

TRANSCRIPT

"CRIME FIGHTING, PERVERTED: INTERPOL AND AUTHORITARIAN REGIMES"

A conversation with Jago Russell

Moderator: Anastasiya Hozyainova

ANNOUNCER:

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ANASTASIYA HOZYAINOVA:

Hello everyone. I have the pleasure of having-- Jago Russell from-- Fair Trials International. He's speaking today about the criminal justice specifically looking at the case of Interpol and the abuses of Interpol red notices. Jago, let's start with what is this all about?

JAGO RUSSELL:

Okay, so, I mean, Interpol in most people's minds this-- kind of great international crime fighting tool, you know, fast and furious, chasing down the bad guys-- the reality's quite different. Interpol doesn't have this global police force at all. It's about connecting police forces across the globe.

It's-- its mission is-- to connect-- connecting the world's police for a safer world. And really it's all about exchanging information. And one of the key things it does is it-- is it exchanges information globally across its 190 member countries on-- people that are wanted for arrest and extradition.

So-- the-- red notices, normally called red notices, sometimes called diffusion. But

they're basically a digital version of the old wild west wanted poster. There are lots of them around. There are 120,000 in circulation globally at the moment. And there were about 11,000 new ones issued last year.

So that's-- that's the-- the context that we're working in. Obviously connecting police forces to fight complex cross border crime is important. The problem is that-- it's being abused. And countries, oppressive regimes across the globe are abusing this system to export persecution-- to chase down or undermine the reputations of human rights defenders, journalists-- political opponents.

And so that-- that's really the-- the core of what we're trying to tackle. We're not trying to undermine the effectiveness of Interpol. We're trying to make Interpol stronger by insulating it against abuse by countries across the globe. Basically think of any country that-- on a domestic scale abuses criminal justice systems for-- to silence dissent or to crack down on opposition.

That country is probably also misusing Interpol. So Interpol's it's way of chasing people down that have managed to escape the country. So, you know, it's-- it's a problem which-- which-- has a global impact affecting people that have fled persecution in many different countries around the world.

So that's at the core of-- of-- of this project we've been running for about-- two years for just over six months with support from the Eurasia program, American society. And our aim, our hope is that by the end of next year we will have persuaded Interpol to fix the system so that it can weed out abusive cases and so that people that find themselves on the wrong end of an abusive global wanted person alert have an effective, fair, transparent mechanism to try and get it lifted.

ANASTASIYA HOZYAINOVA:

So what you're basically working with is that you're trying to-- counter the internationalization, if you wish, of domestic abuse of criminal systems for political gains. Can you give us examples of what-- what those persecutions look like?

JAGO RUSSELL:

Sure, I mean, we've seen cases from all over the world. A case we've worked in in the past few months is a case of somebody called Baja Comunga (PH) who is-- a Belgian citizen and-- who's been working to highlight human rights abuses in Turkey.

He was involved in a peaceful demonstration in Europe in parliament where the Turkish prime minister came along and was trying to tell the European union how brilliant Turkish human rights record now is. Baja stood up and shouted a load of rubbish and, you know, more or less-- maybe slightly more colorful terms than that. But anyway Turkey didn't like it. And Turkey managed to get a red notice against him. They-- they said that it-- that this was evident that he was a member of a terrorist organization.

And-- red notice was issued. And the results of that for Baja were pretty severe. He was arrested in three different countries, arrested in the Netherlands, arrested in Italy, arrested in Spain. He was in prison for six months of his life.

On one occasion he was arrested visiting a church with-- his two young kids and wife. Counter terror police descended on him in Spain. They thought he was a terrorist 'cause of the red notice. Every country-- all three countries that arrested him went through extradition proceedings, looked at the evidence.

And they all said that there was no criminality involved at all, that it was politically motivated. And all Baja had done was exercised his free speech. And-- despite that it took years to get the red notice removed. We finally managed to get it removed-- but only after this guy had spent six months in prison. And there are cases like that. I mean, there are numerous like that. There's a case of Petr Silaev, a Russian case, young guy involved in the Khimki Forest-- demonstrations.

