international entities shall be responsible for ensuring lawfulness of the collection and entry of their data in the INTERPOL Information System.
- (3) The National Central Bureaus, national entities and international entities shall also be responsible for ensuring the lawfulness of the consultation of the data entered in the INTERPOL Information System

**Article 12: Quality**

- (1) Data processed in the INTERPOL Information System must be accurate, relevant, not excessive in relation to their purpose and up to date, to allow them to be used by National Central Bureaus, national entities and international entities.
- (2) The National Central Bureaus, national entities and international entities shall be responsible for the quality of the data they record and transmit in the INTERPOL Information System.
- (3) The General Secretariat shall put in place the mechanisms and tools to guarantee compliance with the aforementioned quality at all times.
- (4) The National Central Bureaus, national entities and international entities are required to check the quality of data before using them, under the conditions provided for in Article 63 of the present Rules.

**Article 13: Transparency**

- (1) The processing of data in the INTERPOL Information System should guarantee at all times that the processing rights of National Central Bureaus, national entities and international entities are respected in accordance with the present Rules.
- (2) The General Secretariat shall be responsible for ensuring the transparency of data-processing operations and of the functioning of the Organization's databases.
  - (a) It shall request the opinion of the Commission for the Control of INTERPOL's Files if it intends to carry out any operations involving the processing of personal data referred to in Articles 27 to 31, 55, 56, 61, 68(4,d), 73(2) and 97(3) of the present Rules.
  - (b) It shall inform the Commission for the Control of INTERPOL's Files of any steps taken in application of Articles 51(7), 59, 118 and 125(2,b) of the present Rules.
  - (c) It shall submit to the Executive Committee any project or request relating to the processing of data in the INTERPOL Information System for which its prior authorization is required in accordance with Articles 17(5), 22(3), 23, 29, 30, 31, 55(3), 68(8), 97(3) and 131(3) of the present Rules, and shall attach the opinion of the Commission for the Control of INTERPOL's Files whenever so required by the present Rules. The Executive Committee shall report to the General Assembly on the authorizations it grants under the conditions provided for in Article 55(6) of the present Rules.
  - (d) It shall inform the Executive Committee of the measures taken in application of Articles 59, 68(4) and 118 of the present Rules.
  - (e) Under the conditions provided for in Article 126 of the present Rules, it shall keep up-to-date registers of the following:
    - (i) National Central Bureaus, national entities and international entities to which access has been granted to the INTERPOL Information System or which have supplied the data processed in the system;
    - (ii) the Organization's police databases, including analysis files;
    - (iii) interconnection operations;
    - (iv) the downloading and uploading operations performed;
    - (v) the data-processing operations recorded in the databases;

- (vi) the data-management tools implemented by the General Secretariat;
- (vii) comparison operations carried out for verification purposes.

These registers shall be available at all times to the National Central Bureaus. They shall also be available to international entities according to the access rights they have been granted, as well as to national entities through their National Central Bureaus.

**Article 14: Confidentiality**

- (1) The confidentiality of data processed in the INTERPOL Information System should be determined according to the risks linked to their disclosure for those who are the subject of cooperation, the sources and the Organization. Data should only be accessible to persons authorized to know such information.
- (2) National Central Bureaus, national entities and international entities are responsible for attributing levels of confidentiality to the data they enter in the INTERPOL Information System and for observing the confidentiality of the data they consult, transmit or use for external processing purposes, under the conditions provided for in Articles 112 et seq. of the present Rules.
- (3) The General Secretariat shall ensure that all data are processed in the INTERPOL Information System according to the confidentiality level attributed by the National Central Bureau, national entities or international entities which carried out the processing.
- (4) The General Secretariat shall take, in accordance with the present Rules, all necessary and appropriate measures to increase the confidentiality level attached to data to protect against risks that their disclosure may have for those who are the subject of cooperation, the sources of data and the Organization.

**Article 15: Security**

- (1) The data processed in the INTERPOL Information System should be protected against risks violating their integrity and confidentiality, and remain available at all times to the National Central Bureaus, national entities and international entities having direct access to the INTERPOL Information System.
- (2) The General Secretariat shall be responsible for setting up an information security management system. To that end, in consultation with the National Central Bureaus or with their

representatives on the advisory bodies set up for the purpose, it shall establish and regularly update a security policy based on internationally accepted standards and on a risk assessment.

- (3) The General Secretariat shall be responsible for developing the communication infrastructure and databases in order to preserve the security of data, in compliance with the security policy established.
- (4) The General Secretariat shall be responsible for defining authorization or security-clearance procedures for its staff for each level of data confidentiality, under the conditions provided for in Articles 112 et seq. of the present Rules.
- (5) National Central Bureaus and international entities shall be responsible for the access they grant to the INTERPOL Information System, the security of the facilities which enable them to access that system, compliance with the established rules of security and for maintaining data at a level of security at least equivalent to that laid down by the General Secretariat in cases of external processing.
- (6) The General Secretariat shall take, in accordance with the present Rules, all appropriate measures to protect the security of data processed in the INTERPOL Information System.

**Article 16: External processing for police purposes**

- (1) The data initially processed in the INTERPOL Information System may be processed outside the system if this processing is necessary and carried out for police purposes. Any external processing must be in compliance with the above-mentioned data-processing principles.
- (2) The National Central Bureaus and international entities shall be responsible for implementing the arrangements for external processing, under the conditions provided for in Articles 114(4) and 116 of the present Rules.
- (3) The General Secretariat shall advise the National Central Bureaus and international entities in implementing these arrangements.

**Article 17: Effective implementation**

- (1) The present Rules must be effectively implemented.
- (2) National Central Bureaus, national entities and international entities shall be responsible for defining and establishing effective and appropriate measures to guarantee the compliance of their operations with the principles and obligations laid down in the present Rules, in particular through staff training.

- (3) National Central Bureaus shall be responsible for defining and establishing procedures to guarantee the compliance of the operations of their national entities with the principles and obligations laid down in the present Rules, prior to granting them authorization to directly consult data processed in the INTERPOL Information System or to directly provide data for processing purposes in the System.
- (4) The National Central Bureaus shall be responsible for regularly evaluating the operation of each of their national entities in the light of the present Rules, and shall, within the limits set by the present Rules, take all necessary and appropriate corrective measures vis-à-vis these national entities to terminate any non-compliant processing of data. They may take all necessary precautionary measures to take account of the risk inherent in any clearly non-compliant use of data.
- (5) The General Secretariat shall be responsible for regularly evaluating the operation of the National Central Bureaus in the light of the present Rules. It shall take all necessary and appropriate corrective measures to terminate any non-compliant processing of data, under the conditions provided for in Article 131 of the present Rules. Any measures which may result in the long-term suspension of the processing rights of a National Central Bureau shall be submitted to the Executive Committee for prior approval.
- (6) The General Secretariat shall be responsible for regularly evaluating the operation of the international entities in the light of the present Rules, and shall adopt any necessary and appropriate corrective measures to terminate any non-compliant processing of data, under the conditions provided for in Article 131 of the present Rules.

**Article 18: Rights of access, correction and deletion of data**

- (1) Any person or entity shall be entitled to submit directly to the Commission for the Control of INTERPOL's Files a request for access to, or correction and/or deletion of data processed in the INTERPOL Information System concerning that person or entity.
- (2) These rights of access to, or correction and deletion of data shall be guaranteed by the Commission for the Control of INTERPOL's Files and be governed by separate rules. Unless otherwise specified in those rules, requests for access to, or correction and/or deletion of data may not be processed in the INTERPOL Information System.

**TITLE 2: PARTICIPANTS**

**CHAPTER I:  
ROLE OF THE NATIONAL CENTRAL  
BUREAUS**

**Article 19: Coordination of data flow**

- (1) The National Central Bureaus shall be responsible for coordinating at the national level the processing in the INTERPOL Information System of data provided by their countries.
- (2) The National Central Bureaus shall be responsible, with due respect for the present Rules, for providing the institutions of their countries with data processed in the INTERPOL Information System and necessary for the performance of their duties.

**Article 20: Coordination of criminal inquiries**

- (1) Matters relating to criminal inquiries shall be coordinated in conjunction with the National Central Bureaus.
- (2) The National Central Bureaus shall be responsible for coordinating at the national level the processing of requests for cooperation and international alerts sent to them by means of INTERPOL notices, diffusions and messages. As such, they shall be free to determine the most appropriate means, at the national level, for effective international cooperation.
- (3) The National Central Bureaus shall be responsible for following up on requests for cooperation and international alerts that they have sent at the request of the institutions of their respective countries, by means of INTERPOL notices, diffusions and messages.

**Article 21: Granting authorizations to directly access the INTERPOL Information System at the national level**

- (1) The National Central Bureaus alone shall be entitled to authorize the institutions of their countries to access the INTERPOL Information System and determine the extent of their access and processing rights. The National Central Bureaus shall take, to the extent possible, all the necessary measures to allow the criminal investigation authorities involved in international police cooperation in their countries to have access to the INTERPOL Information System.

- (2) Prior to granting authorizations for direct access, the National Central Bureaus must ensure that:
    - (a) the institution to which it intends to grant direct access to the INTERPOL Information System is an entity legally authorized to fulfil the role of a public institution in enforcing the criminal law;
    - (b) the nature of the activities and tasks of this institution do not violate the aims or the neutrality of the Organization;
    - (c) the national laws do not prohibit such access by this institution;
    - (d) the institution will be able to observe the present Rules;
    - (e) the access and processing rights it intends to grant are directly connected with the activities and tasks of this institution.
  - (3) When a National Central Bureau grants an authorization to directly access the INTERPOL Information System, it shall be subject to a prior agreement between the National Central Bureau and the new national entity. The agreement must comply with the "Charter relating to access to the INTERPOL Information System by national entities" appended to the present Rules.
  - (4) When a National Central Bureau grants authorization to a new national entity, it shall immediately notify the General Secretariat and all National Central Bureaus and international entities.
  - (5) National entities shall process their data in the INTERPOL Information System within the limits of the processing rights granted to them.
  - (6) National Central Bureaus shall communicate to their national entities the necessary information for them to exercise these processing rights.
  - (7) National Central Bureaus shall be responsible for the processing of data by the national entities they authorize to access the INTERPOL Information System.
- (2) It shall organize and administer the INTERPOL Information System and decide upon which technologies it should be based.
  - (3) It shall examine and process, under the Executive Committee's supervision and with due respect for the present Rules, downloading and interconnection requests submitted by the National Central Bureaus, under the conditions laid down in Articles 55 and 56 of the present Rules.
  - (4) It shall house the Organization's databases.
  - (5) It shall manage the processing of data in the INTERPOL Information System and ensure that the conditions for processing data in the Organization's databases are duly observed. It shall put in place the tools for managing data and access to the System. It shall perform a management role when conducting spot checks and resolving processing incidents.

**Article 23: Additional measures to enhance cooperation**

- (1) The General Secretariat shall be entitled to propose to the General Assembly the conclusion of agreements relating to data processing, and to propose to the Executive Committee the establishment of databases, INTERPOL notices or diffusions under the conditions laid down in Articles 27, 28, 29, 73 and 97 respectively of the present Rules.
- (2) The General Secretariat may, within the limits set by the present Rules, carry out tests to examine and draw up the above proposals.

**Article 24: Recording data**

- (1) In accordance with the present Rules, the General Secretariat shall record, update and delete data in the Organization's police databases:
  - (a) on behalf of sources which do not have direct access to the INTERPOL Information System;
  - (b) on its own initiative, when the data are obtained from publicly accessible sources that it has directly consulted or from persons who have contacted the General Secretariat or the National Central Bureaus, or when the data are the result of crime analyses conducted by the General Secretariat, under the conditions set forth in Article 47 of the present Rules.

**CHAPTER II:  
ROLE OF THE GENERAL  
SECRETARIAT**

**Article 22: Administration of the system**

- (1) The General Secretariat shall be responsible for the general administration of the INTERPOL Information System.

- (c) in exceptional circumstances, at the request or on behalf of a National Central Bureau, national entity or international entity with direct access to the INTERPOL Information System.
- (2) The General Secretariat may only record data on behalf of sources which do not have access to the INTERPOL Information System or on its own initiative if procedures for updating and deleting the information have been established beforehand.
- (2) When there is a real and imminent threat to people or property, and the data allowing a National Central Bureau, a national entity or an international entity to prevent this threat are subject to access restrictions placed against them, the General Secretariat shall be authorized to apply the emergency procedure provided for in Article 59 of the present Rules.

**CHAPTER III:  
RELATIONS WITH THE  
INTERNATIONAL ENTITIES AND  
PRIVATE ENTITIES**

**Article 25: Coordination**

- (1) The General Secretariat shall facilitate cooperation between the National Central Bureaus. It shall request from them or forward to them, in accordance with the present Rules and the restrictions and rules of confidentiality laid down by the source, all the data that it believes may improve the coordination of international cooperation.
- (2) If the purposes of international cooperation so require, the General Secretariat may exercise a role of direct coordination with the national entities, subject to express authorization by their respective National Central Bureaus.
- (3) The General Secretariat shall, whenever necessary, facilitate cooperation between the National Central Bureaus and international and private entities.
- (4) In order to improve international coordination, the General Secretariat may publish notices on its own initiative, under the conditions laid down in Article 103 of the present Rules.

**Article 26: Emergency measures**

- (1) If the cooperation mechanisms established by the Organization, its independence or the fulfilment of its commitments are under serious and imminent threat and the proper functioning of the INTERPOL Information System is likely to be interrupted, the Secretary General shall take, with regard to data processing, the appropriate measures required under these circumstances after official consultation with the President of the Organization. He shall notify the National Central Bureaus and the Commission for the Control of INTERPOL's Files. These measures should be prompted by the desire to ensure, within the shortest possible time, that the National Central Bureaus have the means of performing their functions pursuant to the Constitution.

**Article 27: Conditions relating to the processing of data by international entities**

- (1) Whenever it considers it desirable, and when it is consistent with the aims and objects provided in its Constitution, the Organization may establish relations with international entities in order to collaborate with them on data processing on a regular basis. The establishment of regular relations between the Organization and an international entity shall be laid down in an agreement.
- (2) The General Secretariat shall request the opinion of the Commission for the Control of INTERPOL's Files about all draft agreements that involve the processing of personal data.
- (3) The General Secretariat shall submit all draft agreements to the General Assembly for approval. To justify its request, the General Secretariat shall provide:
  - (a) the purposes, conditions and implications of the agreement;
  - (b) the outcome of any tests conducted by the General Secretariat;
  - (c) the opinion of the Commission for the Control of INTERPOL's Files if the draft agreement concerns the processing of personal data;
  - (d) the text of the draft agreement.
- (4) Data processing by international entities shall be subject to all the following conditions:
  - (a) The international entity is an international, intergovernmental or non-governmental organization performing a public-interest role at the international level;
  - (b) Such processing is strictly limited to the purposes of cooperation envisaged between the international entity and INTERPOL;

- (c) The processing of personal data is strictly limited to the entity's need to know about such data;
  - (d) The international entity undertakes, in the agreement, to observe the processing principles and the general obligations incumbent upon any source, as set out in the present Rules;
  - (e) The international entity and INTERPOL have concluded an agreement on the procedures for processing data transmitted between both parties.
- (5) Direct access by international entities to part of the INTERPOL Information System shall be subject to the following additional conditions:
- (a) The international entity accepts and agrees to comply with the present Rules and the specific provisions of the agreement;
  - (b) The international entity accepts and agrees to comply with such security rules and administrative procedures as may be established by the INTERPOL General Secretariat pursuant to the present Rules to allow access to and use of the INTERPOL Information System;
  - (c) The international entity accepts that regular checks may be performed, either remotely or on the premises, on its processing of data transmitted by INTERPOL;
  - (d) Access shall only be granted to one unit or department within the said entity;
  - (e) Access may not result in the interruption or delay of the transmission of requests for cooperation and alerts, or access to such requests and alerts by the National Central Bureaus;
  - (f) The international entity wishing to be able to transmit data by means of a message to one or several National Central Bureaus or one or more international entities has powers of investigation and prosecution in criminal matters;
  - (g) The international entity wishing to request the publication of INTERPOL notices or to transmit diffusions has powers of investigation and/or prosecution in criminal matters. However, the use of the special notice system shall be examined on a case-by-case basis.
- (6) The Organization's decision to authorize a new international entity to access the INTERPOL Information System shall be notified to the National Central Bureaus and other international entities by the General Secretariat. Access shall only become effective after completion of a procedure to safeguard the control by the other National Central Bureaus and other international entities over the rights granted to the new entity to process their data, under the conditions laid down in Article 109 of the present Rules.
  - (7) The list of agreements concluded shall be forwarded each year to the Executive Committee, to the Commission for the Control of INTERPOL's Files and to the General Assembly.

**Article 28: Conditions relating to the processing of data by private entities**

- (1) Insofar as it is relevant to the accomplishment of its aims, the Organization may establish relations with private entities wishing to cooperate with it in data-processing matters. The establishment and conduct of relations between INTERPOL and a private entity shall be laid down in an agreement.
- (2) The General Secretariat shall request the opinion of the Commission for the Control of INTERPOL's Files about all draft agreements that involve the processing of personal data.
- (3) The General Secretariat shall submit all draft agreements to the General Assembly for approval. To justify its request, the General Secretariat shall provide:
  - (a) the purposes, conditions and implications of the agreement;
  - (b) the outcome of any tests conducted by the General Secretariat;
  - (c) the opinion of the Commission for the Control of INTERPOL's Files if the draft agreement concerns the processing of personal data;
  - (d) the text of the draft agreement.
- (4) Cooperation with a private entity must:
  - (a) respect INTERPOL's Constitution and in particular the principle of national sovereignty. Any National Central Bureau which has recorded data in the INTERPOL Information System or on whose behalf data have been recorded in the system may oppose the forwarding of that data to a private entity;
  - (b) be subject to agreements, the conclusion of which has previously been authorized by the Executive Committee and then approved by the General Assembly.

- (5) Such cooperation may only be considered if:
- (a) the private entity is a legal person governed by private law;
  - (b) the processing is in conformity with the Organization's aims and activities;
  - (c) the purpose of the cooperation is clearly stated and corresponds to one of the prevention activities related to ordinary-law crimes;
  - (d) it is of interest for the purposes of international police cooperation in relation to the purpose concerned;
  - (e) durable cooperation is envisaged;
  - (f) the type of data to which access is made possible is identified in a specific manner;
  - (g) the data supplied by the private entity are identified as such and cannot be confused with the data obtained from other sources;
  - (h) the independence of the Organization in its cooperation with the private entity is guaranteed;
  - (i) cooperation with the private entity does not interfere with the transmission of international cooperation requests and alerts;
  - (j) the private entity undertakes, in the agreement, to respect the processing principles and the general obligations incumbent upon all sources, as set out in the present Rules.
- (6) Data supplied to private entities must be limited to analytical data and may not be personal in nature. Nevertheless, in exceptional cases, data supplied to private entities may be extended, as part of a specific project, to include personal data (but not nominal data, unless the National Central Bureaus or international entities which have supplied the data give their express authorization to do so) and/or data used in an operational context. In that case, the following additional conditions must be met:
- (a) the scope of the project must be clearly defined;
  - (b) the project must be the subject of a prior agreement with the entities concerned;
  - (c) access to these data is strictly limited to the entity's need to know such data;
  - (d) the use made of the data must be proportional to the aims referred to in Article 10(2) of the present Rules.
- (7) The conditions relating to the processing of data by private entities shall be set out in the agreement concluded between the private entity and the Organization.
- (8) Before providing private entities with data, according to the authorizations and conditions under the agreement, the General Secretariat shall notify the source of that data. The source shall have 45 days with effect from the date of notification to signify its opposition to this data communication.
- (9) The ways in which data are communicated to private entities must be defined in the agreement in order to guarantee the security and integrity of the data processed in the INTERPOL Information System.
- (10) The General Secretariat shall ensure that the means used by private entities to supply or obtain data processed in the INTERPOL Information System allow those entities to access only the data authorized, in conformity with the agreements concluded to that effect. The General Secretariat shall ensure that private entities are not able to access operational data, to compromise, or to interfere with police communications.
- (11) Under no circumstances shall the INTERPOL Information System be used to circumvent restrictions imposed by any national laws governing police cooperation with private entities.
- (12) The list of agreements concluded shall be forwarded each year to the Executive Committee, to the Commission for the Control of INTERPOL's Files and to the General Assembly.

### **TITLE 3: PROCEDURES FOR PROCESSING DATA**

#### **CHAPTER I: POLICE DATABASES**

##### **SECTION 1: AUTHORIZATION**

###### **Article 29: Creation of a database**

- (1) The General Secretariat shall submit any proposal to create a police database to the Executive Committee for approval.
- (2) To justify its request, the General Secretariat shall provide:
  - (a) the reasons that led it to develop this project, as well as the financial implications of such a project;

- (b) the list of the general characteristics of this database drawn up in consultation with the National Central Bureaus or with their representatives on the advisory bodies set up for that purpose;
  - (c) the outcome of any tests conducted by the General Secretariat;
  - (d) the opinion of the Commission for the Control of INTERPOL's Files, if the database contains personal data or is linked to such data.
- (3) Any creation of a police database shall immediately be notified to the National Central Bureaus. It shall also be notified to the international entities according to the access rights they have been granted to the INTERPOL Information System.

**Article 30: Modification of an existing database**

- (1) The General Secretariat shall be entitled to modify police databases.
- (2) The General Secretariat shall request the opinion of the Commission for the Control of INTERPOL's Files on any proposal to modify a database that would result in the modification of its general characteristics if the database contains personal data or is linked to such data.
- (3) The General Secretariat shall submit to the Executive Committee for approval any proposal to modify a database that would result in the modification of its general characteristics.
- (4) To this end, the General Secretariat shall provide:
  - (a) the reasons that led it to propose a modification of this database, as well as the financial implications of such a modification;
  - (b) the revised list of the characteristics of this database, drawn up in consultation with the National Central Bureaus or with their representatives on the advisory bodies set up for the purpose;
  - (c) the outcome of any tests conducted by the General Secretariat;
  - (d) the opinion of the Commission for the Control of INTERPOL's Files, if the database contains personal data or is linked to such data.
- (5) Any modifications to the general characteristics of a police database shall immediately be notified to the National Central Bureaus. They shall also be notified to the international entities according to the access rights they have been granted to the INTERPOL Information System.

**Article 31: Deletion of an existing database**

- (1) The General Secretariat shall report to the Commission for the Control of INTERPOL's Files any intention to delete a database and the processing of data contained in that database.
- (2) The General Secretariat shall submit to the Executive Committee for approval any intention to delete a database.
- (3) To this end, the General Secretariat shall provide:
  - (a) the reasons that led it to propose the deletion, as well as the financial implications of the deletion;
  - (b) the report it submitted to the Commission for the Control of INTERPOL's Files and the Commission's opinion.
- (4) Any deletion of a police database shall immediately be notified to the National Central Bureaus. It shall also be notified to the international entities according to the access rights they have been granted to the INTERPOL Information System.

**Article 32: Authorizations granted by the Executive Committee**

Each year, the Executive Committee shall report to the General Assembly the authorizations it has granted for the creation, modification or deletion of police databases belonging to the Organization, indicating in particular their position in the overall INTERPOL Information System, the purpose of each, the nature of the data they store, and the processing rights attaching to each database.

**Article 33: Register of existing databases**

- (1) The General Secretariat shall keep an updated register of the Organization's police databases. The register shall specify the general characteristics of each database.
- (2) National Central Bureaus may consult this register at any time. International entities may consult part of this register according to the access rights they have been granted to the INTERPOL Information System.



**SECTION 2: FUNCTIONING**

**Article 34: Compliance with the Organization's Constitution**

- (1) In conformity with Article 5 of the present Rules, prior to any recording of data in a police database, the National Central Bureau, national entity or international entity shall ensure that the data are in compliance with Article 2 of the Organization's Constitution, and also that it is authorized to record such data pursuant to applicable national laws and international conventions and to the fundamental human rights enshrined in the Universal Declaration of Human Rights to which the said Article refers.
- (2) In conformity with Article 5 of the present Rules, prior to any recording of data in a police database, the National Central Bureau, national entity or international entity shall ensure that the data are in compliance with Article 3 of the Organization's Constitution.
- (3) To determine whether data comply with Article 3 of the Constitution, all relevant elements shall be examined, such as:
  - (a) nature of the offence, namely the charges and underlying facts;
  - (b) status of the persons concerned;
  - (c) identity of the source of the data;
  - (d) the position expressed by another National Central Bureau or another international entity;
  - (e) obligations under international law;
  - (f) implications for the neutrality of the Organization;
  - (g) the general context of the case.
- (4) In light of the directives issued by the General Assembly and of developments in international law, the General Secretariat may compile repositories of practice on the application of Articles 2 and 3 of the Constitution, and make them available to the National Central Bureaus, national entities and international entities.

**Article 35: Interest of the data for the purposes of international police cooperation**

- (1) In conformity with Article 5(3) of the present Rules, prior to any recording of data in a police database, the National Central Bureau, national entity or international entity shall ensure that the data are of interest for the purposes of international police cooperation.

- (2) Compliance with this condition for recording data shall be assessed in relation to:
  - (a) the purposes specific to international police cooperation which are laid down in Article 10(2) of the present Rules; and
  - (b) the international nature of the data and, in particular, the extent to which the data may be used by National Central Bureaus, national entities or international entities other than the source.

