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How the Abuse of Interpol Contributes to Transnational Repression

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INTERPOL



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Cover Photo: British Prime Minister Keir Starmer speaks during the opening ceremony of the Interpol General Assembly in Glasgow, Scotland, on November 4, 2024. (ANDY BUCHANAN / AFP via Getty Images)

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SUMMARY

This paper explores the misuse of Interpol mechanisms and databases by its member states, in violation of the organization's rules, for use as a tool of transnational repression, with a focus on how this use works inside the United States and through U.S. police and legal systems. While not all Interpol abuse contributes to the efforts of authoritarian regimes to achieve political objectives by repressing their diaspora populations, much of it does. Interpol abuse works primarily through Interpol's notice and diffusion systems, as well as through its passport database. The primary consequences of Interpol abuse are to return a person to a country of origin, to harass or persecute a person, or to prevent a person from traveling. While Interpol's statistics are incomplete, abuse of its systems is either stable or growing, largely because the potential for misuse is inherent in its rules and structure and because a majority of Interpol's member nations are not free. Free nations can reduce the volume and effect of this abuse by working together to improve its oversight mechanisms and by improving their domestic reporting on, and intervention against, Interpol abuse.

Defining Transnational Repression

While transnational repression is not new, the term “transnational repression,” coined in 2016 by Dana Moss, is a relatively recent addition to the vocabularies of international relations and human rights. In Moss's work, the term refers to the use by an authoritarian regime of methods intended to constrain a diaspora population from exercising their “rights, liberties, and ‘voice.’” Moss presented a typology of six such methods, ranging from lethal retribution (i.e., actual or attempted assassination) to proxy punishment (e.g., threats against family members).¹

Since Moss's innovative article, the definition of transnational repression has been broadened to include other repressive methods while remaining focused on the efforts of authoritarian regimes to achieve political objectives by repressing their diaspora populations. Freedom House has played a central role in bringing transnational repression into realms of international relations and human rights policy by publishing a series of reports, the first in 2021, on the issue, and by compiling a database of incidents of transnational repression.²

Freedom House states that transnational repression occurs when “governments reach across national borders to silence dissent among diaspora and exile communities.”³ While accurate, it is useful to have a fuller definition that captures the methods employed by repressive regimes. With the aid of scholars and legal authorities, New Lines Institute for Strategy and Policy has adopted the following in-house definition of transnational repression:

Transnational repression (TNR) are those actions or activities taken by a representatives of a state and/or its proxies to repress nationals of that state living outside its borders. Transnational repression is a global phenomenon and is often, though not exclusively, enacted by autocratic or authoritarian governments. TNR is carried out both directly and by proxy, using a wide array of tactics that include (but are not limited to) murder and attempted murder, grievous bodily harm, electronic or in-person stalking, electronic or in-person harassment, family hostage-holding, and misuse of international legal instruments to imprison or achieve extradition of an individual. The goal of transnational repression is typically to stifle advocacy and silence criticism of a state beyond its borders.

The most significant change that New Lines has made to Moss's definition is to add “misuse of international legal instruments” to imprison or extradite an individual. This addition refers primarily, though not exclusively, to the abuse of Interpol and its mechanisms.

All that those police forces have to do, and all that Interpol has to do, is to make sure the bulletin board is not abused.

Defining Interpol Abuse

At its core, Interpol, as an organization, is an expression of the obligation incumbent upon all law-abiding nations not to harbor fugitives properly accused of a criminal offense in another law-abiding nation. The International Criminal Police Organization, usually abbreviated as ICPO-INTERPOL and widely known simply as Interpol, is composed of 196 member nations and exists to enable cooperation between law enforcement organizations in its member states. Interpol's supreme body is its General Assembly, in which all 196 member nations are represented on a one nation, one vote basis. Interpol has no equivalent of the U.N. Security Council, with its veto-wielding five permanent members. Interpol does, however, have an Executive Committee, chaired by its president, with 12 other seats filled on a geographically representative basis with states elected from the Americas, Europe, Africa, and Asia. The committee sets the agenda for the General Assembly and supervises Interpol's work, with a secretary general elected by the General Assembly after endorsement by the Executive Committee responsible for its day-to-day operations.

