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Role of INTERPOL and RAW in Policing

SHREYA¹

ABSTRACT

The International Criminal Police Organization, commonly known as Interpol, plays a crucial role in combating transnational crime and terrorism in India. However, it also plays an essential role in India's policing by providing crucial information to law enforcement agencies on matters related to national security. The Research and Analysis Wing (RAW) in India has been instrumental in gathering intelligence and conducting covert operations to prevent crime and maintain national security in the country. This paper aims to analyse the role of INTERPOL and RAW and its work in crime-solving cases. The methodology used in this paper is the doctrinal, which will help in analysing the same.

Keywords: INTERPOL; RAW; Intelligence; Policing.

I. INTRODUCTION

Interpol, or the International Criminal Police Organization, has a long history in international policing. It was founded in 1923 and initially focused on tracking down wanted criminals across national borders. However, its role has evolved over time to include a broader range of activities related to international law enforcement. One of Interpol's key functions is facilitating communication and cooperation between law enforcement agencies in different countries.²

This involves sharing information about criminal activities and suspects and coordinating joint operations to apprehend criminals who have fled across borders. Interpol has also been instrumental in developing international crime prevention and investigation standards. For example, it has created databases and other tools that enable law enforcement agencies worldwide to work together more effectively. Overall, Interpol plays an important role in maintaining global security by helping police forces around the world work together to combat crime.³

Its history is a testament to the importance of international cooperation in policing and the ongoing need for organizations like Interpol to facilitate this collaboration.⁴ Interpol, the

¹ Author is an Advocate at Patna High Court, India.

² "Podcast: Role of INTERPOL in Fighting International Crime, <https://amuedge.com/podcast-role-of-interpol-in-fighting-international-crime/> (last visited May 1, 2023)."

³ "Exploring Interpol's Role In International Crime Prevention: Understanding Its Jurisdiction, <https://malaysiandigest.com/exploring-interpols-role-in-international-crime-prevention-understanding-its-jurisdiction/> (last visited May 1, 2023)."

⁴ "International Policing, Ethics, & the Use of AI in Law Enforcement, with Interpol's Jürgen Stock,

International Criminal Police Organization, uses advanced technology to support its law enforcement efforts. The organization has developed a range of tools and systems that enable it to share information and coordinate its activities across national borders.

One of Interpol's key technological innovations is its I-24/7 secure communications system. This system allows member countries to exchange real-time information on criminal activities and suspects, enabling law enforcement agencies around the world to work together more effectively. Interpol also uses a range of analytical tools to identify patterns in criminal activity and track down suspected criminals. Its digital forensics laboratory can analyze data from computers, mobile devices, and other digital devices to help gather evidence in criminal investigations.⁵

In addition, Interpol has developed a range of training programs for law enforcement officers around the world, which help them develop the skills they need to use these technologies effectively. By harnessing technology in this way, Interpol is able to support its member countries in their efforts to combat crime and maintain public safety. Interpol plays a critical role in international law enforcement, but it faces several challenges when it comes to coordinating with different countries and legal systems.

One of the biggest obstacles is the lack of standardization across countries' criminal justice systems, which can create confusion and uncertainty when sharing information or conducting joint investigations. Additionally, some countries may be reluctant to cooperate with Interpol due to political or cultural differences, making it difficult for the organization to effectively coordinate cross-border operations. Another challenge faced by Interpol is ensuring that member countries adhere to human rights standards during investigations and arrests.

Some nations have been accused of using Interpol notices as a means of political persecution or extradition without due process. To address these concerns, Interpol has implemented strict guidelines for issuing notices and has established a system for monitoring compliance with human rights standards. Despite these challenges, Interpol remains an essential tool in global law enforcement efforts, facilitating cooperation between nations and helping to track down criminals on an international scale. Interpol's contributions to solving international crime cases have been remarkable.

<https://www.carnegiecouncil.org/media/series/aiei/20220218-international-policing-ethics-ai-law-enforcement-jurgen-stock> (last visited May 1, 2023)."

⁵ "Mathieu Deflem: Interpol and the Policing of International Terrorism: Developments and Dynamics since September 11, MATHIEU DEFLEM, <https://deflem.blogspot.com/2005/08/interpol-and-policing-of-international.html> (last visited May 1, 2023)."