**Article 36: General characteristics of databases**

- (1) Each police database shall be defined with regard to the following characteristics:
  - (a) specific purpose of the database;
  - (b) nature of the data it contains, especially personal or particularly sensitive data;
  - (c) sources likely to contribute to the database;
  - (d) applicable confidentiality levels;
  - (e) applicable types of restrictions;
  - (f) applicable security measures;
  - (g) National Central Bureaus, national entities or international entities likely to record data in the database;
  - (h) minimum conditions for recording data;
  - (i) procedures for recording data, in particular any specific processing carried out on data during the recording due to their nature;
  - (j) procedures for updating recorded data;
  - (k) initial retention period of the data and the specific methods for extending or deleting this period;
  - (l) procedures and mechanisms used to check the compliance of the data;
  - (m) National Central Bureaus, national or international entities likely to consult the database;
  - (n) procedures for consulting the database, especially any type of direct access or any interconnection and uploading operations;
  - (o) procedures for using the data;
  - (p) procedures to follow if a positive query result is triggered on the basis of data recorded in the database;
  - (q) data which may be disclosed to the public in conformity with Article 61 of the present Rules.
- (2) All of the general characteristics above determine the legal framework applicable to each of the Organization's databases.

**Article 37: Minimum conditions for recording data in the databases**

- (1) Minimum conditions shall be set for recording data in each database.
- (2) Regardless of the database, the recording of data about a person, object or event must include:
  - (a) the identity of the source of the data;
  - (b) the date on which the data were recorded;
  - (c) the specific purpose for the recording;
  - (d) for any personal data, the status of the person and the data connecting this person to an event;
  - (e) the level of confidentiality of the data;
  - (f) the initial retention period of the data;
  - (g) access restrictions;
  - (h) any additional information ensuring that all the data are relevant to the purpose and of interest for the purposes of international police cooperation.
- (3) These conditions shall be established by the General Secretariat in consultation with the National Central Bureaus or with their representatives on the advisory bodies set up for the purpose and communicated to all National Central Bureaus. They shall also be communicated to international entities according to the access rights they have been granted.
- (4) All National Central Bureaus, national entities and international entities shall ensure that the minimum recording conditions are met when recording data in a police database.
- (5) All National Central Bureaus, national entities and international entities shall keep any items on the basis of which the data were recorded or which justify retaining the information in the database.

**Article 38: Additional conditions for recording data on persons**

- (1) Additional conditions for recording data on persons shall be applicable in the following cases:
  - (a) data on deceased persons;
  - (b) data on victims or witnesses;
  - (c) data on minors;
  - (d) particularly sensitive data.

- (2) All National Central Bureaus, national entities and international entities shall observe these additional recording conditions when recording information in a police database.

**Article 39: Additional conditions for recording data on deceased persons**

- (1) Data on deceased persons shall be recorded only in the following cases:
  - (a) for identification purposes;
  - (b) if the person has played a part in a criminal case or an event that has been processed in the Organization's police databases and the data concerning this person are necessary to understand the case or the event;
  - (c) for crime-analysis purposes.
- (2) Data shall be recorded for the time strictly required to achieve one of the processing purposes above.
- (3) The status of these persons and the purpose for recording the data shall be specified in a manner such that the data cannot be confused, in any way whatsoever, with data on persons who are the subject of cooperation.

**Article 40: Additional conditions for recording data on persons who are victims or witnesses**

- (1) Data on persons who are victims or witnesses shall be recorded exclusively in the context of the events or acts of which they were victims or to which they were witnesses, and may not be used in relation to other events or acts. The status of these persons and the purpose for recording the data shall be specified in a manner such that the data cannot be confused, in any way whatsoever, with data on persons suspected of, accused of or convicted for these same acts.
- (2) An additional indication shall be inserted to the effect that no restrictive measures may be taken against them.

**Article 41: Additional conditions for recording data on minors**

- (1) The additional indication "MINOR" must be inserted whenever the person was a minor at the time of the event or act which is being recorded. The age at which a minor attains majority shall be determined in the light of the national laws of the National Central Bureau or the national entity that recorded the data or, in the case of an international entity, in the light of the applicable rules.

- (2) In this case, the National Central Bureau, national entity or international entity which records the data shall specify any particular conditions imposed by applicable national laws.

**Article 42: Additional conditions for recording particularly sensitive data**

- (1) Particularly sensitive data may only be recorded in one of the Organization's police databases if:
- (a) they are relevant and of particularly important criminalistic value for achieving the aims of the Organization and the purposes of the processing as described in Article 10(2) of the present Rules;
  - (b) they are described objectively and contain no judgment or discriminatory comments.
- (2) The data shall be recorded in a way which enables them to be identified as such when they are consulted, and shall not be processed, in any form whatsoever, for any discriminatory purpose.

**Article 43: Additional conditions for recording copied or uploaded data**

- (1) Data from one of the Organization's police databases may only be copied into another of the Organization's police databases or into part of the INTERPOL Information System if all the following conditions are met:
- (a) if the data are copied for the same purpose, the source of the data has not objected within 10 days;
  - (b) if the data are copied for another purpose, the source has agreed to their processing for this new purpose;
  - (c) copying the data is unlikely to prejudice the integrity and the confidentiality of the data copied;
  - (d) the data are copied exactly;
  - (e) the data are regularly updated.
- (2) The General Secretariat shall ensure that these additional recording conditions are complied with when the data of one of the Organization's police databases are copied into another of the Organization's police databases.
- (3) Data may only be uploaded into the INTERPOL Information System if all the following conditions are met:
- (a) the uploading is carried out by a National Central Bureau, a national entity, an international entity, or the General Secretariat, and is done with due respect for the provisions of the present Rules;

- (b) the data are copied exactly;
- (c) the National Central Bureau, national entity or international entity uploading the data ensures they are regularly updated.

**Article 44: Status of persons**

- (1) When recording any data concerning a person who is the subject of international police cooperation, the National Central Bureau, national entity or international entity must specify the status of that person from the following list:
- (a) Convicted: a person who, following a court ruling, has been found guilty of committing an ordinary-law crime;
  - (b) Charged: a person against whom criminal proceedings have been initiated for allegedly committing an ordinary-law crime;
  - (c) Suspect: a person who, as part of a criminal investigation, is considered to be a possible offender but against whom no charges have been filed;
  - (d) Criminal history: a person who is known to law-enforcement departments because of a previous conviction, or previous criminal conduct for which he/she has not been exonerated;
  - (e) Witness: a person who is not a suspect and who might be able to provide information relevant to a criminal investigation or an investigation into a disappearance;
  - (f) Victim: a person against whom a crime has been committed;
  - (g) Missing: a person whose whereabouts are unknown and who has been reported as missing;
  - (h) Unidentified person: a person, alive, whether criminal or not, the identification of whom is sought;
  - (i) Unidentified body: a dead person, whether criminal or not, the identification of whom is sought;
  - (j) Deceased: a person on whom data is kept in INTERPOL's police databases following the confirmation of his/her death;
  - (k) Possible threat: a person who presents or is likely to present a danger to public safety;
  - (l) Subject to UN sanctions: a person subject to sanctions decided upon by the United Nations Security Council.
- (2) Other statuses may be established by the General Secretariat in consultation with the National Central Bureaus and the international entities or with their representatives on the advisory bodies set up for the purpose.

**Article 45: Definition of specific conditions of use when recording data**

In accordance with Article 12(1) of the present Rules, any National Central Bureau, national entity or international entity which records data shall specify the conditions for use of these data once they have been entered in the INTERPOL Information System and, in particular, any conditions linked to using the data as evidence in criminal proceedings.

**Article 46: Updates**

- (1) The National Central Bureau, national entity or international entity that recorded data shall update them regularly.
- (2) When the purpose for which the data were recorded has been achieved, these data may only be updated or retained in the Organization's police database if the National Central Bureau, national entity or international entity that recorded them determines and justifies a new purpose for their recording.
- (3) The National Central Bureau, national entity or international entity that updates data shall ensure that the conditions for recording those data are met.
- (4) The National Central Bureau, national entity or international entity that recorded data may also modify, at any time:
  - (a) the initial retention period of the data;
  - (b) their level of confidentiality;
  - (c) restrictions on access to data;
  - (d) conditions for consultation;
  - (e) conditions for use.

**Article 47: Recording of data at the initiative of the General Secretariat**

In conformity with Article 24(1,b) of the present Rules and for purposes such as assisting in criminal investigations, complementing data already recorded in the INTERPOL Information System, or in the context of crime analyses it may be required to conduct, the General Secretariat may record data taken from sources other than those mentioned in Article 1(6) under the following conditions:

- (1) It has ensured that the data comply with the general conditions for recording set out in these Rules, in particular with regard to the quality of data referred to in Article 12 of the present Rules;

- (2) The General Secretariat shall be considered as the source of the data for the purposes of the present Rules and shall ensure that data are periodically assessed and updated in accordance with Articles 46, 49, 50 and 51 of the present Rules;
- (3) The data are recorded in a way which enables them to be distinguished from data processed by a source mentioned in Article 1(6) and the origin of the data is clearly identified;
- (4) Any National Central Bureau or international entity which confirms the accuracy of the data shall be considered as the source of those data for the purposes of the present Rules.

**Article 48: Supplementary information and corrections**

- (1) If a National Central Bureau, national entity or international entity other than the one which recorded the data has specific, relevant reasons for considering that data are incorrect, it shall immediately inform the National Central Bureau which recorded the data or on whose behalf a national entity recorded them, or the international entity which recorded the data.
- (2) If a National Central Bureau, national entity or international entity other than the one which recorded the data wishes to supplement them, it may send the supplementary information to the Bureau or to the international entity concerned.
- (3) The recording National Central Bureau, national entity or international entity shall promptly examine the information and, if necessary, modify, correct or delete the data immediately.

**Article 49: Initial retention period**

- (1) In conformity with Article 10 of the present Rules, the data may only be retained in the Organization's police databases for the time required to achieve the purpose for which they were recorded.
- (2) Data shall be recorded for an initial period not exceeding five years, unless a shorter retention period is set by national law or the purpose has been achieved.
- (3) The initial retention period shall begin from the date on which the data are recorded.

- (4) The suspension of a cooperation request or alert, as referred to in Articles 81 and 100 of the present Rules, shall have no bearing on the initial retention period of the data.
- (5) When a police database of the Organization does not contain personal data, the Executive Committee is empowered to waive the initial retention period set out in (2) above for the database concerned, provided that such a waiver is necessary.
- (6) When DNA profiles or fingerprints cannot be attributed to one person and are processed solely for identification purposes, particularly when they have been taken from the scene of a crime, the Executive Committee is empowered to waive the retention period set out in paragraph (2) above for such data, provided that such a waiver is necessary.
- (5) If the National Central Bureau, national entity or international entity decides that the purpose for which the data were initially recorded has been achieved but that retaining data in the Organization's police databases continues to be of interest for the purposes of international police cooperation, particularly if those data belong to one of the three categories mentioned above, it shall determine and justify a new purpose for recording that data. Data shall be recorded for a further period not exceeding five years, unless a shorter retention period is set by national law or the purpose has been achieved.
- (6) The National Central Bureau, national entity or international entity that decides to retain the data shall ensure that the conditions for recording the data continue to be met.
- (7) For a given database of the Organization, the Executive Committee is empowered to waive the above requirements regarding reassessment, provided such a waiver is necessary.

**Article 50: Periodic assessments**

- (1) In order to reassess the purpose of processing data and their quality, in conformity with Articles 10 and 12 of the present Rules, the National Central Bureau, national entity or international entity must, on expiry of the initial retention period, examine the need for retaining that data and, if necessary, check that the conditions for recording them are still being met.
- (2) The General Secretariat shall ask the National Central Bureau, national entity or international entity that recorded the data, at the latest six months before the initial expiry date, to examine the need to retain the data.
- (3) The General Secretariat shall specify, in particular:
  - (a) if the data are connected with other data from the same National Central Bureau or the same entity;
  - (b) if the data are processed as part of an analysis project;
  - (c) if the data concern a form of serious crime or a special crime area for which the General Assembly has defined a specific retention policy implemented by the General Secretariat.
- (4) If the National Central Bureau, national entity or international entity decides to retain the data, it shall specify the reasons for the retention. Data shall be recorded for a further period not exceeding five years, unless a shorter retention period is set by national law or the purpose has been achieved.

**Article 51: Deletion of data**

- (1) If the National Central Bureau, national entity or international entity decides not to retain the data, they shall be automatically deleted.
- (2) The data shall also be deleted automatically on expiry of the initial retention period if the National Central Bureau, national entity or international entity has not indicated the need to retain the data.
- (3) When the purpose for which the data were recorded has been achieved, the National Central Bureau, national entity or international entity that recorded the data shall delete them from the police databases, unless it has decided to determine and justify a new purpose for recording them.
- (4) When the General Secretariat has specific, relevant reasons for considering that the purpose for which data were recorded has been achieved or that the data no longer meet the minimum conditions for recording, it shall promptly request the National Central Bureau, national entity or international entity that recorded the data to examine the need to retain these data.
- (5) When the General Secretariat deletes data recorded by a National Central Bureau, a national entity or international entity concerning a person who is the subject of an international cooperation request or an alert, it shall inform the National Central Bureau or international entity that recorded that data, and explain the reasons for its action.

- (6) When data have been deleted from one of the Organization's police databases, all copies of those data contained in the INTERPOL Information System shall also be deleted, unless the express consent is given by the National Central Bureau, national entity or international entity that initially recorded the data.
- (7) When it is impossible to delete data because of the cost and volume of work involved, the General Secretariat shall take all appropriate steps to ensure that the data cannot be used, to prevent access to that data and their use for the purposes of a criminal investigation, or to indicate clearly that the data must be considered to be non-existent. It shall inform the Commission for the Control of INTERPOL's Files of such measures.

**Article 52: Temporary retention of criminal history**

- (1) The National Central Bureau, national entity or international entity that withdraws an international alert or cooperation request concerning a person who has been convicted, charged, is suspected or constitutes a potential threat may choose to temporarily retain the data on this person in order to provide information about his/her criminal history.
- (2) The temporary retention of the criminal history of a person who has been convicted, charged, is suspected or constitutes a threat, but who has been cleared of the charges which led to the data about him/her initially being recorded, shall be prohibited.
- (3) The National Central Bureau, national entity or international entity which retains data for reference purposes shall ensure that retention is lawful under national law. The international entity shall ensure that the retention is lawful under its applicable rules.
- (4) The purpose of this recording as well as the status of the person concerned shall be specified in accordance with, respectively, Articles 10 and 44(1) of the present Rules, in a manner such that the data cannot be confused with data concerning persons who are the subject of alerts or requests for international cooperation. A record shall be kept of the status initially attributed to the person concerned.
- (5) These data may be retained for a period not exceeding ten years from the moment at which the National Central Bureau, national entity or international entity indicates that the purpose has been achieved, unless a shorter retention period is set by national law. On expiry of this period, the data shall be automatically destroyed unless the National Central Bureau, national entity or international entity decides to retain the data for the purposes of redirecting enquiries in conformity with Article 53 below.

**Article 53: Retention of data for purposes of redirecting enquiries**

- (1) The National Central Bureau or entity that deletes data it has recorded about a person suspected, accused or convicted of criminal offences shall indicate whether it wishes to retain those data items that would allow another National Central Bureau or entity to address to it any subsequent enquiries it may have about this person.
- (2) The General Secretariat may not retain, for purposes of redirecting enquiries, data it has deleted from the police databases without the express authorization from the National Central Bureau or entity that recorded those data.
- (3) The only data that may be retained for purposes of redirecting enquiries are: the name of the National Central Bureau or entity that recorded the data; the reference of the recording; the person's name and forenames; the identity document number and the nature of that document; date and place of birth; and fingerprints and DNA profile.
- (4) These data may be retained for ten years.

**SECTION 3: CONSULTATION**

**Article 54: Direct access**

- (1) In accordance with Article 6 of the present Rules, National Central Bureaus may directly consult the Organization's police databases, subject to the restrictions and confidentiality rules laid down by the source. National entities and international entities may also directly consult the Organization's police databases subject to the same restrictions and confidentiality rules and according to the access rights they have been granted .
- (2) In accordance with Article 36(1,n), the type of data that can be directly consulted is specified in the list of the general characteristics of this database.

**Article 55: Interconnection**

- (1) Interconnection operations must meet all of the following conditions:
  - (a) The purpose, the nature and the scope of the interconnection are specified, explicit and conform to the aims and activities of the Organization;

- (b) The interconnection is of interest for the purposes of international police cooperation;
  - (c) The information system to be interconnected offers a level of security at least equivalent to that of the INTERPOL Information System;
  - (d) The interconnection allows for compliance with the processing conditions established by the sources of data contained in the INTERPOL Information System and in the information system to be interconnected;
  - (e) The interconnection allows the National Central Bureau, national entity or international entity that entered the data into the INTERPOL Information System, and the General Secretariat, to be notified immediately of any element deriving from the interconnected data that is likely to be of interest for the purposes of international police cooperation.
- (2) All requests for interconnection from a national entity must be sent through its National Central Bureau.
- (3) The General Secretariat shall submit to the Executive Committee for approval all requests for interconnection. It shall provide:
- (a) a copy of the request for interconnection it received, specifying the person who will be responsible for overseeing the interconnection at the National Central Bureau, national entity or international entity;
  - (b) the assessment of the request by the General Secretariat as well as the financial implications of that request for the Organization;
  - (c) the outcome of any tests conducted by the General Secretariat;
  - (d) the opinion of the Commission for the Control of INTERPOL's Files if the database contains or is linked to personal data.
- (4) If the Executive Committee authorizes the interconnection, the General Secretariat shall give prior notification to the sources of the data recorded in the database to be interconnected. The Secretariat shall specify the conditions of interconnection.
- (5) The General Secretariat shall keep an updated register of interconnection operations which specifies the conditions of each operation. National Central Bureaus may consult this register at any time. International entities may also consult this register according to the access rights they have been granted.
- (6) The Executive Committee shall report to the General Assembly each year the authorizations it has granted for interconnection operations.

**Article 56: Downloading for the purposes of international police cooperation**

- (1) All downloading operations must meet all the following conditions:
- (a) the purpose of the downloading is specified, explicit and conform to the aims and activities of the Organization;
  - (b) the request is of interest for the purposes of international police cooperation;
  - (c) an interconnection operation cannot be carried out due to its cost and the functional or technical characteristics of the information system to be interconnected;
  - (d) the information system of the National Central Bureau, national entity or international entity offers a level of security at least equivalent to that of the INTERPOL Information System;
  - (e) the conditions established by the sources for the processing and use of the downloaded data are strictly observed;
  - (f) the downloading operation is for a set period not exceeding six months;
  - (g) downloaded data are updated at least once a week, including when such updating implies the deletion of data;
  - (h) the data are not copied within the information system into which they are downloaded;
  - (i) the downloaded data must systematically be deleted when the purpose for which they were downloaded has been achieved, and at the very latest when the aforementioned period of six months has expired;
  - (j) the National Central Bureau, national entity or international entity that downloads data immediately notifies the National Central Bureau, national entity or international entity that entered the data into the INTERPOL Information System, and the General Secretariat, of any item derived from the downloaded data that is likely to be of interest for the purposes of international police cooperation.
- (2) All downloading requests from a national entity must be sent through its National Central Bureau.

- (3) The General Secretariat shall be empowered to authorize a downloading operation, subject to:
  - (a) compliance with the conditions above; and
  - (b) written assurances provided by the National Central or international entity that requested to carry out the downloading operation, by which it undertakes to comply with those conditions, the purpose of the downloading, its nature and its scope; and
  - (c) the designation of a person to be responsible for overseeing the downloading at the National Central Bureau, national entity or international entity.
- (4) If, for technical or other reasons, the General Secretariat cannot comply with one or more of the processing conditions linked to the data to be downloaded, it shall not authorize the downloading of the said data.
- (5) The General Secretariat shall notify National Central Bureaus and international entities of any downloading operation it has authorized. It shall specify all the conditions of downloading, particularly the characteristics of the information system of the National Central Bureau or international entity it has authorized to proceed with the downloading. With effect from the date of notification by the General Secretariat, a National Central Bureau, a national entity or an international entity has 15 days to signify its opposition to any possibility of processing by the requesting National Central Bureau or entity of the data that it entered into the INTERPOL Information System. At the end of the prescribed period, the General Secretariat shall be empowered to proceed with the downloading, with the exception of data about which an opposition has been signified.
- (6) The General Secretariat shall inform the Executive Committee of the downloading authorization it has granted by providing:
  - (a) its assessment of the request as well as the financial implications for the Organization;
  - (b) the characteristics of the information system of the National Central Bureau or national entity or international entity into which the data were downloaded;
  - (c) a copy of the written assurances provided by the National Central Bureau or international entity which requested to carry out a downloading operation;
  - (d) the opinion of the Commission for the Control of INTERPOL's Files if the downloaded data contained personal data or were linked to such data.
- (7) The General Secretariat shall be responsible for checking that the conditions for downloading are being met throughout the period for which the downloading has been authorized. It shall take all necessary and appropriate measures to perform these checks.
- (8) The General Secretariat shall keep a register of the data downloaded which specifies the conditions of each downloading operation. National Central Bureaus may consult this register at any time. International entities may also consult this register according to the access rights they have been granted.

**Article 57: Indirect access**

- (1) When a police database cannot be consulted directly or an international entity only has indirect access to a database, the General Secretariat shall determine the procedures for consulting that database and inform the National Central Bureaus of them. It shall also inform international entities according to the access rights they have been granted.
- (2) When a police database can be consulted directly, the General Secretariat may authorize a request for indirect access to the data contained in that database in the following cases:
  - (a) the international entity does not have direct access rights, or
  - (b) direct access is temporarily inoperative, or
  - (c) the request is specific or complex and the data cannot be obtained through direct consultation.
- (3) All requests for indirect access from a national entity must be submitted through its National Central Bureau.
- (4) When examining a request for indirect access, the General Secretariat shall ensure that:
  - (a) the request has been made by a National Central Bureau, a national entity, an international entity or a private entity;
  - (b) if made by an international entity or a private entity, the request corresponds to the purpose for which access to the INTERPOL Information System was granted;
  - (c) the request is clear and reasoned;
  - (d) the National Central Bureau or international entity that recorded data likely to correspond to the request has not imposed any access restrictions on the requesting National Central Bureau, international entity or private entity.



**Article 58: Access restrictions**

- (1) In accordance with Article 7(1) of the present Rules, any National Central Bureau or international entity may, at any time, place general restrictions on access by other National Central Bureaus, international entities or private entities to the data it has recorded in a police database. General access restrictions placed by a National Central Bureau shall apply to the data recorded by the national entities it has authorized.
- (2) Any National Central Bureau or international entity may, at any time, place additional restrictions on access by other National Bureaus, international entities or private entities to recorded data concerning a person, object or event.
- (3) National Central Bureaus and international entities may not place access restrictions applicable solely to the national entities of other National Central Bureaus. Any restrictions on access by a National Central Bureau shall apply to all the national entities that it has authorized.
- (4) Access restrictions to data shall apply regardless of the method used to consult the police database.
- (5) When a National Central Bureau or an international entity consults a database and it cannot access the data that may match its search, the General Secretariat may forward the request to the National Central Bureau or international entity that placed the access restriction.
- (6) Messages for which a National Central Bureau or international entity has authorized the recording in one of the Organization's databases shall be considered to be restricted to their initial recipients, unless otherwise specified by the said Bureau or entity.
- (7) Access restrictions may not be lifted by the General Secretariat except in urgent situations, according to the applicable procedure, or when the data have become public.
- (8) Access restrictions are confidential data that shall be processed in accordance with Article 112 of the present Rules.

**Article 59: Disclosure of data subject to restrictions**

The disclosure of data subject to restrictions may only be carried out in the urgent situations referred to in Article 26(2) of the present Rules and according to the following procedure:

- (1) The General Secretariat shall notify the National Central Bureau, national entity or international entity that recorded the said data, that the conditions set out in Article 26(2) of the present Rules have been met, and shall set a deadline, proportionate to the threat, for the said National Central Bureau or entity to object to the removal of the restrictions;
- (2) All requests to a national entity concerning the removal of restrictions must be sent through its National Central Bureau;
- (3) The restrictions will be considered to be lifted upon expiry of the deadline set by the General Secretariat and in the absence of an express objection by the National Central Bureau, national entity or international entity that recorded the restricted data relating to the threat;
- (4) The General Secretariat shall inform the Executive Committee and the Commission for the Control of INTERPOL's Files as soon as possible that it has applied this emergency procedure.

**Article 60: Access by third parties**

- (1) The General Secretariat may process requests for access submitted by international organizations or legal persons governed by private law with which the Organization is considering establishing relations for cooperation in data processing.
- (2) When a third party requests access to data contained in a police database, the General Secretariat may forward the data only with the express prior authorization of the source of the data.

**Article 61: Disclosure of data to the public**

- (1) The General Secretariat shall request the opinion of the Commission for the Control of INTERPOL's Files on any policy that it may, in accordance with the conditions set out in paragraph 2 below, decide to adopt regarding disclosure to the public of data processed in the INTERPOL Information System, whenever the processing of personal data is concerned.
- (2) Data processed in the INTERPOL Information System may only be disclosed to the public if all the following conditions are met:
  - (a) The disclosure is for at least one of the following purposes:
    - (i) to alert the public;
    - (ii) to request help from the public;

- (iii) for any other purpose intended to promote international police cooperation;
  - (b) The source of the data has authorized the disclosure beforehand, including details of the type of data to be disclosed, the method of disclosure, and the potential recipients of the disclosure, and the source has indicated any specific conditions concerning the disclosure;
  - (c) The disclosure complies with the aims and activities of the Organization and respects the basic rights of the persons who are subjects of international police cooperation;
  - (d) The disclosure is not such that it might prejudice the Organization's image or interests, or those of its Members;
  - (e) The disclosure does not concern an offender or an alleged offender who, at the time of the offence in question, was considered to be a minor under the law applicable in the country of the National Central Bureau or of the international entity which entered the data in the system, unless that National Central Bureau or international entity and the General Secretariat consider that such disclosure is essential to international police cooperation, and if the disclosure in question complies with the applicable principles of the national laws and of international law.
- (3) If a notice or the data it contains is disclosed by a National Central Bureau, a national entity or an international entity other than the source of the data, in addition to the conditions listed in paragraph 2 above, the following conditions shall be met:
- (a) The General Secretariat shall have first authorized such disclosure;
  - (b) The data contained in the notice shall be copied identically and be updated regularly to ensure they remain accurate.

