

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Sixth Delegated Legislation Committee

DRAFT INTERNATIONAL CRIMINAL POLICE
ORGANISATION (IMMUNITIES AND PRIVILEGES)
ORDER 2023

Wednesday 17 May 2023

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The Committee consisted of the following Members:

Chair: PHILIP DAVIES

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|---|--|
| † Brereton, Jack (<i>Stoke-on-Trent South</i>) (Con) | † Hollern, Kate (<i>Blackburn</i>) (Lab) |
| † Clarke-Smith, Brendan (<i>Bassetlaw</i>) (Con) | † Johnson, Gareth (<i>Dartford</i>) (Con) |
| † Docherty-Hughes, Martin (<i>West Dunbartonshire</i>) (SNP) | † Randall, Tom (<i>Gedling</i>) (Con) |
| † Duddridge, Sir James (<i>Rochford and Southend East</i>) (Con) | † Smith, Nick (<i>Blaenau Gwent</i>) (Lab) |
| † French, Mr Louie (<i>Old Bexley and Sidcup</i>) (Con) | † Trevelyan, Anne-Marie (<i>Minister of State, Foreign, Commonwealth and Development Office</i>) |
| † Greenwood, Lilian (<i>Nottingham South</i>) (Lab) | † Turner, Karl (<i>Kingston upon Hull East</i>) (Lab) |
| † Hammond, Stephen (<i>Wimbledon</i>) (Con) | † West, Catherine (<i>Hornsey and Wood Green</i>) (Lab) |
| † Harris, Rebecca (<i>Comptroller of His Majesty's Household</i>) | † Western, Andrew (<i>Stretford and Urmston</i>) (Lab) |
| † Heald, Sir Oliver (<i>North East Hertfordshire</i>) (Con) | Foeke Noppert, <i>Committee Clerk</i> |
| | † attended the Committee |

Sixth Delegated Legislation Committee

Wednesday 17 May 2023

[PHILIP DAVIES *in the Chair*]

Draft International Criminal Police Organisation (Immunities and Privileges) Order 2023

9.25 am

The Minister of State, Foreign, Commonwealth and Development Office (Anne-Marie Trevelyan): I beg to move,

That the Committee has considered the draft International Criminal Police Organisation (Immunities and Privileges) Order 2023.

This instrument was laid before Parliament on 20 April, in accordance with section 10(1) of the International Organisations Act 1968. It is subject to the affirmative procedure and will be made once it is approved by both Houses. The primary purpose of the order is to provide the International Criminal Police Organisation, more commonly known as Interpol, with the status of an international organisation in the UK under the International Organisations Act. This is a prerequisite for the UK's hosting of the annual Interpol general assembly in 2024. Importantly, it will also enable Interpol to function effectively in the UK in the longer term, including by providing it with legal personality in this country. The Government therefore consider these privileges and immunities both necessary and appropriate to deliver on the short and long-term interests and commitments that the UK has towards Interpol.

The privileges and immunities conferred enable Interpol's staff and its representatives from member countries to operate effectively in the UK. They will be afforded to officials attending statutory Interpol meetings, and senior officials such as the Interpol secretary general and executive committee members. They are within the scope of the International Organisations Act and in line with UK precedents. All categories of individual are subject only to official act immunities; the one exception will be the secretary general, who will be treated in accordance with the UK's treatment of heads of diplomatic missions—namely, receiving personal as well as official act immunity.

The provisions in the order cover entry to the UK, customs provisions, immunity from legal process within the scope of official activities, the inviolability of official documents and correspondence, taxation, the inviolability of Interpol premises, statutory meetings, foreign currency exchange, functional immunity for officials, and an immunity waiver. As is standard for agreements of this kind, UK nationals and permanent residents are carved out of provisions regarding taxation and importation exemptions.

Interpol is a global law enforcement organisation, whose objective is to facilitate trans-national police co-operation in the fight against international crime. That mission is more important than ever when we consider how international crime has evolved since the UK became a member in 1928. Global travel, new

technology, and the ability of serious and organised crime gangs to exploit world events mean that we need to work across borders to keep our people safe. Interpol is key to that work, and the UK remains committed to the organisation as it marks its centenary year.

Our commitment is reflected in our plan to host the general assembly, alongside our day-to-day investment in Interpol through our people and expertise. The general assembly represents a unique opportunity to demonstrate UK police leadership on a global stage. During the event, police chiefs from around the world, alongside senior Government officials, will gather to discuss emerging threats to global security, set the direction for Interpol's activity the following year, and elect a new secretary general, along with nine of the 13 new executive committee members.

The privileges and immunities granted by the order will enable Interpol's membership to come together at its 2024 general assembly in the UK. It will also create a basis for closer working between Interpol and the UK Government and law enforcements agencies in the future. I commend the order to the Committee.

9.28 am

Catherine West (Hornsey and Wood Green) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I thank the Minister for setting out the order. Of course, Labour will not divide the Committee on the changes being made to grant Interpol and relevant participants appropriate privileges and immunities to ensure that the general assembly of the organisation can go ahead in 2024. It is a real pleasure to hear that it will be hosted in the UK, given that the UK contributes so much to this policy area.

Giving Interpol space and accreditation to meet and conduct its affairs is necessary to maximise the utility of the upcoming assembly, and Labour fully supports the measures. Interpol is a critical means of sharing key information pertaining to law enforcement and keeping the publics of member countries safe and secure. Co-operation with international partners is key to tackling trans-national challenges such as organised crime, trafficking, terrorism and many others that continue to pose significant risks to the people of the UK and beyond.