II. ROLE OF INTERPOL IN POLICING IN INDIA

Interpol plays a significant role in India's law enforcement system. The organization acts as a bridge between the Indian law enforcement agencies and their counterparts in foreign countries.⁶ Interpol helps to gather information, share intelligence, and coordinate efforts to combat cross-border crimes. Interpol has set up a National Central Bureau (NCB) in India, which serves as a focal point for all Interpol-related activities in the country.⁷

The NCB is responsible for managing requests from foreign countries seeking assistance on criminal matters and disseminating information to the Indian law enforcement agencies. Interpol also provides training programs for Indian police officers to enhance their skills in handling international crimes such as terrorism, human trafficking, and cybercrime. It also assists the Indian authorities in identifying fugitives who have fled overseas.⁸

In summary, Interpol plays an essential role in strengthening India's law enforcement system by facilitating international cooperation and providing assistance to investigate cross-border crimes. Its presence has significantly improved India's capacity to tackle transnational organized crime effectively. Interpol, or the International Criminal Police Organization, plays a crucial role in maintaining law and order across the world. In India, Interpol works closely with the Central Bureau of Investigation (CBI) to combat cross-border crimes such as terrorism, drug trafficking, money laundering and cybercrime.

The process of sharing information and cooperation with Interpol involves a series of steps. First, the Indian authorities identify a criminal activity that has transnational implications. They then share relevant information about the case with Interpol through their National Central Bureau (NCB). The NCB acts as a liaison between Interpol and national law enforcement agencies. Once Interpol receives the request for assistance from India, it reviews the information provided by the NCB to determine if it meets its criteria for action.

If approved, Interpol issues an alert called Red Notice that is circulated to all member countries requesting them to locate and arrest the suspect. In addition to Red Notices, India also uses other forms of cooperation with Interpol, such as sharing of intelligence reports and participating in

⁶ "PM Modi at Interpol's general assembly: What is Interpol and how does it function? | Explainers News, Times Now, <https://www.timesnownews.com/explainer/pm-modi-at-interpols-general-assembly-what-is-interpol-and-how-does-it-function-article-94933498> (last visited May 1, 2023)."

⁷ "INTERPOL General Assembly opened by Prime Minister Narendra Modi, <https://www.interpol.int/en/News-and-Events/News/2022/INTERPOL-General-Assembly-opened-by-Prime-Minister-Narendra-Modi> (last visited May 1, 2023)."

⁸ "Cross-Border Data Access for Law Enforcement: What Are India's Strategic Options? - Carnegie India - Carnegie Endowment for International Peace, <https://carnegieindia.org/2020/11/23/cross-border-data-access-for-law-enforcement-what-are-india-s-strategic-options-pub-83197> (last visited May 1, 2023)."

joint investigations. Interpol, the International Criminal Police Organization, has played a crucial role in solving numerous criminal cases in India.⁹

The organization operates through its National Central Bureau (NCB) in India, which serves as a liaison between the Indian law enforcement agencies and Interpol. Interpol has successfully solved several high-profile cases in India with the help of its advanced technology and global network. One such case was the arrest of Abdul Karim Tunda,¹⁰ a top Lashkar-e-Taiba terrorist who was wanted for his involvement in several bomb blasts across India

Interpol issued a Red Notice against Tunda¹¹, which led to his arrest in Nepal and subsequent extradition to India. Another successful case solved with the help of Interpol was the arrest of Rajendra Sadashiv Nikalje alias Chhota Rajan, a notorious underworld don who was on the run for more than two decades. Interpol issued a Red Notice against Rajan, which led to his arrest in Indonesia and subsequent extradition to India. Interpol, the international police organization, is tasked with assisting law enforcement agencies across the world in fighting crime.¹²

III. ROLE OF RAW IN POLICING IN INDIA

The Research and Analysis Wing (RAW) is India's external intelligence agency, established in 1968.¹³ It was created with the purpose of gathering and analyzing information from outside India to support the country's foreign policy objectives. RAW operates under the Prime Minister's Office and reports directly to the National Security Advisor. The agency's early years were marked by successes in gathering intelligence on China and Pakistan, particularly during the 1971 war that led to the creation of Bangladesh.¹⁴

However, RAW has also been criticized for its involvement in covert operations, including during the Sikh insurgency in Punjab.¹⁵ Today, RAW is responsible for collecting and analyzing intelligence on a range of issues including terrorism, nuclear proliferation, and regional security

⁹ “Recent INTERPOL Reforms Provide Insight Into Strategies for Challenging Improper Red Notices | Advisories | Arnold & Porter, <https://www.arnoldporter.com/en/perspectives/advisories/2021/02/recent-interpol-reforms> (last visited May 1, 2023).”

¹⁰ “abdul karim tunda: Latest News & Videos, Photos about abdul karim tunda | The Economic Times - Page 1, <https://economictimes.indiatimes.com/topic/abdul-karim-tunda> (last visited May 2, 2023).”

¹¹ “About Red Notices, <https://www.interpol.int/en/How-we-work/Notices/About-Red-Notices> (last visited May 2, 2023).”