#### **SECTION 4: USE OF DATA**

##### **Article 62: Conditions of use**

All National Central Bureaus, national entities and international entities about to use data processed in the INTERPOL Information System shall determine the following:

- (1) the accuracy and relevancy of the data;
- (2) the purpose for which they are about to use the data;

- (3) any special conditions of use;
- (4) any access restrictions placed on these data applicable to another National Central Bureau or another international entity to which they are to be forwarded.

##### **Article 63: Verification of the accuracy and relevance of data prior to their use**

- (1) All National Central Bureaus, national entities and international entities about to use data processed in the INTERPOL Information System must ensure that these data are still accurate and relevant.
- (2) A National Central Bureau shall conduct the necessary checks directly with the National Central Bureau that recorded the data or, if the data were recorded by a national entity, with the National Central Bureau of this national entity. If the data were recorded by an international entity, it shall conduct the necessary checks with the General Secretariat.
- (3) A national entity shall conduct these checks through its National Central Bureau.
- (4) An international entity shall conduct these checks with the National Central Bureau or international entity solely through the General Secretariat, unless it has been granted access rights.

##### **Article 64: Use for a criminal investigation purpose other than the initial purpose**

- (1) In accordance with Article 10(6) of the present Rules, all National Central Bureaus, national entities or international entities about to use data for a criminal investigation purpose other than the specific purpose of international police cooperation for which the data were initially recorded in the Organization's police databases, shall ensure that this purpose:
  - (a) complies with the aims and activities of the Organization;
  - (b) is not incompatible with the initial purpose;
  - (c) is lawful under the applicable law.
- (2) The said National Central Bureaus or entities shall inform in advance the National Central Bureau, national entity or international entity that recorded the data, as follows:

- (a) A National Central Bureau shall directly inform the National Central Bureau that recorded the data or, if the data were recorded by a national entity, the National Central Bureau of this national entity. If the data were recorded by an international entity, it shall inform the General Secretariat.
  - (b) A national entity shall inform the National Central Bureau, national entity or international entity that recorded the data through its National Central Bureau.
  - (c) An international entity shall inform the National Central Bureau, national entity or international entity that recorded the data through the General Secretariat, unless it is an international entity with powers of investigation and prosecution in criminal matters which, in conformity with Article 27(5,f) of the present Rules, has been authorized to send the data directly as a message.
- (3) With effect from the date of notification, the source has ten days to signify its opposition to the use of the data for the envisaged purpose. This period may be reduced by the General Secretariat in urgent cases.

**Article 65: Use of data for administrative purposes**

In accordance with Article 10(6) of the present Rules, any National Central Bureau, national entity or international entity intending to use data for administrative purposes shall request the prior authorization of the source of the data:

- (1) A National Central Bureau shall make the request directly to the National Central Bureau that recorded the data or, if the data were recorded by a national entity, the National Central Bureau of that national entity. If the data were recorded by an international entity, it shall make the request to the General Secretariat;
- (2) A national entity shall request its National Central Bureau, which shall proceed in conformity with paragraph (1) above;
- (3) An international entity shall request the source of the data through the General Secretariat, unless it has been granted access rights.

**Article 66: Special conditions for use**

- (1) In accordance with Article 45 of the present Rules, when any data are consulted, the General Secretariat shall draw attention to the special conditions for use established by a National Central Bureau, a national entity or an international entity when the data were recorded, in particular any conditions relating to the use of data as evidence in criminal proceedings.
- (2) Any National Central Bureau, national entity or international entity which is about to use data recorded in a police database shall observe the special conditions for use established by the National Central Bureau, national entity or international entity that recorded them.
- (3) The General Secretariat shall ensure that any National Central Bureau, national entity or international entity that consults the data is aware of those special conditions for use, so that it may take any necessary measures to ensure they are observed.

**Article 67: Forwarding data**

- (1) Any National Central Bureau or international entity which is about to forward to another National Central Bureau or another international entity data contained in the Organization's police databases shall ensure with the General Secretariat or the National Central Bureau, national entity or international entity which recorded these data that they are not subject to restrictions:
  - (a) A National Central Bureau shall conduct the necessary checks directly with the National Central Bureau that recorded the data or, if the data were recorded by a national entity, with the National Central Bureau of this national entity. If the data were recorded by an international entity, it shall conduct the necessary checks with the General Secretariat;
  - (b) An international entity shall conduct the necessary checks with the National Central Bureau, national entity or international entity solely through the General Secretariat, unless it is an international entity with powers of investigation and prosecution in criminal matters which has been authorized, in application of Article 27(5,f) of the present Rules, to send data directly by means of a message.

- (2) Any National Central Bureau or international entity which is about to forward particularly sensitive data contained in the Organization's police databases shall ensure that the forwarding is relevant and has specific crime-investigation value for achieving the aims of the Organization and the purposes of the processing.
- (3) When forwarding data, the National Central Bureau or international entity and the General Secretariat shall, in cases of indirect access, indicate:
  - (a) the source of the data;
  - (b) the specific conditions for use established by the source;
  - (c) the level of confidentiality of the data;
  - (d) the date they were recorded and their retention period in the police databases;
  - (e) the person's status and the type of action to be taken regarding him/her, in the case of personal data;
  - (f) any specific methods for processing the data.
- (4) It shall send an exact copy of the forwarded data to the source of the data if it deems it necessary or if the source so requires.
- (5) In accordance with Article 58(6) of the present Rules, the General Secretariat may not forward a message it has received to a National Central Bureau or an international entity which is not a recipient without the prior consent of the National Central Bureau or the international entity that originally sent it.
- (4) The General Secretariat shall inform the Executive Committee about any crime-analysis project involving the creation of an analysis file, and shall provide:
  - (a) the reasons that led it to develop this project, as well as the financial implications of such a project;
  - (b) the list of the National Central Bureaus, national entities and international entities that may be involved in the project;
  - (c) the list of the general characteristics of the analysis file constituting its legal framework;
  - (d) the opinion of the Commission for the Control of INTERPOL's Files, if the analysis file contains personal data or is linked to such data.
- (5) The Executive Committee may refuse or cancel the creation of an analysis file, if it considers that the requirements set by the present Rules are not met.
- (6) The creation of an analysis file, as well as its purpose and the applicable legal framework, shall immediately be notified to the National Central Bureaus and international entities that may be involved in the project. Subsequent participation by a National Central Bureau, a national entity or an international entity in the crime analysis project is subject to the agreement of all the National Central Bureaus international entities already participating in the project.
- (7) National Central Bureaus shall be responsible for making necessary notifications to their respective national entities.
- (8) The General Secretariat shall submit any proposal to extend an analysis file for a period not exceeding five years to the Executive Committee for approval.

## **SECTION 5: SPECIFIC RULES RELATING TO CRIME ANALYSIS FILES**

### **Article 68: Analysis files**

- (1) Analysis files are temporary databases created for crime-analysis purposes, in accordance with a list of general characteristics drawn up on the basis of Article 36(1) of the present Rules and in consultation with the National Central Bureaus, national entities and international entities that may be involved in the crime analysis project concerned
- (2) The processing principles and conditions for recording data in the Organization's databases set out in the present Rules shall be applicable to analysis files, subject to the provisions below.
- (3) Analysis files shall be created by the General Secretariat for an initial period not exceeding five years.

### **Article 69: Use of analysis files**

- (1) Access to analysis files shall be restricted to authorized departments or members of staff of the General Secretariat involved in the crime analysis and to whom specific access has been granted.
- (2) The General Secretariat shall be entitled, when required, to authorize staff of National Central Bureaus, national entities and international entities participating in the project and involved in the crime analysis to access a given analysis file, and to determine the extent of their access and processing rights. Access and processing rights shall be granted to staff of national entities in consultation with the National Central Bureaus concerned.

- (3) The analysis files may or may not be connected to the Organization's police databases, depending on the purpose of the files in question and the required security and confidentiality conditions.
- (4) Data recorded in an analysis file may be copied in a database of the Organization provided that they meet the minimum conditions for recording information in the said database, subject to the express consent of the National Central Bureau, national entity or international entity that supplied the data.
- (5) If the data or other items of information recorded in an analysis file are such that they might allow updates to one or several of the Organization's other databases, the General Secretariat must take all appropriate measures for that purpose.

**Article 70: Additional conditions for recording data on criminal analysis purposes**

- (1) Data referred to in Article 1(2) of the present Rules, as well as other items of information that may be necessary for the crime analysis, may be recorded in analysis files.
- (2) Data and other items of information recorded in analysis files shall be retained for a period not exceeding 10 years, unless the crime-analysis project concerned is completed earlier. The maximum period for the retention of the data may not, in any case, exceed the duration of the life-span of the analysis file concerned.
- (3) If the data are recorded both in an analysis file and in one of the Organization's police databases, the purposes for recording the data shall be specified in a manner such that the data cannot be confused.
- (4) When recording in an analysis file any data or other items of information about a person who is the subject of international police cooperation, the status of that person shall be specified with reference to the following list, which shall only be used in the context of criminal analysis:
  - (a) The statuses listed in Article 44(1) of the present Rules;
  - (b) Other statuses below created in application of Article 44(2) of the present Rules :
    - (i) Associate: person who has sporadic or regular contact with a person of interest in a criminal investigation, and/or against whom criminal proceedings have been initiated;

- (ii) Person of interest: person who can provide information about an ordinary-law crime.

**Article 71: Crime analysis reports**

- (1) Crime analysis reports prepared for analysis files must:
  - (a) make a clear distinction between the information obtained by the General Secretariat and the conclusions that the General Secretariat has drawn from that information;
  - (b) indicate the sources of the information cited, the status of the persons mentioned and the date when the analysis was made;
  - (c) specify that, prior to making any use of such reports and the data and other items of information they contain, the General Secretariat and the sources of the data should be consulted to ascertain the rights and restrictions attaching to them.
- (2) Crime-analysis reports shall be disclosed to the National Central Bureaus, national entities and international entities participating in the crime analysis project concerned. Crime-analysis reports may be disclosed to other National Central Bureaus, national entities and international entities, subject to authorization by the General Secretariat and any access restrictions that may be determined by the sources of the data contained in the reports. Disclosure must comply with the confidentiality level assigned to the analysis file by the General Secretariat, as well as any other applicable security measures.
- (3) The crime-analysis reports may be retained for a period not exceeding 10 years after the completion of the analysis project concerned, provided that they are used in a manner that is relevant and in compliance with the processing rules set out in the present Rules.

**Article 72: Completion of crime analysis projects**

- (1) When a crime analysis project is completed:
  - (a) the analysis files concerned, as well as the data and other items of information recorded in them, must be destroyed;
  - (b) the crime analysis report may be retained provided that steps are taken to prevent any use which is not relevant or is contrary to the processing rules set out in the present Rules.

- (2) Disclosure of a crime analysis report or any of the data it contains must conform to any restrictions that may have been imposed by their sources on the data it contains and any other measures attaching to it concerning security or confidentiality.

**CHAPTER II:  
NOTICES AND DIFFUSIONS**

**SECTION 1: PROVISIONS COMMON TO  
NOTICES**

**Article 73: INTERPOL notices system**

- (1) The INTERPOL notices system consists of a set of colour-coded notices published for specific purposes, and special notices published within the framework of specific cooperation not covered by the previous categories of notices.
- (2) A category of notices or special notices may only be created with the approval of the General Assembly which, if the notice contains or is linked to personal data, shall have obtained the opinion of the Commission for the Control of INTERPOL's Files.
- (3) The conditions for publishing notices are defined for each category of notice or special notice. These conditions are at least identical to the general conditions required for recording these data in the Organization's databases.
- (4) The conditions for publishing each category of notice are defined below. The conditions for publishing each category of special notice are specified in an agreement.

**Article 74: Role of the General Secretariat**

- (1) The General Secretariat shall be responsible for publishing INTERPOL notices on behalf of the Organization.
- (2) In particular, it is responsible for:
  - (a) checking the compliance of all notice requests with the present Rules and publishing, as soon as possible, any notice requests it deems to be in compliance;
  - (b) simultaneously recording any published notices in a database of the Organization for direct consultation by National Central Bureaus, national entities and international entities according to the access rights they have been granted;

- (c) translating any notices into the Organization's working languages according to the directives decided upon by the General Assembly;
- (d) assisting National Central Bureaus and international entities in the event of a positive query result;
- (e) ensuring that published notices continue to comply with the conditions for their publication and are regularly assessed by the National Central Bureau or international entity that requested their publication. To that end, the General Secretariat shall review published notices on a regular basis and shall consult the National Central Bureaus and international entities that requested their publication, as well as the other National Central Bureaus.

**Article 75: Structure of INTERPOL notices**

- (1) The General Secretariat, in consultation with the National Central Bureaus, or with their representatives on the advisory bodies set up for the purpose, shall define and modify, when necessary, the structure of each category of notices, in due compliance with the conditions for their publication, as well as any other directives or decisions taken by the General Assembly or by the Executive Committee.
- (2) Without prejudice to the principles set out in Title 1 of the present Rules, the international entity and the Organization shall define the structure of special notices in an agreement.
- (3) A notice may contain data from different sources if all the following conditions have been met:
  - (a) the sources have agreed to the processing;
  - (b) the processing is of specific interest to the requesting National Central Bureau or international entity for this cooperation request or alert;
  - (c) the data are clearly identified as having been submitted by different sources;
  - (d) the processing does not incur significant additional costs.

**Article 76: Requests for the publication of notices**

- (1) Notice requests shall be submitted in at least one of the Organization's working languages.
- (2) Prior to requesting the publication of a notice, the National Central Bureau or international entity shall ensure:
  - (a) the quality and lawfulness of the data it provides in support of its request;
  - (b) that the conditions attached to its request for publication are met;

- (c) that the data are of interest for the purposes of international police cooperation;
- (d) that its request complies with INTERPOL's rules, specifically with Articles 2(1) and 3 of the Constitution, as well as with the obligations imposed on the requesting entity under international law.

**Article 77: Examination of requests by the General Secretariat**

- (1) All notice requests shall be examined by the General Secretariat for compliance with the present Rules.
- (2) The General Secretariat may not publish a notice on behalf of the Organization if:
  - (a) the data provided do not meet the conditions for publishing a notice;
  - (b) publication of the notice is not, in the case in point, of interest for the purposes of international police cooperation. This interest is assessed in light of the possibility that the request could be processed by all the Organization's Members;
  - (c) publication of the notice could prejudice the Organization's or its Members' interests.
- (3) While requests for notices are being examined by the General Secretariat, they are temporarily recorded in a database of the Organization. An additional indication must be inserted so that, when consulted, these requests can be identified as such and not be confused with published notices.

**Article 78: Incomplete or non-compliant requests for notices**

- (1) When a request is incomplete, the requesting National Central Bureau or international entity shall provide, at the earliest opportunity and after consultation with the General Secretariat, all additional data required to publish the notice.
- (2) The General Secretariat shall propose to the requesting National Central Bureau or international entity, whenever possible, the publication of other notices when the data provided are insufficient to allow publication of the requested notice but correspond to the purposes and conditions for publication of another notice.
- (3) The General Secretariat shall propose to the requesting National Central Bureau or international entity, whenever possible, that it circulates a diffusion when the request is not intended for all the Organization's Members, or when the data provided are insufficient for the requested notice to be published but correspond to the purpose and conditions for recording a diffusion.

**Article 79: Publication of notices**

- (1) Notices shall be published by the General Secretariat for the attention of all National Central Bureaus as follows:
  - (a) National Central Bureaus shall be informed of the publication of a notice on the day of its publication;
  - (b) National Central Bureaus shall be able to directly consult all published notices on a police database of the Organization, subject to the interim measures referred to in Article 129 of the present Rules.
- (2) Notices may also be consulted by:
  - (a) national entities, according to the access authorizations they have been granted by their respective National Central Bureaus;
  - (b) international entities, when expressly provided for in the agreement concluded with the Organization.
- (3) Notwithstanding Article 58 of the present Rules, any National Central Bureau or international entity which requests a notice shall agree not to place restrictions on access to the data it provides by any National Central Bureau or national entity that the said National Central Bureau has authorized to consult notices. It shall retain the possibility of placing restrictions on access to the data it provides by international entities that do not have powers of investigation and prosecution in criminal matters.

**Article 80: Implementation of notices**

- (1) National Central Bureaus shall forward to:
  - (a) all relevant national authorities, as soon as possible and in accordance with their national laws, all the data contained in the notices they receive, as well as the updates regarding those notices;
  - (b) the requesting National Central Bureau or international entity, as well as the General Secretariat, all available data concerning the person or purpose for which the notice was published, in particular, whenever those data could enable the purpose of the notice to be achieved. A national entity must submit those data via its National Central Bureau;
  - (c) the General Secretariat any information that may give rise to doubts about the conformity of a notice with the present Rules.
- (2) The National Central Bureau or international entity which originally requested the notice shall:

- (a) continue to ensure that the data it has provided in the notice remains accurate and relevant;
- (b) forward to the General Secretariat any data that would modify the content of the published notice, and assess whether the modifications require the said notice to be withdrawn.

**Article 81: Suspension, withdrawal or cancellation of a notice**

- (1) The requesting National Central Bureau or international entity can suspend its cooperation request or its alert for a period not exceeding six months. It shall indicate the reasons for this suspension to the General Secretariat, which will then suspend the notice.
- (2) The National Central Bureau or international entity requesting a notice shall withdraw its cooperation request or its alert and ask the General Secretariat to cancel the notice immediately:
  - (a) once the purpose of this request or alert has been achieved; or
  - (b) if this request or alert is linked to one or several other requests or alerts whose purpose has been achieved and without which it cannot be maintained; or
  - (c) if it no longer wishes to maintain the request; or
  - (d) if the notice no longer meets the conditions for publication of the notice.
- (3) The General Secretariat shall cancel a notice if :
  - (a) the purpose of the cooperation request or the alert on the basis of which the notice was published has been achieved, and this information has been confirmed by the source National Central Bureau or international entity; or
  - (b) if this request or alert is linked to one or several other requests or alerts whose purpose has been achieved and without which it cannot be maintained; or
  - (c) the notice no longer meets the conditions for publishing a notice; or
  - (d) the National Central Bureau or international entity that requested the notice obtains data allowing it to carry out the required action but has not taken any steps to this end and, after being consulted, has not provided reasonable grounds for its lack of action.

**SECTION 2: PROVISIONS SPECIFIC TO RED NOTICES**

**Article 82: Purpose of red notices**

Red notices are published at the request of a National Central Bureau or an international entity with powers of investigation and prosecution in criminal matters 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.

**Article 83: Specific conditions for publication of red notices**

- (1) Minimum criteria
  - (a) Red notices may be published only if the following cumulative criteria are met:
    - (i) The offence concerned is a serious ordinary-law crime.

Red notices may not be published for the following categories of offences:

- offences that in various countries raise controversial issues relating to behavioural or cultural norms;
- offences relating to family/private matters;
- offences originating from a violation of laws or regulations of an administrative nature or deriving from private disputes, unless the criminal activity is aimed at facilitating a serious crime or is suspected of being connected to organized crime.

The General Secretariat shall keep, update and share with National Central Bureaus and international entities a non-exhaustive list of specific offences that fall within the above categories.

- (ii) Penalty threshold:
  - if the person is sought for prosecution, the conduct constituting an offence is punishable by a maximum deprivation of liberty of at least two years or a more serious penalty;
  - if the person is sought to serve a sentence, he/she is sentenced to at least six months of imprisonment and/or there is at least six months of the sentence remaining to be served.



- (iii) The request is of interest for the purposes of international police cooperation.
- (b) The General Secretariat may decide to publish a red notice where the criteria in (i) and/or (ii) above are not met if, following consultation with the requesting National Central Bureau or international entity, it considers that publication of the requested red notice would be of particular importance to international police cooperation.
- (c) Several offences: if the request includes several offences, the red notice may be published for all offences that meet INTERPOL's Rules provided that at least one offence meets the above criteria.

(2) Minimum data

(a) Identity particulars:

Red notices may be published only when sufficient identifiers have been provided. Sufficient identifiers will be considered to include at least one of the following two combinations of identifiers:

- (i) family name, forename, sex, date of birth (at least the year) and one of the following identifiers:
  - physical description; or
  - DNA profile; or
  - fingerprints; or
  - data contained in identity documents (e.g. passport, national identity card).
- (ii) photograph of good quality with some additional data (e.g. alias, name of the parent(s), further physical description, DNA profile, fingerprints, etc.).

(b) Judicial data:

Red notices may be published only when sufficient judicial data has been provided. Sufficient judicial data will be considered to include at least:

- (i) summary of facts of the case, which shall provide a succinct and clear description of the criminal activities of the wanted person, including the time and location of the alleged criminal activity; and
- (ii) charge(s); and

- (iii) law(s) covering the offence (whenever possible, and subject to national law or the rules governing the operation of the international entity, the requesting National Central Bureau or international entity shall provide the wording of the relevant penal provision(s)); and
- (iv) maximum penalty possible, sentence imposed, or sentence remaining to be served; and
- (v) reference to a valid arrest warrant or judicial decision having the same effect (whenever possible, and subject to national law or the rules governing the operation of the international entity, the requesting National Central Bureau or international entity shall provide a copy of the arrest warrant or judicial decision).

**Article 84: Assurances provided by the requesting National Central Bureau or international entity**

The requesting National Central Bureau or international entity shall ensure that:

- (1) the authority which issued the arrest warrant or handed down the judicial decision has the necessary power;
- (2) the red notice request has been coordinated with the relevant authorities responsible for extradition, and assurances have been given that extradition will be sought upon arrest of the person, in conformity with national laws and/or the applicable bilateral and multilateral treaties;
- (3) if the arrest warrant has not been issued by a judicial authority, the laws of the requesting country or the rules governing the operation of the international entity provide for a mechanism of appeal before a judicial authority.

**Article 85: Provision of documents that could support extradition or surrender proceedings**

When it considers it useful and appropriate, the requesting National Central Bureau or international entity shall provide the General Secretariat with additional documents that could support extradition or surrender proceedings. The General Secretariat could serve as a repository for such documents and provide them upon request to the relevant countries.

**Article 86: Legal review by the General Secretariat**

The General Secretariat shall conduct a legal review of all red notices prior to their publication to ensure compliance with INTERPOL's Constitution and Rules, in particular with Articles 2 and 3 of INTERPOL's Constitution.

**Article 87: Steps to be taken following the location of the person**

If a person who is the subject of a red notice is located, the following steps shall be taken:

- (a) The country where the person has been located shall:
  - (i) immediately inform the requesting National Central Bureau or international entity and the General Secretariat of the fact that the person has been located, subject to limitations deriving from national law and applicable international treaties;
  - (ii) take all other measures permitted under national law and applicable international treaties, such as provisionally arresting the wanted person or monitoring or restricting his/her movement.
- (b) The requesting National Central Bureau or international entity shall act immediately once it has been informed that the person has been located in another country and, in particular, shall ensure the swift transmission – within the time limits defined for the case in question – of data and supporting documents requested by the country where the person was located or by the General Secretariat.
- (c) The General Secretariat shall provide assistance to the relevant National Central Bureaus or international entities by, *inter alia*, facilitating the transfer of documents related to the provisional arrest or the extradition procedures in accordance with the relevant national laws and international treaties.

**SECTION 3: PROVISIONS SPECIFIC TO OTHER NOTICES**

**Article 88: Blue notices**

- (1) Blue notices are published in order to:
  - (a) obtain information on a person of interest in a criminal investigation, and/or
  - (b) locate a person of interest in a criminal investigation, and/or

- (c) identify a person of interest in a criminal investigation.
- (2) Blue notices may only be published under the following conditions:
    - (a) The subject of the notice has been convicted or charged, or is a suspect, a witness or a victim;
    - (b) Additional information on the possible criminal history, location or identity of the person or any other information relevant to the criminal investigation is sought;
    - (c) Sufficient data relating to the criminal investigation or the person are provided to allow the cooperation requested to be effective.
  - (3) A blue notice may only be published if it contains sufficient identifiers. Sufficient identifiers mean at least:
    - (a) If the person is identified:
      - (i) either the family name, forename, sex, date of birth (at least the year), along with the physical description, DNA profile, fingerprints or data contained in identity documents (passport or national identity card, for example); or
      - (ii) a photograph of good quality, along with at least one identifier such as an alias, the name of one of the parents, or a specific physical characteristic not visible in the photograph.
    - (b) If the person is unidentified:
      - (i) a photograph of good quality, and/or
      - (ii) fingerprints, and/or
      - (iii) DNA profile.

**Article 89: Green notices**

- (1) Green notices are published to warn about a person's criminal activities.
- (2) Green notices may only be published under the following conditions:
  - (a) The person is considered to be a possible threat to public safety;
  - (b) This conclusion has been drawn from an assessment by a national law-enforcement authority or an international entity;
  - (c) This assessment is based on the person's previous criminal conviction(s) or other reasonable grounds;
  - (d) Sufficient data concerning the threat are provided for the warning to be relevant.

