

Key Priorities for the U.S. at the 2021 Meeting of the Interpol General Assembly

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KEY TAKEAWAYS

The 2021 meeting of the Interpol General Assembly will elect most of Interpol's Executive Committee, all of Interpol's appellate body, and a new president.

The United States should form a democratic caucus to elect qualified candidates from law-abiding democracies to fill these leadership positions.

Ensuring Interpol's leadership is firmly committed to opposing its politicization by the autocracies is a necessary, but not sufficient, step in Interpol reform.

The 89th annual meeting of the Interpol General Assembly (GA) will be held November 23–25, 2021, in Istanbul, Turkey. Interpol, an international organization of police and law enforcement organizations, faces criticism for failing to live up to its constitutional requirement that it focus exclusively on ordinary crime and avoid becoming an instrument of political oppression for autocratic regimes.

The introduction of the bipartisan Transnational Repression Accountability and Prevention (TRAP) Act in 2021 demonstrates the concern with which U.S. lawmakers view the politicization of Interpol.¹ Many reforms are necessary to reduce Interpol's vulnerability to politicization.² But the opportunities for reform at the 2021 GA meeting will be limited, because, at this meeting, Interpol's member nations will elect a new president, two new vice presidents, and nine new

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delegates for a total of 12 new members of Interpol's 13-member Executive Committee. The member nations will also elect a new Commission for the Control of Interpol's Files (CCF), a seven-member body responsible for ensuring Interpol's compliance with its constitution.

If Interpol's member nations elect qualified candidates from law-abiding democracies to these positions, the reform of Interpol has a chance of success. If those member nations elect poor candidates from the autocratic nations that politicize Interpol, reforms may well be stymied. In particular, the election of the current leading public contender for Interpol's presidency would deal a serious blow to the reforms that are necessary to reduce Interpol's vulnerability to politicization. The United States, in cooperation with other democracies, should therefore take the lead in forming a democratic caucus in Interpol to support fit and proper candidates for the positions to be filled at the 2021 GA.

What Interpol Is and What It Is Not

Media portrayals of Interpol often depict it as an international police force that investigates crimes, issues international arrest warrants, and has armed agents around the world that pursue and arrest criminals. Every part of this depiction is incorrect. Interpol is better understood as a sophisticated electronic bulletin board on which its member nations can post "wanted" notices and other information. At the request of a member nation, Interpol can publish a Red Notice, which notifies all other Interpol member nations that an individual is sought for trial or to serve a sentence by the nation that made the request. Like all of Interpol's activities and communications, Red Notices can concern only ordinary crimes, such as murder or robbery, and must have no political, military, racial, or religious character.

The Politicization of Interpol

In 2020, Interpol published 11,094 Red Notices. It also transmitted a substantial number of diffusions, a different kind of Interpol alert that can contain the same information as a Red Notice. Since 2009, there has been a dramatic rise in the use of Interpol by autocratic regimes—such as China, Russia, and Turkey—to harass political opponents and persecute entrepreneurs who refuse to pay off corrupt regime officials.³

The consequences of being named in a Red Notice or diffusion can include arrest, imprisonment, cancellation of a visa, deportation, loss of access to the financial system, and the reputational effects of being accused—often

in public—of being an international criminal. Interpol’s systems can also be used to cancel the passport of a regime’s target, thus rendering the victim unable to travel. These consequences make Interpol an ideal instrument of international repression. Interpol is politicized when its member states use Interpol’s mechanisms to oppress victims for corrupt or political purposes.

Interpol’s Organizational Structure

The GA is Interpol’s supreme authority. Like the U.N. General Assembly, it operates on a “one-nation, one-vote” rule, although Interpol has no equivalent of the U.N. Security Council. Under the GA is the 13-member Executive Committee, which is composed of a president, three vice presidents, and nine delegates—all from different countries and representing Interpol’s four regions of Africa, the Americas, Asia, and Europe. Interpol’s day-to-day operations are overseen by its Secretary General, currently Jürgen Stock of Germany, and conducted by its General Secretariat.

The presidency is a part-time and unpaid position with significant prestige, but, by itself, it has only limited power to affect the direction of Interpol’s policies. The full Executive Committee, on the other hand, carries less prestige but supervises the execution of the GA’s decisions as well as Interpol’s administration and work, and it sets organizational policy and direction. The United States does not currently have a representative serving on the committee.