Each member country hosts a National Central Bureau (NCB) that links that nation's law enforcement to Interpol's global network. As Interpol is based on respect for the sovereignty of its member nations, nations are responsible for staffing and operating their NCB and are free to participate as little, or as fully, in the Interpol system as they see fit: NCBs, in short, are not branch offices of Interpol. All Interpol member nations, as a condition of that participation, agree to abide by the provisions of Interpol's constitution and subsidiary documents.⁴

Foremost among these provisions are constitutional Articles 2(1) and 3. These require that Interpol operate in "the spirit of the Universal Declaration of Human Rights" and that it avoid involvement in racial, religious, military, or political matters.⁵ This latter "neutrality" provision is even broader than it might seem, as political matters in the Interpol system are not merely those related to political parties, obviously political activities, or politicians. Instead, Interpol understands "political" to mean any law enforcement activity that is motivated by political or other corrupting influences. Thus, much if not most activity in the Interpol system that violates Article 3 is not directed against overtly political figures.⁶

This emphasis on avoiding involvement in political matters makes it clear – as indeed does Interpol's full name – that Interpol is strictly concerned with ordinary law offenses. Despite popular belief that Interpol is an international police force that investigates crimes, has the power to make arrests, or has agents around the world, it functions more as a bulletin board on which police forces around the world can stick notices. What other police forces do with those notices, if they do anything at all, is their own concern. All that those police forces have to do, and all that Interpol has to do, is to make sure the bulletin board is not abused.

Interpol abuse thus constitutes the use by member states of its mechanisms or databases for purposes that violate Interpol's rules. It is important to note that, while Interpol is responsible for preventing the abuse of its systems, responsibility for the abuse as such rests with the member nation that commits it. Similarly, Interpol is not responsible for overseeing its members' police and judicial systems: That is left to their respective governments, reflecting Interpol's fundamental nature as an organization of sovereign states. Interpol is responsible only for ensuring that its own mechanisms and databases are not abused. While any use of Interpol in a way that violates its rules constitutes abuse, attention tends to focus on the abuse of Interpol's system of notices and diffusions, including in particular the Red Notice, the Blue Notice, and the Wanted Person Diffusion (sometimes inaccurately

Interpol's Notice Types

Yellow Notice

Seeking help in locating a missing person

Red Notice

Seeking the location and arrest of a subject

Black Notice

Seeking information on unidentified bodies

Silver Notice

Identifying and tracing criminal financial assets

Interpol-UNSC Special Notice

Issued for entities and individuals who are the targets of U.N. Security Council sanctions committees

Blue Notice

Seeking information regarding a subject's identity, location, or activities

Orange Notice

Providing warning of an event, person, object, or process representing a serious and imminent threat to public safety

Green Notice

Providing warning about a subject who may be a threat to public safety

Purple Notice

Providing information about the methods and means used by criminals

Source: Interpol

described as a “red diffusion”), which can collectively be summarized as “Interpol alerts.”

Similarly, while the use of Interpol for racial, religious, or military purposes is by definition abusive, almost all Interpol abuse is the result either of the use of Interpol for political purposes or a violation of the broader human rights requirements grounded in Article 2(1) of its constitution. Finally, not all Interpol abuse contributes to transnational repression as defined by New Lines, in that not all such abuse is directed against nationals of a state living outside its borders. But Interpol abuse does tend to focus on these targets simply because Interpol's core purpose is to enable police cooperation against fugitives who have fled their home jurisdiction. This purpose can too easily be perverted into abuse committed for purposes that do constitute transnational repression.

The Interpol Notice and Diffusion System

Interpol publishes Red Notices at a member's request to seek the location and arrest of an individual to stand trial or to serve a sentence, while Blue Notices seek additional information about a person's identity, location, or activities in relation to a criminal investigation. There are six other kinds of colored notices, including one for entities and individuals who are the targets of U.N. Security Council sanctions committees, but the overwhelming share of published notices are Red (12,260 in 2023) or Blue (3,546 in 2023); only 3,541 notices of other colors were published in 2023.⁷

While Red Notices must be sent to all Interpol member nations, Wanted Person Diffusions (and indeed, all diffusions of any kind) can be sent directly to one or more other member nations to achieve the same purpose as a Red Notice. The number of Wanted Person Diffusions transmitted every year is generally roughly comparable to the number of Red Notices published: In 2023, member nations transmitted 11,709 Wanted Person Diffusions.⁸ The rules that govern the publication of various kinds of notices or the transmission of diffusions are set out in Interpol's Rules on the Processing of Data, but all activity in the Interpol system is governed by Articles 2 and 3 of its constitution.⁹

Interpol does seek to prevent and respond to abuse. Its Notices and Diffusions Task Force screens all Red and Blue notices prior to publication and reviews all Wanted Person Diffusions immediately after transmission. While other colored notices and diffusions are not reviewed systematically prior to publication, they are subject to retrospective review by Interpol's general secretariat, which includes the task force.¹⁰

Those who wish to access, amend, or delete the information in Interpol's system can do so through the Commission for the Control of Interpol's Files (CCF), an independent body with its own rules and procedures. While the CCF might loosely be described as Interpol's appellate body, it does not have any discovery process or allow individuals to confront their accusers, so it is not comparable in any meaningful sense to a court of law. Furthermore, because the CCF publishes only a few heavily redacted transcripts of its decisions, it has not generated a broad body of reliable precedent.¹¹

One of the most serious weaknesses of the Interpol system is this failure to publish precedents. Interpol's publication on the interpretation of its Article 3 appeared in 2013 and was manifestly out of date before it was updated in late 2024. Interpol took years to publish its long-promised repository of practice on Article 2(1). In the end, both the Article 3 update and the Article 2(1) repository were profoundly disappointing.¹² The 61 case summaries published comprise fewer than 1% of the cases the CCF has decided since 2017, when it began to produce these summaries. Interpol's Executive Committee rarely publishes statements of any kind, and Interpol's General Assembly often approves

Interpol's Notice Diffusion System

Step 1 Notice Issued

A country issues a notice through Interpol about a specific individual deemed a criminal or "bad actor."