- (3) A green notice may only be published if it provides sufficient identifiers. Sufficient identifiers mean at least:
- (a) either the family name, forename, sex, date of birth (at least the year), along with the physical description, DNA profile, fingerprints or data contained in identity documents (passport or national identity card, for example); or
  - (b) a photograph of good quality, along with at least one identifier such as an alias, the name of one of the parents, or a specific physical characteristic not visible in the photograph.
- (4) The National Central Bureaus and national entities that receive green notices shall take the appropriate measures, in conformity with their national laws.

**Article 90: Yellow notices**

- (1) Yellow notices are published to locate a missing person or to identify a person unable to identify himself/herself.
- (2) Yellow notices may only be published under the following conditions:
- (a) The person's disappearance or discovery has been reported to and recorded by the police;
  - (b) The whereabouts of the missing person or the identity of the discovered person are unknown to the police;
  - (c) If the person is an adult, applicable national privacy laws do not prevent a request being made;
  - (d) Sufficient data on a person or the circumstances surrounding the disappearance or discovery of the person are provided for his/her identification.
- (3) A yellow notice may only be published if it provides sufficient identifiers. Sufficient identifiers mean at least:
- (a) If it concerns a missing person:
    - (i) the family name, forename, sex, date of birth (at least the year); and
    - (ii) physical description, a photograph of good quality, DNA profile or fingerprints;
  - (b) If it concerns a person who is unable to identify him/herself:
    - (i) physical description, sex of the person; and
    - (ii) photograph of good quality, fingerprints or DNA profile.

**Article 91: Black notices**

- (1) Black notices are published to identify dead bodies.
- (2) Black notices may only be published under the following conditions:
- (a) the discovery of a dead body has been recorded by the police;
  - (b) this dead body has not been identified;
  - (c) enough data on this dead body or the circumstances surrounding its discovery are provided for its identification.
- (3) A black notice may only be published if it provides sufficient identifiers. Sufficient identifiers mean at least:
- (a) a photograph of good quality, and/or
  - (b) fingerprints, and/or
  - (c) DNA profile.

**Article 92: Purple notices**

- (1) Purple notices are published in order to:
- (a) warn about modi operandi, objects, devices or concealment methods used by offenders, and/or
  - (b) request information on offences to resolve them or assist in their investigation.
- (2) A purple notice may only be published under the following conditions:
- (a) If the facts are no longer under investigation:
    - (i) the modus operandi is known in detail, is complex or different from other identified modi operandi for similar offences;
    - (ii) the publication of the notice is intended to prevent these offences from being repeated;
    - (iii) the request includes enough data on the modus operandi, objects, equipment or hiding places used by perpetrators of these crimes to allow effective prevention;
    - (iv) the request provides sufficient identifiers for matches to be made with similar offences in order to resolve them.

- (b) If the facts are still under investigation:
  - (i) they are serious offences;
  - (ii) the offences draw the attention of the Organization's Members to a specific modus operandi, object, device or concealment method;
  - (iii) the request includes enough data on this modus operandi and these objects, equipment or hiding places for matches to be made.

**Article 93: Orange notices**

- (1) Orange notices are published to notify about an event, a person, an object, a process or a modus operandi representing an imminent threat to public safety and likely to cause serious damage to property or injury to persons.
- (2) Orange notices may only be published under the following conditions:
  - (a) In the case of a person:
    - (i) he/she is considered to represent an imminent threat to public safety, or is preparing to commit, or is imminently about to commit a particularly serious ordinary-law crime;
    - (ii) this conclusion is based on an assessment by a national law-enforcement authority or an international entity;
    - (iii) this assessment is based on the person's previous criminal conviction(s) and/or other reasonable grounds;
  - (b) In the case of an object, event or modus operandi:
    - (i) it is considered an imminent threat to public safety;
    - (ii) this conclusion is based on an assessment by a national law-enforcement authority.
- (3) An orange notice may only be published if sufficient data relating to the imminent threat are provided for the alert to be relevant.
- (4) The National Central Bureaus and national entities that receive orange notices shall take the appropriate measures, in conformity with their national laws.

- (5) When the threat which led to the publication of an orange notice is no longer imminent, the General Secretariat, in consultation with the National Central Bureau or international entity which requested its publication, may replace it with any other appropriate notice.

**Article 94: Stolen work of art notices**

- (1) Stolen work of art notices are published to locate works of art or items of cultural value which have been stolen, or to identify such objects discovered in suspicious circumstances.
- (2) Stolen work of art notices may only be published under the following conditions:
  - (a) the work of art or item of cultural value is of interest in a criminal investigation;
  - (b) it has some unique characteristic and/or is of considerable commercial value.
- (3) A notice on a stolen work of art may only be published if enough data is provided for its identification.

**Article 95: INTERPOL-United Nations Security Council Special Notices**

- (1) INTERPOL-United Nations Security Council Special Notices are published in order to inform INTERPOL's Members that an individual or an entity is subject to UN Security Council Sanctions.
- (2) INTERPOL-United Nations Security Council Special Notices are published consistent with the Arrangement on Cooperation between the International Criminal Police Organization-INTERPOL and the United Nations in relation to the United Nations Security Council Sanctions Committees.
- (3) The conditions for publication of these special notices shall be established in accordance with procedures agreed upon by the United Nations Secretariat and INTERPOL in consultation with the relevant Committees.

**Article 96: Other special notices**

- (1) The purpose, conditions for publication and the structure of any other category of special notices shall be established under the agreement referred to in Article 28 of the present Rules, in conformity with the Organization's aims and activities set out in Title 1 of the present Rules.

- (2) A special notice may only be published if the data satisfy the conditions for publishing this category of special notices, as laid down in the said agreement.

- (3) The General Secretariat, in consultation with the National Central Bureaus or with their representatives on advisory bodies set up for the purpose, shall define and modify, when necessary, the structure of each form.

#### **SECTION 4: DIFFUSIONS**

##### **Article 97: Diffusions system**

- (1) The diffusions system consists of standardized requests for cooperation and alerts each corresponding to a specific purpose:
- (a) to arrest, detain or restrict the movements of a convicted or accused person;
  - (b) to locate and trace;
  - (c) to obtain additional information;
  - (d) for identification purposes;
  - (e) to warn about a person's criminal activities;
  - (f) for information purposes.
- (2) The conditions for sending a diffusion are the same as the general conditions for recording data in the Organization's police databases.
- (3) The General Secretariat shall submit any proposal to create a new category of diffusion to the Executive Committee for approval. To justify its request, the General Secretariat shall provide:
- (a) the reasons that led it to propose this creation, as well as the financial implications of such a creation;
  - (b) the specific purpose of this new category of diffusion, the conditions for its circulation as well as the type of data it will contain;
  - (c) the outcome of any tests conducted by the General Secretariat;
  - (d) the opinion of the Commission for the Control of INTERPOL's Files, if the new category of diffusion contains personal data or is linked to such data.

##### **Article 98: Diffusion forms**

- (1) The General Secretariat shall make tools and mechanisms available to the National Central Bureaus and international entities to enable them to carry out the automated and standard processing of diffusions in the INTERPOL Information System and to consult them directly.
- (2) The General Secretariat shall provide National Central Bureaus and international entities with the necessary forms to enable them to send cooperation requests and alerts by means of a diffusion.

##### **Article 99: Circulation of diffusions**

- (1) Diffusions shall be circulated in at least one of the Organization's working languages.
- (2) Before circulating a diffusion, the National Central Bureau or international entity shall ensure:
- (a) the quality and lawfulness of the data it provides in support of its diffusion;
  - (b) that its diffusion complies with the general conditions for recording data;
  - (c) that the data are of interest for the purposes of international police cooperation;
  - (d) that its request complies with INTERPOL's rules, specifically with Articles 2(1) and 3 of the Constitution, as well as with the obligations imposed on the requesting entity under international law.
- (3) A National Central Bureau or international entity must use a diffusion rather than a notice if:
- (a) it wishes to limit the circulation of its cooperation request or alert to selected National Central Bureaus or international entities;
  - (b) it wishes to limit the access to the data contained in its cooperation request or alert to a restricted number of National Central Bureaus or international entities;
  - (c) its request does not justify or does not qualify for the publication of a notice.

##### **Article 100: Suspension or withdrawal of a diffusion**

- (1) The National Central Bureau or international entity that has sent an alert or a cooperation request by diffusion may suspend its diffusion for a period not exceeding six months. It shall indicate to the General Secretariat the reasons for the suspension.
- (2) The National Central Bureau or international entity that has sent an alert or a cooperation request by diffusion must assess the need to maintain its diffusion whenever any changes are made to data contained in the diffusion.

- (3) The National Central Bureau or international entity that has sent an alert or a cooperation request by diffusion must notify the National Central Bureaus, international entities, and the General Secretariat of its withdrawal once the purpose of the diffusion has been achieved or if it no longer wishes to maintain the request.

**Article 101: Recording of cooperation requests or alerts circulated in messages**

- (1) In conformity with Article 9(4) of the present Rules, a National Central Bureau or an international entity may ask the General Secretariat to record in one of the Organization's police databases a request for cooperation or an international alert that it initially circulated in a message of which the General Secretariat was not initially a recipient.
- (2) The General Secretariat shall record the cooperation request or alert in accordance with the present Rules and any rules on restricted access and conditions for use of data which may have been established by the National Central Bureau or international entity.

**SECTION 5: NOTICES AND DIFFUSIONS  
PUBLISHED AT THE INITIATIVE OF THE  
GENERAL SECRETARIAT**

**Article 102: Requests for information**

- (1) The General Secretariat may request information from sources for cooperation purposes in the following cases:
- (a) The request is made in the context of either a specific project or an event with specific interest for the purposes of international police cooperation;
- (b) It has reasons to believe that this is necessary to achieve the objectives of the Organization and is in keeping with the aims pursued.
- (2) The General Secretariat must obtain the prior authorization of the National Central Bureau concerned if it wishes to request information from a national entity. This authorization shall be deemed to have been granted if the National Central Bureau has not replied to the General Secretariat within 30 days of the request for authorization. It is understood that the National Central Bureau retains the right to oppose this request for information from one of its national entities at any moment.

**Article 103: Publication of notices**

- (1) In conformity with Article 25(4) of the present Rules, the General Secretariat may publish notices at its own initiative:
- (a) for the purposes of issuing an alert;
- (b) to request information.
- (2) Before publishing a notice at its own initiative, the General Secretariat shall ensure that:
- (a) the publication of the notice complies with the conditions for its publication;
- (b) the source(s) of the data have consented to this publication and, in particular, that any access restrictions have been lifted and the confidentiality level set for these data permits their publication;
- (c) the publication of the notice is not likely to interfere with a pending cooperation request and that no similar notice request has been submitted by a National Central Bureau or an international entity.

**SECTION 6: POSITIVE QUERY RESULTS**

**Article 104: Triggering of positive query results**

- (1) A positive query result is triggered in the INTERPOL Information System whenever the consultation of a database generates a sufficient correlation between the searched data and data relating to an alert, to a request for international cooperation or to a person whose data have been processed in conformity with Article 52 of the present Rules.
- (2) When a positive query result is triggered, an automatic notification shall be sent to the National Central Bureau or international entity that consulted the database, to the National Central Bureau or the international entity that recorded the initial data, and to the General Secretariat
- (3) The notification of the positive query result shall include, at the very least, the reference of the National Central Bureau, or international entity that consulted the database and that of the National Central Bureau or the international entity which recorded the initial data, as well as the main data relating to the cooperation request.

**Article 105: Procedure for managing positive query results**

- (1) The National Central Bureau or the international entity that triggered the positive query result shall contact the National Central Bureau or the international entity that recorded the initial data before taking any measures to process this query result.
- (2) The National Central Bureau or international entity that recorded the initial data shall examine the relevance of the positive query result as soon as possible.
- (3) Procedures shall be determined by the General Secretariat, in consultation with National Central Bureaus or with their representatives on the advisory bodies set up for that purpose, to define the measures to be taken and response deadlines, according to the nature of the cooperation request.
- (4) The National Central Bureaus shall determine the procedures for notifying positive query results to their national entities, with due regard to the applicable national laws.

**Article 106: Record of positive query results**

- (1) The General Secretariat shall keep a record of the positive query results triggered for a given cooperation request. This record shall be retained for such time as the data are recorded in the police databases.
- (2) The National Central Bureau or international entity that recorded the initial data may consult this record upon request.

**CHAPTER III:  
DATA SECURITY**

**SECTION 1: MANAGEMENT OF RIGHTS OF  
ACCESS TO THE INTERPOL  
INFORMATION SYSTEM**

**Article 107: Designation of a new National Central Bureau**

- (1) The General Secretariat shall inform the National Central Bureaus and the international entities of any new membership to the Organization and designation of a National Central Bureau.

- (2) With effect from the date of notification by the General Secretariat, a National Central Bureau or an international entity shall have 45 days to signify its opposition to granting this new National Central Bureau the right to process the data it has recorded in the police databases.

**Article 108: Granting a right of access to a new national entity**

- (1) Prior to granting a new national entity a right of access to the INTERPOL Information System, the National Central Bureau shall take all the necessary measures to ensure that the said national entity observes the obligations arising from the present Rules.
- (2) Each National Central Bureau shall notify the General Secretariat of any rights it has granted to a new national entity to access the INTERPOL Information System.
- (3) It shall specify the scope of the authorizations granted.

**Article 109: Granting a right of access to a new international entity**

- (1) The General Secretariat shall notify National Central Bureaus and international entities of any new right of access granted by the Organization to a new international entity.
- (2) It shall specify the scope of authorizations granted under the agreement concluded with the Organization.
- (3) With effect from the date of notification by the General Secretariat, a National Central Bureau or an international entity shall have 45 days to signify its opposition to granting this international entity the right to access the data it has recorded in the police databases.

**Article 110: Register of rights of access to the INTERPOL Information System**

The General Secretariat shall keep an up-to-date register of all the National Central Bureaus, and all national entities, international entities and private entities authorized to process data, directly or indirectly, in the INTERPOL Information System and ensure it is permanently available for consultation. This register shall specify the purpose, the nature and the scope of processing rights, and shall record any recent changes to these rights.

**Article 111: Individual rights to access the INTERPOL Information System**

- (1) In conformity with Article 15(4) and (5) of the present Rules, the rights to access the INTERPOL Information System shall be granted to expressly authorized persons, solely on a need-to-know basis, taking into account the confidentiality levels.
- (2) These rights shall be defined by:
  - (a) the National Central Bureaus for their staff and staff of their national entities;
  - (b) the General Secretariat for its staff and the staff of international entities.
- (3) The National Central Bureaus and international entities shall be required to take all appropriate measures to ensure that their authorized users of the INTERPOL Information System observe the provisions of the present Rules.
- (4) The National Central Bureaus and the international entities shall:
  - (a) use all appropriate means to ensure that the authorized users are aware of and are able to observe the provisions of the present Rules and that they receive necessary training for that purpose;
  - (b) forward the information communicated by the General Secretariat to the authorized users.
- (5) The National Central Bureaus, international entities and the General Secretariat shall keep a register of the names of persons and the access rights they have been granted. They shall indicate the databases and the data to which they are authorizing user access.
- (6) A National Central Bureau may choose to delegate to a national entity the management of access rights for the national entity's users. It shall ensure that the said national entity observes the obligations set out above. The delegation arrangements shall be defined in the agreement concluded between the National Central Bureau and the national entity in conformity with Article 21(3) of the present Rules. The National Central Bureau shall regularly check that these obligations and the defined arrangements are being observed by the entity.

**SECTION 2: CONFIDENTIALITY**

**Article 112: Confidentiality levels**

- (1) There are three confidentiality levels reflecting the increasing risks that may arise from unauthorized disclosure of data:
  - (a) "INTERPOL FOR OFFICIAL USE ONLY"
  - (b) "INTERPOL RESTRICTED"
  - (c) "INTERPOL CONFIDENTIAL".
- (2) The data shall be classified:
  - (a) "INTERPOL FOR OFFICIAL USE ONLY" if their unauthorized disclosure is likely to adversely affect law-enforcement action or to disadvantage or discredit the Organization, its staff, its Members, National Central Bureaus, national entities, and international entities or persons concerned by the data;
  - (b) "INTERPOL RESTRICTED" if their unauthorized disclosure could compromise law-enforcement action or cause harm to the Organization or its staff, its Members, National Central Bureaus, national entities, and international entities or persons concerned by the data;
  - (c) "INTERPOL CONFIDENTIAL" if their unauthorized disclosure might seriously compromise law-enforcement action or cause serious harm to the Organization or its staff, its Members, National Central Bureaus, national entities, international entities or persons concerned by the data.
- (3) If no confidentiality level is attributed to the data by their source, the data shall be classified "INTERPOL FOR OFFICIAL USE ONLY".
- (4) If a National Central Bureau, national entity or international entity needs, in a specific case, to classify certain data at a higher level of confidentiality than above, the General Secretariat shall assess with the National Central Bureau or entity concerned whether it is possible. If it is possible, they shall conclude a special arrangement defining the conditions attached to the processing of these data.
- (5) A National Central Bureau, national entity or international entity may, at any time, modify the level of confidentiality that it has attributed to data, in particular by attributing a lower confidentiality level than the one previously indicated, if it considers that the data requires less protection.



**Article 113: Additional measures taken by the General Secretariat**

- (1) The General Secretariat may, with the consent of the National Central Bureau, national entity or international entity that recorded the data, attribute a confidentiality level to the data which is higher than that attributed by the source, in the light of the risks to international police cooperation or to the Organization, its staff, and its Members that the processing and, more particularly, disclosure of the data might entail.
- (2) The General Secretariat shall determine, in the same way, the confidentiality level of the value it adds to data, in particular when it carries out analysis work or publishes a notice. In such cases, it shall inform the source or sources of the data of this additional measure.
- (3) The General Secretariat may also classify a database in the same conditions as those mentioned above.
- (4) When the General Secretariat attributes a confidentiality level to data which is higher than that attributed by the National Central Bureau, national entity or international entity which recorded them, it may modify that higher confidentiality level at any time.

**Article 114: Respecting confidentiality in the INTERPOL Information System**

- (1) The General Secretariat shall be responsible for determining authorization procedures or a system of security clearance at each data-confidentiality level. Access to a given confidentiality level shall be understood to be subject to any restrictions determined by the National Central Bureaus, international entities or the General Secretariat.
- (2) The communication facilities and infrastructure used for processing data shall, depending on the confidentiality level attributed to the data, be equipped with the appropriate security controls to prevent the risk of unauthorized disclosure or to detect such a disclosure.
- (3) The General Secretariat shall develop the administrative and technical processing procedures which must be observed by its staff for each confidentiality level.
- (4) The National Central Bureaus, national entities and international entities shall put in place internal administrative and technical processing procedures, at least equivalent to those established by the General Secretariat, in order to ensure that the confidentiality level requested by the National Central Bureau, national entity or international entity which recorded the data is duly observed.

- (5) The General Secretariat shall, in coordination with the National Central Bureaus and the entities concerned, draw up equivalence tables for its levels of classification and those used by the National Central Bureaus, national entities and international entities, whenever necessary.

**SECTION 3: MANAGEMENT OF THE SECURITY SYSTEM**

**Article 115: Security rules**

- (1) In conformity with Article 15 of the present Rules, the General Secretariat shall lay down security rules defining procedural, technical and administrative security controls that ensure appropriate levels of confidentiality, integrity and availability for the INTERPOL Information System.
- (2) The General Secretariat shall perform the necessary risk assessment.
- (3) The General Secretariat shall develop appropriate control mechanisms to ensure that the security of data is maintained.
- (4) The General Secretariat may, if necessary, establish specific security rules for a part of the communication infrastructure, a database or a specific department.

**Article 116: Implementation by the National Central Bureaus and entities**

The National Central Bureaus, national entities and international entities shall be responsible for adopting an appropriate level of security at least equivalent to the minimum level of security laid down in the security rules established by the General Secretariat.

**Article 117: Appointment of a security officer**

- (1) Each National Central Bureau, national entity or international entity shall appoint one or more security officers to carry out security operations for their country or international organization in the INTERPOL Information System.
- (2) The security officer shall, in particular:
  - (a) ensure compliance with the security procedures established by his/her National Central Bureau, national entity or international entity;
  - (b) update these procedures, notably in the light of the rules adopted by the General Secretariat

- (c) conduct further training on data security for the staff in his/her National Central Bureau, national entity or international entity.
- (3) Whenever necessary, the security officer shall coordinate with the data protection officer.
- (4) The security officer shall ensure the necessary coordination with the General Secretariat with regard to security matter.

#### **SECTION 4: SECURITY INCIDENTS**

##### **Article 118: Information on security incidents**

- (1) In the event of intrusion or serious attempted intrusion affecting the network or one of the Organization's databases, or of violation or attempted violation of the integrity or confidentiality of data, the General Secretariat shall inform the source of that data, the National Central Bureau if the source is an entity that it has authorized, the Executive Committee, and the Commission for the Control of INTERPOL's Files.
- (2) In the event of violation or attempted violation of the integrity or confidentiality of data initially processed in the INTERPOL Information System and processed in the information system of a National Central Bureau or an international entity, the latter shall inform the source of that data and the General Secretariat, and the Commission for the Control of INTERPOL's Files if the security incident concerns personal data. When any violation or attempted violation occurs in the information system of a national entity, the National Central Bureau that authorized it to access the INTERPOL Information System shall inform the source of the data and the General Secretariat.

##### **Article 119: Partial or complete restoration of the INTERPOL Information System**

The General Secretariat shall take all necessary and appropriate steps to be able to restore, as quickly as possible, in the event of damage, the proper functioning of the INTERPOL Information System, in particular its databases and its communications infrastructure.

#### **TITLE 4: SUPERVISION AND MONITORING**

##### **CHAPTER I: TYPES OF SUPERVISION**

##### **Article 120: Supervision of users**

- (1) All National Central Bureaus, national entities and international entities shall regularly ensure that their users observe the present Rules, particularly with regard to the quality of the data they enter in the system and their use of the data consulted therein. Supervision shall be carried out in the context of spot checks and processing incidents.
- (2) They shall take, within the limits set by the present Rules, all necessary measures to correct or to ensure the correction of possible processing errors.

##### **Article 121: Designation of a data protection officer within National Central Bureaus and national and international entities**

- (1) All National Central Bureaus, national entities and international entities shall designate a data protection officer who shall be responsible for organizing and carrying out this monitoring. The duties of the data protection officer shall generally be carried out separately from the duties of the security officer.
- (2) The data protection officer shall, in particular:
  - (a) establish processing procedures at his/her National Central Bureau, national entity or international entity which are in compliance with the present Rules;
  - (b) carry out supervision in the context of spot checks or processing incidents with the aim of guaranteeing compliance with the said Rules and procedures;
  - (c) update the said procedures and mechanisms;
  - (d) implement suitable ongoing training programmes in data processing for the staff of his/her National Central Bureau, national entity or international entity.
- (3) Whenever necessary, the data protection officer shall cooperate with the security officer and with the INTERPOL data protection officer.

**Article 121A: Designation of a data protection officer within the General Secretariat**

- (1) In accordance with Article 29 of the Constitution, and Articles 17(5,6) and 22(1,5) of the present Rules, after consulting the Executive Committee and the Commission for the Control of INTERPOL's Files, the Secretary General shall designate a data protection officer, hereinafter called the INTERPOL Data Protection Officer (IDPO).
- (2) The IDPO shall be appointed for a period of five years, renewable once.
- (3) In the performance of his/her duties, the IDPO shall be independent and shall report directly to the Secretary General.
- (4) The IDPO shall, in particular:
  - (a) monitor the lawfulness and compliance of the processing of data in the INTERPOL Information System in accordance with the Organization's Constitution and rules;
  - (b) provide on his/her own initiative, or at the request of the General Secretariat, National Central Bureaus or other entities using the INTERPOL Information System with advice on processing operations which are likely to result in a high risk for the rights and freedoms of individuals, including data protection impact assessments, and monitor the actions taken in the light of that advice;
  - (c) liaise, collaborate and ensure coordination with all data protection officers designated pursuant to Article 121 of the present Rules, including through the provision of training and raising awareness on data protection issues;
  - (d) examine the yearly reports of data protection officers submitted in accordance with Art 17(4, 5, 6) and Article 123(3) of the present Rules;
  - (e) provide training on and raise awareness of data processing issues among the General Secretariat's staff;
  - (f) liaise with the Commission for the Control of INTERPOL's Files on data processing issues;
  - (g) liaise with data protection officers of other institutions and bodies, in particular by exchanging experience and best practices.
- (5) For the purpose of carrying out his/her functions effectively, the IDPO shall have free and unlimited access to all data processed in the INTERPOL Information System and to any system within the INTERPOL Information System for processing such data, irrespective of the place, form or medium involved.
- (6) In performing his/her duties, the IDPO may submit to the General Secretariat:
  - (a) Recommendations regarding measures to be taken in relation to data processing issues within the General Secretariat, including the correction of processing errors;
  - (b) Recommendations regarding the need to apply corrective measures in accordance with Article 131 of the present Rules;
  - (c) Reports relating to the non-implementation of the IDPO's recommendations within the General Secretariat.
- (7) The IDPO may, on his/her own initiative or at the request of the CCF, share with the CCF the recommendations made and reports issued for information, and for any action deemed appropriate by the Commission.
- (8) The IDPO may seek expert advice on general matters related to his/her duties.
- (9) The IDPO shall submit an annual report to the Executive Committee, which will be made available to the Commission for the Control of INTERPOL's Files.
- (10) The Secretary General shall adopt implementing rules concerning the work of the IDPO, including with regard to specific tasks within the IDPO's mandate, internal procedures, and safeguards for the independence of the IDPO.

