

# EP Study: Possible EU Action Against Misuse of Interpol Red Notice System



## News

**Thomas Wahl**

In February 2019, the European Parliament published a study that examined abuse by some states of Interpol's notice system to persecute national human rights defenders, civil society activists, and critical journalists in violation of international standards of human rights. The study, entitled "Misuse of Interpol's Red Notices and impact on human rights – recent developments," was commissioned by the EP's Subcommittee on Human Rights (DROI).

The authors of the study shed light on the current situation and recent trends after introduction of Interpol's reforms to its legal and procedural framework in vetting red notices and diffusions in 2015. The reform includes a new refugee policy, a strengthened review process for requests for red notices and diffusions in Interpol's General Secretariat (GS), and the creation of rules to govern the new mandate of the Commission for the Control of Interpol's Files (CCF).

The study particularly achieves the following:

- Providing an overview of reported abuses and assessing their nature;
- Describing recent reforms undertaken by Interpol and assessing their implementation so far;
- Looking at the responses of the EU and Member States;
- Identifying practices that are still in need of reform and recommending strategic activities, which the EU and its Member States should advocate to prevent the abuse of Interpol and its mechanisms.

The study is based on written material that focuses on practices after the 2015 reforms. Furthermore, interviews were conducted with representatives from Interpol, the European Commission, and other relevant organisations.

The study acknowledges that the reforms of 2015 have improved the situation; however, abuses of the Interpol system against individuals, including refugees, still continue. There is still a lack of established rules and procedures to govern the vetting process and adherence to Interpol's Constitution. One main issue of concern is that information about red notices and diffusions is not updated in a timely manner. This is mainly due to the Interpol system itself, which is based on national databases, with national authorities under national jurisdiction. Therefore, there is a lack of influence from central entities.

Another challenge that remains is transparency, both at the individual and the organisational levels. Individuals have limited access to the rules and procedures the GS and the CCF apply in the evaluation process. Member countries and other international organisations have little access to information about the

### AUTHOR

**Thomas Wahl**

Senior Researcher  
Max Planck Institute for the  
Study of Crime, Security and  
Law

---

ISSN: 1862-6947

<https://euclid.eu>

---



overall handling of red notices and diffusions. Concrete data on the countries making requests, the number of accepted/refused requests, the grounds for refusals, etc. do not exist. Hence, according to the authors, “it is not possible to evaluate, even on the simplest level, the quality of the vetting process...”

As regards possible EU action to remedy the current problems of misuse, the study recommends, *inter alia*, the following:

- EU institutions and EU Member States should take action so that Interpol further develops the legal framework and its applicability for the GS, the CCF, and the National Central Bureaus (NCBs);
- EU Member States should ensure that Interpol fully implements the reforms commenced in 2015;
- EU Member States should engage more actively in strengthening the accountability of the GS, CCF, and NCBs to control the content and updating of red notices;
- Further steps should be taken to fully implement the refugee policy;
- An independent redress to CCF decisions is needed, e.g., by an ombudsman;
- The EU could fund further projects specifically aimed at improving the clarity and transparency of processing and screening red notices and diffusions in order to avoid human rights violations;
- The EU could engage in bilateral initiatives with the member countries outside of the EU that cause the biggest problems to an accountable Interpol system, e.g., through a new development programme to raise the human rights and rule-of-law capacity in international cooperation in criminal matters;
- The EU should also address those individuals affected by wrongful red notices or diffusions, e.g., by supporting NGOs that engage in deletion of such persons from the system;
- EU Institutions, bodies, and EU Member States should ensure further transparency concerning the activities of police authorities and their relationship with international organisations and third countries in dealing with red notices.

Ultimately, the Commission is called on to continue monitoring EU Member States’ compliance with the principle of non-refoulement and EU data protection rules.

---

## About eucrim

eucrim is the leading journal which regularly informs about current developments in European criminal and “criministrative” law.

All news items are freely accessible at: <https://eucrim.eu/news/>

Stay informed by emailing to [eucrim-subscribe@csl.mpg.de](mailto:eucrim-subscribe@csl.mpg.de) to receive alerts for new releases of issues.

The project is co-financed by the [Union Anti-Fraud Programme \(UAFP\)](#), managed by the [European Anti-Fraud Office \(OLAF\)](#).



**Co-funded by  
the European Union**