The CCF is a seven-member body charged with ensuring that Interpol’s processing of personal data complies with Interpol’s rules. Its members are elected by the GA, so while the CCF is not managed by Interpol’s General Secretariat or Executive Committee, it is ultimately controlled by Interpol’s member nations. The CCF is vital to preventing and remedying Interpol’s politicization. Members of the CCF are normally attorneys or, on occasion, experts in data protection. The United States currently has a representative serving on the CCF.

Interpol Positions to Be Filled in 2021

In 2021, the GA will elect a new president of Interpol, replacing Kim Jong Yang of the Republic of Korea. Kim, in turn, replaced Meng Hongwei of the People’s Republic of China, who was elected in 2016 to a four-year term but, in a controversial episode, purportedly resigned from the presidency after he was arrested by the Chinese authorities and charged with corruption in 2018.⁴

The Americas will have a strong claim to the presidency in 2021, as the past eight Interpol presidents have been from Africa, Asia, or Europe. A representative of the Americas has not held the presidency since 1992–1994, when Norman D. Inkster of Canada served in that position.

In 2021, the GA will also fill, by election, two of the vice presidential positions. These positions will be filled by representatives from the Americas, Africa, or Asia, unless the new Interpol president is from one of those regions. The GA will similarly fill the positions of three delegates from Europe, two from Africa, two from Asia, and two from the Americas who are rotating off the Executive Committee.

Finally, the GA will elect seven new CCF members, thereby turning over the CCF's entire membership. Nominations for these positions were due on June 15, 2021. Unlike the presidency and the Executive Committee, positions in the CCF are not formally allocated by geographical region. Each Interpol member nation is allowed to nominate one candidate for each vacancy on the CCF.

In short, the GA will replace nearly all—12 of the 13 positions—of the Executive Committee, including the presidency, in 2021. It will also elect an entirely new CCF. The fact that Interpol has so many vacancies to fill in 2021 owes much to the COVID-19 pandemic, which caused the cancellation of Interpol's 2020 GA and extended the terms of much of its leadership.

It is vital for three reasons that these vacancies be filled in 2021 by qualified candidates from law-abiding democracies:

1. First, the committee plays an important role in supervising Interpol's operations and setting its policies.
2. Second, the CCF, as Interpol's appellate body, offers what is in practice the only mechanism through which targets of the autocratic politicization of Interpol can resist this abuse.
3. Third, and most fundamentally, the election of the committee members by the GA—and in particular, the election of Interpol's new president—will show whether the GA will uphold Interpol's rules against politicization or be dominated by the autocracies' log-rolling.

Turkey Is Unfit to Host the Interpol General Assembly

The fact that the Interpol GA will meet in 2021 in Istanbul is a serious blow to the organization's credibility and a poor reflection on the Interpol

member nations that voted to award this honor to Turkey. While Russia's abuse of Interpol is better known, and China's abuse is more subtle and effective, no nation in the world has likely attempted a greater volume of Interpol abuse than Turkey has.

In 2016, a coup d'état was attempted in Turkey. The origins of and the facts about this coup remain unclear, but Turkish authorities blame the coup attempt on the so-called Gülenist Terror Group. In response, Turkey has unleashed a wave of repression against its enemies (real or imagined) around the world, including the blatant politicization of Interpol.⁵ Turkish authorities complain publicly that Interpol has refused to publish hundreds of Red Notices it requested and that it has blocked Turkey's ability to cancel the passports of its targets.⁶

It is not clear precisely how many abusive requests Turkey has made to Interpol. In 2017, Turkish media reported that Interpol had blocked Turkish efforts to add 60,000 individuals to Interpol's main database.⁷ If accurate, this would certainly be the most egregious case of attempted abuse in Interpol's history. In June 2021, Turkey's deputy foreign minister confirmed that Interpol had rejected 773 Red Notice requests from Turkey, a figure that still represents one of the most, if not the most, significant efforts to commit Interpol abuse in its history.⁸

Regardless of its dissatisfaction with Interpol, the fact remains that the Turkish regime has enjoyed considerable success in perpetrating abuses through Interpol. From Turkish NBA star Enes Kanter, whose career was disrupted when his passport was cancelled, to Selahaddin Gülen, a nephew of the cleric the Erdogan regime blames for the 2016 coup attempt who was illegally transferred from Kenya to Turkey, the Turkish authorities have continued to attempt to pursue—and abuse—their chosen victims through Interpol and have often been successful in these attempts.⁹

The Turkish authorities are completely unwilling to accept that—regardless of the rights or wrongs of the 2016 coup attempt—Interpol is only allowed to concern itself with ordinary law crimes. It is not a venue for pursuing political justice or military crimes.