¹² “Indian police asks Interpol to issue arrest notice for billionaire jeweller Nirav Modi: police source | Reuters, <https://www.reuters.com/article/us-india-fraud-punjab-natl-bank/indian-police-asks-interpol-to-issue-arrest-notice-for-billionaire-jeweller-nirav-modi-police-source-idUSKBN1J71Z8> (last visited May 1, 2023).”

¹³ “Research and Analysis Wing | Military Wiki | Fandom, https://military-history.fandom.com/wiki/Research_and_Analysis_Wing (last visited May 1, 2023).”

¹⁴ “1971 Liberation war, birth of Bangladesh and comparison with present day Pakistan :: EFSAS, <https://www.efsas.org/publications/research-dossiers/1971-liberation-war,-birth-of-bangladesh-and-comparison-with-present-day-pakistan/> (last visited May 2, 2023).”

¹⁵ “Protecting the Killers: A Policy of Impunity in Punjab, India: III. Background, <https://www.hrw.org/reports/2007/india1007/3.htm> (last visited May 1, 2023).”

threats. Its work often involves close collaboration with other Indian intelligence agencies as well as foreign partners. Legal provisions governing RAW are set out in the Intelligence Agencies (Regulation) Act of 1985.¹⁶

This law outlines the agency's powers of search and seizure, interception of communications, and use of force if necessary to protect national security interests. The legal framework governing RAW's operations and activities in India is governed by the Intelligence Agencies (Powers and Regulation) Act, 1985. The act provides the legal basis for RAW's existence and outlines its functions, powers, and limitations.¹⁷ The act empowers the government to issue directions to RAW on matters of national security and provides immunity to its officers from prosecution for actions taken in good faith.

RAW operates under the direct control of the Prime Minister's Office (PMO) and is overseen by a joint intelligence committee comprising senior officials from various intelligence agencies. The agency is also subject to oversight by a parliamentary committee on security. RAW's operations are carried out both within India and abroad, with a focus on gathering foreign intelligence that is critical to national security.

To achieve this, it uses human intelligence sources, electronic surveillance, interception of communications, and other covert means. Overall, RAW plays a critical role in safeguarding India's interests both at home and abroad. Its legal framework ensures that it operates within defined limits while fulfilling its mandate of protecting national security. The Research and Analysis Wing (RAW) is India's external intelligence agency, responsible for gathering and analyzing information related to national security.

RAW has been successful in gathering vital intelligence information that has helped the country prevent terrorist attacks and maintain its sovereignty. One of the most significant examples of RAW's success in intelligence gathering was during the Kargil conflict in 1999.¹⁸ RAW received credible information about Pakistan's plan to infiltrate militants into Indian territory, which led to preemptive strikes by the Indian army.¹⁹

The timely action taken by India prevented Pakistan from achieving its objective of capturing

¹⁶ the Intelligence Agencies (Regulation) Act of 1985

¹⁷ "Intelligence agencies need a legal base, <https://www.deccanchronicle.com/opinion/columnists/111118/intelligence-agencies-need-a-legal-base.html> (last visited May 1, 2023)."

¹⁸ "Kargil War | Summary, Date, Pakistan, & India | Britannica, <https://www.britannica.com/event/Kargil-War> (last visited May 1, 2023)."

¹⁹ "11 Facts About The India's Research And Analysis Wing (RAW) That Are Unknown To Most Of Us, <https://www.indiatimes.com/culture/who-we-are/9-facts-about-the-india-s-research-and-analysis-wing-raw-that-are-unknown-to-most-of-us-245991.html> (last visited May 1, 2023)."

Indian territory. In another instance, RAW provided crucial intelligence inputs that helped Indian security agencies foil a terrorist attack on the Akshardham temple in Gujarat in 2002.²⁰ The agency also played a significant role in tracking down and eliminating several key leaders of terror outfits operating within India.

The Research and Analysis Wing (RAW) is India's external intelligence agency. It was established in 1968 with the goal of keeping an eye on foreign governments, organizations, and individuals who pose a threat to India's national security. RAW's primary aim is to collect intelligence through various sources such as satellite imagery, human intelligence, and electronic surveillance. RAW is headed by a Secretary who reports directly to the Prime Minister of India.

The agency operates under the supervision of the Cabinet Secretariat, which ensures that RAW functions within the legal framework set by Indian law. RAW has been instrumental in safeguarding India's interests in a number of ways. It has played a vital role in preventing terrorist attacks on Indian soil and foiling attempts by foreign intelligence agencies to destabilize the country. RAW also provides valuable information to Indian policymakers regarding international relations, military strategy, and economic trends.