Basically a number of journalists that had tried to highlight corruption in the context of-- building a motorway through this protected area just outside Moscow-- were beaten by fascists supported by the Russian government. And-- one of them was beaten so severely that he died.

So Petr and his-- his friends organized a protest on this to protest against this in-- in Khimki. His friends were-- it was a relatively peaceful process-- protest. One public building was damaged a bit, nothing serious. Basically everyone involved was-- was rounded up by the police. Petr managed to escape, managed to get to Finland-- was given asylum, was recognized as a refugee.

But yet again Interpol managed to circulate a red notice against him. And Petr was arrested in Spain and went through extradition proceedings in Spain. There were lots and lots of these cases. We have b-- been contacted by over 100 people in the past year since-- publishing our report *Strengthening Respect for Human Rights, Strengthening Interpol*.

And really there are all types of cases from all over the world. I'd be happy to talk to you about as many cases (LAUGH) as you'd like. But-- but really there are-- a huge number. And a lot of them are journalists and human rights defenders and political opponents of oppressive regimes.

ANASTASIYA HOZYAINOVA:

So how-- how does work-- why is that it's possible to publish those-- abusive notices? And why is that the police, despite the fact that, for example-- let's say Spain as you said in the-- the case of Baja have found that he-- the extradition request was-- arbitrary? Why is it he was arrested again and again-- despite the fact that one of the police organizations within Europe have found that it was a politically motivated notice?

JAGO RUSSELL:

One of the things we are arguing is that Interpol should introduce rules to stop-- red notices where someone has been given asylum but also that they should remove red notices where somebody's extradition has been refused because-- the courts determined that it was politically motivated.

We've actually succeeded in getting the first reform already. So Interpol has just introduced in the past month or so reforms to protect refugees. And we're still battling for the extradition reform. The underlying problem is that Interpol is a members club. And its members are police forces in 190 countries.

And you speak to Interpol about this problem. And I mean, they're-- they're waking up to it now. But when we first started these conversations their approach was, no, we just have to trust our members. What we'll do is we'll-- you know, we're in-- we're in the process of doing active data protection training to police forces in Russia and (UNINTEL) Uzbekistan, countries across the globe.

You know, we're doing this data protection training. We just then have to assume to trust that the members won't abuse the system. I mean, really, it's-- (LAUGH) pretty-- pretty naive. And that's how this problem arose. And they're starting to wake up for-- to it because these cases damage Interpol's reputation.

It's hugely politically embarrassing when somebody picks up-- it's a border crossing or refusing entry to somebody who is a human rights activist or a journalist because of an Interpol red notice. So there is now pressure on Interpol to try and fix the problem. They seem very willing to do so. But a core-- core it's-- it's a policing organization. And it's the police policing the police. (LAUGH) And so really the only way to get them to do that properly is through external pressure.

There's no oversight. You know, there's no democratic accountability for Interpol, no-- no democratic accountability at all other than the 190 police forces around the world. And there's no legal accountability either. They operate in a legal black hole.

It has legal immunity. You can't make any case against Interpol in any court in the world 'cause Interpol has immunity in all the countries where it has a presence. So you know, you combine this naive misplaced trust in-- in your member countries like Uzbekistan with-- with the lack of any democratic or legal-- legal oversight and you're gonna get problems. And, you know, sure enough there are problems.

ANASTASIYA HOZYAINOVA:

So what are you proposing how to-- to fix this problem because although this problem exists Interpol fulfills a really important function of fighting international crime. And as the crime grows-- goes global-- and the solution to those issues also you need to become more global, we have a number of people who effectively become casualties of-- of the-- of the system. How do you institute that change in the members club that is not democratically accountable or judicially accountable to

anyone?

JAGO RUSSELL:

I mean, as a human rights component you have to come up with kind of novel ways of doing it (LAUGH) because, you know, your normal tactics of strategic litigation and kind of building a democratic move-- you know, those things just apparently don't work because the-- it's not answerable to a democratic elected parliament or to court. So you have to come up with-- with new tactics. And the tactic we have is making sure that we explain why this is in the Interpol interests.