**Article 122: Monitoring the use of data**

- (1) Any National Central Bureau may request information about how another National Central Bureau, a national entity or an international entity is using data which it or its national entities have processed in the INTERPOL Information System. If the data have been consulted or used by a national entity, it shall carry out checks through that national entity's National Central Bureau.
- (2) The General Secretariat shall assist the international entities in exercising the same monitoring rights.

- (3) Any National Central Bureau, national entity or international entity which is subject to such monitoring must provide the requested data.

**Article 123: Evaluation of national entities**

- (1) In accordance with Article 17(4) of the present Rules, the National Central Bureaus shall evaluate the operations, in the light of the present Rules, of the national entities they have authorized to directly access the INTERPOL Information System.
- (2) Due observance by a national entity of the obligations set out in the present Rules is an essential condition for the national entity to retain direct access to the INTERPOL Information System.
- (3) Every year, each National Central Bureau shall report to the General Secretariat on the spot checks it has carried out, the processing incidents it has handled, the training resources it has provided to its staff and the new measures it has adopted to meet the obligations of these Rules.
- (4) The General Secretariat shall be empowered either to ask the National Central Bureau to apply corrective measures to a national entity, or to terminate access to the INTERPOL Information System if the said entity has repeatedly processed data in a non-compliant manner, if no evaluations have been carried out by the National Central Bureau concerned, or if any such evaluations have been inadequate.

**Article 124: Evaluation of National Central Bureaus**

- (1) In accordance with Article 17(5) of the present Rules, the General Secretariat shall evaluate the operation of the National Central Bureaus in the light of the present Rules.
- (2) The evaluation of National Central Bureaus in the light of the present Rules shall be performed by the General Secretariat in accordance with the directives decided upon by the General Assembly.

**CHAPTER II:  
SUPERVISORY TOOLS**

**Article 125: Compliance management database**

- (1) In accordance with Article 10(4) of the present Rules, the General Secretariat may set up any databases to ensure that data recorded in the Organization's police databases comply with the present Rules and to avoid unauthorized or erroneous processing of data in the databases.

- (2) A compliance management database shall be set up under the following conditions:
- (a) It shall contain only those data which are necessary to avoid unauthorized or erroneous processing of data;
- (b) The retention of data in this database shall be limited to six months. This may be extended, after the Commission for the Control of INTERPOL's Files has been notified, if the examination of compliance management has not been completed by the end of this period;
- (c) Access to these databases shall be restricted to authorized departments and/or staff of the General Secretariat involved in the processing of data and to whom specific access has been granted.
- (3) When the General Secretariat deletes data from a police database or a compliance management database, it may nevertheless retain, for no longer than 20 years, those data making it possible to avoid unauthorized or erroneous processing of the said data.

**Article 126: Register of processing operations**

- (1) In accordance with Article 13 of the present Rules, the General Secretariat shall keep an up-to-date register of processing operations in the INTERPOL Information System to record:
- (a) accesses to the INTERPOL Information System by users;
- (b) the data recorded by users;
- (c) updates made by users;
- (d) decisions made by users to retain data;
- (e) decisions made by users to delete data;
- (f) consultations by users with direct access;
- (g) requests for information received and replies sent.
- (2) The register shall contain only those data necessary for verifying the conformity of processing with the present Rules. To this end, it shall include: the user identifier, the name of the user's National Central Bureau, national entity or international entity, the type of the processing operation, the date, the database concerned, and any additional items of data intended for monitoring purposes.
- (3) These records shall be retained for no longer than five years.
- (4) These records may be accessed:
- (a) solely for monitoring and checking purposes;

- (b) by General Secretariat staff authorized to carry out checking operations;
  - (c) by the source, for monitoring purposes, on request to the General Secretariat.
- (5) These records may not be used for the purposes of a criminal investigation unless this investigation is linked to checking the compliance of data processing with the present Rules.

**Article 127: Comparison of data for verification purposes**

- (1) Any National Central Bureau, national entity or international entity which has processed in its information system data that were initially processed in the INTERPOL Information System may send a request to the General Secretariat to compare them with the data currently contained in the INTERPOL Information System in order to verify their quality. All requests from a national entity must be sent through its National Central Bureau.
- (2) Any data comparison for verification purposes may be carried out by either uploading or downloading the data:
- (a) any data comparison made by uploading data must meet all the following conditions:
    - (i) the uploading is performed solely to allow the General Secretariat to verify, on behalf of the National Central Bureau or the international entity which sent the request, the quality of the data that it has entered in its information system;
    - (ii) the uploaded data are not further copied within the INTERPOL Information System into which they are uploaded;
    - (iii) the uploaded data are systematically deleted after the data-comparison operation.
  - (b) any data comparison made by downloading data must meet all the following conditions:
    - (i) the downloading is performed solely to allow the National Central Bureau, national entity or international entity to verify the quality of the data that it has entered in its information system;
    - (ii) the information system of the National Central Bureau, national entity or international entity offers a level of security at least equivalent to that of the INTERPOL Information System;
    - (iii) the downloaded data are not further copied within the information system into which they are downloaded;

- (iv) the downloaded data are systematically deleted after the data-comparison operation.

- (3) The General Secretariat shall be empowered to authorize comparisons of data for verification purposes, subject to:
- (a) compliance with the conditions above; and
  - (b) written assurances provided by the National Central or international entity that requested to carry out an operation to compare data, by which it undertakes to respect those conditions, the purpose of the operation, its nature and its scope; and
  - (c) the designation of a person to be responsible for overseeing the comparison of data at the National Central Bureau, national entity or international entity.
- (4) The General Secretariat shall keep an updated register of the data-comparison operations carried out by downloading or uploading.

**CHAPTER III:  
SUPERVISION MEASURES**

**Article 128: Examination procedure**

- (1) Data are, a priori, considered to be accurate and relevant when entered by a National Central Bureau, a national entity or an international entity into the INTERPOL Information System and recorded in a police database of the Organization.
- (2) If a doubt arises regarding compliance with the conditions for data processing, including cases where data have been processed by a national entity, the General Secretariat shall consult the National Central Bureau concerned in order to obtain clarifications or supplementary data which may remove the doubt. The General Secretariat shall also consult any international entity if there is any doubt over compliance with the conditions for processing data.
- (3) The General Secretariat shall take any other appropriate steps to ensure that these conditions have actually been met.
- (4) The examination procedure shall be deemed closed if the General Secretariat concludes that the processing of data:
- (a) complies with the present Rules and validates the recording of data;
  - (b) does not comply with the present Rules and decides to correct the data processing or to delete the data.

(5) The General Secretariat shall inform the National Central Bureau or the international entity that the examination procedure has ended. If it decides to correct or delete the data, it shall indicate reasons for its action and the corrections made to the said National Central Bureau or international entity.

**Article 129: Interim measures**

(1) If a doubt arises regarding compliance with the conditions for data processing, the General Secretariat shall take all appropriate steps to prevent any direct or indirect prejudice the data may cause to the Organization, its staff, its Members, the National Central Bureaus, the national entities, the international entities or the individuals that the data concern.

(2) The General Secretariat shall inform the National Central Bureau or the international entity of any interim measures taken and shall specify reasons for them.

**Article 130: Measures applicable to users**

If users infringe the rules applicable to the processing of data in the INTERPOL Information System, the General Secretariat may:

- (a) request the National Central Bureau or international entity to suspend or withdraw the access rights it granted them;
- (b) suspend or withdraw the rights itself. It shall inform the Bureau or international entity concerned of the suspension or withdrawal.

**Article 131: Corrective measures applicable to National Central Bureaus and international entities**

(1) If a National Central Bureau or an international entity encounters difficulties when processing data in the INTERPOL Information System or does not fulfil its obligations under the present Rules, the General Secretariat shall be entitled to take the following corrective action:

- (a) correction of processing errors;
- (b) supervision, for a period no longer than three months, of the processing operations carried out by the National Central Bureau or international entity;
- (c) suspension of the access rights granted to users of the National Central Bureau or the international entity;
- (d) dispatching an assessment team to the National Central Bureau or the international entity.

(2) The General Secretariat may send the National Central Bureaus and international entities recommendations relating to the implementation of the present Rules with a view to helping them – for instance, through staff training or by enhancing working procedures – to resolve difficulties or bring processing incidents to an end.

(3) The General Secretariat shall submit to the Executive Committee for decision all proposals to take corrective measures which may result in the long-term suspension of the following processing rights of a National Central Bureau or international entity:

- (a) the right to record data in one or several police databases of the Organization;
- (b) the right to consult one or several databases;
- (c) interconnection or downloading authorizations.

(4) Whenever necessary, and at least once a year, the General Secretariat shall remind the National Central Bureaus and international entities of their role and responsibilities connected with the data they process in the INTERPOL Information System.

**TITLE 5: FINAL PROVISIONS**

**CHAPTER I:  
PROCESSING FOR ANY OTHER  
LEGITIMATE PURPOSE**

**Article 132: Definition of processing for any other legitimate purpose**

(1) In accordance with Article 10.7 of the present Rules, when data have been deleted from a police database of the Organization or a compliance management database, the General Secretariat may nevertheless retain the data necessary for the pursuit of any other legitimate purpose.

(2) Any other legitimate purpose means:

- (a) the defence of the Organization's interests, particularly in litigation and pre-litigation procedures and transactions;
- (b) scientific, historical or journalistic research and publication;
- (c) the compilation of statistics.

- (3) When data initially processed for the purposes of police cooperation undergo further processing for any other legitimate purpose, they may no longer be used, in any way whatever, for the purposes of police cooperation and must not appear in the Organization's police databases.
- (4) Only the processing of personal data carried out in application of paragraph 2(b) shall be subject to prior authorization by the source of the data. However, when personal data have been processed in application of paragraph 2(a) above, the source of the data shall be informed by the General Secretariat of their use or transmission.
- (5) The General Secretariat shall take the necessary technical and organizational measures, particularly with regard to security, to guarantee that this further processing is not incompatible with the initial processing.

**Article 133: Processing conditions**

- (1) When processing is carried out for any other legitimate purpose, the reasons must be specified. The specific purpose of this processing must be clearly indicated and the processing must be limited to those items of data which are strictly necessary for the purpose intended.
- (2) Processing shall be carried out, if possible, using data which have been made anonymous or, failing that, encoded, whenever the intended purpose can be achieved by such means.
- (3) The access to data processed for any other legitimate purpose shall be restricted to authorized departments or staff of the General Secretariat to whom specific access has been granted.

**Article 134: Retention of data**

- (1) Data processed for any other legitimate purpose shall be retained for a period strictly necessary to achieve the purpose for which they were processed, and not exceeding 50 years.
- (2) This period may be extended solely when data have been retained for historical purposes or if the data have been made anonymous or encoded for processing, on condition that the extension itself remains necessary to accomplish the aims for which the processing is being carried out.

**CHAPTER II:  
SETTLEMENT OF DISPUTES**

**Article 135: Settlement of disputes**

- (1) Disputes that arise in connection with the application of the present Rules should be solved by concerted consultation. If this fails, the matter may be submitted to the Executive Committee and, if necessary, to the General Assembly.
- (2) All national entities shall be represented in the settlement of disputes by their National Central Bureaus.

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**APPENDIX:**

**CHARTER RELATING TO ACCESS TO THE  
INTERPOL INFORMATION SYSTEM  
BY NATIONAL ENTITIES**

The purpose of the present Charter is to clearly set out the conditions under which national entities may be authorized by the National Central Bureaus of their respective countries, pursuant to Article 21 of INTERPOL's Rules on data processing, to directly consult data processed in the INTERPOL Information System or to directly supply data for processing purposes in this System.

- (1) Direct access to the INTERPOL Information System shall be subject to the following conditions:
  - (a) Direct access to and use of the INTERPOL Information System shall be subject to INTERPOL's Rules on the Processing of Data;
  - (b) The national entity shall accept and agree to comply with the provisions of these Rules and with any procedures established in application of the said Rules to allow access to and use of INTERPOL's Information System;
  - (c) The national entity shall designate and assign a security officer and a data protection officer, and put in place procedures with the aim of ensuring on a permanent basis that its users are respecting the present Rules;
  - (d) The national entity shall agree, in particular, to allow the National Central Bureau that authorized it:
    - (i) to carry out regular checks, remotely or on site, on its processing of data entered or consulted in the INTERPOL Information System to ensure compliance with the Rules;
    - (ii) to take the necessary preventive or corrective measures against it in the event of a processing incident;
    - (iii) to withdraw the national entity's access to the INTERPOL Information System in the event of failure to comply with its obligations under these Rules or the repeated non-compliant processing of data.
  - (e) The national entity shall also agree that the INTERPOL General Secretariat:
    - (i) shall be responsible for the general administration of the INTERPOL Information System and ensure that the conditions for processing data in the Organization's databases are met;

- (ii) may take any appropriate measures within the scope of these Rules to terminate any non-compliant processing of data, including withdrawing access to the INTERPOL Information System.

- (2) The extent of the national entity's access rights to the INTERPOL Information System shall be determined by its National Central Bureau in accordance with INTERPOL's Rules on the Processing of Data.

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A photograph of a row of white classical columns in a hall, receding into the distance. The columns are fluted and have papyrus capitals. The floor is light-colored. The number '25' is overlaid in a large, bold, red serif font in the center of the image.

25





INTERPOL

# *INTERPOL e-Extradition Rules*

[III/IEER/GA/2014]



**REFERENCES**

82nd session of the General Assembly (2013 – Cartagena de Indias, Colombia), Resolution AG-2013-RES-09 on the “INTERPOL e-Extradition initiative”.

83rd session of the General Assembly (2014 – Monaco), Resolution AG-2014-RES-20 adopting the “INTERPOL e-Extradition Rules”.

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**Preamble**

The General Assembly of the International Criminal Police Organization – INTERPOL,

CONSIDERING Article 2 paragraph 1 of INTERPOL’s Constitution,

RECALLING General Assembly Resolution AGN-46-RES-10 of 1977, Resolution AGN-65-RES-12 of 1996, and Resolution AG-2013-RES-09 of 2013,

HAVING CONSULTED the Commission for the Control of INTERPOL’s files in accordance with Article 36, paragraph 2 of the Constitution,

CONSIDERING that, in accordance with Article 8(d) of the Constitution, it is the responsibility of the General Assembly to determine the rules and regulations pertaining to the use of INTERPOL’s Information System for the electronic transmission of requests for extradition and supporting documents,

CONSIDERING Article 4 of INTERPOL’s Rules on the Processing of Data, according to which *“Notwithstanding the applicable provisions of the present Rules, the General Assembly may adopt a separate legal framework whereby member countries agree to process data for purposes of international judicial cooperation”*,

Has adopted the present Rules:

**Article 1: Definitions**

**For the purposes of the present Rules:**

- 1.1 “e-Extradition Initiative” means the set of activities, tools and services aimed at achieving the efficient and secure transmission in an electronic format of formal requests for extradition, surrender or similar lawful action and of supporting documents via INTERPOL’s e-Extradition Platform.
- 1.2 “e-Extradition Platform” means all the structured material resources and software provided by INTERPOL to participants within the INTERPOL Information System to process data in the context of the e-Extradition Initiative.
- 1.3 “e-Extradition Request” means an electronic request for extradition, including supporting documents, that is processed through the e-Extradition Platform.

- 1.4 “Participants” means the Member States which have joined the e-Extradition Initiative pursuant to the present Rules, and the international entities with powers of investigation and/or prosecution in criminal matters with whom INTERPOL has concluded a cooperation agreement.
- 1.5 “Competent entity” means any entity authorized by a Participant to process e-Extradition Requests in conformity with the applicable legal and administrative standards governing the transmission process.
- 1.6 “National Central Bureau (NCB)” means any body designated by a country to perform the liaison functions provided for under Article 32 of INTERPOL’s Constitution.
- 1.7 “Processing” means any operation or set of operations performed on data, whether or not by automatic means, such as collection, recording, consultation, transmission, use, disclosure and deletion.
- 1.8 “Data” means any item of information pertaining to the extradition of individuals, their surrender or similar lawful action.
- 1.9 “Notice” means any request for international cooperation or any international alert published by INTERPOL at the request of a National Central Bureau or an international entity, or at the initiative of the INTERPOL General Secretariat, and sent to all the Organization’s Members.
- 1.10 “Red Notice” means a notice that is published at the request of a National Central Bureau (NCB) or an international entity with powers of investigation and/or prosecution in criminal matters 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.
- 1.11 “Diffusion” means any request for international cooperation or any international alert from a National Central Bureau or an international entity, sent directly to one or several National Central Bureaus or to one or several international entities, and simultaneously recorded in an INTERPOL police database.
- 1.12 “Technical specifications” refers to the specific set of technical requirements – including the features and functions – that have been identified and are to be taken into consideration when setting up the e-Extradition Platform.

**Article 2: Aim**

The aim of the present Rules is to ensure the efficient and secure transmission of e-Extradition Requests through INTERPOL with due respect for international law, domestic law, and the Organization's rules and regulations.

**Article 3: Object**

The present Rules define the conditions under which Participants may process e-Extradition Requests via the e-Extradition Platform.

**Article 4: Conditions for participating in the e-Extradition Initiative**

- 4.1 The e-Extradition Initiative is open to:
- (a) Member States of the Organization;
  - (b) International entities with powers of investigation and/or prosecution in criminal matters with whom the Organization has concluded a cooperation agreement.
- 4.2 Before it may participate in the e-Extradition Initiative, each Participant shall ensure that:
- (a) It can grant the value of a formal request for extradition to an e-Extradition Request from a requesting Participant;
  - (b) It can meet the conditions set out in the present Rules.
- 4.3 The conditions set out in the present Rules imply the following:
- (a) Observance of INTERPOL's Constitution;
  - (b) Compliance with applicable domestic law and obligations deriving from bilateral and multilateral treaties as well as from other relevant sources of international law;
  - (c) Provision of a written notification in application of Article 8 of the present Rules;
  - (d) Provision of sufficient information in order to allow INTERPOL to ensure compliance under Article 10 of the present Rules;
  - (e) Designation of a contact point in application of Article 9 of the present Rules.

**Article 5: Operating principles**

- 5.1 The e-Extradition Requests will be processed in the INTERPOL Information System via the e-Extradition Platform. However, the processing will be done independently of the processing of data for the purposes of international police cooperation.
- 5.2 Participants will be free to use the e-Extradition Platform in order to send and receive e-Extradition Requests. Participation in the e-Extradition Initiative is voluntary. Participation is non-exclusive and is without prejudice to other modes of transmission.
- 5.3 Each Participant determines the Participants with which it wishes to exchange e-Extradition Requests, subject to a common decision with those Participants under Article 8 of the present Rules.
- 5.4 Each Participant determines those cases or types of cases for which it wishes to use the e-Extradition Platform.
- 5.5 INTERPOL shall provide a technical architecture which ensures the authenticity of the signature of the competent entity, the capacity of the latter, and the identity of the seal or stamp applied to the e-Extradition Request.
- 5.6 INTERPOL will make available a list of Participants and e-Extradition Contact Points to all e-Extradition Contact Points as defined in Article 9 of the present Rules.
- 5.7 e-Extradition Requests shall be transmitted with due respect for INTERPOL's Constitution. Data shall be processed in conformity with the provisions set out in the present Rules.
- 5.8 If a Participant does not fulfil its obligations under the present Rules, INTERPOL shall be entitled to suspend access to the e-Extradition Platform or exclude the Participant from the e-Extradition Initiative.

**Article 6: Security**

- 6.1 INTERPOL shall take all appropriate measures to preserve the security of the e-Extradition Platform.
- 6.2 INTERPOL shall ensure that the e-Extradition Platform remains available to Participants at all times, in accordance with the requirements laid down in the technical specifications, subject to the conditions set out in the present Rules.



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## INTERPOL e-EXTRADITION RULES

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- 6.3 INTERPOL shall ensure that the integrity of e-Extradition Requests on the e-Extradition Platform is maintained at all times.
- 6.4 INTERPOL shall ensure the confidentiality of the data contained in the e-Extradition Requests while they are being processed on the e-Extradition Platform. INTERPOL shall take all appropriate measures to prevent any risks to the confidentiality of the data contained in the e-Extradition Requests while they are stored on the e-Extradition Platform.
- 6.5 Any e-Extradition Request processed in the context of the e-Extradition Initiative shall be classified “INTERPOL RESTRICTED” and shall be subject to the procedures provided in the INTERPOL Rules for Processing of Data (RPD) attached to this confidentiality level.
- 6.6 Access to an e-Extradition Request shall be strictly limited to authorized entities from the Participants who have agreed to exchange e-Extradition Requests in application of Article 8.1.
- 6.7 INTERPOL shall not have access to the content of requests for extradition and supporting documents transmitted via the e-Extradition Platform.
- 6.8 INTERPOL will make technical specifications available so as to provide assurances about the security and efficiency of the e-Extradition Platform.

### **Article 7: Data protection and data retention**

- 7.1 INTERPOL shall ensure that the processing of e-Extradition Requests complies with the general principles of data protection set out in Appendix 1-1 to the present Rules.
- 7.2 The e-Extradition Request shall be deemed to have been received by the requested Participant on the date of the notification of the receipt of the pending request to the competent entity of the requested Participant designated pursuant to Article 8.1(c). This notification to the requesting Participant shall be generated automatically whenever the e-Extradition Request is forwarded to the competent entity.
- 7.3 In order to avoid unintentional loss, e-Extradition Requests and supporting documents shall be retained for transmission purposes for a period of 30 days. The retention period shall begin from the date of receipt referred to in Article 7.2. The data shall be deleted automatically on expiry of this period.

- 7.4 Data concerning exchanges between Participants about a given e-Extradition Request, other than the e-Extradition Requests and supporting documents themselves (“metadata”), shall be recorded for an initial period of one year for the purpose of processing additional information. Participants shall determine by mutual agreement whether to extend the retention period for a renewable period of one year or to delete the metadata.

### **Article 8: Notification of common use**

- 8.1 Participants wishing to mutually exchange e-Extradition Requests shall notify INTERPOL in writing via the e-Extradition contact point (Article 9) of their common decision indicating:
- (a) The competent entities to be included in the transmission chain (as requesting and requested authorities);
  - (b) Their respective access rights;
  - (c) The competent entity that is authorized to formally receive e-Extradition Requests on behalf of the requested Participant;
  - (d) When the notification is expected to come into effect.
- 8.2 Participants wishing to extend the use of the transmission chain beyond extradition to requests for surrender and similar lawful action shall inform INTERPOL which will make this information available to the contact points of other Participants.
- 8.3 INTERPOL shall create a transmission chain between the two Participants, in accordance with their legal and procedural requirements.
- 8.4 INTERPOL shall notify the two Participants within 48 hours if the above requirements cannot be technically or procedurally accommodated by the e-Extradition Initiative.
- 8.5 The terms and conditions for transmitting e-Extradition Requests between two specific Participants shall become effective five days following receipt of notification under Article 8.1 of the present Rules, on condition that the information provided is complete and accurate.

### **Article 9: e-Extradition Contact Point**

Each Participant shall appoint a Contact Point who shall act as the single point of contact for the purposes of implementing the present Rules.

**Article 10: Compliance**

- 10.1 Each Participant shall be responsible for the content of its e-Extradition Request.
- 10.2 Before initiating a transmission process, the Participant acting as a requesting State shall ensure that:
  - (a) The e-Extradition Request complies with applicable domestic law and obligations deriving from bilateral and multilateral treaties as well as other relevant sources of international law;
  - (b) Its transmission via the e-Extradition Platform complies with INTERPOL's Constitution and the conditions laid down in the present Rules.
- 10.3 INTERPOL shall verify, on a case-by-case basis, that the transmission of the e-Extradition Request complies with INTERPOL's Constitution and the conditions laid down in the present Rules.
- 10.4 In cases where INTERPOL has already published a Red Notice or circulated a Diffusion for the same acts and charges, requesting arrest pending extradition of the subject of the e-Extradition Request, the information to be provided by the Participant may be limited to the reference of the relevant Notice or Diffusion.
- 10.5 In cases where INTERPOL has not published any such Red Notice or circulated any such Diffusion, each participant shall provide INTERPOL with information equivalent to that which would have been available in a Red Notice or Diffusion (see Appendix 1-2).
- 10.6 INTERPOL may suspend the transmission process until there is sufficient information to ensure that the above requirements under these Rules have been met.
- 10.7 To ensure that the transmission of e-Extradition Requests complies with INTERPOL's Constitution and the conditions laid down in the present Rules, INTERPOL may, for monitoring purposes only, keep an up-to-date register of processing operations concerning e-Extradition Requests whose transmission via the e-Extradition Platform has been denied. The register shall allow INTERPOL to determine whether to impose corrective measures provided for under the present Rules. It shall be accessible by designated staff of the INTERPOL General Secretariat authorized to carry out operations.

**Article 11: Individual requests**

INTERPOL shall refer to the Participants' competent authorities any individuals who challenge e-Extradition Requests transmitted via the e-Extradition Platform.

**Appendix 1-1**

**General data-protection principles adopted by INTERPOL<sup>1</sup>**

**Purpose**

1. The processing of data on the e-Extradition Platform may only be carried out for a given, explicit purpose which is in conformity with the Organization's aims and activities.
2. Data shall be processed on the e-Extradition Platform for at least one of the following purposes:
  - (a) To transmit e-Extradition Requests;
  - (b) To register operations relating to a given e-Extradition Request.

**Lawfulness**

1. Data processing on the e-Extradition Platform should be authorized with due regard for the law applicable to Participants and should respect the basic rights of the persons who are the subject of the cooperation, in accordance with Article 2 of the Organization's Constitution and the Universal Declaration of Human Rights to which the said Article refers.
2. Participants shall be responsible for ensuring the lawfulness of the collection and entry of their data on the e-Extradition Platform.

