



INTERPOL

OFFICE OF LEGAL AFFAIRS

*Constitution of the
ICPO-INTERPOL*

[I/CONS/GA/1956(2008)]

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.

CONTENTS

GENERAL PROVISIONS 3

STRUCTURE AND ORGANIZATION 3

THE GENERAL ASSEMBLY 3

THE EXECUTIVE COMMITTEE 4

THE GENERAL SECRETARIAT 5

NATIONAL CENTRAL BUREAUS 6

THE ADVISERS 6

THE COMMISSION FOR THE CONTROL OF FILES 6

BUDGET AND RESOURCES 7

RELATIONS WITH OTHER ORGANIZATIONS 7

**APPLICATION, MODIFICATION AND INTERPRETATION OF THE
CONSTITUTION 7**

TEMPORARY MEASURES 8

**APPENDIX 1: LIST OF STATES TO WHICH THE PROVISIONS OF
ARTICLE 45 OF THE CONSTITUTION SHALL APPLY 8**

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. He may be re-appointed for other terms but must lay down office on reaching the age of sixty-five, although he may be allowed to complete his term of office on reaching this age.

He 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.

He shall submit to the Executive Committee or the General Assembly any propositions or projects concerning the work of the Organization.

He shall be responsible to the Executive Committee and the General Assembly.

He 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 duties, he 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.

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.
