

INTERPOL publishes data on Red Notices and Wanted Person diffusions

Briefing

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Fairness, equality, justice

Fair Trials is an international NGO that campaigns for fair and equal criminal justice systems. Our team of independent experts expose threats to justice through original research and identify practical changes to fix them. We campaign to change laws, support strategic litigation, reform policy and develop international standards and best practice. We do this by supporting local movements for reform and building partnerships with lawyers, activists, academics and other NGOs. We are the only international NGO that campaigns exclusively on the right to a fair trial, giving us a comparative perspective on how to tackle failings within criminal justice systems globally.

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INTERPOL has published data that provides an important insight into how it manages its system of Red Notices and Diffusions.

These statistics give an indication of how effectively INTERPOL prevents attempts by countries to misuse its systems, and the publication of this data is an encouraging move towards greater transparency for the world's largest policing organisation.

INTERPOL has maintained for several years that it has systems to check incoming requests for Red Notices so that they cannot be used in ways that violate its own rules on human rights and neutrality. But it has not been clear about how exactly these checks are performed, and how effective these systems are. We know that INTERPOL has a dedicated team in its General Secretariat called the 'Notices and Diffusions Task Force' that is supposed to check each and every Red Notice request, but given that there are only thirty to forty people in this team compared to the thousands of new Red Notices and Diffusions issued each year, the Task Force's ability to do its job properly has been questioned.

The publication of statistics by INTERPOL on the numbers of Red Notices and diffusions it rejects and deletes addresses some of these challenges.

What does the data tell us? What does the data NOT tell us?

The statistics recently posted by INTERPOL on its website show us that in the past five years, INTERPOL has rejected or deleted on average about 1,000 Red Notices and Wanted Person diffusions per year. These include both new incoming requests for Red Notices and Diffusions, as well as existing data already being circulated through its systems. Out of these, around 150 get deleted on human rights grounds, and there are several hundreds more that get deleted because they were of a political, military, religious, or racial character.

These numbers show one thing quite clearly – which is that INTERPOL does have systems that are in fact providing some level of protection to its databases. Despite the relatively small size of the Notices and Diffusions Task Force, it seems to play an active and significant role in ensuring that Red Notices and diffusions comply with INTERPOL's rules.

However, this data does not clearly show how many, or what percentage of incoming Red Notice 'requests' INTERPOL identifies as abusive in any given year. It is very important that INTERPOL's databases are not infected abusive alerts in the first place, because abusive Red Notices and diffusions can continue to cause problems for people at risk of persecution even after they have been deleted by INTERPOL. We know that there are around 10,000 new Red Notices issued each year, but these statistics do not tell us exactly how many more Red Notice requests there are, and how many of these requests are rejected on human rights or political neutrality grounds.

This data also gives us some idea of the extent to which countries are attempting to abuse INTERPOL's systems. Compared to the 25,000 or so Red Notices and Wanted Person diffusions in circulation, the number of rejections or deletions that INTERPOL make on human rights, or political, military, religious or racial grounds number between 500 to 700 each year. While these amount to a small minority of the total number of alerts in INTERPOL's databases, they are certainly not insignificant. Further, we have good reasons to believe that this is just the tip of the iceberg. We know that INTERPOL does not successfully identify all attempts to issue Red Notices and Diffusions against political dissidents, human rights defenders, and recognised refugees.

Why has INTERPOL done this?

This latest move by INTERPOL shows that it is continuing to listen to external criticisms of the organisation, and that it is prepared to make changes to improve its transparency. INTERPOL is aware that there are many concerns about its Red Notices and diffusions, and their susceptibility to misuse, and in the past decade, it has adopted reforms to address this challenge, including through improvements in their review mechanisms. However, it is not enough for INTERPOL to simply assert that it has systems and procedures, it must also show that they are effective in practice.

Fair Trials had made the publication of these statistics a key ask further to the publication of our 2018 report 'Dismantling the Tools of Oppression'. We knew that INTERPOL had adopted reforms to improve their systems for checking Red Notice requests before they were circulated, but we were concerned that there was no information on how well these systems were working.

Our recommendation was adopted by various legislative bodies, including the US Congress, which made the publication of statistics a key demand for INTERPOL in the TRAP provision of the National Security Authorization Act in 2021. The European Parliament also highlighted the need for INTERPOL to publish these statistics as part of its position on the EU's negotiations for a cooperation agreement with INTERPOL.

What do we make of this?

This is a welcome development. INTERPOL is continuing to listen to concerns about its Red Notices and diffusions, and it clearly wants to show that it is trying to do something protect their systems from abuse. It is crucial that INTERPOL continues to be reform minded, and that it strives further to make sure that countries are not able to use its tools and systems to persecute their critics overseas.

INTERPOL may have presented statistics to show that it is identifying and removing abusive Red Notices and diffusions, but we know that even now countries are able to use these tools for political purposes, and in

ways that violate human rights. The challenge is far larger than what these latest statistics suggest, and INTERPOL needs to make further improvements to its review mechanisms, including by ensuring that the Notices and Diffusions Task Force has access to sufficient resources, and by introducing major changes to prevent the misuse of diffusions, which are not subject to the same kinds of checks as Red Notices.

Member countries should view these statistics as a reminder that countries are continuing to misuse INTERPOL's systems and tools. While they might be reassured to learn that INTERPOL has some capacity to protect its own databases, they should not assume that their systems are in any way fool proof. They should not only be encouraging INTERPOL to adopt further improvements to their review mechanisms, but also be protecting their own legal systems so that abusive Red Notices and diffusions cannot successfully target and harass victims of persecutions under their jurisdiction.

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