You know, we publicize the cases of abuse to show the problems that are happening. And then alongside that we have constructive conversations with Interpol to explain why fixing the system to stop those abuses happening is in Interpol's interest.

And they've been really open in engaging with us. We've had a huge amount of access which I was not expecting when we started this work. I thought it would be such a closed institution that we would not get any ins at all. But-- but we've had lots. We've-- I've had meetings with-- both-- both of the-- two heads of Interpol that have been in the past few years. And there seems to be a real willingness to tackle the problem because it does no good for its James Bond image when it's found, you know, being complicit in chasing down-- a human rights activist. And so really it's-- it's been a combination of two things. It's-- it's public efficacy and-- and campaigns. So that's media work, basically getting those stories out there into the press where we can through social media.

And also a kind of political advocacy element-- trying to make sure that European parliament, the council or Europe-- U.S. congress, the-- the-- this problem is being raised in-- in a political context all really to focus Interpol's mind on the problem.

And the second tactic has been to come up with realistic constructive proposals in consultation with Interpol. We have produced a big report on it just over a year ago. And-- you know, Interpol's great. They-- they reviewed the report with us. They looked through it. And they said, "This is workable. This kind of reform idea isn't workable for the following reasons." So combining public advocacy with reasonable, sensible conversations-- with Interpol is-- is the tactic.

ANASTASIYA HOZYAINOVA:

And you're trying-- the message-- what-- what worked for them 'cause I try to imagine going to a police-- department effectively and say, "Let's institute internal controls because this is good for your image." That's-- kinda works but doesn't really go well with-- with people who would say, "Well, when you're making an omelet you have to break some eggs. And it just happens that there will be casualties-- collateral damage that we just can't-- prevent."

JAGO RUSSELL:

Yeah, and that-- that certainly was the-- attitude, that collateral damage, certainly an attitude we've heard at some point in the discussions with Interpol. I think the things that are really-- the arguments that are really working with Interpol-- I mean, and we're not there yet. We haven't achieved all of the things. You know, there's a good years work to do before we get all the reforms that we think are needed. But the arguments that seem to work not only with Interpol but with the member countries' police forces around the globe are that you can do things to weed out abusive cases without messing up the system.

You know, it's possible to weed out these cases of abuse without stirring the whole thing into turmoil. And there's a real recognition in Interpol that, you know, it needs to focus on its core business. You know, and it-- its core business is connecting the world's police and sharing information.

But it was going through-- in the past ten years it went through a kind of processive focusing on media profile, lots and lots of press releases and all sorts of things. There's a lot of focus on speed and quantity as a measure of success. So, you know, the annual reports of Interpol were all about number of red notices issued increases by X amount. You know, member countries can now circulate global information around the world without anybody even looking at it. You know, these were the kind of things that it was pushing for.

And I think the membership of Interpol or a number of member countries have been kinda saying, "Well, actually, you know, we'd much prefer you to do less but to do it a bit better. We'd prefer to be able to trust the red notices that you circulate because we have some trust that you have a reasonable system to weed them out."

There's another kind of argument that works really well I think with Interpol which is that it's real-- if all the decisions about whether or not an abusive alert-- an alert is abusive rest with the head of Interpol, like an-- executive head of the Interpol organization, it puts them in an incredibly awkward position. So if it's always up to the-- the secretary general of Interpol to turn around to Russia and say, "I'm sorry, we're not allowing the red notice for William Brando," then, you know, they get it in the neck from Russia.

And so one of the things we're pushing for is a kind of rule of law model saying that you need to have an independent oversight mechanism that decides cases when there are complaints, that decides whether a system-- whether-- an alert-- is valid or abusive.

And I think that's appealing to executive of Interpol because I don't think they want to be held personally responsible for deciding to say no to their member countries. It's awkward. You know, Russia doesn't like it (LAUGH) when-- when-- the Interpol - general secretary-- kind of executive body of Interpol says no.