← **Point of Abuse:** Interpol has no control over its member states or how they use Interpol systems, creating the possibility that members could issue false or misleading notices.

Step 2 Notice Diffusion

Interpol receives the notice and shares it with relevant country offices.

← **Point of Abuse:** Interpol does not systematically review all notices, and only a few are reviewed after the fact. This makes it easier for members to issue abusive notices.

Step 3 Pursual of the Notice

Each member country can decide whether or not to act on the notice. Actions could include providing information to Interpol to support an arrest or deportation. A country could also choose to freeze the financial assets of the person named in the notice.

← **Point of Abuse:** Targets are framed only through information provided by the issuing country, allowing false or misleading notices to impact them.

Source: Interpol

resolutions that refer to reports it does not make publicly available. While it is true that Interpol, working as it does in the realm of law enforcement, has secrets it needs to keep, it is also true that Interpol has failed to live up to even the promises of openness it has made itself.

Summarizing the Consequences of Interpol Abuse

It is not possible to assess, or even to summarize with accuracy, the legal standing of Interpol notices and diffusions in every Interpol member nation. In general, nations with a common law system originating in the United Kingdom (including the United States) do not allow the arrest of an individual on the basis of a Red Notice alone, while nations with a civil law system originating in France do often allow such arrests. Even the Law Library of Congress offered no more than this generality when it examined this question.¹³

Still, the overriding fact is that no Interpol member nation is required to take any action or provide any information to any other member nation or Interpol itself, as a result of its membership. All Interpol member nations are fully sovereign and have the right to govern their own participation in, and as a result of any information received through, the Interpol system. Thus, to the extent that the Interpol system contributes to transnational repression, this is the result of national policies and law, not a necessary consequence of the system or of national membership in it.

The consequences of Interpol abuse are varied and, to an extent, unpredictable. In the United States, almost all Interpol abuse is directed against noncitizens – partly because noncitizens are the natural (and not inherently the wrong) target for an Interpol system designed to locate people who flee across international borders, partly because the barriers to extraditing a U.S. citizen are far higher than those for removing a noncitizen, and partly because the U.S. NCB does intervene (though not in every case, and usually not publicly) on behalf of U.S. citizens who are targeted or threatened through Interpol. As a result, the relatively few U.S. citizens who are abused through Interpol are generally targeted when they are overseas.

For the purposes of U.S. policy, there is an important, if seemingly technical, distinction between how U.S. citizens are sent abroad for trial (which is known as "extradition") and how non-U.S. citizens are removed from the United States (which is known as "removal.") It is much easier to remove a non-U.S. citizen

1 SECURING THE RETURN OF AN INDIVIDUAL

than it is to extradite a U.S. citizen from the U.S., fundamentally because non-U.S. citizens do not have an absolute legal right to be in the United States. As far as Interpol abuse is concerned, this matters partly because means the barriers to removing a non-citizen are lower and partly because laws, policies, or judicial decisions that refer to “extradition” do not automatically apply to “removals,” which is a separate legal category.

The consequences of Interpol abuse fall into three broad areas:

The purpose of a Red Notice is to locate an individual for “the purpose of extradition, surrender, or similar lawful action.”¹⁴ While it is not routine for a non-U.S. citizen to be removed to their country of origin as the result of a Red Notice (much less a Wanted Person Diffusion or Blue Notice), it can and has happened. For example, in 2015, U.S. Immigration and Customs Enforcement stated in a press release that it had recently arrested and removed 27 individuals on the basis of Interpol Red Notices.¹⁵ In general, extradition cases from the U.S. of U.S. citizens involving Interpol are extremely rare, while successful removal cases of non-U.S. citizens from the U.S. involving Interpol are more common. This is largely because the many stages of the U.S. immigration system (whatever its faults and delays) does allow opportunities for legal advocacy. But when an abusive Red Notice does result in the return of an individual, the outcome is likely to be imprisonment at least, or torture or murder at worst, so while abusive Red Notices are not often successful in securing a return, this worst-case outcome cannot be ignored.

