

The U.S. Must Promote Democratic Leadership in Interpol

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KEY TAKEAWAYS

The leading public contenders for the Interpol presidency hail from nations that have a track record of abusing Interpol.

Ensuring Interpol's leadership is firmly committed to opposing its politicization by the autocracies is a necessary, but insufficient, step in Interpol reform.

The U.S. should prioritize forming a democratic caucus to elect qualified candidates from law-abiding democracies to Interpol's leadership.

Interpol, an international organization of police and law enforcement organizations, is managed by a 13-member Executive Committee composed of a president, three vice-presidents, and nine delegates from different countries, representing Interpol's four regions of Africa, the Americas, Asia, and Europe. Seven of these committee members, including Interpol's current president, were due to be replaced at the 2020 meeting of the Interpol General Assembly.

While the terms of these members have been extended due to postponement of this meeting by the COVID-19 pandemic, all of them will be replaced at the next meeting of the General Assembly. The extension of the terms of these members is fortunate, because the leading public contenders for Interpol's presidency are supported by nations that have a track record of abusing Interpol.

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Interpol has, in recent years, been criticized for failing to live up to the requirement imposed by its constitution 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 Act in September 2019 demonstrates the concern with which U.S. lawmakers view this politicization of Interpol.

The election of one of the current public contenders for Interpol's presidency would deal a blow to the reforms that are necessary to reduce Interpol's vulnerability to politicization. The U.S. should take the lead in forming a democratic caucus within Interpol to support fit democratic candidates for the positions to be filled at the next meeting of the Interpol General Assembly.

What Interpol Is—and What It Is Not

Interpol is often depicted in popular culture 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 other member nations that an individual is wanted by the nation that made the request. Like all of Interpol's activities, Red Notices can only concern ordinary crimes such as murder or robbery and must have no political, military, racial, or religious character.

The Politicization of Interpol

In 2019, Interpol published 13,377 Red Notices. It also transmitted a substantial number of diffusions, a different 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, Turkey, and Venezuela, to harass political opponents and entrepreneurs who refuse to pay off corrupt regime officials.¹

The consequences of being named in a Red Notice or diffusion can include arrest, lengthy imprisonment, extradition, cancellation of visas, loss of access to the financial system, and the reputational effects of being publicly accused of being a criminal. These consequences make Interpol an ideal instrument of persecution.

Interpol's Organizational Structure

The General Assembly, which operates on a “one-nation, one-vote” rule, is Interpol’s supreme authority. The Executive Committee sits under the General Assembly and supervises the execution of the General Assembly’s decisions, sets organizational policy and direction, and oversees Interpol’s administration. Interpol’s day-to-day operations are directed by its Secretary General, currently Jürgen Stock of Germany. The presidency is a part-time and unpaid position with significant prestige, but only a limited ability to affect the implementation of Interpol’s rules.

At its next meeting, the General Assembly will elect a new president, 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 2018.² The Americas will have a strong claim to the presidency, as the last eight Interpol presidents have come 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.

The significance of the upcoming election rests partly in the presidency’s symbolic importance: Autocratic regimes, such as China’s, believe that winning the presidency of Interpol represents the world’s endorsement of their regime, their police, and their legitimacy and respectability. The president also helps to shape the agenda of Interpol’s General Assembly, and hence its future.

Finally, the fact that the president is elected by the General Assembly is particularly important. By its actions, the General Assembly will show whether it is collectively willing to live up to its responsibility to select a leader who will champion reforms to reverse Interpol’s politicization—or whether the General Assembly is dominated by regional log-rolling or, worse, by its autocratic member states.

The Public Contenders for Interpol's Presidency

Two nations are publicly contending for the presidency of Interpol.

Nigeria. Nigeria is likely supporting Olushola Kamar Subair of Nigeria, who currently sits on Interpol’s Executive Committee. Nigeria is a partial democracy where the rule of law is weak and corruption is endemic, if not pervasive. As a result, Nigeria has a track record as a high-profile abuser of Interpol.

In 2018, corrupt Nigerian police officials, acting at the behest of a Nigerian business leader, published a Red Notice through Interpol on Polish Internet entrepreneur Marek Zmyslowski, accusing him of financial offenses. Zmyslowski fought back through the Nigerian court system, managed to win his case, and then convinced Interpol to delete the Red Notice.³

The next year, after Nigeria had lost a multi-billion-dollar arbitration judgment against engineering and project management firm Process and Industrial Developments, it purportedly sought Red Notices against two individuals linked with the firm, a ploy that has every appearance of being a politically abusive retaliation for its arbitration defeat.⁴

It is particularly disturbing that, according to the Nigerian press, Nigeria's candidacy is backed by China, itself a major abuser of Interpol. While "some of the big powers are opposed" to Nigeria's campaign, China supports Nigeria on the purported grounds that "Nigeria has some of the finest police officers in the world."⁵

This claim is implausible: It is more likely that China supports Nigeria as part of China's campaign to gain influence in Africa. But whatever the reason for China's reported backing, the fact is that China's support is a discredit to Nigeria which, with its record of domestic corruption and abuse of Interpol, is not fit to hold the presidency of Interpol.