**Quality**

1. Data processed on the INTERPOL e-Extradition Platform must be accurate, relevant, not excessive in relation to their purpose and up to date, to allow them to be used by Participants.
2. The Participants shall be responsible for the quality of the data they record and transmit on the e-Extradition Platform.

**Transparency**

The processing of data on the e-Extradition Platform should guarantee at all times that the processing rights of participants are respected.

**Confidentiality**

The confidentiality of data processed on the e-Extradition Platform should be determined according to the risks linked to their disclosure for those who are the subject of cooperation, the sources and the Organization. Data should only be accessible to persons authorized to know such information.

**Security**

The data processed on the e-Extradition Platform should be protected against risks violating their integrity and confidentiality, and remain available to the authorized entities having access to the e-Extradition Platform.

**Effective implementation**

1. The present Rules must be effectively implemented.
2. Participants shall be responsible for defining and establishing effective and appropriate measures to guarantee the compliance of their operations with the principles and obligations laid down in the present Rules.

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<sup>1</sup> The General data-protection principles adopted by INTERPOL are based on the "Principles Concerning Information Processing", Articles 10-18 of INTERPOL's Rules on the Processing of Data.

**Appendix 1-2**

**Information to be provided by participants under  
Article 10.5**

In cases where INTERPOL has not published a Red Notice or circulated a Diffusion prior to the electronic transmission of an extradition request, Participants shall provide INTERPOL with the following information concerning the subject:

1. Identity particulars:
  - (i) Family name
  - (ii) Forename
  - (iii) Sex
  - (iv) Date of birth (at least the year)
  - (v) Occupation (if known).
  
2. Judicial data:
  - (i) Summary of facts of the case, which shall provide a succinct and clear description of the criminal activities of the wanted person, including the time and location of the alleged criminal activity;
  - (ii) Charge(s);
  - (iii) Law(s) covering the offence (whenever possible, and subject to national law or the rules governing the operation of the international entity, the requesting Participant shall provide the wording of the relevant penal provision(s));
  - (iv) Maximum penalty possible for each charge, sentence imposed, or sentence remaining to be served.

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26





INTERPOL

*General Conditions on  
combating offences against  
intergovernmental organizations*

[III/GCIO/GA/2004]





**REFERENCES**

73rd General Assembly session, Resolution AG-2004-RES-09, approving the creation of the instrument entitled “General Conditions on combating offences against intergovernmental organizations”.

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**GENERAL CONDITIONS ON COMBATING OFFENCES AGAINST  
INTERGOVERNMENTAL ORGANIZATIONS**

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The ICPO-INTERPOL hereby places at the disposal of intergovernmental organizations so requesting them, and undertaking to accept the general conditions set out in the present instrument, a certain number of services.

**Article 1: Purpose**

- (1) The services offered by the ICPO-INTERPOL under the present "General Conditions" help to provide intergovernmental organizations and their staff with security from those committing criminal acts, especially acts of terrorism.
- (2) The ICPO-INTERPOL offers these services for the purpose of preventing and suppressing offences against intergovernmental organizations.

**Article 2: Checks**

- (1) Any intergovernmental organization may ask the INTERPOL General Secretariat to carry out checks, via its secure police-information system, for the purpose set out in Article 1.
- (2) Any request from that organization for checks to be carried out for the purpose set out in Article 1 may also be transmitted by the General Secretariat to the countries represented in the Organization, of which the person concerned is a national or a resident, which will decide on any further action to be taken, in conformity with current national legislation.

**Article 3: Definitions**

For the purposes of the present instrument, an intergovernmental organization is any international organization established by a treaty or by any other instrument governed by international public law and having legal personality.

**Article 4: Conditions**

Any intergovernmental organization may ask the ICPO-INTERPOL General Secretariat to carry out the checks described in Article 2 above, via INTERPOL's secure police-information system, provided that:

- (a) The request for checks to be carried out is in conformity with the rules to which the organization is subject;

- (b) The person who is the subject of the checks has been informed and has consented to the request for checks to be carried out;
- (c) The results of the checks are used solely for the purposes set out above;
- (d) The results of the checks are not subsequently transmitted to the person concerned, or to any other entity, without the authorization of the information source.

**Article 5: Communicating the results of the checks**

- (1) All intergovernmental organizations requesting checks to be carried out by the General Secretariat in conformity with Article 2(1) above will be informed of the results of the checks, in conformity with the provisions of the Rules on the processing of information for the purposes of international police co-operation and their Implementing Rules.
- (2) Any intergovernmental organization which has asked the General Secretariat to have checks carried out in accordance with Article 2(2) will be directly informed of the result of the checks by the State of which the person concerned is a national or a resident, in conformity with current national legislation.

**Article 6: Procedure**

- (1) Any intergovernmental organization wishing to use the services referred to in Article 2 above should notify the Secretary General of its acceptance of the present General Conditions.
- (2) The Secretary General shall act as depositary for all acceptance agreements.

**Article 7: Entry into force**

The measures set out in the present instrument will become effective 90 days at the latest following receipt of notification of the acceptance agreement from the intergovernmental organization concerned.

**GENERAL CONDITIONS ON COMBATING OFFENCES AGAINST  
INTERGOVERNMENTAL ORGANIZATIONS**

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**Article 8: Termination of the acceptance agreement**

- (1) Either INTERPOL or the organization concerned may unilaterally terminate the acceptance agreement with twelve months' notice.
  
- (2) If the present general conditions and the texts to which they refer are not observed, INTERPOL may, at any time and without notice, suspend or interrupt the services provided by INTERPOL for the intergovernmental organization concerned.

\*\*\*\*\*

A photograph of a row of white classical columns in a hall, receding into the distance. The columns are supported by a series of steps. The number '27' is overlaid in a large, bold, red serif font in the center of the image.

27





INTERPOL

*General Conditions governing  
access to Orange Notices by  
international organizations*

[III/GCON/GA/2004]





**REFERENCES**

73rd General Assembly session, Resolution AG-2004-RES-15, approving the establishment of the instrument to be known as “General conditions governing access to orange notices by international organizations”.

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**GENERAL CONDITIONS FOR ACCESS TO ORANGE NOTICES  
BY INTERNATIONAL ORGANIZATIONS**

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In application of resolution AG-2004-RES-15, the ICPO-INTERPOL places at the disposal of international organizations a certain number of services aimed at providing these organizations and their staff with security from groups committing acts of violence, especially acts of terrorism.

The present instrument is available for acceptance to intergovernmental organizations and any other international organization specifically designated by the General Assembly of the ICPO-INTERPOL. For the purposes of the present instrument, an intergovernmental organization is any international organization established by a treaty or by any other instrument governed by international public law and having legal personality.

**Article 1: Right to access orange notices**

- (1) ICPO-INTERPOL authorizes international organizations likely to be faced with threats posing an imminent and serious danger to persons and/or property to access INTERPOL orange notices.
- (2) Subject to information-technology developments, access is granted by ICPO-INTERPOL via its restricted-access website.

**Article 2: Purpose of access**

The right to access orange notices shall be granted to international organizations solely for the purposes of preventing acts of violence, especially acts of terrorism, aimed at the said organizations or their staff.

**Article 3: Conditions for accessing orange notices**

Access to orange notices by all international organizations is subject to their acceptance of the provisions set out below:

- (a) The international organization must use the information obtained in accordance with the Rules on the Processing of Information for the Purposes of International Police Co-operation, their Implementing Rules, and the Rules governing access by an intergovernmental organization to the INTERPOL telecommunications network and databases.

- (b) The international organization shall put in place the tools and procedures for securely managing and accessing orange notices, in accordance with the conditions required by INTERPOL relating to configuration, security and confidentiality required by the ICPO-INTERPOL.

- (c) The international organization shall forward to the INTERPOL General Secretariat the name of the person to whom the right to access orange notices is to be granted on the organization's behalf and who will be responsible for ensuring that the present general conditions are observed by that organization.

- (d) The orange notice may only be transmitted to those persons responsible for security within the international organization. It may not be forwarded to any other entity without the agreement of the General Secretariat and the information source or sources.

**Article 4: Financial provisions**

- (1) The international organization shall alone cover all the financial costs connected with obtaining access to orange notices.
- (2) Depending on the development of the project, access to orange notices by international organizations concerned may be subject to subscription.

**Article 5: Procedure**

- (1) Any international organization wishing to use the service referred to in Article 1 above shall notify the Secretary General of its acceptance of the present general conditions.
- (2) The Secretary General shall act as a depositary for all acceptance agreements concerning access to orange notices.

**Article 6: Entry into force and period of validity**

- (1) Access to orange notices will become effective 90 days at the latest following receipt of notification of the acceptance agreement from the international organization concerned.
- (2) In conformity with Resolution AG-2004-RES-15, for intergovernmental organizations which do not appear on the list approved by the said Resolution, access to orange notices shall be granted on a temporary basis only, subject to subsequent approval by the ICPO-INTERPOL General Assembly.

**GENERAL CONDITIONS FOR ACCESS TO ORANGE NOTICES  
BY INTERNATIONAL ORGANIZATIONS**

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**Article 7: Termination of the acceptance agreement**

- (1) Either INTERPOL or the international organization concerned may unilaterally terminate the acceptance agreement with twelve months' notice.
  
- (2) If the present general conditions and the texts to which they refer are not observed, INTERPOL may, at any time and without notice, suspend or interrupt the right to access orange notices.

\*\*\*\*\*

A row of white classical columns in a hall, with the number 28 overlaid in red.

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INTERPOL

*INTERPOL Charter -  
International DNA Gateway*

[III/CDNA/GS/2006]





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**IMPLEMENTING RULES FOR THE  
INTERPOL DNA DATABASE  
AND GATEWAY**

**1. DEFINITIONS**

**Additional Loci**

*Additional loci* means loci not included in the INTERPOL Standard Set of Loci (ISSOL) and may include the following – TPOX, CSF1PO, D13S317, D7S820, D5S818, D16S539, D2S1338, D19S433, Penta D, Penta E, FES, F13A1, F13B, SE33, CD4 and GABA.

**Authorized Entity**

An authorized entity means an entity authorized to access a police information system directly, as defined in Article 20.1 (a) of the RPI.

**Autonomous Database**

An *autonomous database* means a specialized database not linked to the central database by an indexing system as defined in Article 6.1 (b) (3) of the Rules on the Processing of Information for the Purposes of International Police Cooperation (RPI).

**Case Information**

*Case information* means additional information linked to a DNA profile and may include:

- Country of origin (Mandatory)
- NCB reference
- National agency responsible
- National agency reference
- DNA profile identification number or code (Mandatory)
- Index (Mandatory)
- Offence
- Offence date
- Offence location
- Laboratory STR (*STR = short tandem repeat*) Kit
- Accreditation (Mandatory – Yes / No / Not Specified)

**Crime Scene Profile**

A *crime scene profile* means a DNA profile derived from stains located at a crime scene.

**DNA Profile**

A *DNA profile* means the loci values of an analysed DNA sample and does not include a mixed DNA profile.

**DNA Search Request**

A *DNA search request* includes case information and the DNA profile submitted to the INTERPOL DNA database.

**Index**

*Index* means a category attributed to a DNA profile and for the purpose of the DNA database, can only include *crime scene profile, reference profile, missing person profile, unknown deceased profile or not-specified profile*.

**INTERPOL Standard Set of Loci (ISSOL)**

The *INTERPOL Standard Set of Loci* includes the following - D18S51, D8S1179, D3S1358, TH01, VWA, FGA, D21S11 and the amelogenin sex marker.

**Marker System**

*Marker system* refers to the STR kit used to obtain the DNA profile data and can include Cofiler, Identifiler, PowerPlex, PowerPlex16, Profiler, Profiler Plus, and SGM Plus.

**Missing Person Profile**

A *missing person profile* means a DNA profile obtained from a known individual who has been reported missing.

**Not-Specified Profile**

A *not-specified profile* is the index category used to enable INTERPOL member countries to submit DNA profiles without attributing a more specific index (e.g. crime scene, reference, missing person or unknown deceased index).

**Offences**

The International DNA Gateway has implemented the following offence codes to assist with investigations and with keeping the necessary statistics:

– **Person Offence**

- Assault
- Kidnapping
- Murder
- Other person
- Sexual assault

– **Property Offence**

- Armed robbery
- Burglary
- Extortion
- Other property
- Robbery
- Theft

- **Specified Offence**
  - Drug offence
  - Environmental crime
  - Explosives / Weapon
  - Financial crime
  - Money laundering
  - Paedophilia
  - Terrorism
  - Trafficking in human beings
- **No Offence**
  - Missing person
  - Not-specified
  - Unknown deceased

#### **Potential-Match Report – Full**

A *full potential-match report* will contain both the DNA profile and available case information.

#### **Potential-Match Report – Limited**

A *limited potential-match report* will contain only the available case information.

#### **Reference Profile**

A *reference profile* means a DNA profile obtained from a known individual. These profiles may include, for example, those of suspects, offenders or convicted persons.

#### **Unknown Deceased Profile**

An *unknown deceased profile* means a DNA profile obtained from the body or body part of an unidentified deceased person.

## **2. PREAMBLE**

- Considering Article 2 of the Organization’s Constitution, which provides that its aims are to ensure and promote the widest possible mutual assistance between all criminal police authorities within the limits of the laws existing in the different countries and in the spirit of the “Universal Declaration of Human Rights”, and to establish and develop all institutions likely to contribute effectively to the prevention as well as the suppression of ordinary law crimes,

Considering Article 3 of INTERPOL’s Constitution, which forbids the Organization from undertaking any intervention or activities of a political, military, religious or racial character,

Deeming that the processing of information constitutes an essential tool for cooperation between all the INTERPOL member countries, thereby allowing the Organization to fulfil its mission,

Bearing in mind Article 26(c) of the Organization’s Constitution, which provides that the General Secretariat shall serve as a technical and information centre, and thus be responsible for processing police information,

Also bearing in mind that the processing of information by the General Secretariat (within the Organization’s buildings and premises) is not subject to any national laws,

Considering that under the terms of Article 8(b) and (d) of the Constitution, the General Assembly is empowered to determine principles and lay down the general measures suitable for attaining the objectives of the Organization as given in Article 2 of the Constitution, and to determine any other regulations deemed necessary,

A principal role of INTERPOL is the efficient and safe transfer between law enforcement agencies of police information appropriate to developments and applications of police investigations and reflected in the second of INTERPOL’s core functions.

- To advance international police cooperation in the use and exchange of DNA profiles, INTERPOL has introduced a direct access autonomous database to compare DNA profiles across international borders. (*Articles 6.1 (b,3) and 21(a) – RPI*)

INTERPOL provides an ideal platform for transferring sensitive DNA profiles and matching notifications by enabling each INTERPOL member country to retain ownership of its data, control deletion and disclosure, and ensure international access to the benefits of DNA profiling.

This *INTERPOL Charter – International DNA Gateway* has been developed to provide a legal framework for this specialized data transfer.

## **3. ROLE AND FUNCTION**

INTERPOL’s DNA Gateway (*Article 3 – RPI*) enables INTERPOL member countries to submit a DNA search request to a centralized database for effective cross-border comparison enabling international ‘cold hits’ while providing maximum flexibility and security.

The transfer of a DNA search request provided for under this Charter will be conducted in accordance with INTERPOL’s Rules on the processing of information for the purposes of international police cooperation, other documents referred to by these Rules and INTERPOL’s Security Charter.

DNA profiles held by the General Secretariat are defined as personal information (*Article 1(c) – RPI*) in accordance with the above-mentioned Rules. INTERPOL will not retain any nominal data linking a DNA profile to any individual and there is no connection between INTERPOL’s Criminal Information System (ICIS) and the autonomous DNA database.

The database index system provides for crime scene profiles, reference profiles, missing person profiles, unknown deceased profiles and not-specified profiles.

INTERPOL member countries may access the DNA Gateway through the electronic submission of single or multiple profile search requests which, when added to the database, will initiate a search for corresponding profiles in accordance with defined rules.

#### **4. RESPONSIBILITIES**

The rules on the processing of information for the purposes of international police cooperation require the adoption of implementing rules (*Article 10.1(e) – RPI*) that govern the operation of and access to an autonomous database by an authorized entity .

The INTERPOL Charter – International DNA Gateway sets out the implementing rules for the use of and access to the DNA database located at the General Secretariat. An authorized entity must enter into a written undertaking with the Organization before authorization may be granted (*Article 21(b) – RPI*) and upon notification by the General Secretariat, existing beneficiaries may oppose a new authorized entity accessing or downloading information from the DNA database (*Article 5(b) – RPI*).

INTERPOL member countries retain ownership of their DNA profiles and through the DNA Gateway have direct control of submission, access and deletion in accordance with national legislation.

The DNA Gateway will automatically generate “no-match” or “potential-match” reports for all DNA search requests. No statistical probability from a population database will be provided.

To enable further inquiries, an INTERPOL member country notified of a potential-match may communicate or request additional information to or from another country, subject to any restriction imposed by the relevant national laws.

The General Secretariat will be responsible for informing INTERPOL member countries of any restrictions attaching to particular items of information, to ensure that information upon which restrictions have been placed is not communicated to the countries which are not authorized to access that information (*Articles 4.1(a,1) and 5(b) – RPI*).

To aid international DNA standards and promote effective cross-border comparison, INTERPOL requires DNA profiles submitted to the International DNA Gateway to be processed in accordance with national legislation of the contributing INTERPOL member country and in conformity with international conventions to which that country is a party, and with the INTERPOL Constitution (*Article 10.1(a) – RPI*).

In addition, INTERPOL recommends that DNA profiles submitted to the International DNA Gateway are analysed by an accredited laboratory, and where an investigation of a potential-match so requires, another DNA sample is obtained for analysis by forensic experts in the requesting jurisdiction.

To enable INTERPOL member countries to examine the need to retain a DNA profile in the database, at five year intervals calculated from the date of submission, the General Secretariat will inform INTERPOL member countries which DNA profiles have been in the database for five years (*Article 13 – RPI*). A warning will be sent out six months before the five-year deadline (*Article 12(b) – RPI*). The submitting authorized entity will be responsible for making any necessary deletions.

Upon request, the General Secretariat will report on numbers of DNA profiles held, matches reported and, if possible, the outcome of any further investigations.

#### **5. APPLICATION**

##### **5.1 Access**

Access to the International DNA Gateway is through INTERPOL’s Secure Global Police Communication System I-24/7 (I-24/7) and with General Secretariat authority access may be granted to beneficiaries such as National Central Bureaus, DNA units, forensic laboratories and/or national DNA databases.

Only authorized beneficiaries may access INTERPOL’s International DNA Gateway.

Beneficiaries intending to submit DNA search requests to the DNA Gateway in accordance with their legal requirements are first required to activate a country and/or index access process (*Articles 17.1(a) and 4 – RPI*). The access control also determines whether, when a match is generated, a potential-match report, either full or limited, would be forwarded to INTERPOL member countries contributing to the match.

This access control applies to all submitted DNA profiles and when required may be altered to set new partner access rights or to cancel specified partner access.

## **5.2 Data Process**

The International DNA Gateway has been designed to provide DNA profile matching across all major marker systems and is based on INTERPOL's Standard Set of Loci. The search algorithm provides for nomenclature differences and an error margin, when applicable, of one base pair and incorporates all loci used in the major marker systems.

Beneficiaries may add single or multiple DNA search requests directly to the autonomous database which will then initiate a search for corresponding DNA profiles in accordance with defined access and matching rules, automatically producing a no-match or potential-match report.

DNA profiles must include a minimum of six (two allele) loci not counting the option of the amelogenin marker. Preliminary matching will be based on an exact match across five loci. Any additional loci present must also match, subject to the matching rules given below.

In combination to an INTERPOL member country's defined access rules, when a missing person profile is added as a DNA search request, it will only be searched against unknown deceased profiles. The remaining DNA profiles will be searched across all indexes in combination with the defined access rules.

## **5.3 Alerts**

The addition of a new DNA search request will trigger an access-driven search of the database. Where a potential-match is located, INTERPOL member countries contributing to the match will be notified and provided with all available information in accordance with the defined access rules.

## **5.4 Authorized Entity - Specific Information**

Prior to authorization as an authorized entity, INTERPOL member countries are required to enter into a written agreement to:

- Ensure compliance with the rules governing the processing of information for the purposes of international police cooperation (*Article 21(b) – RPI*).

- Accept and apply the implementing rules contained in the INTERPOL Charter – International DNA Gateway.
- Enter the required information into the access control to activate the INTERPOL member countries with whom they authorize their DNA profiles to be compared.
- Recognise that cross-border DNA profile comparison can only be carried out if reciprocal access is granted.
- Accept responsibility for the integrity of their data, its submission and deletion.
- Recognise that the General Secretariat will not permit downloading (*mass data transfer from the General Secretariat to an authorized entity*) of INTERPOL member countries' DNA profiles from the DNA database to another authorized entity unless express written permission is provided to the General Secretariat by the source INTERPOL member countries.
- Recognise that upon deletion initiated by an INTERPOL member country, DNA profiles and any links made by potential-matches will be destroyed. Under this provision, when an INTERPOL member country deletes a DNA profile, INTERPOL may only retain submitted case information (*Article 3.2(a) – RPI*) which is sufficient to identify the country source and type of crime for statistical purposes only.
- Recognise that there is no link between ICIS and the DNA database. Therefore, when an INTERPOL member country requests deletion of information recorded by the General Secretariat, a separate deletion through the DNA Gateway is required from the source INTERPOL member country to delete a DNA profile held in the DNA database.

## **5.5 Caveats**

When INTERPOL member countries are notified of a potential-match, the contributing countries may then determine whether they release further information pertaining to the specific DNA profile. INTERPOL member countries provided with a DNA profile from another INTERPOL member country in this manner will comply with disclosure rules applied by the contributing INTERPOL member country.

The confidential ‘no-match’ and ‘potential-match’ search reports produced by INTERPOL will include the following warning in the four official INTERPOL languages:

**No-match**

“The below-mentioned DNA profile has been searched in INTERPOL’s DNA database and no corresponding DNA profile has been detected.

This profile has now been added to INTERPOL’s DNA database and will continue to be searched against all new incoming profiles until deleted by, or on behalf of, the original contributor.”

**Potential-match**

“The below-mentioned DNA profiles have been searched in INTERPOL’s DNA database and a potential-match has been detected based on the information provided by the contributing INTERPOL member countries. INTERPOL member countries contributing to this potential-match have been notified. Additional information concerning the origin of potentially

matched profiles may be requested from the contributing countries.

This profile has now been added to INTERPOL’s DNA database and will continue to be searched against all new incoming profiles until deleted by, or on behalf of, the original contributor.

WARNING: TO VALIDATE THIS MATCH, LABORATORY DATA CONCERNING PROFILES CONTRIBUTING TO A MATCH SHOULD BE COMPARED AND INTERPRETED IN ACCORDANCE WITH NATIONAL PROCEDURES BEFORE INITIATING ANY FURTHER JUDICIAL ACTION.”

**6. MATCHING RULES**

**6.1 Minimum Input**

All DNA profiles submitted must include a minimum of six STR loci from the table detailed below. In a profile containing six STR loci only one allele may be a wild-card.

RECOMMENDED INTERPOL STANDARD SET OF LOCI (ISSOL)							
VWA	TH01	D21S11	FGA	D8S1179	D3S1358	D18S51	Amelogenin
ADDITIONAL LOCI							
TPOX	CSF1P0	D13S317	D7S820	D5S818	D16S539	D2S1338	D19S433
Penta D	Penta E	FES	F13A1	F13B	SE33	CD4	GABA

**6.2 Profile Match Stringency**

The minimum match stringency requires an exact match of five full loci.

A DNA profile matching with a minimum of nine loci will permit an error margin of one base pair (+0.1 or -0.1) for all alleles.

A DNA profile matching with a minimum of ten loci will allow for one mismatch at one allele. The rule of +0.1/-0.1 stringency will be applied for all alleles.

A DNA profile matching with a minimum of six loci can contain one wild-card only. A wild-card will be converted from a non-numerical value (see Nomenclature - Point 1) and searched against that locus position.

A DNA profile matching with a minimum of six loci can contain one wild-card only.

A DNA profile matching with a minimum of seven loci can contain two wild-cards only.

A DNA profile matching with a minimum of eight loci can contain three wild-cards only etc.

**6.3 Nomenclature**

The following nomenclature can be accepted in upper or lower cases:

- (1) Any non-numerical value contained in the profile (e.g. “o”, “f”, “r”, “x”, “na”, “nr” or “un”) will be automatically converted to a wild-card and searched against all.

- (2) Only the numerical values “0”, “1” and “99” contained in the profile will be automatically converted to a wild-card and searched against all.
- (3) Any blank contained in the profile will be automatically converted to a wild-card and searched against all.

When wild-card values are provided for allele 1 or 2 then both permutations of the numerical value given for the locus will be searched, eg., “12,#” can match against “12,14” and “10,12”.

## 7. WRITTEN UNDERTAKING

INTERPOL’s Constitution and the rules relating to information processing permit the use of autonomous databases for the recording of police information by authorized beneficiaries.

INTERPOL’s DNA Gateway, which is an information management system designed to enable cross-border DNA comparison, operates through INTERPOL’s Secure Global Police Communication System I-24/7 to an autonomous database allowing direct entry by authorized beneficiaries.