So I think there are a number of different arguments. But it's been about constructing arguments which are reasonable which don't undermine Interpol's

effectiveness but which also speak to the kinds of concerns that member countries have. And that seems to be working so far.

ANASTASIYA HOZYAINOVA:

But it also touches upon an interesting issue of international collaboration on-- fighting crime and this-- not just the-- the globalization of-- of prevention or addressing crimes. But also how do you engage in these philosophical issues of-- defining criminality, of-- working on what is acceptable, what is not acceptable? In what way, if at all, your campaign touches on those-- engages with those issues?

JAGO RUSSELL:

I think it's part-- I think-- I think this campaign is part of a much broader issue around that and around the fact that it's all-- it's absolutely right that countries have recognized they need to cooperate to fight crime. And, you know, the war on terror was the kind of pinnacle of that kind of movement, really, you know, a huge amount of cooperation to fight crime.

And this campaign is really starting to say, "Yeah, but on what-- what grounds? And what are the underlying principles of justice that need to be applied when countries-- work across borders to fight crime?" And it's-- it throws up some really big, difficult issues.

It throws up difficult issues because criminal justice at a domestic level is built within quite a robust, you know, varying degrees. But there are systems of accountability. You know, you have direct budget controls for police. You have parliamentary oversight. You have judicial oversight and judicial review, all those things developed at a domestic level because they recognize that criminal justice has a huge impact in people's rights, that there's potential for abuse and that safeguards are therefore needed. None of those things exist when countries operate across borders. They're kind of—these operate in a real kind of a black hole legally. It's a bit like for every day crime a kind of Guantanamo Bay of criminal justice, you know, designed to be unaccountable.

And so it throws up some-- some big issues really about how do you institute justice at a global level when countries are cooperating to fight crime? And I think it-- it's-- it's good in that it demonstrates that actually it serves the purpose of fighting crime to put in place just mechanisms.

You know, it's not, you know, fighting crime versus human rights and justice. In a kind of very real way this campaign demonstrates that they're part and parcel to the same thing. You're not gonna be as effective at fighting crime if you don't have justice and safeguards and protection for human rights-- because you get international policing systems which are stuffed full of abusive alerts. So I think, you know, it's a campaign that touches on a much bigger and I think a really important

issue that, you know, the human rights world and the human rights funding world hasn't really tackled.

You know, it's-- typically people look at criminal justice at a domestic level. You know, we wanna, you know, make fairer criminal justice systems. Let's, you know, throw money at new public defender services or local legislative reform.

Clearly in some countries that doesn't stick. It's hard to get those kind of initiatives to have an impact. But it's also no longer the whole story. It's part of the story. And, you know, it might be difficult, impossible perhaps, to create a fair criminal justice within Azerbaijan but surely we should at least be able to try and make sure that abuses of a criminal justice system in Azerbaijan aren't achieving a global reach and actually aren't being subsidized by the whole world, right.

I mean, the U.S. government is Interpol's biggest funder. Does it really want to be funding an institution which is helping to globalize persecution by countries like Azerbaijani? I think not. I hope not. So, you know, there's some interesting kind of broader issues that this campaign really throws up.

ANASTASIYA HOZYAINOVA:

On this wonderful note I wonder if there are any questions. And then-- those on the phone please jump in 'cause we can't see you, sir?

FEMALE AUDIENCE MEMBER:

How do you-- develop mechanisms that-- will be recognized by all the countries? I mean, presumably what we might recognize as-- as not a crime is actually a crime in one of the member countries. You know-- speaking freely-- against the government might be a crime in another country. How do you-- how do you suggest Interpol really-- adjudicate that issue?

JAGO RUSSELL:

Interesting, there are two-- there are two rules at the heart of Interpol's constitution that all its members have agreed to. So one is that it mustn't be involved in political cases. And the second is that it has to operate within the spirit of the Universal Declaration of Human Rights.

