Interpol: The Case for Urgent Reform

Fair Trials International is campaigning for reform of Interpol: to protect against abuse and give people affected by its actions a chance to challenge them by a transparent and fair process.

Interpol is the largest international policing organisation, with 190 member countries and an annual budget of nearly €60 million. It plays an important role in the fight against crime and its secure communication system is used to circulate millions of messages every year between national police forces.

One of Interpol’s best known functions is the publication of “red notices” which alert countries to the fact that another country is seeking a person’s arrest and extradition. In 2010, over 6,000 of these notices were issued and the number continues to rise. Red notices show up on police databases all over the world and some are also published on the internet. Unfortunately, red notices are open to abuse.

Even though some of Interpol’s member countries are known human rights abusers and notoriously corrupt, Interpol has no effective mechanisms to prevent countries, or even individual prosecutors, abusing the red notice system.

As Benny Wenda’s case shows (see box on right), red notices can have a devastating human impact. In some countries, a person with a red notice is automatically arrested, detained and sometimes extradited. This can happen without a proper judicial process or any right of challenge.

Threats like these can make it impossible to travel for fear of what will happen at the border. Public red notices also destroy reputations. The people subject to them are labelled “international criminals”. They often have their bank accounts closed and lose their livelihoods. As a result, their families’ lives can also be turned upside down.

Benny Wenda was given asylum in the UK in 2002 after fleeing Indonesian persecution, death threats and a politically-motivated prosecution due to his peaceful activism. In the UK, Benny has continued to lead a peaceful international campaign for West Papuan independence.

In 2011 Benny, now a British citizen, discovered that Interpol had published a “red notice” against him. The notice, requested by Indonesia, related to the same politically-motivated charges from which Benny had fled over 10 years ago.

The red notice meant that he was unable to travel to attend campaign meetings and meet other West Papuan refugees around the world. He was trapped in the UK for 17 months.

In response to a challenge from Fair Trials International, Interpol finally acknowledged that that the case against Benny was ‘predominantly political in nature’ and an abuse of the red notice system. The red notice has now been removed.
Sadly, Benny Wenda’s case is not an isolated example. Abuses of the Interpol system are affecting human rights campaigners, journalists and businessmen like Ilya Katsnelson (see box below) in countries all over the world.

People in this situation have no independent court they can turn to for redress. Their only option is to request a review by a commission, funded by Interpol and serviced by Interpol staff. They have no right to a hearing, no opportunity to respond to allegations against them and are given no reasons for the decision reached. Even if the commission concludes that a red notice is inaccurate or abusive, it cannot require its removal or amendment. It can only make a recommendation to Interpol's secretariat.

Interpol is operating in a legal black hole, beyond the rule of law. As a result, this powerful crime-fighting body is being misused and its victims are being denied redress. Basic safeguards against abuse are needed not only to prevent injustice in individual cases, but also to protect Interpol's own standing.

Fair Trials International believes it is possible to protect against abuse and allow redress without undermining Interpol’s effectiveness:

- First, changes can be made to the way Interpol operates so that it can stop the publication of red notices that would be abusive, incomplete or inaccurate; prevent notices remaining in place indefinitely; and remove notices that are no longer justified because, for example, no steps have been taken to seek extradition. Countries should also be prevented from publishing “draft” red notices before Interpol has reviewed them.

- Secondly, an effective and independent body must be created to give people a fair chance to challenge red notices against them. This body must follow basic rules of due process, be transparent and give reasons for its decisions. These decisions must also bind Interpol.

Interpol itself recognises that, if it is to remain credible, it must respect human rights and maintain its neutrality. Its constitution prohibits it from undertaking any activities of a political, military, religious or racial character. Interpol is also required to act within the spirit of the Universal Declaration of Human Rights. At present, however, there are no effective mechanisms to enforce and uphold these rules.

Learn more about Fair Trials International’s campaign for reform of Interpol and how to get involved: [http://www.fairtrials.net](http://www.fairtrials.net)

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**Ilya Katsnelson**, a businessman and US citizen, is subject to a red notice issued by Russia. Even though his extradition was refused by Denmark where he lives, Ilya has been repeatedly questioned by the US police and has described the ordeal of his arrest in Germany in 2008:

“I was stopped for a routine document check. After close scrutiny of my passport, the officer advised me that I was to be detained due to an Interpol arrest order issued by the Russian authorities. The next day, four police special-forces troops entered my detention cell, handcuffed me, put a bag on my head and dragged me to a waiting car... After having spent two months in a foreign maximum-security prison, I was released having to face the challenge of explaining to my then three-year-old son why his father had been missing for so long.”

(US Helsinki Commission, 2009)