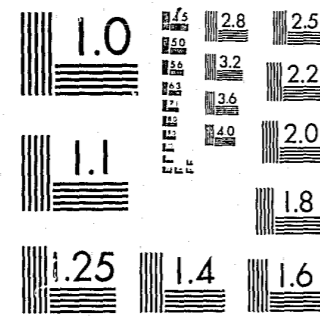


National Criminal Justice Reference Service



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INTERNATIONAL CRIMINAL POLICE ORGANIZATION
— INTERPOL —

XLIIIth GENERAL ASSEMBLY SESSION

CANNES 19th - 25th September 1974

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ACQUISITION

Report submitted
by the
GENERAL SECRETARIAT

No. 11

A

SUBJECT : EXCHANGE OF INFORMATION ON PERSONS INVOLVED
IN PROSTITUTION.

I. BACKGROUND

During the 42nd session of the I.C.P.O.-Interpol General Assembly in Vienna 1973, certain delegates stressed the links between prostitution organised on an international scale and various other forms of professional crime.

In some parts of the world, the facilities granted to persons wishing to travel or move property, with a view to encouraging economic, cultural and touristic exchanges between countries, have led to a parallel development in international crime. It has become apparent that certain persons originally involved in prostitution in their own countries are now travelling abroad, with the result that various criminals (some but not all of whom are procurers) operating at international level, now find refuges, resources and connections between and within these national groups.

It is a well-known fact that the prostitution "milieu" serves as a basis for various fairly serious criminal activities such as armed robbery, theft, drug traffic and currency counterfeiting and that an ever-increasing number of persons who exploit prostitutes, and who travel about easily from country to country, are themselves involved in these activities or are at the root of criminal conspiracies.

In order to combat certain forms of crime, it is therefore useful for the police to collect precise information about the following points :

- the movements of prostitutes and persons living on their immoral earnings, including details of any visits abroad;
- the circles these persons frequent and their criminal contacts;
- their activities in general during their stay in one or more countries.

It would then be desirable to exchange the information obtained by police services through the channels provided by the Interpol National Central Bureaus in the countries concerned. This information may serve as a basis for collecting further details and for starting police enquiries in the various countries concerned either because of the place of residence of the persons implicated, because of their country of origin or countries they had visited or because of any offences they may have committed.

II. POLICY

The exchange of information on an international basis implies the existence of a central service in each participating country, so that information can be collected from the national police departments in direct contact with the criminal circles in question.

We have been informed that some countries already centralise this information using forms which the departments concerned fill out and then send to the central service.

When the central service is not incorporated in the National Central Bureau, it is essential that the NCB should have easy access to the record compiled by this service so that it can play its proper part in the exchange of information at international level.

When, as a result of this exchange of information, police investigations are started at international level, the NCBs need only follow the well-established rules for international police co-operation.

III. FORMS FOR EXCHANGING INFORMATION AT INTERNATIONAL LEVEL

Two draft forms have been prepared (see Appendices I and II) :

- Information on a woman engaging in (or suspected of engaging in) prostitution outside her country of origin or her usual country of residence.
- Information about a person having frequent international "professional" contacts with persons involved in prostitution.

In theory, the first of these forms is only intended for the exchange of information between NCBs while the second form should also be sent to the General Secretariat so that a file can be opened on the person in question.

The General Secretariat is now submitting these forms for the approval of the General Assembly. If the Assembly approves of them, the forms will be printed and distributed to the NCBs and brought into service.

These forms have been designed to enable NCBs to collaborate with each other on a systematic, co-ordinated basis. Once completed, the forms will contain a certain amount of information of interest to police "intelligence". When sending out the form, detailing the information obtained, the NCBs can also request, on the form itself, that their counterparts receiving the form supply further information. It will thus be possible to detect and identify groups of criminals involved in international prostitution by collating all the forms compiled about such persons. The General Secretariat suggests the following criteria should be used as a basis for deciding whether or not information should be exchanged about a particular person :

A. - The first form concerns :

- 1/ Women who have been in the country for less than 2 years and
 - a) engage in prostitution or are suspected of engaging in prostitution,
 - or
 - b) have been engaged (or are suspected of having engaged) in prostitution during the previous year.
- 2/ Women who
 - a) engage in or are suspected of engaging in prostitution,
 - and
 - b) are or appear to be in contact with "international" procurers.
- 3/ Women who
 - a) engage in or are suspected of engaging in prostitution,
 - and
 - b) are or appear to be the mistresses or wives of individuals who frequent prostitutes or persons living on immoral earnings and who often travel abroad.

