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The Struggle Against the Impunity: The Contribution of the International Police Cooperation

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The Struggle Against the Impunity: The Contribution of the International Police Cooperation

Abstract

[Excerpt] The INTERPOL General Secretariat is expanding its role in providing international coordination and support for law enforcement agencies in member countries and international organizations responsible for the investigation and prosecution of genocide, war crimes, and crimes against humanity.

INTERPOL has been supporting member countries and the ad hoc International Criminal Tribunals in the location and apprehension of criminals wanted for genocide, war crimes, and crimes against humanity since 1994, primarily through the publication of Red Notices and the provision of other investigative assistance.

Keywords

INTERPOL, war crimes, Rwanda, law enforcement, genocide, crimes against humanity

Comments

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**FORUM BETWEEN OFFICES OF THE PROSECUTORS OF UN AD HOC
CRIMINAL TRIBUNALS AND NATIONAL PROSECUTING AUTHORITIES**

**26-28 November 2008
Arusha – Tanzania**

**THE STRUGGLE AGAINST THE IMPUNITY
THE CONTRIBUTION OF THE INTERNATIONAL POLICE COOPERATION**

Stefano Carvelli - INTERPOL

INTRODUCTION

Good afternoon Ladies and Gentlemen,

It is a great pleasure for me to participate in this Event, and I am honored to have the opportunity to give you this presentation on the INTERPOL support to the fight against the impunity for Genocide, War Crimes and Crimes Against Humanity.

INTERPOL: A GENERAL OVERVIEW

INTERPOL is the largest international police organization in the world. It was set up in 1923 to facilitate cross-border criminal police cooperation and today has 187 member countries spread over five continents.

INTERPOL'S 4 CORE FUNCTIONS

In order to achieve these objectives, INTERPOL has identified four core functions:

1. a secure global communications system known as I-24/7.
2. operational databases
3. operational support 24h/24 – 7j/7.
4. training and development.

INTERPOL'S 6 PRIORITY AREAS

INTERPOL's priority activities concern public safety and terrorism, criminal organizations, drug-related crimes, financial and high-tech crime, trafficking in human beings, anti-corruption and fugitive investigation support.

INTERPOL'S DATA BASES

INTERPOL global databases are recognized as efficient tools to identify and arrest criminals and terrorists.

SEARCHING FOR FUGITIVES: WHY?

One of the greatest threats to the international safety is that of wanted criminals, who are able to flee and avoid apprehension. In many cases, these individuals have extensive criminal records and have the knowledge, the support and the means to avoid detection and apprehension.

The act of apprehending a fugitive is symbolic of an effective criminal justice system. It reaffirms the trust the public has in the justice system.

INTERPOL'S RED NOTICE

One of INTERPOL's most important tasks is to place member countries on alert about people who are being sought by police forces worldwide.

INTERPOL's main tool for helping police across its network to track fugitives is its Red Notices, an international wanted persons notice. This year, more than 600 people have been arrested on the basis of INTERPOL notices and, since 2000, almost 27,000 fugitives who were the subjects of INTERPOL notices and diffusions have been caught.

THE LEGAL FRAMEWORK

In application of Article 2 of its Constitution, the Organization acts 'in the spirit of the Universal Declaration of Human Rights'.

Article 3 of the INTERPOL's Constitution, adds a certain number of restrictions:
"It is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character".

THE LEGAL FRAMEWORK

The INTERPOL General Secretariat is expanding its role in providing international co-ordination and support for law enforcement agencies in member countries and international organizations responsible for the investigation and prosecution of genocide, war crimes, and crimes against humanity.

INTERPOL has been supporting member countries and the ad hoc International Criminal Tribunals in the location and apprehension of criminals wanted for genocide, war crimes, and crimes against humanity since 1994, primarily through the publication of Red Notices and the provision of other investigative assistance.

In 1994, ICPO-INTERPOL began cooperating with the **International Criminal Tribunal for the Former Yugoslavia (ICTY)** pursuant to AGN/63/RES/9 – Rome GA (Art. 3 interpretation). Since then, IPSP has routinely supported ICTY in the search for war criminals through the publication of Red Notices, and coordinated the activities of member countries with regard to crimes subject to the jurisdiction of the ICTY. In 1997, pursuant to AGN/66/RES/10 – New Delhi GA, IPSP extended this assistance to **International Criminal Tribunal for Rwanda (ICTR) as well.**

In August 2003, the United Nations Security Council adopted a resolution on the *Completion Strategy for ICTR and ICTY*, which, among other things, "Calls on all States to cooperate with the International Criminal Police Organization (ICPO-INTERPOL) in apprehending and transferring persons indicted by the ICTY and the ICTR.

The 19th INTERPOL African Regional Conference ended on 13 July 2007 with a call for all National Central Bureaus (NCBs) to provide whatever assistance necessary to arrest the remaining fugitives of the **International Criminal Tribunal for Rwanda (ICTR)**.