2 HARASSING OR PERSECUTING A VICTIM

Abuse of the Interpol system can lead to harassment or persecution of a person in two primary ways. First, a Red Notice that is listed in Interpol’s public database (which only contains about 15 percent of all Red Notices, as most requesting nations chose not to make a Red Notice public) will be seen by firms that provide Know Your Customer data to major banks. Being named in a public Red Notice is a risk factor for U.S. Treasury penalties that will often lead a bank to close the account of the person named and return the funds to them.¹⁶ While this is not a common occurrence, abusive nations only need to make a Red Notice public to destroy the financial lives of their victims, which makes it even harder for the victim to fight back. An abusive state can achieve much the same effect simply by announcing (or lying about) obtaining (or preparing to request) a Red Notice for an individual, possibly causing banks to close accounts. This strategy of poisoning the waters is an insidious form of Interpol abuse that is difficult to combat. This form may become more common with Interpol’s launch in 2025 of a new Silver Notice on financial crime.¹⁷

Second, and far more commonly, abuse of Interpol can result in the arrest of a foreign national in the United States and the start of removal proceedings. Or it can (separately or simultaneously) lead the U.S. Department of Homeland Security to oppose an asylum application on the grounds that the applicant, as evidenced by the Red Notice, has committed a serious nonpolitical criminal offense and is thus ineligible for asylum. In either case, the individual will confront an immigration judge who may be inclined to credit assertions that the Red Notice justifies removal or the denial of asylum.¹⁸ However, Red Notices (and even more so, Blue Notices and Wanted Person Diffusions) are based on nothing more than the word of the accusing government and thus do not meet probable cause standard that applies to denial of asylum on criminal charges. The U.S. immigration courts, though, are not always well-versed in the intricacies of the Interpol system. Even if removal proceedings are ultimately not successful, or if the individual eventually does receive asylum, the legal process will be arduous (and, unless conducted pro bono, expensive) and will both punish the victim and deter other potential opponents of the abusive government – which is precisely the effect that government intends.¹⁹

Assessing the details of the legal and policy standards that apply in these cases is beyond the scope of this paper. But two developments are significant. First, after an erroneous decision by the Board of Immigration Appeals (BIA) in *Matter of W-E-R-B-* (2020) that lowered the evidentiary bar for the denial of asylum, U.S. courts have generally responded by reasserting the probable cause standard.²⁰ Second, U.S. Immigration and Customs Enforcement in August 2023 published new guidelines on the use of Red Notices in immigration cases that explicitly seeks to support DHS's "broader efforts to combat transnational repression by helping ensure Red Notices and Wanted Person Diffusions are issued for legitimate law enforcement purposes and comply with governing rules."²¹ While these guidelines can generally be considered a step forward, both because of their emphasis on preventing transnational repression through Interpol and because of their requirements, they also have substantial weaknesses, not least the fact that they do not apply to cases currently in process.²² It is therefore too soon to assess their effect in curbing the contribution that Interpol abuse makes to transnational repression in the United States.

3 CONTROLLING THE MOBILITY OF A VICTIM

An Interpol notice achieves its effect, in part, by making it difficult for the individual named in it to cross an international border, as virtually all member nations will check Interpol databases against passports at international crossings: If an individual has a Red Notice or other Interpol alert (even if, in some cases, this alert has been cancelled), they will at the very least be detained for secondary interrogation, if not refused entry or arrested. Many hotels in Europe (though generally not in the U.S.) scan passports on check-in, meaning that for anyone named in an Interpol alert, even domestic travel within a European nation, or inside the EU, may be difficult and dangerous.

One particularly insidious form of Interpol abuse also affects the freedom to travel. Interpol maintains a database to which member nations contribute passport numbers that have been compromised through theft or carelessness. This is certainly a useful and proper thing for Interpol to do. But this database is almost uniquely vulnerable to abuse because any nation can report any passport it has issued as stolen or lost at any time, rendering any individual traveling on this passport suddenly stateless and even trapping them in an airport if the cancellation happens midtrip – an effect that the abusive nation may intend to occur, and may stalk the target in order to achieve.

The most famous example of this kind of abuse was Türkiye's cancellation of then-NBA star Enes Kanter Freedom's passport in May 2017 while he was in transit through Romania, presumably as an act of retaliation for his open opposition to the government led by President Recep Tayyip Erdoğan.²³ Because Interpol cannot insist that a nation continue to provide a passport to any given individual (though it can remove an abusive cancellation from the database), the travel documents database is easily subject to manipulation by abusive nations.²⁴

Being prevented from traveling internationally (or even domestically) is obviously a substantial constraint on personal and family life and business activities. But what is particularly sinister about this prohibition is how it increases the vulnerability of its victims to other kinds of harassment. In cases of this sort, the Interpol alert serves to pin the victim in place so that the abusing regime can apply other measures to achieve whatever effect they desire – including pressuring the individual to return to the country in a so-called voluntary manner by stalking them or providing evidence that pressure is being applied to family members, making the victim a target of harassment to deter future political activity, preventing the victim from participating in international arbitration proceedings, and even immobilizing them to increase their vulnerability to kidnapping or even murder.

