Statement by INTERPOL at Third Session of the Ad Hoc Committee on International Cooperation – 31 August 2022

CHECK AGAINST DELIVERY

Madam Chairperson,

We appreciate the opportunity to further elaborate on some of the procedures, platforms and tools of INTERPOL that are relevant to the AHC discussions, and on which Member States have sought clarifications during this session. We also refer you to our written submissions to the first, second and third AHC sessions, as well as the second intersessional consultation, available on the AHC website.

INTERPOL is the only global, neutral intergovernmental organization entrusted by its 195 member countries to connect their law enforcement authorities. INTERPOL therefore has unique insight into international cooperation to counter cybercrime, and especially collaboration between law enforcement across the world.

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As part of its mandate, INTERPOL deploys and maintains the I-24/7 secure communication system for its 195 member countries.

I-24/7 enables authorized users to share crucial police data with one another and access INTERPOL databases and services 24 hours a day. It is quite simply a digital solution that connects law enforcement agencies in different countries and allows secure electronic transmission of data. On this system, there are several functionalities that can be used within this secure environment. They allow communications – both bilaterally and multilaterally – between member countries that are connected, as well as with INTERPOL if needed. One such functionality is a general message system (like a secure email), another is the access to INTERPOL’s specialized databases, such as the lost and stolen travel document database. INTERPOL Notices and Diffusions are also accessed through this system.

The I-24/7 system already exists, and it is continuously maintained and enhanced using the statutory financial contributions of our member countries – the majority of which are sitting in this room.

The I-24/7 system is accessible by National Central Bureaus (NCBs), which act as INTERPOL’s single Point of Contact to each of its member countries – they are often designated units within the national Police Forces/Ministry of Interior and their equivalents. Access can be
expanded to other national authorities (such as cybercrime investigations unit or border crossing points) with the authorization of NCBs.

The system is widely used by law enforcement agencies and is the main channel for international communication between them. To give you an idea of the current ongoing information exchange passing through INTERPOL’s communication system, on average over the past 12 months, law enforcement agencies exchanged 34 messages per minute using I-24/7. In 2021 alone, more than 26 million messages have been exchanged between law enforcement agencies on the I-24/7 system. Law enforcement has to date this year already made 3.7 billion queries to our 19 databases.

Several Member States have made reference to the need for electronic transmissions of requests and data to be secure. I-24/7 connections are based on VPN security protocols with 256-bit encryption, certificate authentication and data integrity. INTERPOL enrolls the routers with certificates using INTERPOL private certificate authority. Without these certificates, routers are not able to initiate the VPN connection and gain access to the I-24/7 system. This is testimony to the security of our system, which is a result of the significant resources that have channeled into it. It would be an unnecessary duplication of effort and waste of valuable resources to create similar systems through this convention. The convention should instead reference INTERPOL channels, and in doing so, encourage and promote their use.

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In regard to guiding questions 8-12, INTERPOL has an explicitly recognized role in several international conventions pertaining to the use of our channels for transmission of requests. It is well-established in UNTOC Article 18(13), UNCAC Article 46 (13), the UN Convention Against Illicit Traffic in Narcotic Drugs And Psychotropic Substances 1988 Article 7(8), and the Budapest Convention Article 27(9)(b) that requests for mutual legal assistance can be transmitted through our secure network. It is worth pointing out that the capabilities of INTERPOL digital transmission channels referenced in these articles of previous conventions have been considerably bolstered and enhanced since the formulation of these conventions over 20 years ago.

While there are many ways to transmit information between competent authorities in different countries, several countries today use INTERPOL’s I-24/7 secure network to transmit judicial requests to recipient countries, in both urgent and non-urgent cases. Some countries have national rules that certain requests must be sent using INTERPOL channels in the first instance. Member States can therefore consider including a reference to the use of INTERPOL channels for transmission of requests.

Doing so does not necessarily entail using INTERPOL channels as the exclusive means for communications, and in any event, countries are able to communicate bilaterally and securely on INTERPOL channels without engaging INTERPOL. It would be advisable to avoid creating new duplicate communications systems for information exchange globally through the convention which would only undermine the work of law enforcement and the traffic of international law enforcement cooperation already existing.

As outlined above, it is clear that existing, established and recognized police-to-police cooperation already includes extensive exchange of information, intelligence and e-evidence through established law enforcement channels, including those of INTERPOL. This includes so-
called administrative requests for information as part of an investigation. Depending on the national jurisdictional rules, some of this information can also be used as evidence.

INTERPOL also reiterated its e-Extradition and e-MLA proposals that are awaiting funding to be realized. These proposals, notwithstanding the existing ability to send requests through our channels, would better tailor our system to serve the transmission of extradition and MLA requests. They would allow requests to be sent in real-time and fully electronically, but with a format better adapted to these extradition and MLA request specificities. The proposals seek to establish processes for verification and certification that are approved and accepted by user countries. This way, formal requests can be sent without the cumbersome and time-consuming follow-on paper submission through diplomatic channels, thus considerably speeding up the judicial request process.

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Having covered the digital communications system for information exchange, we will now mention a few points regarding the so-called 24/7 Points of Contact networks. These are two different things.

These networks, while not the digital system for communications, are essentially contact lists of the appointed national entities. The main ones are maintained by the Council of Europe and the G7. INTERPOL also maintains such a contact list for Computer-related Crimes, which is accessible on the Cybercrime Dashboard within the I-24/7 system.

For 24/7 points of contact networks, INTERPOL stresses their positive practical use in enabling efficient and rapid investigatory actions more broadly, and for more detailed tasks such as preservation orders when mandated nationally. All these 24/7 contact lists make it easier and quicker to reach the right entity responsible. However, the actual exchange between these points of contact is made by law enforcement through a variety of means, including communication systems such as INTERPOL’s I-24/7.

It is important that the entities designated as points of contact under this convention are duly empowered and available to engage and respond to international cooperation requests. It is equally important that these 24/7 lists are harmonized such that the designated point of contact from each country included on the various 24/7 lists is the same to avoid confusion.

When considering the means of communications through digital systems, existing ones between the points of contact should be considered, instead of creating additional duplicates that need to be maintained by yet another actor.

INTERPOL remains at Member States’ disposal to provide additional information around these issues.

Thank you.