And so to tackle that kind of issue, a really interesting one, you have to look at what the Universal Declaration of Human Rights and the human rights-- laws-- protect. And so, for example, I mean, not only in terms of substantive criminal law what acts are considered an offense but also sentencing. You know, Interpol doesn't publish red notices where the potential sentence is death by stoning, for example, because it recognized that to do that would be contrary to the Universal Declaration of Human

Rights. I don't know at the moment. They've not given us information-- about how they apply those human rights protections in terms of substantive criminal law, in terms of saying no to certain types of criminal offense.

I suspect that if a country were ever stupid enough to label-- criminal-- red notices, you know, they were involved in homosexual activity that Interpol would probably say no. But practical reality is that countries don't do that. (LAUGH)

You know, they'll-- they'll describe the offense as terrorism or pedophilia. Or you know, they-- they're pretty smart. And they will come up with more kind of internationally appealing kind of labels. But I mean-- one of the-- so another one of the successes we've had in the past six months is Interpol has now agreed to publish guidance for the first time on how it interprets this human rights protection. And-- I'm doing-- part-- taking part in a working group-- with Interpol in early July. And that's one of the things I want to be raising about the kind of issues they need to look at in that context.

There are issues around touching, you know, that university kind of recognize, you know, human rights. So how do they-- how do or should they handle cases where the criminal prosecution is based on evidence obtained by torture? I have an interesting Algerian red notice case at the moment of somebody Jamal Patiti (PH).

It's a drugs-- drug dealing case. But interestingly in that case the U.N. committee against torture had specifically said he was arrested in Morocco when he first got out of Algeria. And an application was made to uncan-- and they specifically said that Morocco must not extradite him to Algeria because the evidence against him had been obtained by torture and because there was a very real risk of him being tortured when he is sent back. He was then arrested again in Spain on the same red notice. And again the Spanish court said, "You know, we were able to get this-- U.N. decision-- before the court. And the court said, "No, we won't extradite."

It's a big question. We did an application with a charity redress to Interpol saying, "Surely when you've got a U.N. committee decision saying that you cannot extradite this person that has to be grounds for removing the red notice, doesn't it?" You know, this is, you know, a universally recognized right. So there are-- you know, that's gonna be a really interesting process to see how they tackle those issues around-- protecting human rights and how they interpret those rules.

FEMALE AUDIENCE MEMBER:

I have a specific question-- regarding accountability. So-- there's this case in Chile, a person who has a red notice on him. And in Chile people have the-- have the right to access information. So I mean, (UNINTEL) so every information about you-- about-- the government has is basically yours.

So he asked about which were the criteria to put a red notice on him and which were the basis and the grounds for this. And-- and for me it's interesting on how-- so the response from the police in Chile was-- this information is really not ours. It's from

Interpol international.

So we are not compelled to give that information to you. And we are accomplishing with the law and blah, blah, blah, so really how to balance these-- rights that people may have in their countries for-- for instance if you have information rights and how to balance that with, like, an international court such as-- Interpol international.

JAGO RUSSELL:

Really, really interesting. I don't know. I hadn't heard about this case. If-- in practice it's-- it's one of the big issues, the big problems for us is access the information. So, you know, we will get somebody that comes to us. And we'll do the due diligence and it looks like it's a really abusive case.

And we'll do a big application to Interpol. Normally they don't bother reply-- replying. But, you know, some-- you know, sometimes you get a reply. And sometimes they will say, "We've gone back to the country that sought the red notice. And they provided sufficient information to satisfy us in Interpol that it's-- it's an okay red notice, this one."

And then you say, "Oh, right, would you give us at least an outline of what that information is so that we have-- have some-- some chance of countering it?" No. And, you know, I-- I completely recognize that in the policing context full disclosure of information is not gonna happen. It's not possible. But an interesting issue came up in a series of the You cases or the Cardi cases, I don't know if you've seen those, on the U.N. sanctions regime.

And the same questions came up about is it appropriate for-- the European union to circulate information on these sanctions or to give-- give legal power in Europe to these sanctions imposed from the U.N.? And the European union court said very clearly that there are certain basic principles of due process that even international organization even when working in the context of fighting terrorism need to comply with.