Consequences of Interpol Abuse

Repressive regimes can abuse Interpol's notice systems to harass dissidents abroad. Merely being the subject of an Interpol notice, even one issued without justification, can lead to serious consequences.

Controlled Mobility

- Increased passport control
- Confiscation or suspension of valid travel documents
- Rejected bookings from airlines, hotels, travel agencies, etc.

Detention and Deportation

- Deportation or extradition of individuals
- Detention
- Imprisonment

Harassment and Persecution

- Frozen financial assets
- Closed bank accounts
- Rejection of asylum applications
- Threats of deportation

Source: Interpol

Photo: Demonstrators protest the detention of U.S.-Canadian environmentalist Paul Watson, who was arrested in Greenland on an Interpol Red Notice issued by Japan. (Photo by THIBAUD MORITZ / AFP via Getty Images)



While U.S. and European courts have often (though not invariably) prevented individuals named in abusive Interpol alerts from being sent to the requesting regime, and while courts, legislative bodies, and executive agencies have shown significant (though not sufficient) awareness of the problem of the persecution or harassment of immigrants through Interpol mechanisms, little attention has been devoted to improving the ability of national systems to push back against the financial consequences of Interpol abuse or preserve the freedom of travel for its victims.

Thus, while the most serious effects of this abuse center on the efforts of the abusing nations to harass or secure the return of individuals through court and immigration systems, the effects of abuse on travel and other freedoms are underappreciated and have received little attention, though a 2024 Freedom House report on "Authoritarian Controls on the Freedom of Movement," including passport cancellations, sheds light on one aspect of this problem.²⁵

Assessing the Volume of Interpol Abuse

While Interpol abuse can, and often does, contribute to transnational repression, Interpol is not the only international instrument that can be misused in this way. For example, an abusive nation could seek to put a person on the U.N. Security Council Consolidated List, which includes individuals and entities subject to measures imposed by the Security Council. These countries could also add people to the U.S. Treasury's Specially Designated Nationals and Blocked Persons List, or inside the European Union, they could obtain a European Arrest Warrant.

An abusive nation could also misuse Interpol systems as part of a broader scheme by, for example, naming an individual in a Red Notice and thereby preventing that individual from traveling to participate in international arbitration proceedings at the International Centre for Settlement of Investment Disputes in Washington, D.C. While information on Interpol abuse is incomplete, there is virtually no information available about the misuse of the U.N. system or other similar instruments.

Thus, while Interpol is often (and to an extent fairly) criticized for its secrecy, it is relatively open as compared, for example, to the U.N. system. The systemic information that is available about Interpol abuse is available largely because Interpol has made it available, a fact that, while it does not excuse Interpol's

shortcomings, should be borne in mind by those who wish to improve the operation of the Interpol system.

Interpol publishes two sources of data on noncompliant (i.e., abusive) Interpol alerts. First, it produces data on the number of Red Notices and Wanted Person Diffusions rejected or cancelled by the Notices and Diffusions Task Force. While this data is available through 2023, data from the second source, the CCF, is available only through 2021. In 2021, the task force rejected or canceled 161 requests on Article 2 (i.e., human rights) grounds, 370 requests on Article 3 (i.e., primarily political abuse) grounds, and 788 requests on other grounds (including failure to cooperate with Interpol's requests), for a total of 1,319 requests rejected. In 2021, Interpol published or transmitted 23,716 Red Notices and Diffusions.²⁶

It is tempting to divide 1,319 rejections by 23,716 publications plus the 1,319 rejections to obtain a percentage of abusive requests made and rejected. This is unfortunately incorrect, for two reasons. First, it is likely that Interpol member nations made more than 23,716 requests – some could, for example, have been withdrawn by the member nation for administrative reasons. Second, and more seriously, the data on rejections includes rejections made as part of the task force's ongoing review of Red Notices and Wanted Person Diffusions published in prior years, so at least some of those 1,319 rejections (it is impossible to know how many) are presumably attributable to years prior to 2021.

The second source of data on noncompliant Interpol alerts, the CCF's annual activity reports, suffer from similar problems (as well as, at this point, having fallen behind by a year). In 2021, the CCF deleted data because it was noncompliant in 246 cases. These deletions were not necessarily of Red Notices or Wanted Person Diffusions, though it is likely most of them fell into one or the other category. It ordered deletions in 50 more cases because the requesting nation failed to respond at all to the CCF's inquiries. Thus, it deleted data in 296 cases, while finding that 133 alerts complied with Interpol's standards and could be kept active.²⁷

It is therefore – again – tempting to add the 1,319 rejections from the task force to the 296 deletions by the CCF to obtain a total number of abusive requests that were caught before or after publication for requests made in 2021. Once again, this is incorrect. The CCF deletions were not necessarily of Red Notices and, more importantly, they were almost certainly mostly of alerts published prior to 2021. There is thus no way to determine what percentage of national requests for Interpol alerts made in a given year were found to be abusive.