On 8 November 2007, the INTERPOL General Assembly in Marrakech adopted Resolution No AG-2007-RES-13 which invited all Member countries, through their NCBs, to undertake all that is within their powers and compatible with their national legislations, to ensure the widest possible mutual assistance in **order to apprehend the above fugitives, before the scheduled end of the trials before the ICTR.**

More recently, INTERPOL's 37th European Regional Conference in Vilnius ended with a call for National Central Bureaus (NCBs) to provide the widest possible assistance to locate and arrest the four remaining fugitives wanted by the **International Criminal Tribunal for the former Yugoslavia (ICTY)**.

NETWORKING

We are promoting the creation of Specialists Community, putting in place a global network of contact points.

The 76th GA (Marrakesh) urged the member countries to create an 'International Fugitive Investigations Contact Point' within their National Central Bureaus which deals with international search requests and promotes the international co-operation and mutual assistance necessary for the location and apprehension of international Fugitives.

Information on best practices and training to member countries are provided through seminars and conference.

We organised, in cooperation with South African Police and NCB Pretoria, the 5th International Conference on Fugitives.

Concerning the field of Genocide, War Crimes and Crimes against Humanity, INTERPOL organizes GWC investigators meetings as the 3rd in Ottawa and the upcoming in Oslo 18-20 May 2009 to collect experiences and to maintain a network of specialists.

The first INTERPOL war crime course will be held in Lyon 19-23 January 2009.

It has never been done before and we have brought in experts from the various Internationals and ad hoc Tribunals, ICC and countries that have already experience in this area to design the course.

OPERATIONAL SUPPORT

Interpol co-operates closely with the International Criminal Court, the Special Court for Sierra Leone and the International Criminal Tribunal for the former Yugoslavia as well as law enforcement in its 187 member countries, to ensure that genocide perpetrators, war criminals and people involved in Crimes against Humanity are located, arrested and brought to justice. It is done through the publication of Red Notices and the provision of other investigative assistance.

COOPERATION WITH ICTY

Concerning KARADZIC Radovan, arrested on 21 July 2008, IPSP issued the RED NOTICE upon the request of ICTY on 1 December 1995; INTERPOL has been circulating information provided from several Member Countries, following the developments of the case.

INTERPOL also supported the arrest of in Beograd ZUPLJANIN Stojan, on 11 June 2006.

RWANDAN GENOCIDE FUGITIVES PROJECT

The OS-FIS (Fugitive Investigative Support Sub-Directorate) Rwandan Genocide Fugitives Project aim is to locate and to arrest the fugitives wanted by the International Criminal Tribunal for Rwanda and all genocide perpetrators wanted by Rwandan judicial authorities.

The role of OS-FIS is to coordinate INTERPOL member countries actions in order to realize the apprehension of the fugitives, providing the NCBs with information and ID materials of the wanted people and ensuring operational support to the ICTR Tracking Unit and the Rwandan authorities.

ARRESTS

To date, 11 Rwandan suspects who were the object of an INTERPOL wanted persons Red Notice requested by either the ICTR or INTERPOL's National Central Bureau in Kigali have been arrested, with three of the suspects transferred to Arusha, Tanzania, to face trial at the ICTR.

(Dominique NTAWUKURIRYAYO - Augustin NGIRABATWARE - Callixte NZABONIMANA)

THE ICTR/INTERPOL POSTER

OS-FIS is also trying to increase the awareness of the public and of the worldwide law enforcement community public about what happened in Rwanda and, on 30 November 2007, within the framework above mentioned, a poster for the 14 remaining fugitives (now 13) wanted by the ICTR was published on the INTERPOL web site. The poster is regularly updated.

WEB FUGITIVE

The internet has recently grown exponentially as a social platform, accessible from almost everywhere at every time, day or night. INTERPOL's Fugitives Investigative Support Sub Directorate (FIS) is working to respond to this increased internet utility with its establishment of a 'Web Fugitives System'. This allows the public to contact INTERPOL's FIS directly with any information regarding fugitives, in away offering INTERPOL ears in otherwise inaccessible corners of the globe.

INTERPOL'S TRANSMISSION ROLE

Under the terms of Article 2 of its Constitution, one of the main aims of Interpol is to promote international mutual assistance in law enforcement matters. The Organization thereby makes it possible for member states to co-operate in tracing wanted individuals with a view to their extradition.

There are also several International/Regional Conventions in which the INTERPOL's Transmission Role is mentioned.

THE USE OF SOCIAL NETWORKING SITES AND THE INTERNET IN GENERAL IN IDENTIFYING AND LOCATING WANTED PERSONS

During the last month, FIS has also taken a more daring step further into more innovative investigative / law enforcement techniques to make more use of the wider public in this way.

It has produced a small video clip, vocally translated into all four INTERPOL languages, to alert the public.

Thank you for listening. And if you have any questions, please do not hesitate to ask.