And one of those is-- an outline of the information at the very least to provide a brief outline or an explanation of the case against you because otherwise, you know, you're-- it's-- you're boxing blindfolded. (LAUGH) You have no idea who-- you know, what you're-- you're battling. So, I mean, that's one of the big things we're pushing for in terms of Interpol's internal review mechanism specifically on this issue of-- of-- of the approach being taken-- was it in Chile?

FEMALE AUDIENCE MEMBER:

Yes, which is kind of weird because it's kind of a stable country. I mean, it's not one of these countries that we're just crossing someone. But-- and I also like-- be-- because sometimes, like, access to information, you have some exceptions like national security or public security. But when it's information about yourself then

the-- the law is really different. So that's--

JAGO RUSSELL:

Yeah, that's-- no, that's actually-- it's actually another very pragmatic reason why countries are starting to care about this issue. So countries are starting-- so the way Interpol works, you have Interpol. And then there are these different things called national central bureaus. They often call them Interpol Washington or Interpol, you know-- and they aren't actually part of Interpol. They're domestic police office, a bit of the domestic police force that works with Interpol.

The interesting challenge for those NCBs, for those national limbs of-- of-- operating bits of-- of-- the system are that they are starting to become subject to legal actions. So in the U.K. the U.K. NCB, the national crime agency is facing a number of legal challenges at the moment on the basis of data protection, access to information about yourself and basically saying that they have an obligation to make sure that information that they circulate that they disclose certain stuff but also that the information that they circulate is accurate, is true.

And-- you know, if you've got 120,000 of these things circulating across the globe, 10,000, 11,000 new ones issued a year you can't really expect the NCB in every country to do that. Surely it's much better practically to get those checks done centrally so the-- the police in Washington or wherever, you know, that they know that-- you know, that there's less chance that they will be-- subject to legal actions themselves.

Canada is also being sued at the moment by a chap who spent a year in a jail in Lebanon-- as a result of an Algerian red notice-- again about the fact that they refused to disclose any-- any information to him, very stupidly sent him on a trade mission to Lebanon on behalf of a Canadian organized trip-- despite having already shared information with Interpol about his whereabouts when asked by Algeria. And he was in prison for a year. And prison in Lebanon is not particular nice. So you know, there's a good practical litigation avoidance reason-- (LAUGH) for Interpol to do a better job, too.

FEMALE AUDIENCE MEMBER:

Is Interpol (CLEARS THROAT) not required to try to alert-- when a red flag goes out it seems like most of these people aren't aware of it because they cross borders in countries. And before they know it they're detained in the foreign country without any defense. Is that where-- are you looking at that, like, perhaps requiring-- Interpol should be required to let that individual know or do the-- everything they can to get in touch with that individual and said, "You have a red flag against you," so at least they have the option of perhaps seeking legal advice or defense. Is that possible? Would that help?

JAGO RUSSELL:

It just would never happen. And the reason it would never happen-- I mean, if you take-- if you take a terrorism case, you know, a really serious, you know, proper terrorism case, you-- you know, as one of the key tactics of police officers is taking people by surprise. You know, so they-- they wouldn't want people to know that there was a red notice against them. They wanna catch them by surprise. So a kind of institutional way, it wouldn't be-- because some red notices go on a website.

You know, when there are red notices that-- you know, including some red notices where you really wanna undermine someone's reputation, they go on the public website. So those people know they're there. And one of our clients-- is-- Benny Wenda.

And he first learned about this-- this red notice against him from Indonesia when he Googled his name. (LAUGH) And he was sat there with his wife and five kids in his house. And he said, "Wow, (LAUGH) you know, I'm on Interpol's-- Interpol's website with a red notice describing me as a wanted terrorist." You know, so some people-- and, you know what, it's not nice to have it. But perhaps it's better to actually see your name there than to be taken by surprise when you take a trip and, you know, change planes in the UAE or something. I don't know. I mean-- but-- but that has massive implications, too, because your reputation's in ruins. You can't get a bank account. You lose your job. Not many employers want to employ people who are in Interpol's-- you know, website as-- as wanted criminals.