Moreover, there is another issue, one that Interpol is keen to obfuscate. Former Interpol Secretary General Jürgen Stock (whose term ended in November 2024 when he was replaced by Valdecy Urquiza of Brazil) regularly asserted that only about 5 percent of Interpol's Red Notices are controversial, a percentage that likely rests on the data published on the activities of the task force.²⁸ But the task force does not catch every abusive request, and only a relatively small percentage of requests receive additional scrutiny from the CCF.

It is common for published Red Notices – which since 2017 have by definition passed Interpol's initial review prior to publication – to later be deleted by the CCF for failure to comply with Interpol's rules. The CCF's 2023 annual report stated that, of the 500 cases it classified admissible and completed, 342 had not complied with Interpol's rules. The mere fact that Interpol published a Red Notice cannot, therefore, be taken as evidence that it actually meets the requirements the organization's constitution.²⁹

One way of overcoming the serious shortcomings of Interpol's data, which it could easily remedy, would be to compare annual figures to derive a rough

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trend. In 2018, Red Notice deletions were rising approximately twice as fast as Red Notice publications, implying that the percentage of abusive Red Notices was likely increasing.³⁰ Much the same appears to be true today.

In 2019, the task force rejected 1,514 alerts. Unfortunately, the CCF only published a combined report for 2019 and 2020. But it made 524 deletions in those years combined, and assuming half those deletions were made in 2019, that would equal 262 deletions.³¹ Added to the task force's work, that comes to 1,776 rejections or deletions as against 29,107 Red Notices or Diffusions published or transmitted. In 2021, the task force and the CCF together made 1,615 rejections or deletions as against 23,716 Red Notices or Diffusions published or transmitted. Thus, while the number of publications fell by 18 percent, the number of rejections or deletions fell by only 9 percent, implying that the abuse rate may be continuing to increase. It is particularly notable that while task force rejections (representing attempted abuse that was detected) have remained relatively level in recent years, CCF deletions (representing successful abuse) have increased.

This analysis is subject to many caveats. Interpol's data is often published belatedly, annual totals are often combined, and it concerns different kinds of alerts. Moreover, as awareness of Interpol abuse has spread, and as a legal community has developed to combat it, the number of cases the CCF receives has increased – so at least, in part, the increase in the rate of rejections or deletions does not necessarily represent an increase in abuse, but increased scrutiny exposing abuse that was there all along. The most that can be said with confidence is that, first, no one truly knows how much abuse exists in the Interpol system, and that, second, there is no basis for claiming that abuse is decreasing. Abuse is either constant or, more likely, increasing.

Finally, just because Interpol abuse occurs does not mean, as noted above, that it is contributing to transnational repression – although the vast majority of abuse does likely contribute to it. But the fact that the CCF made 296 deletions in 2021 (after 524 in 2019 and 2020 combined) implies confirmation that Interpol contributed to over 200 instances of transnational repression in those years – and as most Interpol alerts are not subject to the CCF's higher level of scrutiny, the total is certainly higher, and likely far higher, than that.

The Underlying Causes of Interpol's Contribution to Transnational Repression

There are two underlying causes of Interpol abuse. One is simple to state: Many of Interpol's members have totalitarian, autocratic, or weakly democratic governments. In 2022, only about 40 percent of Interpol's member nations were free (as defined by Freedom House), while 30 percent were partly free, 28 percent were unfree, and 2 percent were unranked.³² The core cause of Interpol abuse is that its member nations choose to abuse it – and the nations that choose to abuse it are overwhelmingly unfree or, occasionally, weakly democratic.

The second cause is harder to state. It is the result of the way Interpol is structured – and the way it has to be structured if it is to exist. Interpol is based on the sovereignty of its member nations. That means Interpol cannot conduct its own investigations – if it did, it would be an international police agency, and no nation would want to be part of it. But since Interpol cannot conduct its own investigations, it has to assume that its member nations are telling the truth when they provide information.

This is not a deduction or an assumption. It is written into Interpol's rules – specifically, Article 128(1) of the Rules on the Processing of Data, which states:



A man displays the new Interpol passport, unveiled at the opening of the 79th session of the Interpol General Assembly in Doha, Qatar, on November 8, 2010. (Photo by KARIM JAAFAR / AFP via Getty Images)

Data are, a priori, considered to be accurate and relevant when entered by a National Central Bureau, a national entity or an international entity into the Interpol Information System and recorded in a police database of the Organization.³³

In plain English, this means that in the Interpol system, the member nations – not the accused individual – get the benefit of the doubt. The accused individual is presumed to be rightly accused. Only if doubt arises does Interpol reject a national request. And since Interpol has no ability to investigate and no data beyond that provided by its member nations or found in open sources (i.e., Google), doubt often does not arise.

