



Tom Lantos Human Rights Commission Briefing
Allegations of Misuse of the Interpol Red Notice Process

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3:00 – 4:00 P.M.
2200 Rayburn House Office Building

Opening Remarks as prepared for delivery

Good afternoon, and welcome to the Tom Lantos Human Rights Commission's briefing on *Allegations of Misuse of the Interpol Red Notice Process*.

I would like to extend a special welcome to our panelists, two of whom have appeared before the Commission in the past: Bill Browder, author of the book *Red Notice* and inspiration for the Sergei Magnitsky Rule of Law Accountability Act of which I was a principle author, and Dr. Katrina Lantos Swett, for whose father the Commission is named.

I greatly appreciate that Leonard Homeniuk generously traveled here today to share his experience. And I welcome Rebecca Shaeffer to the briefing and to Washington, where she has just opened a new office for the organization Fair Trials.

One of the ways to create an environment in which people can exercise their human rights is to ensure that rule of law is working. When we talk about rule of law, we're talking about all of the laws and norms that protect human rights, including and very importantly, the right to due process – the right to be treated fairly in judicial processes. This includes the requirement of a warrant or court order to arrest someone, and the right of the person to know the evidence against him, and to be able to defend himself. This is a very fundamental right, which as we all know, is not always adequately safeguarded.

We're here today to hear about one way in which the right to due process is being undermined at the international level, which is through the misuse or abuse of the Interpol Red Notice process.

As you may know, INTERPOL is the world's largest international police organization, with 190 members including the United States. It exists to assist the police forces of member states by facilitating the exchange of information on criminal activity that crosses national borders. INTERPOL makes it possible for member states to issue various types of color-coded alerts or requests for cooperation (notices), including Red Notices. Red Notices seek to locate and arrest persons accused of crimes who have crossed borders with a view to extradition or something similar. In principle, that's a good thing, and a mechanism the United States depends upon to work well and fairly.

The problem is that Red Notices are increasingly being used by some countries to target political opponents, activists, journalists, and refugees, among others. Some people fleeing repression find themselves subject to these notices. Others are persecuted for doing the right thing, such as denouncing corruption.

What's happening more frequently is that a government issues a Red Notice against people like this, often on trumped up charges or charges for which the evidence is very questionable. These notices can have long-lasting and very damaging implications for those individuals' enjoyment of their fundamental rights. They can be subject to travel restrictions; their reputations suffer; and they may not be able to work.

This is happening even though Article 3 of the INTERPOL Constitution states that "It is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character."

This afternoon we're going to hear about some of these cases and what people are already doing to improve the Red Notice system so it is not used in ways that persecute people. I also look forward to hearing recommendations on things the U.S. Congress might do to prevent future misuse.

With that I would like to turn the mic over to Liana Rosen of the Congressional Research Service, who will moderate our panel.

Thank you.