FEMALE AUDIENCE MEMBER:

You mentioned before-- about the-- the cases that Fair Trials takes and the process through which you identify which cases are the most strategic. But can you go into more detail about-- the vetting process that you go through especially because I imagine, as you mentioned before, it's very complicated. And there's a lot of people involved. So it takes a lot of due diligence especially trying to avoid a case that would torpedo your reputation. (LAUGH) So how-- how do you navigate those somewhat choppy waters in terms of identifying cases?

JAGO RUSSELL:

I mean, the approach we take is that we want to see reforms that help everybody. So I mean, obviously, you know, these due process safeguards should be available to everyone. But there is clearly a spectrum. And at one end of the spectrum you've got cases where it looks like it's a perfectly legitimate use of international cr-- from a crime fighting cooperation, the other end where it's clearly inappropriate.

And then in the middle you've got lots of cases that are really difficult. And, you know, you do need a proper judicial fair process to kind of, you know-- determine--

one from one-- one from the other. We-- we provide basic help to everyone that comes to us to help them try and navigate what system there is at all.

And then we get actively involved in a small number of cases. And they are typically the cases of the people who can't afford lawyers. So, no, there's-- the case of Phil Bradley is really very well known. And, you know, it seems to me that that is very clearly a case of a politically motivated red notice. And we've spoken to him about the issue a lot. But we didn't take on his case because frankly Phil can afford his own lawyers. (LAUGH)

You know, but the-- the people that we do help-- we, yeah, can't-- can't afford lawyers. You don't legal aid for challenging Interpol red notices in any country that we're aware of in the world. And it-- you know, putting together an application's really hard because you need to understand the local political context.

You need to understand-- and it's really trying to get to the heart of why a person's being-- prosecuted. You know, what's really driving this prosecution? You know, that's difficult. And it requires a lot of intelligence from, you know, not-- (UNINTEL) published human rights report but a lot of intelligence from local experts. It takes, you know-- it's-- it's hard. And it means the-- the cases that hit-- and the other factor, you know, it means that the number of places we-- places we can publicize are relatively limited.

The other reason they're really limited is that for lots of these people-- there are lots of people we help and we'll do applications for. We never publicize their cases because it would put them in danger. You know-- there are a number of-- Iranians in-- in Scandinavia who we've been-- you know, if we start publicizing names and countries of-- you know, they're at risk similarly with a number of those-- exiles in Europe. So you know, there are a whole range of factors that-- that determine which of the cases kind of end up in the press or in campaign films or in publications.

FEMALE AUDIENCE MEMBER:

You had mentioned earlier briefly about having a sort of independent oversight mechanism over Interpol. I was wondering if you could just talk about that a little bit more and how you envision that and if in this push to hold Interpol more accountable you foresee any backlash from countries who would be opposed to this and how that might affect the functioning of Interpol?

JAGO RUSSELL:

Yeah, I mean, it seems to me that Interpol has two choices. It either loses its immunity from legal action which seems to be the direction of a lot of travel of the international human rights courts, et cetera, you know-- to question the legal immunity of international organizations where they have the power to violate human rights.

So that-- Interpol has that choice, I would've thought not particularly appealing option for Interpol because it just doesn't know where the cases are gonna get taken. It doesn't know what rules are gonna apply. And what we're saying is your only other choice is to make sure that the mechanisms that you have is a satisfactory one which makes-- meets basic due process safeguards. And so I mean, that's-- that's what we're looking at. This-- they currently have something called the commission for the control of Interpol's files.

It's a kind of sleight of name. And it's a slightly odd organization. It kind of sits within Interpol. It has no legal power. It reviews complaints. But frankly it seems to have big problems in terms of resources. There's very little by way of due process.

You get no hearing. You get no disclosure of the information against you. You frequently don't get a response from them. You know, we've had cases where you-- we've been sitting for 30 months waiting for-- a response from-- it's-- it's really broken, does not work at all. And what we want them to do is to create a separate body, a quasi-judicial body which deals purely with complaints. We think it needs to have the power to remove red notices. At the moment the current-- this commission doesn't have that power. It has the power to make recommendations. And in practice-- we think what happens is that it-- it says to the executive of Interpol, "We're minded to make a recommendation to remove this red notice."