Admittedly, this does not explain all of Interpol's mistakes: It is hard to give any credible reason why Interpol recently published a Red Notice on Yasir Arman, a publicly known Sudanese opposition leader, at the behest of the Sudanese regime.³⁴ Not all of Interpol's errors stem from deep underlying causes; some are just mistakes. But underlying causes do exist, and both will be extremely difficult to address.

It might, in theory, be possible to expel a particularly abusive member nation through a vote of the General Assembly. However, as most member governments are not fully free, none are likely to support expelling anyone for fear that they would be next. It is, therefore, unlikely any expulsions will occur.

Finally, while it would in theory be possible for all democracies to leave Interpol and set up an organization with stricter standards for membership, there is no hint that any democracy is interested in undertaking the massive effort required.

Addressing the Contribution Interpol Abuse Makes to Transnational Repression

No action, either at Interpol's level or the various national levels, will solve the problem of Interpol abuse fully and finally. As long as Interpol exists – and it or something very much like it does need to exist – there will be abuse. The best that can be done is to reduce the amount and seriousness of the abuse and minimize its consequences.

At the level of Interpol, what the free nations lack in numbers is, to an extent, made up by their budgetary contributions: The 77 free nations provide 66 percent of Interpol's revenue.³⁵ That advantage cannot be deployed carelessly – no one likes a bully – but it must be used.

The free nations should:

- **Form a “democratic caucus” in Interpol.** This caucus would cooperate in selecting candidates for Interpol's offices, lobbying for those candidates, and opposing measures in Interpol's Executive Committee and General Assembly that would make the organization easier to abuse or run the risk of allowing autocratic nations to manipulate it financially.
- **Prioritize regaining a clear majority on Interpol's Executive Committee.** The committee is responsible for overseeing the secretary general's day-to-day operational control of Interpol. The democracies lost control of the committee in 2021.³⁶ The results of committee elections at the 2024 General Assembly were moderately encouraging, leaving the democracies with, at best, a 7-to-6 majority.³⁷ The democracies should target the 2025 General Assembly meeting to build on this fragile majority.
- **Increase Interpol's dues.** The democracies should propose a further and substantial increase in Interpol's statutory contributions (i.e., its dues), combined with a ban on all other kinds of funding and a mandate to use

the additional revenue to increase the size of the Notices and Diffusions Task Force so it can begin to screen deletions from the SLTD. It would also allow for a substantial increase in the size of the CCF's staff, and to turn the CCF into a full-time, year-round organization instead of one that meets once a week in each quarter.³⁸ The funding increases for the CCF agreed at the 2024 General Assembly are a step in the right direction, but they do not seek to turn the CCF into a full-time organization.³⁹

- **Improve Interpol's CCF and Openness.** Through the Executive Committee, and ultimately the General Assembly, the democracies should mandate that the CCF significantly increase the quantity and specificity of the decision excerpts it publishes, that it eliminate the backlog in the publication of its annual reports and provide more detail in the statistics contained in these reports, and that Interpol publish clearer statistics on the work of the Notices and Diffusion Task Force. The changes made to Interpol's operating rules at the 2024 General Assembly, by reducing the ability of Interpol's general secretariat to oversee the operation of Interpol's message system, were a small step in the wrong direction.⁴⁰
- **Seek to suspend abusive member nations from Interpol.** The U.K., with U.S., Australian, Canadian, and New Zealander support, sought to suspend Russia after its second invasion of Ukraine in 2022, but the Executive Committee rejected this bid.⁴¹ It will not be worthwhile to make another attempt until the democracies have regained clear control of the committee and until a clear opportunity presents itself, but when it does, the democracies should be ready to act. The point of a suspension is not so much to punish the suspended nation as it is to make it clear to other current and potential abusers that continued abuse will have consequence.

While there are worthwhile measures that would curb abuse at the Interpol level, there are also inherent limits to what can be done at that level. Thus, democracies should focus at least as much on national-level reforms, which are under their control, can improve their ability to oppose abuse at the Interpol level, and are by far the most effective way to decrease the effectiveness of any abuse that does occur – for while abuse happens through Interpol's channels, national authorities are responsible for most of its effects.

The free nations should:

- **Reform their NCBs.** NCBs should act not just as conduits for sending alerts to and receiving alerts through Interpol but also as agencies charged to oppose abuse. This is entirely within Interpol's rules – in fact, NCBs are supposed to be part of the line of defense against abuse in the Interpol system.⁴² But in practice, NCBs rarely take this role, seeing themselves almost exclusively as the adjuncts of law enforcement.

It is unlikely that NCBs will act differently without structural change: Personnel changes will not last, and most personnel will in any case come from a law enforcement background. The hierarchy inside the NCB should be changed to require representation at a level just below that of the NCB director from a relevant national agency with human rights and international experience (in the U.S., from the State Department's Bureau of Democracy, Human Rights, and Labor).