Speaking off the record, experts on the Erdogan regime warn that it is preparing to exploit the GA meeting. It has reportedly prepared presentations and fabricated documents based on statements extorted from supposed participants in the July 15 coup attempt for review by representatives at the GA. It has also invited the representatives' families to the GA meeting at Turkey's expense and is preparing to shower them with gifts. Its goal is reportedly to convince and bribe the GA into accepting that the individuals it is pursuing through Interpol are legitimate targets.

Just as disturbing is the fact that the 2021 GA meeting in Istanbul continues a troubling trend. In 2018, the GA met in the autocratic United Arab Emirates. In 2019, it met in democratic Chile. In 2020, it was to have met in Uruguay, but without explanation, the meeting was moved to the UAE only for it to be cancelled by the COVID-19 pandemic. In 2021, the GA will meet in autocratic Turkey.¹⁰ Of the past four GA meetings, three will have taken place, or were supposed to take place, in autocracies.

Autocracies such as Turkey like to host major international meetings, which give them prestige and credibility. In this broader picture, what Turkey is doing by hosting Interpol's GA is not much different from what Qatar is doing by hosting the World Cup. But Turkey's desire to look good comes at the expense of Interpol's democratic member nations, which are committed to rules that Turkey openly flouts. If a majority of Interpol's member nations do not care enough to pick a fit host for the meeting of its GA, they cannot be trusted to live up to the serious responsibilities of Interpol membership.

The Leading Contender for Interpol's Presidency Is Unfit to Serve

When the 2020 GA meeting was cancelled, two contenders were publicly seeking Interpol's presidency. Nigeria's Olushola Kamar Subair had the backing of China, though his candidacy has since gone quiet. China's support alone makes Nigeria's campaign serious—through certainly not meritorious—but Subair no longer appears to be a front-runner.¹¹

The second contender is the UAE's Major General Ahmed Nasser Al-Raisi, who currently sits on the Executive Committee. The UAE has a record of sustained and serious Interpol abuse. Much of this abuse revolves around changes related to “unfunded checks.” Banks in the UAE, and throughout the Middle East, often require an individual applying for a mortgage to provide an undated check for the entire loan. If the individual misses a payment, the bank presents the check for payment. When the check bounces, the bank can begin criminal proceedings, and the state will request a Red Notice. Interpol's rules forbid using Red Notices to pursue private disputes that are not connected with a serious or organized crime, but the UAE has continued to request, and Interpol has continued to publish, these Red Notices.¹²

In September, in an unusual move, Al-Raisi published a statement explaining why he was seeking to become the president of Interpol.¹³ Candidates for the presidency of Interpol do not normally campaign publicly. His statement emphasized Interpol's supposed need to invest in new

technology, the UAE's purported dedication to cutting-edge law enforcement, and Interpol's supposed need to emulate the UAE in being a "beacon of multiculturalism."

These assertions are, at the very best, profoundly misleading. Interpol has already invested heavily in new technology: It needs to think far more about how it will pay its bills ethically and sustainably than it does about quantum computing. The UAE's supposed excellence in law enforcement rests on the fact that it is an autocracy, and this purported excellence has not prevented it from indulging in sustained Interpol abuse. Multiculturalism is an irrelevance to Interpol, which is based on rules that every nation, regardless of its culture, is bound to respect. Al-Raisi's appeal to multiculturalism, as his statement makes clear, is nothing more than a crude effort to win votes in Africa.

The UAE is building support for Al-Raisi's candidacy by assiduously campaigning in Interpol's smaller, poorer, and often less democratic member nations, especially in Africa. It is easy to mock Gambia's pledge to support Al-Raisi or the cordial reception he received in Burkina Faso, but there are many such nations in the world, and each of them has one vote in Interpol's GA, just as the United States has one vote itself.¹⁴ The fact is that Al-Raisi is collecting votes, and there is no democratic candidate in the field to publicly challenge him.