B. - The second form concerns :

- 1) Persons who are or appear to be the lovers or husbands of women defined in A.1 or who appear to be living on their immoral earnings;
- 2) Persons who are or appear to be living on the immoral earnings of prostitutes and who travel abroad frequently;
- 3) Persons who frequent prostitutes and those living on prostitutes' immoral earnings, who often travel abroad and who are or appear to be the lovers or husbands of women engaged or suspected of engaging in prostitution.

IV. IMPLICATIONS OF THE "CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN PERSONS AND OF THE EXPLOITATION OF THE PROSTITUTION OF OTHERS" (21st MARCH 1950) AND OF THE RIGHT TO PRIVACY AS STATED IN THE DECLARATION OF HUMAN RIGHTS

The relevant texts are given in Appendix III.

We believe that the measures advocated in this report conform to the provisions of the international texts ratified by the member states of the I.C.P.O.-Interpol, and in particular to the provisions of :

Article 2 of the International Arrangement of 18th May 1904 and Articles 14 and 15 of the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, 21st March 1950, concerning the compilation and exchange of information between States concerning the identity, previous record, movements and other activities of procurers guilty of international traffic.

Articles 2 and 3 of the International Arrangement of 1904 and Article 18 of the above-mentioned Convention refer to the collection of information about alien women engaging in prostitution and the taking of statements from such women with a view to establishing their identity and discovering who caused them to leave the country they had been living in. These provisions also refer to the communication of such information to the authorities in the country of origin.

It also appears that the collection of information to be exchanged and, in particular, the questioning of any alien women involved about their identity and connections with prostitution does not come within the scope of the measures which Article 6 of the Convention of 21st March 1950 seeks to abolish, provided that this information is collected with the aim of identifying and curbing the activities of individuals exploiting their prostitution, and who have caused them to leave their former countries of residence.

If any countries believe that the collection and exchange of information in the form we have suggested constitutes the infringement of the right to privacy, the problem will have to be examined with reference to the principles laid down in the Universal Declaration of Human Rights (Article 12) and, if appropriate, with reference to the European Convention on Human Rights.

We would however emphasise the value of completing the forms given in Appendices I and II as fully as possible, with due regard to the legislation in force in the country concerned, and of forwarding this information to the other interested countries.

INFORMATION ON A WOMAN ENGAGING IN (OR SUSPECTED
OF ENGAGING IN) PROSTITUTION OUTSIDE HER COUNTRY
OF ORIGIN OR HER USUAL COUNTRY OF RESIDENCE

Card No. Year Sent to :
 compiled by NCB in 1/ NCB in
 This person is also recorded on cards : 2/ NCB in
 No. Year 3/ NCB in
 compiled by NCB in 4/
 No. Year 5/
 compiled by NCB in

Maiden name : She has been staying
 Family name in currently used in (2)
 since
 Forenames She stayed in (2)
 Nicknames : from to
 Aliases She arrived in our country on
 Born on in from (3)
 Nationality : She left our country/was expelled (1) on
 Single/married/widowed/divorced (1) Her destination was

She is driving (4) registration No.
 registration documents made out to
 address (2)

She holds the following documents (5) :

Type of document	No.	Issued by	Date of issue	Date of expiry
.....
.....

APPENDIX I

She engages in/is suspected of engaging in (1) prostitution :
in a brothel (2)/by soliciting in public places (1)
professionally/occasionally/illicitly (1).

Occupation claimed/apparently exercised (1)

Employer : Name and address of establishment

Person who is/is suspected of (1) living
on the immoral earnings of this woman :

Family name : Car registered in the name of (4)

Forenames :

Born on in Registration No.

Address (temporary/permanent (1))
..... For further information see Card
..... No. Year compiled
..... by the NCB in (6)

Other contacts (e.g. husband, lover, etc.) or criminal acquaintances :

Name :	Forenames :	Date of birth	Address/place of residence (1)	Occupation :
.....
.....
.....
.....
.....

Additional information about these persons, especially about their criminal activities,
details of vehicles used, etc. :

APPENDIX II

INFORMATION ON A PERSON HAVING FREQUENT INTERNATIONAL
"PROFESSIONAL" CONTACTS WITH PERSONS INVOLVED IN PROSTITUTION

Card No. Year	Sent to :
compiled by NCB in	1. General Secretariat
This person is also recorded on cards :	2. NCB
No. Year	3. NCB
compiled by NCB in	4.
No. Year	5.
compiled by NCB in	6.