The INTERPOL Charter – International DNA Gateway details the operational functions and implementing rules for international DNA matching by INTERPOL. INTERPOL member countries that decide to have access to this database must first sign a written undertaking. The text is given below:

“This is a written undertaking in accordance with the Rules on the processing of information for the purposes of international police cooperation between INTERPOL (*hereinafter referred to as the General Secretariat*) and \_\_\_\_\_ (Entity Title) (*hereinafter referred to as the authorized entity*) to activate the authorized entity’s status to the International DNA Gateway and autonomous DNA database for the said authorized entity.

On behalf of the authorized entity, I the undersigned, declare that:

- The authorized entity will ensure compliance with the rules governing the processing of information for the purposes of international police cooperation.

- The authorized entity will apply the implementing rules contained in the applicable INTERPOL Charter – International DNA Gateway.
- The authorized entity accepts responsibility for the integrity of its data and its submission and deletion.
- The authorized entity undertakes to respect any restrictions that may be imposed by the sources of information vis-à-vis other INTERPOL member countries.
- The authorized entity will specify international access rights (country and index) to enable the comparison of DNA profiles between INTERPOL member countries with which it authorizes to share this information.

On behalf of the authorized entity, I the undersigned, accept and understand that:

- The General Secretariat will not permit downloading of an INTERPOL member country’s DNA profiles from the DNA database to another authorized entity unless that INTERPOL member country gives its express written permission for such downloading.
- Upon INTERPOL member country initiated deletion DNA profiles and any links made by potential-matches will be destroyed. Under this provision, when an INTERPOL member country deletes a DNA profile, the General Secretariat may only retain submitted case information sufficient to identify the country source and type of crime for statistical purposes only.
- There is no link between ICIS and the DNA database. Therefore, when an INTERPOL member country requests deletion of information recorded by the General Secretariat, a separate deletion instruction sent via the DNA Gateway is required from an INTERPOL member country to delete a DNA profile held in the DNA database.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Name of Signature Holder: \_\_\_\_\_

Official Position: \_\_\_\_\_

INTERPOL Member Country: \_\_\_\_\_

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APPENDICES

**A1. Technical Specifications**

**A1.1 DNA Input and Match Service © IPSP 2004**

Conceptualized, designed and built by the DNA Unit, International Criminal Police Organization - INTERPOL in cooperation with INTERPOL Vienna.

**A1.2 Copyright, patents and other proprietary rights**

The Memorandum of Understanding between the Austrian National Central Bureau and the International Criminal Police Organization - INTERPOL dated 30 July 2004 states that:

“In accordance with the price stipulated in the present Agreement, the INTERPOL General Secretariat shall acquire ownership and all intellectual property and other proprietary rights including but not limited to patents, copyrights, and trademarks, with regard to the Software, the documents and other materials which bear a direct relation to or are produced in the course of the execution of this Memorandum of Understanding. Therefore, regarding the Software, all rights shall be vested in the INTERPOL General Secretariat including but not limited to the right of paternity, the right of disclosure, the right of withdrawal, the right of integrity, the right to issue copies of the Software to the public, the right to use the Software in public, the right to reproduce or copy the Software, the right to modify, to reverse engineer, to disassemble, to de-compile, to adapt, to translate or to create derivative works from the Software, the right to run the Software, the right to distribute the Software and the right to use the Software for any purpose the INTERPOL General Secretariat may decide.”

**A1.3 System Overview**

**A1.3.1 Overall Functionality**

A purpose-built DNA search engine located in an autonomous database for 24 loci with input and output tables aligned to INTERPOL's SMTP requirements.

**A1.3.2 Program Code**

SQL & C++

**A1.3.3 Operating Environment**

SQL server inside the General Secretariat information management system. Provides appropriate connections in the General Secretariat information management framework and with SMTP requirements to enable DNA-related messages to be transferred from and to INTERPOL member countries via I-24/7.

**A1.4 Data Entry**

Message collection and verification.

Accepts and enables message requests from INTERPOL member countries through I-24/7.

Enables the General Secretariat access to the input and search engine functions.

**A1.4.1 Specifications**

- INTERPOL member countries access control – Country – Full/Limited – Index - Retroactive
- INTERPOL member country data entry and deletion
- INTERPOL member country report request
- INTERPOL member country single entry
- General Secretariat single entry
- INTERPOL member country multiple entry
- Variable viable loci control
- Variable wild-card control
- INTERPOL Standard Set of Loci compliance available
- Variable nomenclature
- Data within specific parameters

**A1.5 Input Process**

Single or multiple DNA profile submissions are permitted by authorized beneficiaries only through the DNA Gateway.

### ***A1.5.1 Single Input***

INTERPOL member countries may enter single profiles using the INTERPOL I-24/7 dashboard DNA interface.

### ***A1.5.2 Multiple Inputs and XML Schema***

INTERPOL member countries operating a DNA database may automate multiple DNA profile submissions on a self-defined basis. Multiple DNA profile submissions will require national output of DNA profiles to the XML schema. This XML file may then be attached to an I-24/7 message, and forwarded to the General Secretariat, and the DNA profiles will be uploaded into the DNA database.

## **A.1.6 Match Tool**

Facility for comparing DNA profiles with the following characteristics:

### ***A1.6.1 Specifications***

- Member access control;
- 24 loci with variable stringency;
- ISSOL control option;
- Exact match and +/- 0.1 base pair variation option;
- Variable mismatch;
- Wild-card conversion and acceptance; and
- Wild-card variation option.

## **A1.7 System Output**

Generation of SMTP messages indicating

- Input error
- No-match
- Potential-match
- Information
- Report

## **A1.8 Report Functions**

- INTERPOL member country statistics
- INTERPOL member country profile status
- INTERPOL member country access rules

## **A1.9 Analytical Functions**

To enable INTERPOL member countries to access data sets for the creation of appropriate information management and in-house reporting tools.

## **A2. Detailed Table Description**

### **A2.1 Input Tables**

Data will be entered via the General Secretariat DNA interface available to beneficiaries through INTERPOL's Secure Global Police Communication System I-24/7.

#### ***A2.1.1 Point Of Contact Table***

Basic data of authorized entity recorded in a predefined table.

[COUNTRY_ISOCODE]	[char] (4) NOT NULL ,	Filled by the SMTP-Process
[COUNTRY_LANG]	[char] (2) NOT NULL ,	Language Code: Iso639
[EMAIL]	[varchar] (127) NULL ,	NCB's e-mail address
[LABORATORY_ACCRED]	[varchar] (127) NULL ,	Accreditation Code

#### ***A2.1.2 UserinputTable***

The input process will use USERINPUT and PROFILE\_USERINPUT tables. The USERINPUT table will temporarily hold DNA search requests and will be entered by the SMTP process. The match tool will read this data and check for errors before moving the DNA profile record into the PROFILE\_USERINPUT table.

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These two tables differ only in four fields. The ID, PROFILE\_STATUS\_DATE and SUBMISSION\_DATE are added to the PROFILE\_USERINPUT table. The field PROFILE\_STATUS has different meanings in the two tables.

[ID]	[int] NOT NULL,	Database assigned auto-value
[PROFILE_STATUS]	[char] (10) NOT NULL ,	Describe the ACTION for record. Values: NEW - add this record. MODIFY - alter values in an existing record. DELETE - remove profile data from this record.
[PROFILE_MARKER]	[int] NULL ,	Marker System ID: NULL or one of the values from the table MARKER_SYSTEM
[PROFILE_IDENT]	[varchar] (127) NOT NULL ,	Country's unique DNA Profile Identifier
[PROFILE_INDEX]	[int] NULL ,	See Table PROFILE_INDEX (crime scene, reference, missing person, unknown deceased or not-specified)
[PROFILE_MASS]	[int] NULL ,	0 or NULL means: single entry by mail or SMTP process. A value >0 identifies a set of mass-input. For mass input profiles the system does not send a read receipt for every single record.
[MASS_END_MARK]	[char] (1),	Only for mass Input: a value 'Y' indicates the last record all other values is NOT an end record.
[EXPIRY_DATE]	[datetime] NULL ,	Force an expiry date. If this value is NULL, a default Date NOW()+5 Years will be used.
[COUNTRY_ISOCODE]	[char] (4) NOT NULL ,	Entered by the SMTP process.
[NCB_REFERENCE]	[varchar] (127) NOT NULL ,	By the NCB.
[COUNTRY_AGENCY]	[varchar] (127) NULL ,	Can be entered by the NCB.
[AGENCY_REFERENCE]	[varchar] (127) NULL ,	Can be entered by the NCB.
[PROFILE_EMAIL]	[varchar] (127) NULL ,	Address for e.g. Error Messages
[OFFENCE_CODE]	[char] (10) NULL ,	NULL or one of the codes from the OFFENCE Table.
[OFFENCE_DATE]	[datetime] NULL ,	Can be entered by the NCB.
[OFFENCE_LOCATION_CODE]	[varchar] (127) NULL ,	Can be entered by the NCB.
[OFFENCE_LOCATION_NAME]	[varchar] (127) NULL ,	Can be entered by the NCB.
[IS_MIX]	[smallint],	For future use - indicates a mixed-profile.
[Amel]	[varchar] (25) NULL ,	Loci values provided by the NCB. Values in a pair must be separated by a semicolon or a space.
[Vwa]	[varchar] (25) NULL ,	
[Th01]	[varchar] (25) NULL ,	
[D21s11]	[varchar] (25) NULL ,	
[Fga]	[varchar] (25) NULL ,	
[D8s1179]	[varchar] (25) NULL ,	
[D3s1358]	[varchar] (25) NULL ,	
[D18s51]	[varchar] (25) NULL ,	
[Tp0x]	[varchar] (25) NULL ,	
[Csf1p0]	[varchar] (25) NULL ,	
[D13s317]	[varchar] (25) NULL ,	
[D7s820]	[varchar] (25) NULL ,	
[D5s818]	[varchar] (25) NULL ,	
[D16s539]	[varchar] (25) NULL ,	
[D2s1338]	[varchar] (25) NULL ,	
[D19s433]	[varchar] (25) NULL ,	
[Fes]	[varchar] (25) NULL ,	
[F13a1]	[varchar] (25) NULL ,	
[F13b]	[varchar] (25) NULL ,	
[Se33]	[varchar] (25) NULL ,	
[GABA]	[varchar] (25) NULL ,	

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[Penta_D]	[varchar] (25) NULL ,
[Penta_E]	[varchar] (25) NULL ,
[Cd4]	[varchar] (25) NULL

**A.2.1.3 Profile Userinput Table**

The PROFILE\_USERINPUT table holds the original DNA search request values submitted that will be included, if applicable, in no-match or potential-match reports.

[ID]	[numeric] (20, 0)	IDENTITY (1, 1) NOT NULL ,	
[PROFILE_STATUS_DATE]	[datetime]	NOT NULL ,	Date of last modification to the profile status.
[PROFILE_STATUS]	[char] (10)	NULL,	NULL (Empty) = new Profile New = new Profile Active Delete = Mark for deleting by INTERPOL member country Deleted = Profile deleted by the INTERPOL member country Expiry = To be expired (NCB is noticed) Expired = Expired and deleted
[SUBMISSION_DATE]	[datetime]	NOT NULL ,	
[PROFILE_MARKER]	[int]	NULL ,	Marker System ID: NULL or One of the Values from the Table MARKER_SYSTEM
[PROFILE_IDENT]	[varchar] (127)	NOT NULL ,	Country's unique DNA profile Identifier
[PROFILE_INDEX]	[int]	NULL ,	See Table PROFILE_INDEX (crime scene, reference, missing person, unknown deceased or not specified).
[PROFILE_MASS]	[smallint]	NULL ,	0 or NULL means: single entry by mail or SMTP process. 1 means: mass-input. For mass input profiles the system does not send a read receipt for every single record.
[EXPIRY_DATE]	[datetime]	NULL ,	Force an expiry date. If this value is NULL, a default Date NOW()+5 Years will be used.
[NCB_REFERENCE]	[varchar] (127)	NULL ,	Filled by the SMTP process
[COUNTRY_ISOCODE]	[char] (4)	NOT NULL ,	Filled by the SMTP process
[COUNTRY_LANG]	[char] (4)	NOT NULL ,	Language Code: Iso639
[COUNTRY_AGENCY]	[varchar] (127)	NULL ,	Can be entered by the NCB
[COUNTRY_REFERENCE]	[varchar] (127)	NULL ,	Can be entered by the NCB
[COUNTRY_SOURCE]	[varchar] (127)	NULL ,	NCB's address. Filled by the SMTP-Process
[OFFENCE_CODE]	[char] (10)	NULL ,	NULL or one of the codes from the OFFENCE -Table
[OFFENCE_DATE]	[datetime]	NULL ,	Can be entered by the NCB
[OFFENCE_LOCATION_CODE]	[varchar] (127)	NULL ,	Can be entered by the NCB
[OFFENCE_LOCATION_NAME]	[varchar] (127)	NULL ,	Can be entered by the NCB
[LABORATORY_ACCRED]	[varchar] (127)	NULL ,	Accreditation code
[Amel]	[varchar] (25)	NULL ,	Loci values provided by the NCB. Values in a pair must be separated by a semicolon or a space.
[Vwa]	[varchar] (25)	NULL ,	
[Th01]	[varchar] (25)	NULL ,	
[D21s11]	[varchar] (25)	NULL ,	
[Fga]	[varchar] (25)	NULL ,	
[D8s1179]	[varchar] (25)	NULL ,	
[D3s1358]	[varchar] (25)	NULL ,	
[D18s51]	[varchar] (25)	NULL ,	
[Tp0x]	[varchar] (25)	NULL ,	
[Csf1p0]	[varchar] (25)	NULL ,	
[D13s317]	[varchar] (25)	NULL ,	
[D7s820]	[varchar] (25)	NULL ,	
[D5s818]	[varchar] (25)	NULL ,	

[D16s539]	[varchar] (25) NULL ,
[D2s1338]	[varchar] (25) NULL ,
[D19s433]	[varchar] (25) NULL ,
[Fes]	[varchar] (25) NULL ,
[F13a1]	[varchar] (25) NULL ,
[F13b]	[varchar] (25) NULL ,
[Se33]	[varchar] (25) NULL ,
[GABA]	[varchar] (25) NULL ,
[Penta_D]	[varchar] (25) NULL ,
[Penta_E]	[varchar] (25) NULL ,
[Cd4]	[varchar] (25) NULL

## **A2.2 Profile Search and Matching**

To enable the detection of potential DNA matches in accordance with designed matching rules, the DNA profile values from the PROFILE\_USERINPUT table will be verified and converted into the PROFILE\_WORKING table.

When the match sequence is activated, all non-matched profiles are searched in accordance with INTERPOL member countries' access rules. If a potential-match is detected a new MATCH\_ID is generated. This MATCH\_ID makes an entry in the PROFILE\_MATCHING table for all contributing profiles.

To examine the searched record it will be located in the PROFILE\_WORKING table with the same MATCH\_ID.

### **A2.2.1 Profile Working Table**

[ID]	[int] NOT NULL ,	Profile identification corresponds to the ID in the PROFILE_USERINPUT Table.
[PROFILE_QUALITY]	[smallint] NULL ,	Verification if the profile contains wild-cards.
[PROFILE_NO_LOCI]	[smallint] NULL ,	Number of valid loci values.
[PROFILE_SEARCHED]	[smallint] NULL ,	Marker that this profile has been searched.
[SEARCH_ID]	[int] NULL ,	Search ID for future use to avoid multiple HIT-messages to the NCB's.
[MATCH_ID]	[int] NULL ,	In case of a hit this is the ID from the MATCH_TAB entry where all matches for this profile are stored.
[COUNTRY_ISOCODE]	[char] (4) NULL ,	Country code.
[AmeI]	[char] (10) NULL ,	Loci values in a standard format.
[Vwa]	[char] (10) NULL ,	
[Th01]	[char] (10) NULL ,	
[D21s11]	[char] (10) NULL ,	
[Fga]	[char] (10) NULL ,	
[D8s1179]	[char] (10) NULL ,	
[D3s1358]	[char] (10) NULL ,	
[D18s51]	[char] (10) NULL ,	
[Tp0x]	[char] (10) NULL ,	
[Csf1p0]	[char] (10) NULL ,	
[D13s317]	[char] (10) NULL ,	
[D7s820]	[char] (10) NULL ,	
[D5s818]	[char] (10) NULL ,	
[D16s539]	[char] (10) NULL ,	
[D2s1338]	[char] (10) NULL ,	
[D19s433]	[char] (10) NULL ,	
[Fes]	[char] (10) NULL ,	
[F13a1]	[char] (10) NULL ,	

[F13b]	[char] (10) NULL ,
[Se33]	[char] (10) NULL ,
[GABA]	[char] (10) NULL ,
[Penta_D]	[char] (10) NULL ,
[Penta_E]	[char] (10) NULL ,
[Cd4]	[char] (10) NULL

### A2.2.2 Profile Matching Table

Contains data linking DNA profiles that have been identified as potential-matches.

[MATCH_ID]	[int] NOT NULL ,	Corresponding to the PROFILE_MATCH_ID in the PROFILE_WORKING Table.
[MATCH_DATE]	[datetime] NOT NULL ,	Date when this record was matched.
[PROFILE_ID]	[int] NOT NULL,	Profile ID to the profile values.
[SEARCH]	[char](1) NULL,	The profile searched.
[DERIVATION]	[char] (1) NULL	Profile match including a micro variant.
[MISMATCH]	[char] (1) NULL	Profile including a mismatch.
[LIMIT]	[char] (1) NOT NULL	Partial restriction on profile.

### A2.3 Permissions

Submitting INTERPOL member countries must activate reciprocal access for other INTERPOL member countries to enable cross-border matching. Each INTERPOL member country may edit applied permissions.

#### A2.3.1 Permission Table

[COUNTRY]	[char] (4) NOT NULL ,	ISO-code for country profile.
[COUNTRY_PERM]	[char] (4) NOT NULL ,	ISO-code for access rights.
[PERMISSION_DATE]	[datetime] NULL ,	Date when record was modified.
[CS]	[smallint] NULL ,	CRIME SCENE a Value >0 enables search Crime scenes.
[RS]	[smallint] NULL ,	Reference sample.
[MP]	[smallint] NULL ,	Missing person.
[UD]	[smallint] NULL ,	Unknown deceased.
[OT]	[smallint] NULL ,	Not-Specified.
[REST_LIMIT]	[char] (1) NULL,	N= No Restriction Y= Limit restriction view the NCB.
[DO_AGAIN]	[char] (1) NULL ,	Y=Changed/new Permission.

### A2.4 User Output

DNA profiles, when entered and searched, will generate appropriate entries in the USER\_OUTPUT table to enable SMTP messages to be created from the General Secretariat and be sent through I-24/7.

#### A2.4.1 Useroutput Table

[ID]	[numeric](20, 0)	IDENTITY (1, 1) NOT NULL ,
[MODE]	[char] (10) NULL ,	<b>HIT</b> = A hit occurred. The PROFILE_ID member is the MATCH_ID. The PROFILE_ID can be obtained from the PROFILE_MATCHING Table. <b>NOHIT</b> = No hit occurred in the search process <b>INFO</b> = send a message for the profile to the NCB. <b>REPORT</b> = send the text to the sender [PROFILE_EMAIL] <b>ERROR</b> = An Error occurred, but there is no corresponding Profile ID Available.
[PROFILE_MASS]	[int] NULL ,	The Mass-Input Reference Number. Used for REPORT messages if PROFILE_ID is not always available.
[PROFILE_ID]	[int] NULL ,	PROFILE_ID or MATCH_ID if MODE='HIT'.

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[TEXT_ID]	[int] NULL ,	ID to a predefined TEXT in the TEXT_MESSAGE Table (The Entries are language dependent).
[PARAMETER]	[varchar] (255) NULL	Parameter for a specific message: Example message: \$1 Profiles Read, \$2 Errors, \$3 are acceptable Parameters: 22@@@1@@@12

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# INTERPOL

## INSTITUTIONAL RESOLUTIONS

- 29- ICPO-INTERPOL Staff Regulations acknowledging the jurisdiction of the Administrative Tribunal of the International Labour Organization  
(*Resolution AGN-56-RES-4*) (Nice, 1987)
- 30- Protection of the Organization's distinctive signs  
(*Resolution AGN/68/RES/11*) (Seoul, 1999)
- 31- Accession to the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations (1986)  
(*Resolution AGN/69/RES/7*) (Rhodes, 2000)
- 32- Creation of an INTERPOL Pension Fund  
(*Resolution AG-2004-RES-21*) (Cancun, 2004)
- 33- Permanent Fund for Crisis Relief  
(*Resolution AG-2005-RES-08*) (Berlin, 2005)
- 34- Statement to reaffirm the independence and political neutrality of INTERPOL  
(*Resolution AGN-2006-RES-04*) (Rio de Janeiro, 2006)
- 35- New procedure and scale of distribution of Statutory Contributions for the period 2010-2014  
(*Resolution AG-2009-RES-17*) (Singapore, 2009)
- 36- INTERPOL Travel Document Initiative  
(*Resolution AG-2010-RES-02*) (Doha, 2010)
- 37- Establishment of the INTERPOL Global Complex in Singapore  
(*Resolution AG-2010-RES-08*) (Doha, 2010)
- 38- Privileges and immunities in the framework of IRT and IMEST deployments  
(*Resolution AG-2010-RES-11*) (Doha, 2010)
- 39- Registration of INTERPOL's Constitution under Article 102 of the United Nations Charter  
(*Resolution AG-2011-RES-15*) (Hanoi, 2011)
- 40- Extrabudgetary resources  
(*Resolution AG-2014-RES-15*) (Monaco, 2014)



**ICPO-INTERPOL STAFF REGULATIONS ACKNOWLEDGING THE JURISDICTION OF THE  
ADMINISTRATIVE TRIBUNAL OF THE INTERNATIONAL LABOUR ORGANIZATION  
(RESOLUTION AGN-56-RES-4) (NICE, 1987)**

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HAVING STUDIED Report No. 7 entitled “ICPO-INTERPOL Staff Regulations”, submitted by the General Secretariat,

HAVING TAKEN NOTE of the opinion of the ad hoc Committee which met in application of Article 56 of the General Regulations,

CONVINCED OF THE NEED for the ICPO-INTERPOL to have a set of Staff Regulations,

CONSIDERING that the draft Staff Regulations submitted to the General Assembly contain provisions that are appropriate for determining the basic conditions of employment and the main duties and rights of the Organization’s officials, as well as the rules and procedures governing their administration,

The ICPO-INTERPOL General Assembly, meeting in Nice from 23rd to 27th November 1987 at its 56th session:

ADOPTS the draft as it appears at Appendix 1 to Report No. 7 with the additions and amendments which appear in Report No. 7 ter and in the appendix to the present Resolution;

ASKS the Secretary General to contact the International Labour Organization with a view to extending the jurisdiction of its Administrative Tribunal to the officials of the ICPO-INTERPOL;

AMENDS the English version of Article 53 of the General Regulations, replacing the expression “Staff Rules” by “Staff Regulations”.

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**APPENDIX 1**

The first sentence of Article 5(1) of the Staff Regulations should read as follows:

“The Organization’s officials are international officials and, as such, their responsibilities are not national but exclusively international.”

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**PROTECTION OF THE ORGANIZATION'S DISTINCTIVE SIGNS  
(RESOLUTION AGN/68/RES/11) (SEOUL, 1999)**

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HAVING CONSIDERED Report AGN/68/RAP/11 entitled "Protection of the Organization's distinctive signs",

RECALLING that the Organization's distinctive signs are the initials "OIPC", "ICPO", its name "ICPO-INTERPOL", its emblem and its flag,

BELIEVING that it is essential to increase protection of the Organization's distinctive signs, which epitomize INTERPOL in the eyes of the international community,

BEARING IN MIND the Resolutions adopted by the General Assembly at its sessions in London in 1958 (AGN/27/RES/1) and in Copenhagen in 1961 (AGN/30/RES/6) stressing the importance of such protection,

NOTING that the misuse of these signs has increased, *inter alia* with the use of new technology such as the Internet,

MINDFUL of the need to take urgent action to tackle such misuse, which is prejudicial to the Organization,

BEARING IN MIND the limits to the protection afforded by the 1883 Paris Convention in its scope of application, including the lack of protection against use on a non-commercial basis or as a service name,

NOTING WITH SATISFACTION the efforts made by the General Secretariat to consolidate protection of INTERPOL's distinctive signs by registering those signs as European Community trademarks and by taking legal action, and the efforts and help of the NCBs and of the member countries to consolidate such protection,

BELIEVING that the help of the NCBs and of the member countries in providing real, effective protection is both essential and highly recommended,

The ICPO-INTERPOL General Assembly, meeting in Seoul from 8th to 12th November 1999 at its 68th session:

1. RECOMMENDS that the NCBs approach their appropriate national authorities so that:
  - 1.1 All the appropriate legislative and other measures are taken to prevent the use, unless otherwise authorized by the General Secretariat, of INTERPOL's initials, name, emblem or flag for commercial purposes in the form of a manufacturer's mark or trademark;
  - 1.2 These measures take effect as soon as possible, and at the latest within two years from the date of adoption by the General Assembly of the present resolution;

**PROTECTION OF THE ORGANIZATION'S DISTINCTIVE SIGNS  
(RESOLUTION AGN/68/RES/11) (SEOUL, 1999)**

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- 1.3 Pending implementation of these measures on their respective territories, they do all in their power to prevent any use of the Organization's distinctive signs, *inter alia* for commercial purposes in the form of a manufacturer's mark or trademark, unless otherwise authorized by the ICPO-INTERPOL General Secretariat;
  - 1.4 Particular attention is paid to INTERPOL's distinctive signs in the context of new technology, such as the Internet and, more particularly, with regard to the registration of domain names and to the misuse of these signs by means of such technology;
  - 1.5 Preventing the misuse of the Organization's distinctive signs is treated as a matter of urgency;
2. ASKS the NCBs:
- 2.1 To send the General Secretariat any information about any protection which already exists or which is introduced as a result of this recommendation;
  - 2.2 To inform it of any legal or judicial action taken;

ABROGATES the following Resolutions:

- 0 AGN/27/RES/1 (1958) – Protection of the name “INTERPOL”
- 0 AGN/30/RES/6 (1961) – Protection of the name “ICPO-INTERPOL”.

