

Biannual Assessment of INTERPOL Member Country Abuse of INTERPOL Red Notices, Diffusions, and Other INTERPOL Communications for Political Motives and Other Unlawful Purposes

This biannual report is submitted jointly by the Departments of Justice and State in accordance with the section 6503(c) of the National Defense Authorization Act, Public Law 117-81 (NDAA) for Fiscal Year 2022.

The Departments of Justice and State refer to and incorporate their initial joint report, submitted in August 2022, and their second joint report, submitted in April 2023, into this report. Additionally, the Departments of Justice and State refer to and incorporate into this report the Law Enforcement Sensitive (LES) annexes to the first and second joint reports. These prior reports including their annexes are attached as tabs. Since the submission of the April 2023 report, the Departments have not observed a change in pattern or degree with regard to misuse and attempted misuse of INTERPOL systems. The assessments in our previous reports remain accurate.

The Administration shares the serious concerns of the Congress regarding transnational repression, which broadly describes actions undertaken by governments to silence and/or exact reprisals against individuals outside of their sovereign territories, including human rights defenders, civil society activists, critics, journalists, and political opponents. Since submission of the April 2023 report, the United States has continued to heighten domestic and international awareness of, build opposition to, and take effective measures against transnational repression in all its forms, including, as appropriate, the misuse and attempted misuse of INTERPOL systems and processes, the particular subject of this report. Domestically, members of the interagency, including the State Department and FBI, have met with diaspora communities and civil society groups to listen to their concerns and apprise them of available resources to protect them, including whom to inform in the event they suspect they are being subjected to transnational repression. Multilaterally, the State Department, in partnership with the Department of Justice, launched a G7 Rapid Response Mechanism (RRM) Transnational Repression Working Group to raise international awareness of the threat TNR poses to

democratic values, affirm our shared commitment to countering the threat, and share good practices, lessons learned, and threat information among G7 and partner countries.

As explained in the previous joint reports, the fundamental principles of neutrality, nondiscrimination, and respect for human rights are memorialized in the INTERPOL Constitution. Specifically, Article 2 of the Constitution invokes the Universal Declaration of Human Rights, and Article 3 prohibits any activities of a political, military, religious, or racial character. These provisions are the foundation for INTERPOL's and its member countries' efforts to prevent the misuse and attempted misuse of INTERPOL systems and processes as a means of transnational repression.

Although instances of member countries misusing or attempting to misuse INTERPOL notices and diffusions still occur, this particular form of transnational repression seems to have receded since INTERPOL implemented reforms in 2016 and 2017. Those reforms created INTERPOL's Notices and Diffusions Task Force (NDTF), which now reviews all requests for red notices prior to their publication, and all wanted persons diffusions prior to their being recorded in INTERPOL's database. The reforms also involved the implementation of new rules for the Commission for the Control of INTERPOL's Files (CCF), INTERPOL's independent access and redress body for private individuals, giving it binding decision-making authority over the activities of INTERPOL and the ability to provide effective remedies for petitioners. The United States continues to believe that the most effective strategy for addressing the concern of misuse of INTERPOL notices and diffusions is to support the reforms of 2016 and 2017.

The United States also continues to remain engaged in promoting good governance within INTERPOL through the active participation of U.S. officials in elected positions on the Executive Committee and CCF, and in various groups, including the Working Group on Governance, Notices Advisory Group, and Committee for Processing Data.

The U.S. Government remains committed to combating transnational repression in all its forms and will continue to support and strengthen INTERPOL reforms in order to prevent the misuse of INTERPOL systems.