This State Department representative should have two jobs. First, they should serve as an ombudsman, receiving information from attorneys representing clients in the U.S. legal and immigration systems, and from other sources including reputable nongovernmental organizations, assessing this information, and, if necessary, directing the NCB to protest abusive alerts to Interpol. Second, they should assist the NCB in coordinating with NCBs in other nations so that the "democratic caucus" can function effectively.

- **Institute or improve reporting on Interpol abuse.** The U.S. has taken the lead in this regard. The FY2022 National Defense Authorization Act, among other provisions, required the Department of Justice and the Department of State to regularly publish reports (known as “TRAP Reports,” from the Transnational Repression Accountability and Prevention Act, which never became law in its original form) detailing Interpol abuse, as well as to develop a strategy for opposing it. As of late 2023, three TRAP Reports have been published.

Unfortunately, all three reports groundlessly assert that Interpol abuse has declined, fail to take any account of reporting on Interpol abuse published in the State Department’s annual Country Reports on Human Rights, and do not name any abusive nations, as required by law. No other nation has any systemic reporting requirement. Democracies other than the U.S. should institute such a system, and Congress should act to ensure that the executive branch follows the law and publishes substantive reports.⁴³

- **Establish in law the legal value of Interpol alerts in immigration systems.** Legal and immigration systems around the world vary so widely that no single approach will be practical: While the U.S., for example, has a well-established “probable cause” standard, not all democracies follow precisely this approach. In general, though, democracies should, through legislation, establish that no one, citizen or noncitizen, can be extradited or removed from a nation on the basis of an Interpol alert alone.⁴⁴
- **Require banks to state the basis for an account closure when it involves an Interpol alert.** It would likely not be possible to force banks to keep accounts affected by Interpol alerts open: They are not required to provide services to anyone, and as many people who are named in Interpol alerts are indeed guilty, forcing banks to serve them would, in practice, abet criminal activities. Nonetheless, banks should be required to state when they are closing an account as the result of such an alert. This would improve knowledge of the extent to which this practice occurs and give the affected individual documentation that could be provided to an NCB ombudsman.
- **Ensure that international institutions such as international arbitration mechanisms are not affected by passport cancellations.** Passport cancellation is an extremely challenging form of abuse to remedy. Very few democratic nations will be willing to issue a passport to anyone affected by an abusive passport cancellation though Interpol’s SLTD. Screening at the Interpol level that attempts to catch abusive cancellations should be coupled at the national level with diplomatic cooperation among democracies to protect international institutions from being disrupted by abusive cancellations aimed at preventing people from effectively participating in them.

Conclusion

The most striking thing about the contribution that Interpol abuse makes to transnational repression is how fast the problem arose, how quickly the abusers learn from each other, and how speedily they adapt to find new ways to manipulate the system. While occasional cases of Interpol abuse were reported in the 1990s, the modern age of Interpol abuse did not begin until Interpol adopted online systems in the 2000s. Those systems made Interpol easier and quicker to use – but also easier and quicker to abuse.⁴⁵ Once that possibility was realized and exploited – particularly by Russia – abuse spread quickly.

In the late 2000s and early 2010s, Interpol abuse was generally blatantly political and was often committed by Russia. From that point until the middle

of the decade, the circle of abusers spread (particularly to Türkiye and China, and well beyond those regimes) and began to be focused on accusations of terrorism or financial crime, and, in Türkiye's case, on manipulating the SLTD database. From the mid-2010s to today, abusive regimes (in particular, China) focused more intently on accusations of financial offenses and tended to target individuals who were not obvious political opponents but who instead represented values or potential sources of power that the government wished to eliminate.

No reforms, at either or both the national or Interpol levels, will eliminate this abuse and its contribution to transnational repression. The measures recommended in this report would reduce the vulnerability of U.S. systems to abuse, and analogous measures should be adopted in other democratic states. But the best that can realistically be hoped for is to limit and contain the abuse. It is in Interpol's best interests to be honest about the challenges it faces and to do all it can to address the problem of abuse. The single greatest threat to Interpol's position, or even existence, is the possibility that abuse becomes so widespread that democratic nations no longer want to fund it or participate in it.

Transnational repression, like Interpol abuse, is protean. But what separates Interpol abuse from other forms of transnational repression is that it occurs in an organized and institutional framework with rules that are intended to prevent it. It is virtually impossible to stop authoritarian regimes from using technology in insidious and everyday ways to threaten and repress their subjects abroad – but even though technology gave rise to more widespread Interpol abuse, it remains possible to limit that abuse and its impact. Moreover, the contribution that Interpol abuse makes to transnational repression is considerable, it may well be growing, and it occurs with the de facto support of the legal and immigration systems of democratic countries, which makes it particularly sinister. It is in the interest of both the democracies and Interpol itself to act more forcefully against it.

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