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**ACCESSION TO THE VIENNA CONVENTION ON THE LAW OF TREATIES BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS OR BETWEEN INTERNATIONAL ORGANIZATIONS (1986)  
(RESOLUTION AGN/69/RES/7) (RHODES, 2000)**

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CONSIDERING Article 41 of the Organization's Constitution,

HAVING EXAMINED Report AGN/69/RAP/2 on the accession of the Organization to the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations, concluded on 21st March 1986,

HAVING ALSO EXAMINED the Convention itself, which is attached as Appendix 1 to the above-mentioned report,

BEARING IN MIND that the ICPO-INTERPOL has the capacity to conclude treaties and that it is recognized as an intergovernmental organization as specified in Article 2(1)(i) of the 1986 Vienna Convention and under the rules of international law,

BELIEVING that the codification of the rules governing treaties between States and international organizations or between international organizations constitutes a means of reinforcing the legal structure of international relations and of strengthening INTERPOL's position within the international community,

The ICPO-INTERPOL General Assembly, meeting in Rhodes from 30th October to 4th November 2000 at its 69th session:

ENDORSES the considerations and analysis in the above-mentioned report;

APPROVES the accession to the above-mentioned Convention;

AUTHORIZES the Secretary General to deposit an instrument of accession with his counterpart at the United Nations.

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**CREATION OF AN INTERPOL PENSION FUND  
(RESOLUTION AG-2004-RES-21) (CANCUN, 2004)**

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The ICPO-INTERPOL General Assembly meeting in Cancún from 5 to 8 October 2004 at its 73rd session:

TAKING INTO ACCOUNT Report AG-2004-RAP-29 entitled “Creation of an INTERPOL Pension Fund”,

CONSIDERING the necessity for the Organization to move towards the establishment of its own internal pension scheme,

ALSO CONSIDERING the necessity that an interim solution be adopted for the officials of the Organization who are not nationals of the host country and who do not anticipate retiring in the host country, as they are regarded as being significantly disadvantaged by the current scheme,

DECIDES, in conformity with Article 20 of the Financial Regulations, to create a fund entitled Staff Pension Fund, for managing the Organization’s and the officials’ contributions for pensions provision during the employment of the official;

DECIDES that during the interim stage the Fund will be used to manage the reimbursement of any cash sum due on the departure of the official or any other payment of pensions or other indemnities, as defined under specific pension rules;

DECIDES that:

- the management of the Fund will be supported by actuarial expertise and funds/investment management expertise;
- any interest or other return on the funds held shall be credited to the Fund;
- related expenditure/fees may be paid from the Fund and/or the Organization may transfer from the general budget with the approval of the Executive Committee regarding these fees/charges as appropriate;

FURTHER DECIDES that, during the interim stage:

- the Fund can, if necessary, be used to provide social coverage, including the management of the Organization’s and officials’ contributions for social coverage, e.g. sickness, death benefits, etc., during the employment of the official;
- insurance premiums and specific settlements/benefits may be managed through the Fund as necessary;

DEMANDS that no contributions be transferred to the Fund until the Organization has confirmed arrangements for the provision of social coverage in compliance with the Organization’s duty of care owed to its personnel;

DECIDES that the funds held in the INTERPOL Pension Fund are ring-fenced, i.e. cannot be utilized for any other purpose unless a full actuarial study confirms that there are excess funds in the Fund which are no longer required to cover the outstanding liabilities accrued;

DECIDES that any excess funds identified should be used for the provision of social coverage or other forms of support for officials e.g. the IUCS Fund, Staff Welfare Fund, Solidarity Fund, etc.; any such transfers from the Fund require General Assembly approval;

DECIDES that, at the closure of each financial year, the movements and balances on the Fund will be included in the Final Accounts.

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**PERMANENT FUND FOR CRISIS RELIEF  
(RESOLUTION AG-2005-RES-08) (BERLIN, 2005)**

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The ICPO-INTERPOL General Assembly, meeting in Berlin, Germany, from 19 to 22 September 2005 at its 74th session:

HAVING EXAMINED the Report AG-2005-RAP-25 entitled “Permanent Fund for Crisis Relief“,

HAVING IN MIND Article 20 of the Financial Regulations by virtue of which the General Assembly can create any fund as deemed appropriate;

CONSIDERING it to be of vital importance to establish a permanent reserve that would enable INTERPOL to respond immediately to crises that may develop anywhere in the world,

DECIDES on the establishment of a separate fund to be entitled the Permanent Fund for Crisis Relief (PFCR), for this sole and vital purpose;

DECIDES that, initially, the Permanent Fund for Crisis Relief (PFCR) is to hold an amount of EUR 855,000 in order to achieve its stated purpose as above;

DECIDES that the Permanent Fund for Crisis Relief (PFCR) will be funded through voluntary contributions made by member countries as well as through financial assistance provided by other international organizations, non-governmental organizations or any other entities in accordance with Financial Regulations;

DECIDES that EUR 205,000 pertaining to the Permanent Crisis Relief Cost Centre be transferred to the Permanent Fund for Crisis Relief (PFCR), from the General Reserve Fund;

APPEALS TO member states to help INTERPOL General Secretariat identify ways to raise the total sum of EUR 650,000 in 2006, so as to restore the newly created Fund to its proposed reserve level of EUR 855,000; and ASKS Secretary General to seek external funding from external donors,

APPROVES that the Executive Committee, in consultation with the Secretary General, consider for transfer to the fund, a certain percentage of the surplus in every financial year, that may be generated or made available, in order to restore the fund to its proposed reserve level,

APPROVES in general that from time to time, based on a realistic evaluation by the Secretary General of the sums required for tackling crises, the Fund’s reserve level maybe reviewed and the fund may be restored to such a new level based on member countries’ voluntary contributions to it, or by external donors’ contributions to it in accordance with the Financial Regulations, and by means of the transfer of available financial surpluses from each year.

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**STATEMENT TO REAFFIRM THE INDEPENDENCE  
AND POLITICAL NEUTRALITY OF INTERPOL  
(RESOLUTION AGN-2006-RES-04) (RIO DE JANEIRO, 2006)**

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The ICPO-INTERPOL General Assembly, meeting in Rio de Janeiro, Brazil, from 19 to 22 September 2006 at its 75th session:

RECALLING that the Organization was created in 1923, under the name of the INTERNATIONAL CRIMINAL POLICE COMMISSION (ICPC), and that its constituent instrument was revised in 1939 and in 1946;

RECALLING that in 1955 it was felt necessary to revise the constituent instrument of the Organization, in order to ensure and strengthen its position as an independent and neutral intergovernmental organization;

NOTING that, to this end, during the 25th session of the General Assembly of the ICPC, held in Vienna from 7-13 June 1956, the new Constitution of the International Criminal Police Organization (ICPO-INTERPOL) was adopted in 1956, in which the following elements are included:

- (a) The Organization as a standing intergovernmental organization rather than a committee (Art. 1), with its own organs (Art. 5), and with a life of its own, independent of the countries which gave birth to it;
- (b) The prohibition on engaging in any activities of a political, military, racial or religious nature (Art. 3);
- (c) The freedom of member countries to appoint their delegates to the GA (composition delegations (Art. 7);
- (d) The independence of the Executive Committee (Art. 21);
- (e) The independence of the General Secretariat (Art. 30);
- (f) The duty of collaboration and creation of NCBs (Art. 31);

WELCOMES THE FACT that the Organizations' independence has been confirmed by courts and that tribunals in member countries have recognized that the Organization has an existence separate from its member countries, and, in particular, that the International Labour Organization's Administrative Tribunal (ILOAT) has expressly ruled that the Organization is an independent international organization, which is not subject to any national law;

WELCOMES also the recognition of the Organization as an international legal person by other intergovernmental organizations, particularly by the United Nations;

NOTES, however, that over the last 50 years it became evident that it was necessary to undertake steps to preserve the independence and neutrality of the Organization, which include measures:

- ≠ To establish data protection rules, and to create the Commission for the Control of INTERPOL's Files in order to avoid interference by national data protection bodies;
- ≠ To establish its own Staff Regulations pursuant to Article 53 of the General Regulations and adhere to the jurisdiction of the ILOAT in order to avoid being subjected to national labour laws and labour courts;

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EXPRESSES concern that despite the relative success of the Constitution in preserving the neutrality and independence of the Organization, the Organization faces continuous challenges, which lately have taken the following forms:

- ≠ Measures affecting the member countries' freedom to compose delegations to statutory meetings of the Organization;
- ≠ Measures affecting the independence of the staff members seconded to the General Secretariat;
- ≠ Measures affecting the independence of the members of the Executive Committee;
- ≠ Measures affecting the venue of sessions of statutory bodies.

RESOLVES to:

1. Confirm the principles of neutrality and independence enshrined in INTERPOL's Constitution;
2. Thank the member countries and intergovernmental organizations for helping the Organization to uphold these principles;
3. Call upon all member countries and intergovernmental organizations to respect the independence and neutrality of either the Organization itself, the Executive Committee, or the General Secretariat;
4. Call upon the General Secretariat as well as the member countries to consult with one another or with any intergovernmental institution contemplating to take measures which would interfere with the Organization's neutrality and independence;
5. Task the Executive Committee and the Secretary General to continue to take all steps necessary to ensure the neutrality and independence of the Organization as set forth in the provisions of the Constitution and to report to the General Assembly as to the concrete steps taken in this regard.

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**NEW PROCEDURE AND SCALE OF DISTRIBUTION OF STATUTORY CONTRIBUTIONS  
FOR THE PERIOD 2010-2014  
(RESOLUTION AG-2009-RES-17) (SINGAPORE, 2009)**

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The ICPO-INTERPOL General Assembly, meeting in Singapore from 11 to 15 October 2009 at its 78th session:

HAVING EXAMINED the Report No. AG-2009-RAP-03 entitled ‘New procedure and scale of distribution of Statutory Contributions for the period 2010-2014’,

TAKING NOTE OF the recommendations formulated by the Working Group for the Revision of the Scale of Statutory Contributions,

RECALLING Resolution AGN/67/RES/5, which established the Special Allocations Fund, and Resolution No. AG-2001-RES-02 enabling the Special Allocations Fund to receive voluntary contributions paid by member countries;

RECOGNIZING that the economic situation of INTERPOL member countries has evolved considerably since the adoption, by Resolution No. AG-2001-RES-02, of the system of statutory contributions in force since 2001,

AND THEREFORE CONSIDERING it necessary to deeply review how statutory contributions should be distributed in accordance with Members’ ability to pay,

PAYS TRIBUTE to the Working Group for the Revision of the Scale of Statutory Contributions, which it thanks for its work concerned with the implementation of the new system of contributions and which was likely to improve the functioning of the Organization;

DECIDES that:

- ≠ the minimum contribution shall continue to be fixed at 0.03% of the budget;
- ≠ the contributions paid by member countries that are not subject to the minimum contribution will be distributed on the basis of the average between the INTERPOL and the United Nations scales of contributions adopted as a reference on the date when the scale of statutory contributions is approved or revised, pro-rated to account for INTERPOL membership and for the minimum contributions;

ALSO DECIDES:

- ≠ that the scale of contributions will be revised by the General Assembly every three years and will remain valid until the following revision;
- ≠ to delegate to the Executive Committee the authority to adjust the scale of contributions in accordance with the rules laid down in the present Resolution if a country joins or leaves the Organization; if increased or reduced membership were to result in a variation of 5% or more in the total amount to be distributed, the Executive Committee would have to inform the General Assembly, so that the latter could revise the entire scale;

**NEW PROCEDURE AND SCALE OF DISTRIBUTION OF STATUTORY CONTRIBUTIONS  
FOR THE PERIOD 2010-2014  
(RESOLUTION AG-2009-RES-17) (SINGAPORE, 2009)**

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FURTHER DECIDES that:

- ≠ the new system of contributions shall be gradually introduced over a period of five years from 2009 to 2014 inclusive, as contained in Appendix 4 to the present Resolution, and that the scale shall be revised for the first time at the end of the transition period;
- ≠ for the purposes of establishing a scale applicable until the end of the transition period, reference is made to the INTERPOL scale for 2009, as adopted by Resolution No. AG-2008-RES-11 that was subsequently adjusted by the Executive Committee at its 161st session to incorporate new members, and UN scale for 2007-2009, as approved by the UN General Assembly in Resolution A/RES/61/237, adopted on 22 December 2006;
- ≠ voluntary contributions paid by member countries will continue to be paid into the Special Allocations Fund;

FINALLY, ABROGATES its Resolution No. AG-2001-RES-02 “New system of statutory contributions - Distribution of contributions”.

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**INTERPOL TRAVEL DOCUMENT INITIATIVE  
(RESOLUTION AG-2010-RES-02) (DOHA, 2010)**

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The ICPO-INTERPOL General Assembly, meeting in Doha, Qatar, from 8 to 11 November 2010 at its 79th session:

MINDFUL OF Article 31 of INTERPOL's Constitution, which states that "In order to further its aims, the Organization needs the constant and active cooperation of its Members, who should do all within their power which is compatible with the legislations of their countries to participate diligently in its activities",

BEARING IN MIND that, when fighting international crime and providing assistance at the request of an affected country, aid from INTERPOL or its member countries' law enforcement officials can be slowed down or stopped because of time-consuming visa requirements or bureaucratic formalities,

RECOGNIZING that delays in providing aid may weaken the effectiveness of the response offered by INTERPOL and law enforcement services and harm the best interests of the country requesting assistance,

TAKING INTO ACCOUNT that legitimate border-security concerns can be addressed and the sovereignty of member countries protected while expediting the visa-clearance process on behalf of officials from INTERPOL and its member countries invited by the countries concerned to provide assistance,

RECALLING that the purpose of the INTERPOL Travel Document is to expedite border crossings by designated officials carrying out official duties on INTERPOL-related matters by granting INTERPOL Travel Document holders special visa status (visa waiver, expedited visa or other special visa treatment),

UNDERSTANDING that, by joining this initiative, member countries will ensure that their citizens will benefit from law enforcement support and assistance without delays attributed to obtaining visas,

WELCOMES the creation of the INTERPOL Travel Document in the form of an INTERPOL e-Passport Booklet and an INTERPOL e-Identification Card;

ENCOURAGES all member countries to recognize the INTERPOL Travel Document and to grant its holders special visa status in order to facilitate their travel when carrying out official duties on INTERPOL-related matters at the request of the countries concerned;

ASKS those Members that recognize the INTERPOL Travel Document to notify the General Secretariat and the other Members of their acceptance and their requirements for acceptance of this document;

ASKS the General Secretariat to provide regular updates on the progress of the initiative;

ENCOURAGES the General Secretariat to help interested member countries take the necessary steps – within the limits of their national laws – to grant a special visa status to INTERPOL Travel Document holders.

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**ESTABLISHMENT OF THE INTERPOL GLOBAL COMPLEX IN SINGAPORE  
(RESOLUTION AGN-2010-RES-08) (DOHA, 2010)**

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The ICPO-INTERPOL General Assembly, meeting in Doha, Qatar, from 8 to 11 November 2010 at its 79th session

HAVING EXAMINED Report No. AG-2010-RAP-20 on the concept to strengthen the General Secretariat's global infrastructure with the establishment of the INTERPOL Global Complex in Singapore, to complement the INTERPOL General Secretariat in Lyon, France which will remain the permanent seat and headquarters of the Organization,

MINDFUL of the enhanced INTERPOL Strategic Planning Framework and revised INTERPOL Strategic and Corporate Priorities guiding the Organization's activities,

CONSIDERING that it is critical for the Organization to be able to continue to evolve without increasing mandatory statutory contributions of member countries,

UNDERSTANDING that in the 21st Century, as international travel, Internet use and cybercrime expand globally, there is need for all of our member countries to benefit from cutting edge research and development on the identification of crimes and criminals, innovation-based capacity building and provision of 24/7 operational police support to strengthen policing worldwide to better deal with future challenges,

NOTING that according to the financial assessment of the initiative, the development of the INTERPOL Global Complex in Singapore can be undertaken without requiring an increase in member countries' mandatory statutory contributions,

RECOGNIZES the Government of Singapore for its strong and concrete support to INTERPOL and for its readiness to finance the construction of a new and distinctive building for INTERPOL's use that will be free of rental cost to the Organization for the life of the building;

SUPPORTS the INTERPOL General Secretariat's initiative to establish the INTERPOL Global Complex in Singapore;

RELIES on the Executive Committee's and the Secretary General's commitment that funding for the establishment of the INTERPOL Global Complex in Singapore will not require any increase to the mandatory statutory contributions of member countries;

REQUESTS the Advisory Group on Financial Matters to provide the Executive Committee and the General Secretariat with financial advice to ensure that the INTERPOL Global Complex in Singapore will in fact be developed in a way that will not result in any increase in member countries' mandatory statutory contributions;

AUTHORIZES the following key steps towards establishing the INTERPOL Global Complex in Singapore:

- (a) the establishment of a working group (IGC Working Group), consisting of member country representatives nominated by the Heads of National Central Bureaus, to assist in advancing the initiative and facilitating ongoing communications and consultations with member countries on the initiative,



**ESTABLISHMENT OF THE INTERPOL GLOBAL COMPLEX IN SINGAPORE  
(RESOLUTION AGN-2010-RES-08) (DOHA, 2010)**

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- (b) the IGC Working Group to be open to all interested member countries and to comply with the terms of reference and reporting mechanisms to be established by the Executive Committee in order to ensure that the constitutional roles of the Executive Committee and General Secretariat are not duplicated or undermined,
- (c) the signing by the Secretary General of the Headquarters agreement between INTERPOL and the Government of the Republic of Singapore regarding the establishment of the INTERPOL Global Complex in Singapore.

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**PRIVILEGES AND IMMUNITIES IN THE FRAMEWORK OF IRT AND IMEST DEPLOYMENTS  
(RESOLUTION AG-2010-RES-11) (DOHA, 2010)**

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The ICPO-INTERPOL General Assembly, meeting in Doha, Qatar, from 8 to 11 November 2010, at its 79th session:

BEARING IN MIND that INTERPOL Incident Response Teams (IRTs) are intended to help member countries, at their request, whenever a crime or a large-scale disaster occurs or may occur on their territory,

BEARING IN MIND that INTERPOL Major Events Support Teams (IMESTs) are intended to help member countries, at their request, make security arrangements in preparation for major events,

CONSIDERING Report No. AG-2004-RAP-27 adopted by the General Assembly at its 73rd session which recognizes IRTs as an INTERPOL service to member countries in response to operational challenges facing policing that require rapid and substantive information sharing, co-operation support and intelligence assistance,

NOTING the increasing number of IRTs and IMESTs deployed since 2002,

RECOGNIZING the need for the Organization and its staff to benefit from international legal protection on the territory of a member country where they are called upon to carry out their duties,

RECOGNIZING the need for the Organization's staff to enjoy privileges and immunities in order to be able to carry out their duties independently while deployed as members of IRTs or IMESTs on the territory of a member country,

RECOGNIZING that diplomatic privileges and immunities are among the oldest international guarantees created and that their aim is mainly to maintain relations of mutual assistance and international exchanges in times of crisis,

CONSIDERING that privileges and immunities are recognized by international law as the fundamental guarantee of the independence of international organizations in times of crisis,

RECALLING that privileges and immunities are accorded to the Organization and its staff by member countries with which the Organization has concluded Headquarters Agreements,

ALSO RECALLING that privileges and immunities are granted by countries hosting the statutory meetings of the Organization,

ASKS the National Central Bureaus of member countries requesting the deployment of an IRT or an IMEST to urge the competent national authorities to grant the Organization and its staff the privileges and immunities necessary for the proper conduct of the team's activities and the accomplishment of its mission in conformity with international public law.

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**REGISTRATION OF INTERPOL'S CONSTITUTION UNDER ARTICLE 102  
OF THE UNITED NATIONS CHARTER  
(RESOLUTION AG-2011-RES-15) (HANOI, 2011)**

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The ICPO-INTERPOL General Assembly, meeting in Hanoi, Vietnam, from 31 October to 3 November 2011 at its 80th session:

RECALLING that the International Criminal Police Commission (ICPC) was created in 1923, and that its constituent instrument was revised in 1939 and 1946,

RECALLING FURTHER that the new Constitution of the International Criminal Police Organization (ICPO-INTERPOL) was adopted at the 25th session of the ICPC General Assembly, held in Vienna from 7 to 13 June 1956,

BEARING IN MIND that the 1956 Constitution defines INTERPOL as an international organization with a clear mandate, its own bodies, possessing an international legal personality and an existence separate from its member countries,

UNDERLINING that the Organization is recognized as an international, independent legal entity by governments, courts and tribunals, as well as by other intergovernmental organizations, particularly the United Nations,

CONSIDERING Resolution AG-2006-RES-04 (Statement to Reaffirm the Independence and Political Neutrality of INTERPOL), by which the General Assembly confirmed the principles of neutrality and independence enshrined in INTERPOL's Constitution,

CONSIDERING ALSO Recommendation ERC-2010-REC-02 of the European Regional Conference on the registration of INTERPOL's Constitution with the United Nations, according to which the Conference recommended that the Constitution be submitted for registration and publication by the United Nations,

NOTING the past studies conducted by working groups established by the General Assembly, by the Executive Committee, and by the General Secretariat,

CONCLUDES, in light of the above, that INTERPOL's Constitution is to be considered as the international agreement establishing the International Criminal Police Organization – INTERPOL;

CONSIDERS that registration and publication of INTERPOL's Constitution with the United Nations will clarify the nature of INTERPOL's Constitution and facilitate collaboration by the Organization with its member countries and with other international entities, without creating additional obligations on member countries;

DECIDES that INTERPOL's Constitution should be submitted for registration and publication by the United Nations;

TASKS the General Secretariat to take all necessary steps for the purpose of submitting the Constitution to the Secretariat of the United Nations to be registered and published in accordance with Article 102 of the United Nations Charter.

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**EXTRABUDGETARY RESOURCES  
(RESOLUTION AG-2014-RES-15) (MONACO, 2014)**

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The ICPO-INTERPOL General Assembly, meeting in Monaco from 3 to 7 November 2014 at its 83rd session:

HAVING REGARD TO Articles 8, 29 and 38 of the Organization's Constitution,

BEARING IN MIND Report AG-2012-RAP-13 on INTERPOL's Evolving Funding Model, which concluded on the need to review the current legal procedures relating to the Organization's funding and set a timetable of work to that effect,

HAVING NOTED the conclusions of the Working Group on INTERPOL's Evolving Funding Model,

CONSIDERING Resolution AG-2013-RES-08, approved by the General Assembly at its 82nd session (2013, Cartagena de Indias), adopting the INTERPOL Guidelines for Extrabudgetary Resources and asking the Secretary General to submit to the General Assembly at its 83rd session draft detailed technical regulations on the management of extrabudgetary resources,

BEARING IN MIND Report AG-2014-RAP-05 submitted by the General Secretariat to the General Assembly at the present session in furtherance of Resolution AG-2013-RES-08,

AWARE of the need to seek additional sources of funding, given the Organization's increasing financial needs and the insufficient income from statutory contributions,

CONSIDERING that, to this end, it is important to create a legal framework for the collection, acceptance, management and use of extrabudgetary resources which will allow the governing bodies to exercise their role of supervising such funding,

RECOGNIZING that the search for extrabudgetary resources requires the use of new financial instruments such as trust funds,

RECALLING Articles 51 and 55 of the Organization's General Regulations, under the terms of which it is competent to approve any modifications to the Financial Regulations by a two-thirds majority in conformity with Article 44 of the Constitution,

HAVING STUDIED the opinion given by the ad hoc Committee set up in application of Article 56 of the Organization's General Regulations,

RECALLING that, under the terms of Article 8 of INTERPOL's Constitution, the General Assembly is empowered to determine any other regulations deemed necessary,

ALSO RECALLING that, in application of Article 29 of INTERPOL's Constitution, the Secretary General administers the Organization's budget according to the directives decided upon by the General Assembly or Executive Committee,

APPROVES:

- the amendments to INTERPOL Financial Regulations as set out at Appendix 1 to Report AG-2014-RAP-05;
- the Provisions concerning the Management of the INTERPOL Fund for International Police Cooperation as given at Appendix 4 to Report AG-2014-RAP-05;

**EXTRABUDGETARY RESOURCES  
(RESOLUTION AG-2014-RES-15) (MONACO, 2014)**

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DECIDES that the said amendments and provisions shall enter into force on 31 March 2015;

DECIDES on the creation, on the date of entry into force of the said amendments to the Financial Regulations, of a Trust Fund called the INTERPOL Fund for International Police Cooperation, to receive extrabudgetary resources that may be used to implement the Organization's strategic priorities and the programme of special activities;

DECIDES that the total annual extrabudgetary resources shall not exceed 50 per cent of INTERPOL's total income – including the regular budget, the INTERPOL Fund for International Police Cooperation and the special accounts – and that total annual donations from a single donor, other than the INTERPOL Foundation for a Safer World, shall not exceed 15 per cent of INTERPOL's total income;

ASKS the Executive Committee to adopt, in accordance with the timetable specified in Report AG-2014-RAP-05:

- Implementing Rules for the Financial Regulations,
- General conditions for the acceptance of contributions from donors,
- Due-Diligence Guidelines.

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