



INTERPOL Red Notices and Diffusions Frequently Asked Questions

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What is INTERPOL?

INTERPOL is an organisation based in Lyon, France, which facilitates cooperation between national police forces. With over 190 member countries (almost every country in the world), it is by far the largest international police organisation. INTERPOL was not created by an international treaty and its constitution was not submitted to governments for ratification. Instead, it relies on the voluntary participation (and financial support) of its members, through their own police forces.

INTERPOL consists of:

- The General Assembly, its main decision-making and legislative body, which is composed of all the national delegations of the member countries;
- The Executive Committee, consisting of 13 delegates elected by the General Assembly;
- The General Secretariat, a permanent administrative body implementing the decisions of the General Assembly and Executive Committee;
- The Secretary General, currently Jürgen Stock, whose appointment is proposed by the Executive Committee and approved by the General Assembly; and
- The Commission for the Control of Interpol's Files (CCF), which has the task of ensuring processing of data complies with INTERPOL's rules.

Though not actually part of INTERPOL, the other key actor in the Interpol structure is the 'National Central Bureau' of each member country.

What is a National Central Bureau?

A National Central Bureau (NCB) is the law enforcement agency in each country with responsibility for communicating with Interpol and other NCBs. Typically, this will be a division of the national police force, often the one dealing with serious crime and/or cross-border cooperation.

How is INTERPOL funded?

INTERPOL has a budget of around €139 million per year, of which €59 million comes from member countries. Out of member countries, the United States makes the largest contribution to INTERPOL, around €11 million, followed by Japan, Germany, France, and the United Kingdom.

The rest of INTERPOL's income comes from voluntary funding, through various partnerships with both public and private bodies. Often, funding is tied to specific

projects. In recent years, INTERPOL have partnered with FIFA, Philip Morris, the International Olympic Committee for various projects, and it has received significant funding from the European Commission and the US Department of State. The INTERPOL Foundation for a Safer World, a non-profit organisation headquartered in Geneva, is also a major funder.

What powers does INTERPOL have?

INTERPOL is not a police force in itself. It has no powers to arrest anyone, investigate or prosecute crimes, but it occasionally deploys 'Incident Response Teams' to assist national police forces during joint cross-border operations or large-scale public events.

INTERPOL's primary role is to facilitate information-exchange between national police forces. It maintains several databases containing, for example, information on lost and stolen travel documents, firearms, stolen works of art, stolen vehicles and stolen administrative documents. Its databases also include nominal data on known offenders, missing persons and dead bodies, including photographs and fingerprints. INTERPOL's databases for all these purposes are connected to the NCBs by means of the secure global network called 'I-24/7'.

What is a Red Notice?

INTERPOL is best known for issuing 'red notices'. A red notice is an alert requested by a member country or another authorised entity indicating that it seeks an individual's arrest, detention or restriction of movement for the purposes of extradition, surrender or similar lawful action.

A red notice is circulated to all member countries by INTERPOL at the request of an NCB. Member countries are under no international legal obligation to act on a red notice. INTERPOL leaves it up to each member country to decide whether or not to act, but there are countries that automatically arrest anyone who is subject to a red notice.

Requests for red notices are reviewed by a 'task force' at INTERPOL to ensure they comply with INTERPOL's rules, before they are approved and circulated.

What happens if someone is subject to a Red Notice?

A person subject to a red notice is vulnerable to arrest by any INTERPOL member country. In some countries, they risk being automatically arrested and subjected to extradition proceedings. Even if they are not eventually extradited, they could spend a long time in detention, sometimes in very poor conditions.

Even if the person is not arrested in one country, they will often be forced to avoid travelling across international borders for fear of arrest at airports or land and sea border points. This can separate people from their families, ruin their business activities and turn them into exiles.

A red notice can have other consequences too: bank accounts may be frozen or closed, mortgages can be refused, professional licenses can be denied, visa applications turned down, and people can find it impossible to obtain or keep employment. If a red notice becomes publicly known, it can also damage the person's reputation, branding them an international criminal.

What is a Diffusion?

Member countries often send less formal requests for police cooperation through INTERPOL's channels. These are similar to emails, and our understanding is that they are checked by INTERPOL after they have been sent. If INTERPOL agrees that the request was made in compliance with its rules, it validates the request as a 'Diffusion'.

Diffusions can make exactly the same request as red notices – to request the arrest of a wanted person. Although intended to be less formal than red notices, diffusions can have exactly the same effect as red notices on the individuals. An NCB might decide to use a diffusion instead of a red notice if, for example it wants to limit the request to specific NCBs, or if it wants to seek a person's arrest where the specific conditions for a red notice (e.g. the minimum sentence threshold) are not met.

Can Red Notices and Diffusions be misused?

Red notices and diffusions are important tools for cross-border police cooperation that enable police forces to track down and seek the extradition of fugitives. However, they are also used by certain countries to harass, intimidate, and discredit their critiques and opponents, some of whom would face severe human rights abuses if extradited.

Under INTERPOL's own constitution, it is strictly forbidden for the organisation to undertake any intervention or activities of a political, military, religious or racial character, and its activities need to be compliant with international human rights standards. However, INTERPOL has not always been able to enforce these rules effectively, because of the lack of effective mechanisms to check and review red notice requests and diffusions.

INTERPOL has recognised that red notices and diffusions can be misused, and in recent years, it has introduced significant reforms to strengthen its internal vetting procedures for red notices and diffusions. These improvements have not halted the misuse of red notices and diffusions, and Fair Trials has continued to see cases of political activists and human rights campaigners being unjustly targeted.

Can Red Notices and Diffusions be used against refugees?

INTERPOL has a policy that states that red notices and diffusions against recognised refugees and asylum seekers are not permitted. The precise text of this policy cannot be found on any of INTERPOL's official documents that are publicly accessible, but it has been published by Fair Trials.

How do people find out if they are subject to a Red Notice or a Diffusion?

INTERPOL frequently uploads the details of individuals subject to red notices on its website, but this only represents a small minority of over 60,000 people who have red notices against them.

Individuals can make a request to the CCF to find out if they are subject to a red notice, diffusion, or any other information being held on INTERPOL's systems. However, the CCF does not typically disclose any information to individuals unless it has the permission of the country responsible for issuing the red notice or diffusion.

Can Red Notices and Diffusions be challenged?

Most individuals challenge red notices or diffusions either by requesting the issuing country to delete them, or by filing a complaint with the CCF. The CCF has been subject to severe criticism for being an inefficient and ineffective redress mechanism. In the past, it was not uncommon for individuals to have to wait for several years for the CCF to handle their complaint, and if they received a decision, they were non-binding and they contained no reasoning. Reforms to the CCF introduced since 2016 have resulted in many improvements, but challenges remain regarding the transparency of its procedures, and the inability to challenge the CCF's decisions.