I ask the Minister, however, what assurances she can provide to ensure that officers, officials or country representatives from states such as Russia are not provided with significant immunities and privileges without a high level of scrutiny and ministerial oversight. Will immunities be granted on a case-by-case basis to ensure that considerable attention is given to exactly who is being afforded them? If she could provide some clarity in that area, it would be most welcome. Interpol is a critical and integral international player that enhances our security and keeps us all safe. We are pleased to support today's measures.

9.31 am

Martin Docherty-Hughes (West Dunbartonshire) (SNP): It is good to see you in the Chair, Mr Davies. Like the official Opposition, we will not oppose the motion, but I have a few questions; I am sure that the Minister would be surprised if I did not. Also like the official Opposition, I welcome the idea of the general assembly

being held here in the UK. Nevertheless, I have a few concerns as we have been moving out of Europol into Interpol. Perhaps the Minister could clarify our relationship with Europol, notably our access to the Schengen Information System. My belief is that that will be ending, or has ended. We need clarification on that.

Police services across the whole UK, not just in Scotland, are concerned about no longer having access to real-time or immediate alerts from the European Union Europol system. Perhaps the Minister could clarify that. The general point raises a constituency issue for me. If there is not that kind of bilateral relationship, and therefore quicker transfer, arrest and extradition of prisoners, that brings me to a case mentioned on the Floor of the House only the other day during Justice questions: that of Dean Woods, who escaped from Her Majesty's Prison—as it was at the time—Sudbury last year in Derbyshire. He was sentenced to 12 years for his role in an £8 million cocaine ring in February 2020.

The Minister may wonder why I am raising that specific case, which is a matter of public record. There is every possibility that Mr Woods is no longer in the United Kingdom, because he was also arrested for the possible murder of my constituent Lisa Brown. If Mr Woods has absconded to Spain, what is the difference now that we are no longer in Europol and rely on the Interpol system to bring about his arrest or possible return to the United Kingdom? That is a real question for real people, and has a profound impact on the judicial system across the whole of the UK and Northern Ireland. We are looking for clarity from the Minister on how this type of system embeds and builds on what was a perfectly decent system through Europol. We will not oppose the motion, but these are real matters that impact at least my constituents, and they are looking for some answers.

9.33 am

Anne-Marie Trevelyan: On the specific questions around Europol and Home Office-specific cases, I will ask my colleagues at the Home Office to reply to the hon. Gentleman more fully because I am not briefed on the detail and I would not want to give an incorrect response. This statutory instrument is specifically about bringing an international organisation into the purview of our International Organisations Act.

Martin Docherty-Hughes: I appreciate that the Minister may not have the specifics, but the SI relates to the replacement of the previous Europol system with Interpol. She must be aware that that makes substantial changes to how we engage with our European partners.

Anne-Marie Trevelyan: Interpol is the international network, working together across all parts of the world. The SI will allow it to hold its annual general assembly here in the UK next year, and we are pleased and proud to be hosting it.

The hon. Member for Hornsey and Wood Green raised an important question about the privileges and immunities that will come from the SI for representatives of countries such as Russia or China. They will be

entitled to send representatives. All 195 members of Interpol receive an invitation to every general assembly, and the UK is required to honour those invitations. Ministers have considered that aspect and the associated risks very closely, and I highlight that, other than for the secretary general, the diplomatic immunity provisions are very small for the wider cohort and relate only to official activities going on while those delegates are here in the UK for the general assembly. Otherwise, they remain normal citizens.

Karl Turner (Kingston upon Hull East) (Lab): This seems a little concerning. I think I am right in saying that Russia has in the order of 80 regional units across the country. I would imagine that it would have a fairly sizeable delegation when the general assembly takes place in this country. What safeguards will be in place to ensure that Russia does not get up to things that it should not on our turf?

Anne-Marie Trevelyan: As I say, the relevant privileges and immunities being vested are limited to the official duties of all delegates invited to the general assembly. I will ensure that a Home Office Minister comes back to the hon. Gentleman in a private meeting to discuss the technicalities. He is asking about something that we do day in and day out. The Home Office team works to ensure that anyone who would wish the UK harm is clearly understood to be a risk, but the SI affords protections required for those delegates from all 195 countries to discuss the international policing issues that they are all tackling.

Karl Turner: I am grateful to the Minister for giving way again. I think it would assist the Committee if the Minister responsible put better and further detail together, perhaps by way of correspondence to Committee members, or indeed to the official Opposition.

Anne-Marie Trevelyan: I will happily set that in motion. As ever, the realities of treaty management, which are held by the Foreign, Commonwealth and Development Office, do not connect to the day-to-day delivery of these events, so I will ensure that the relevant Minister gets back to the hon. Member for Hornsey and Wood Green and to the Committee.

I thank hon. Members for raising important issues and making contributions to the debate. I hope that I have answered matters satisfactorily. We will pick up on a couple of issues with the Home Office team. In granting these privileges and immunities, we will be able to host the Interpol general assembly in 2024, which will put us in a good place to continue to influence and work with the organisation. Key to all of this is being better positioned to combat international criminality. I therefore thank Committee members and trust that they will support the order.

Question put and agreed to.

9.38 am

Committee rose.