Al-Raisi is a particularly troubling candidate because he has been accused of involvement in the detention and torture of a British student who was wrongfully arrested in 2018 on suspicion of spying for the British Secret Intelligence Service and of a British soccer fan who did nothing more than wear a Qatari shirt to a soccer match in the UAE in 2019.¹⁵ In April 2021, Sir David Calvert-Smith, a former director of public prosecutions in the United Kingdom, released a major report on the UAE and Al-Raisi, which concluded that "the UAE has misused the Red Notice system for both for minor offences and most importantly for political gain against those seen as a threat to the regime" and that, because of his human rights abuses, "Al-Raisi is unsuitable for the Presidency."¹⁶

Al-Raisi's campaign is not the UAE's only effort to influence Interpol. There is the fact that the UAE has hosted, or sought to host, GA meetings in 2018 and 2020. Most significantly of all, there is the Interpol Foundation for a Safer World, which is purportedly a charity. In fact, the foundation's funding comes largely, if not exclusively, from the UAE.¹⁷ The foundation gave or owed Interpol a total of €10 million for 2019, contributions that (if paid in full) would comprise almost 7.2 percent of Interpol's annual revenue.¹⁸

This funding reduces the ability of Interpol's member nations to control it, enmeshes Interpol in the UAE's human rights abuses, and creates a serious risk of improper UAE influence on Interpol's activities. It is particularly sinister that, while Interpol's rules prevent it from relying on any external source of funding for more than 15 percent of its revenue, those rules do not apply to the foundation.¹⁹ Though the foundation's contributions are currently below the 15 percent threshold, there is no good reason for the foundation alone to be exempt from the 15 percent cap. Through the foundation, the UAE controls the largest non-democratic share of Interpol's funding and contributes more to Interpol—on the basis of statutory contributions—than any other nation except the United States.²⁰

Calvert-Smith in his report “found coherent evidence that the UAE is seeking to improperly influence Interpol through funding and other mechanisms” and that “the UAE is seeking to cement its influence by seeking to have Major General Al-Raisi elected as President.”²¹ Given the UAE's concerted campaign to host Interpol's GA meetings, fund its operations, and control its presidency, there is no other credible conclusion.

Ben Keith, a British barrister specializing in extradition and international crime, has accurately summed up the situation by stating that the UAE has “effectively tried to buy its way into Interpol.”²² It would be inappropriate for any nation to fund Interpol through what is purportedly a charity, but it is particularly wrong for a nation with a well-attested record of Interpol abuse to seek the presidency of Interpol for an individual with a record of human rights abuses.²³

The United States and the other leading democracies in Interpol should therefore in particular be aware of the possibility that the UAE will seek to do in 2021 what China did in 2016: show up to the GA meeting with an open checkbook and buy the presidency. As the *Wall Street Journal* reported in 2019, in 2016 a “Chinese delegation was on the scene [of the GA meeting] to lobby for votes from small countries, with promises of billions of dollars in aid to governments and police departments, a senior Interpol official who attended said.”²⁴ It would be all too easy to for the UAE to follow the Chinese approach, and the fact that the UAE is campaigning in nations such as Gambia is suspicious. The United States and other democracies will likely not be willing to match the UAE bribe for bribe, which makes it all the more important that the United States lead the law-abiding nations in working and voting together.

It is not easy to determine why the UAE has undertaken this wide-ranging effort to influence Interpol. It could be simply an attempt to cover up, and enable, its “unfunded checks” abuse. Or it could be that the UAE picked

out Interpol as a prestigious international organization with a relatively small budget that wanted to raise additional funds, was not particularly concerned about where the money came from, and had few defenses against (or worries about) autocratic efforts to gain influence and decided that it could whitewash its own international image (and boost its reputation as a supposedly law-abiding and respectable state) at a relatively low cost by becoming a leading player in Interpol.

Of course, these explanations are not mutually exclusive. But regardless of why the UAE has done what it has done, its ongoing campaign of influence in Interpol is thoroughly undesirable and should be opposed.

Key Steps for the United States at the 2021 Interpol GA Meeting

Back the Election of Candidates from Law-Abiding Democracies.