The United Arab Emirates (UAE). The UAE is supporting Major General Ahmed Nasser Al-Raisi of the UAE, who currently sits on the Executive Committee. Although the UAE has played a constructive role in its peace diplomacy with Israel, this does not mean that the UAE should hold the presidency of Interpol.

Unfortunately, the UAE has a record of Interpol abuse that is even worse than Nigeria's. 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 it 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 serious or organized crime, but the UAE has continued to request, and Interpol has continued to publish, these Red Notices.⁶

So prevalent is this abuse in the UAE that a specialist firm, Detained in Dubai, was founded in Britain to assist its victims. According to Radha Stirling, Detained in Dubai's founder:

The UAE is the number one abuser of Interpol's databases in the Persian Gulf region, issuing Red Notices for bounced checks and business debt,

misrepresented under the category of “fraud.” If a check bounces in the Emirates, it is a criminal offence and the circumstances are not taken into account. Each check warrants up to three years imprisonment, and there are no effective insolvency protections. This can be disastrous for business owners who, through no fault of their own, face unexpected payment delays that force their default. The UAE has asserted that bankruptcy reforms have been implemented, but such provisions are not available to the majority of foreign nationals.⁷

Major General 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 fan who did nothing more than wear a Qatari shirt to a soccer match in the UAE in 2019.⁸

Equally disturbing is the fact that the 2020 General Assembly was supposed to be held in Uruguay. But earlier this year, without explanation, Interpol stated that the meeting would instead be held in Abu Dhabi in the UAE.⁹ This is the second time since 2018 that the General Assembly was to meet in Abu Dhabi, which points to the UAE’s growing influence on Interpol.

A major source of the UAE’s influence 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.¹⁰ Funding like this reduces the ability of Interpol’s member nations to control it, poses a risk that Interpol will become enmeshed in corruption, and creates a serious risk of improper influence on Interpol’s activities. Through the foundation, the UAE controls the largest non-democratic share of Interpol’s funding.¹¹

Ben Keith, a British barrister specializing in extradition and international crime, has stated that the UAE has “effectively tried to buy its way into Interpol.”¹² That is an accurate assessment. 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 use its supposedly charitable funding to build support to seek the presidency of Interpol.

Key Steps Before the Next Meeting of the Interpol General Assembly

Before the General Assembly meeting the U.S. and other democracies must *back a presidential candidate from a law-abiding democracy*. The U.S. should take the lead in forming a democratic caucus in Interpol to lobby for and back qualified candidates from law-abiding democracies. Currently,

seven of the 13 members of the Executive Committee are from clearly democratic and law-abiding nations. Four of these democratic representatives—including Korea’s Kim—will leave the committee in 2021. The committee could then have as many as 10 democratic representatives—or as few as three.

For the democracies to win elections in the General Assembly, 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 to the Commission for the Control of Interpol’s Files (CCF), Interpol’s appellate body, which is also elected by the General Assembly.¹³ The U.S. goal should not be to secure the election of U.S. candidates—though if a U.S. candidate does win support, that would be welcome. Rather, the U.S. should support qualified candidates from stable democracies.

The U.S. should initially reach out to France, Germany, Japan, and the United Kingdom as the core of the democratic caucus. Together, these democracies are Interpol’s five largest statutory contributors; Britain and France, in particular, have historically taken leadership roles in Interpol. These five democracies should work together on a regional basis to bring other stable democracies into the fold to arrive at a compromise candidate for the presidency and for the other vacant positions in the Executive Committee and on the CCF.

The fact that Nigeria and the UAE are campaigning so publicly to lead Interpol does not mean that one of them will win. Autocracies often make a good deal of noise about their involvement—purported or real—with Interpol as a way to assert their legitimacy and frighten their opponents. But the aggressive Chinese campaign that led to Meng Hongwei’s assumption of Interpol’s presidency in 2016, as well as the presidential candidacy of Russia’s unfit Alexander Prokopchuk at the 2018 General Assembly Meeting, are telling evidence that the autocracies are not just blustering.¹⁴ As Meng’s victory illustrates, if the democracies do not put forward strong candidates of their own, there is a serious risk that their belated efforts to play defense will be unsuccessful.

What the U.S. Should Do

The U.S. agenda for the reform of Interpol should be wider than supporting good candidates for the presidency, the Executive Committee, and the CCF, as important as that is. To wit, the U.S. should:

- **Work** with other democracies to affirm that Interpol has the power and the responsibility to suspend abusive nations;
- **Press** for the termination of Interpol's relationship with the Interpol Foundation, for full transparency on all sources of past and present Interpol income, and for a reduction in peripheral activities sufficient to allow Interpol to live exclusively within its nationally provided means;
- **Make it clear** that the Interpol General Assembly was wrong to admit the Palestinian Authority; and
- At a minimum, **carry out** its legal obligation to develop a plan to obtain observer status for Taiwan in Interpol.¹⁵

Conclusion

The U.S., with the other democracies in Interpol, must win the battles that are before it. If the democracies do not keep control of Interpol's leadership, it will be difficult, if not impossible, to successfully advance wider reforms to Interpol's rules and institutions.

The focus of the U.S. at the next General Assembly meeting must be on working with other democracies to ensure that Interpol's new leadership is firmly committed to opposing its politicization by the autocracies and ensuring it is capable of working constructively on reforms that will prevent politicization in the future.

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Endnotes

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