And the secretary will say, "We're minded to advise you to have a look again." (LAUGH) You know, the-- that kind of process goes on. If you don't have a binding legal power, that kind of process goes on. There's this one pretty famous case of-- Kazhegeldin former Kazakh prime minister who-- basically this commission looked at the process and said, "You know, this is clearly a political red notice.

"Interpol should delete it." But it didn't have the binding decision making power. So what happened was the general assembly of Interpol-- overturned that decision. Kazakhstan got a whole load of government-- of police forces to support it. And the red notice was reinstated. And, you know, it seems to me that if you have a set of rules which include rules that ban political red notices there's got to be-- a system which determines through a fair process whether those rules have been breached and that actually has the power to enforce them.

So you know, we're not asking unreasonable amounts of stuff. And we're not actually-- trying to say to Interpol this is exactly what it looks like. This is exactly how it should work. This is the time frames you should use because, you know, it's a policing organization.

And we-- you know, we want them to come up with what they believe is a workable process but which meets these basic due process standards. My-- I'm hoping that the next 12 months with continued work by Fair Trials and advocacy, getting other NGOs involved, too, will result in-- in those kind of reforms. There certainly seems to be willingness and interest in it at the top of Interpol.

ANASTASIYA HOZYAINOVA:

Is there anyone on the phone who would like to ask a question? Then-- I'm just, like, wondering if-- what would be your-- vision for success of-- of your campaign? And where would you like to go with it-- at the end of the campaign?

JAGO RUSSELL:

Interesting, so I-- I-- we have the-- this report we produced has-- a set of-- of recommendations. And it's-- it's a wonderful position to be in to actually be able to go through that set of recommendations and to see a whole load of them having been ticked off (LAUGH) in the past six months.

Dealing with an organization like Interpol I have to say I wasn't sure that-- (LAUGH) that-- that it would-- you know, it would work quite like that. So a whole load of the things we've asked for, refugee protection, prior review of red notices, published guidance on what it means by human rights, you know, these things, they're already happening. Really what we need to see in the next 12 months is those changes having an impact in practice, more disclosure about how they're actually working and how they're reviewing these requests.

And really crucially what we need to see is a better review mechanism, a mechanism for redress. And that I think is really gonna be the test of-- you know, we'll have achieved some reforms that are really valuable. But I think that's-- that's kind of key to the whole thing really because it's that oversight process which really makes sure that these rules that are created are being enforced properly.

So that's what success looks like. In terms of the next stage of the campaign, you know, we're a small organization. And we achieve an impact because we focus. I mean, and my-- my temptation is to really focus in on finishing this campaign on Interpol. Having said that there are clearly lots of overlaps with other issues.

There are clearly lots of overlaps with issues around things like refusal of asylum because of politically motivated prosecutions. A whole load of regional policing cooperation mechanisms are being created at the moment. So Afripol is just about to be launched in the next year or so.

You know, there's a whole-- there's a lot of learning and relevant stuff that we can take from this Interpol to try and tackle more broadly this issue of instituting justice in a global justice const-- context, you know. But for now, for the next few months, (LAUGH) I really want us to focus on kind of finishing this-- this work. And if it is a success how great would it be to have, you know, Interpol as a beacon for kind of these other forms of cooperation globally, to say to other international organizations, you know what, we're a policing organization. And we can institute human right safeguards that are workable for us. If Interpol can do it, you know, that-- that's-- that says a lot. So hopefully it creates a bit of-- kind of a momentum around other international organizations that have an impact on human rights looking at beefing

up their human rights protection mechanisms.

ANASTASIYA HOZYAINOVA:

On this note-- I want to thank you for-- for this-- for this conversation. And-- the report is available on your website and so are the profiles of the publically available-- info. Thank you so much. It was a pleasure having you. (APPLAUSE)

JAGO RUSSELL:

Thank you.

* * *END OF TRANSCRIPT* * *