However, RAW has also faced criticism over allegations of human rights violations and illegal activities such as assassinations and covert operations in foreign countries. The Research and Analysis Wing (RAW) is India's external intelligence agency. The legal provisions governing the functioning of RAW are set forth in the Intelligence Agencies (Regulation) Act, 1985. This act outlines the powers, functions, and responsibilities of RAW, as well as the legal framework within which it operates.

Under this act, RAW is empowered to collect intelligence relating to foreign countries and their agencies that affect India's political or economic interests. It is also authorized to carry out covert operations abroad to protect national security. However, there are certain limitations to RAW's powers. It cannot engage in any activity that violates international law or jeopardizes India's relations with other countries.

Additionally, it must obtain permission from the government before carrying out any covert operation. Overall, the legal provisions governing RAW provide a clear framework for its operations while ensuring that its activities are conducted within the bounds of international law

²⁰ “Accused in 2002 Akshardham temple attack in Gujarat arrested - The Hindu, <https://www.thehindu.com/news/national/other-states/accused-in-2002-akshardham-temple-attack-in-gujarat-arrested/article25598887.ece> (last visited May 1, 2023).”

and do not harm India's diplomatic interests. The Research and Analysis Wing (RAW) is the primary intelligence agency in India responsible for gathering and analyzing external intelligence.

As a government organization, RAW is subject to various legal provisions and regulations, including accountability and oversight mechanisms. To ensure transparency and accountability, RAW operations are monitored by several oversight bodies. The National Security Council Secretariat (NSCS) oversees the functioning of RAW, while the Joint Intelligence Committee (JIC) coordinates intelligence activities across various agencies. Additionally, the Intelligence Oversight Committee (IOC) reviews intelligence activities to prevent any misuse or violation of human rights.

Moreover, RAW's operations are regulated by various laws such as the Official Secrets Act, 1923,²¹ which prohibits unauthorized disclosure of classified information. The Intelligence Services (Powers and Regulation) Act of 1985 provides legal backing to intelligence agencies' operations while ensuring that their activities do not infringe on citizens' fundamental rights. Overall, these accountability and oversight mechanisms ensure that RAW operates within legal boundaries while effectively fulfilling its mandate to safeguard India's national security interests. Despite being a crucial intelligence agency, Research and Analysis Wing (RAW) in India faces several challenges and criticisms regarding its legal framework.

IV. CONCLUSION

Interpol, also known as the International Criminal Police Organization, has played a significant role in Indian policing since its inception in 1923. India became a member of Interpol in 1949 and has been actively participating in its programs ever since. The primary function of Interpol is to facilitate international police cooperation and assist member countries with criminal investigations. It provides a platform for law enforcement agencies to share information and intelligence on transnational crimes such as terrorism, drug trafficking, human trafficking, and cybercrime.

Interpol India works closely with the Research and Analysis Wing (RAW), India's external intelligence agency. The two organizations collaborate to gather intelligence on cross-border criminal activities that pose a threat to national security. Interpol's Red Notice system is one of its most crucial tools that allows member countries to alert each other about wanted criminals or suspects. Interpol also provides training and technical support to Indian law enforcement

²¹ the Official Secrets Act, 1923

agencies to enhance their capabilities in dealing with transnational crimes.

Overall, Interpol plays an essential role in Indian policing by facilitating international cooperation and providing valuable resources for combating cross-border crime. Interpol's cooperation with the Indian authorities has been instrumental in combating various crimes such as cybercrime, drug trafficking, human trafficking and smuggling. Its efforts have contributed significantly towards making India safer by preventing cross-border criminal activities that pose a threat to national security. The Research and Analysis Wing (RAW) is the intelligence agency of India that was established in 1968. The primary function of RAW is to gather foreign intelligence and conduct covert operations outside India's borders.

However, RAW also plays a significant role in Indian policing by providing crucial information to law enforcement agencies on matters related to national security. RAW has been involved in several successful operations against terrorist organizations, including the capture of Yasin Bhatkal, the co-founder of the Indian Mujahideen. The agency also played a crucial role in foiling several attempts by Pakistan-based terrorist groups to carry out attacks on Indian soil.

Furthermore, RAW's expertise in gathering intelligence has helped Indian law enforcement agencies tackle organized crime syndicates and drug cartels. The agency's analysis and assessment capabilities have been instrumental in identifying emerging threats and developing strategies to counter them. In conclusion, RAW's history and functions make it an indispensable part of Indian policing. Its contributions have been vital in maintaining national security and combating criminal activities both inside and outside India's borders. The Research and Analysis Wing (RAW) plays a crucial role in gathering intelligence and conducting covert operations to prevent crime and maintain national security in India.

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