Family name :	This person has been staying in (2)
Former family names : since
Forenames :	He stayed in (2)
Aliases	from to
Born on in	He arrived in our country on
Nationality	from (3)
Single/married/widowed/divorced (1)	He left our country/was expelled (1) on ...
 His destination was

Car registered in this person's name : (4)

Registration No. Date of registration

He holds the following documents (5)

Type of document	No.	Issued by	Date of issue	Date of expiry
.....
.....

APPENDIX I

Remarks :

Documents enclosed :

Information the receiving NCB is requested to supply to the NCB in : (7)

- (1) Delete where inapplicable
- (2) Exact address
- (3) Give the address if possible
- (4) Make, model and type of vehicle
- (5) e.g. travel documents, work permit, driving licence, vehicle registration documents
- (6) These cards must be compiled when a procurer is recorded on these forms.
- (7) Indicate the type of information required.

APPENDIX II

Occupation claimed/apparently exercised (1) :

Employer :

Name and address of establishment

He is living on/is suspected of living on (1) the immoral earnings of the following prostitutes : For further information see the following cards (6)

Maiden name : Card No. Year compiled by NCB

Family name currently used

Forenames

Born on

Permanent/temporary address (1) (2)

Maiden name : Card No. Year compiled by NCB

Family name currently used :

Forenames :

Born on

Permanent/temporary address (1) (2)

Maiden name : Card No. Year compiled by NCB

Family name currently used :

Forenames :

Born on

Permanent/temporary address (1) (2)

Contacts (for example, wife, mistress, friends, acquaintances) in criminal circles :

Family name:	Forenames:	Date of birth:	Permanent/ temporary address(1)	Occupation
.....
.....
.....

Additional information about these persons, especially about their criminal activities, types of vehicles used, etc. :

APPENDIX II

Remarks :

Documents enclosed (criminal record sheets, photographs, fingerprints (1) :

Information the receiving NCB is requested to supply to the NCB in : (7)

- (1) Delete where inapplicable
- (2) Exact address
- (3) Give the address if possible
- (4) Make, model and type of vehicle
- (5) e.g. travel documents, work permit, driving licence, vehicle registration documents
- (6) These cards must be compiled when a prostitute is recorded on these forms.
- (7) Indicate the type of information required.

APPENDIX III

EXTRACTS FROM THE CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN PERSONS AND OF THE EXPLOITATION OF THE PROSTITUTION OF OTHERS OF 21ST MARCH 1950

Article 1

The Parties to the present Convention agree to punish any person who, to gratify the passions of another :

- 1. Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person;
- 2. Exploits the prostitution of another person, even with the consent of that person.

Article 2

The Parties to the present Convention further agree to punish any person who :

- 1. Keeps or manages, or knowingly finances or takes part in the financing of a brothel;
- 2. Knowingly lets or rents a building or other place or any part thereof for the purpose of the prostitution of others.

Article 6

Each Party to the present Convention agrees to take all the necessary measures to repeal or abolish any existing law, regulation or administrative provision by virtue of which persons who engage in or are suspected of engaging in prostitution are subject either to special registration or to the possession of a special document or to any exceptional requirements for supervision or notification.

APPENDIX III

Article 14

Each Party to the present Convention shall establish or maintain a service charged with the co-ordination and centralization of the results of the investigation of offences referred to in the present Convention.

Such services should compile all information calculated to facilitate the prevention and punishment of the offences referred to in the present Convention and should be in close contact with the corresponding services in other States.

Article 15

To the extent permitted by domestic law and to the extent to which the authorities responsible for the services referred to in article 14 may judge desirable, they shall furnish to the authorities responsible for the corresponding services in other States the following information :

1. Particulars of any offence referred to in the present Convention any attempt to commit such offence;
2. Particulars of any search for and any prosecution, arrest, conviction, refusal of admission or expulsion of persons guilty of any of the offences referred to in the present Convention, the movements of such persons and any other useful information with regard to them.

The information so furnished shall include descriptions of the offenders, their fingerprints, photographs, methods of operation, police records and records of conviction.

Article 16

The Parties to the present Convention undertake, in accordance with the conditions laid down by domestic law, to have declarations taken from aliens who have prostitutes, in order to establish their identity and civil status and to discover who has caused them to leave their State. The information obtained shall be communicated to the authorities of the State of origin of the said persons with a view to their eventual repatriation.

APPENDIX III

EXTRACT FROM THE UNIVERSAL DECLARATION
OF HUMAN RIGHTS OF 10TH DECEMBER 1948

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

EXTRACT FROM THE EUROPEAN CONVENTION
ON HUMAN RIGHTS OF 4TH NOVEMBER 1950

Article 8

1. Everyone has the right to respect for his private and family life, his home and his correspondence.

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

END