The United States, in cooperation with other democracies, should take the lead in forming a democratic caucus within Interpol to lobby for and back the election of qualified candidates from law-abiding democracies. By 2022, the committee could therefore have as many as 10 democratic representatives or as few as three.

Regrettably and unwisely, voting in the GA is normally confidential. But evidence implies that the democracies are not in a commanding position in the GA and that the autocracies control around 70 votes.²⁵ For the democracies to reliably win in the GA, they will have to have the support of about two-thirds of Interpol's smaller (and often only partially democratic) member nations.

In order to do this, the democracies need to work together to emphasize to these smaller partial-democracies how seriously they take the election of qualified candidates to the presidency, the Executive Committee, and the CCF. The U.S. goal should not be to secure the election of U.S. candidates (though if a U.S. candidate does win democratic support, that would be welcome). Rather, the United States should support the election of qualified candidates from widely recognized and secure democracies.

Oppose Politicized Red Notices and Diffusions. Interpol cannot prevent autocratic nations from making requests for politicized Red Notices; it can only refuse to publish them. But Interpol's rules make it clear that, if a nation persistently makes requests that seek to break those rules, its access to Interpol's systems can be suspended.²⁶ Unless nations face consequences for abusing the privileges of belonging to Interpol, it will be impossible to protect Interpol from exploitation and abuse.

The United States should work in advance with democratic nations to propose a GA resolution affirming that Interpol has the power and the responsibility to suspend the access of abusive nations and directing Interpol's General Secretariat to carry out a study (to be published at the 2022 GA meeting) on which nations have submitted the most requests, the highest proportion of requests, and the most actions of other kinds that it rejected as abusive.

Oppose Interpol Funding Sources That Lack Transparency. The United States and other democracies should press for the end of Interpol's relationship with the UAE-controlled Foundation for a Safer World, full and public transparency on all sources of past and present Interpol income, and a reduction in peripheral activities to allow Interpol to live exclusively within its nationally provided means.

Support Greater Transparency in Interpol. One of the themes of the TRAP Act is the need for greater transparency in Interpol. That transparency should extend to the process for electing Interpol's president, Executive Committee, and CCF. Currently, these processes take place behind closed doors.

But as nongovernmental organization Fair Trials stated in 2018, it is "clearly in the best interests of the international policing community to ensure that those appointed...are properly vetted beforehand," because it "would not be appropriate for a country with a record of violations of INTERPOL's rules...to be given a leadership role in a key oversight institution."²⁷

Individuals elected to leadership positions in Interpol serve not in their personal capacity but as national representatives.²⁸ It is therefore appropriate to consider the reputation of the nations that individual seeking elected positions in Interpol represent. This cannot be done if the identities of these individuals are not known before they are elected. The United States should support an open, transparent, and timely process for nominations to all elected Interpol positions.

Conclusion

International organizations reflect the strengths and weaknesses of their member nations. As many nations are dictatorships, autocracies, or at best very weak democracies, international organizations must always be supervised carefully by nations that do care about democracy and the rule of law.

If the democracies do not do this difficult, often tedious, but necessary work on a regular and ongoing basis, they will get the kind of international organizations they deserve: ones that are horribly corrupt, completely

ineffective, and grotesquely politicized. Urging this kind of supervisory work is not an attack on international organizations; it is, on the contrary, the only way they can be made to work.

In the wider picture, Interpol is simply another international organization. Interpol is not yet irredeemably corrupt or politicized, and it remains effective. But the trends in its funding, leadership, activities, and meeting locations are not good. The time has come to reverse these negative trends.

The annual meeting of the Interpol GA to be held this November in Istanbul will likely be dominated by the election of most of Interpol's Executive Committee, including a new president. The United States should work with other democratic nations to form a democratic caucus in Interpol to ensure that qualified candidates from law-abiding democracies fill these positions, as well as the openings on the CCF.

While the agenda for Interpol reform is wide, the United States should confront the disturbing efforts of autocracies such as Turkey and the UAE to both abuse and control Interpol. The United States should recognize that the UAE is making a bid to win Interpol's presidency. Defeating that bid and ensuring democratic control of Interpol's Executive Committee and the CCF—not reforming Interpol—should be the top priority at the annual meeting of the Interpol GA in 2021.

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Endnotes

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