



**Observatoire ARGA**

**REPORT**

**on the abuse of international criminal cooperation mechanisms in relation to Alexey  
Ignatiev (Kyrgyz Republic → Italy → INTERPOL)**

Author:

Sergey Khrabrykh — President of ARGA, PhD

Organization: Observatoire ARGA – Sanctions and Compliance Unit

Mailing address: 14 rue Jacques Laffitte, Bayonne, 64100

Contacts: [info@argaobservatory.org](mailto:info@argaobservatory.org), +33 7 58 49 62 27

Website: [www.argaobservatory.org](http://www.argaobservatory.org)

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## **Table of Contents**

<b><i>Introduction</i></b> .....	<b>3</b>
<b><i>I. General Characteristics of the Case</i></b> .....	<b>3</b>
<b><i>II. Economic and Corporate Nature of the Conflict</i></b> .....	<b>3</b>
<b><i>III. Violations of the Legislation of the Kyrgyz Republic</i></b> .....	<b>4</b>
<b><i>IV. Violations of International Law and Human Rights Standards</i></b> .....	<b>4</b>
<b><i>V. Abuse of INTERPOL Mechanisms</i></b> .....	<b>5</b>
<b><i>VI. Violations of the Principles of Extradition Law</i></b> .....	<b>5</b>
<b><i>VII. Systemic Context in the Kyrgyz Republic</i></b> .....	<b>6</b>
<b><i>VIII. Conclusions</i></b> .....	<b>6</b>
<b><i>IX. Final Remarks</i></b> .....	<b>6</b>
<b><i>X. Normative and Legal Sources on Which the Conclusions Are Based</i></b> .....	<b>6</b>
<b><i>References:</i></b> .....	<b>7</b>

# Introduction

This report has been prepared for the purpose of a comprehensive, objective, and legal analysis of the criminal prosecution initiated against Alexey Ignatiev by the authorities of the Kyrgyz Republic, as well as for the assessment of the lawfulness and admissibility of the use of international criminal cooperation mechanisms, including INTERPOL procedures and extradition instruments.

The report is based on the analysis of criminal case materials, procedural documents, judicial acts, international treaties, the Constitution and regulatory documents of INTERPOL, as well as recognized international law-enforcement practice. Its purpose is to document the violations of national and international law that have occurred and are ongoing, and to prevent further abuse of international institutions.

## I. General Characteristics of the Case

Alexey Ignatiev is a citizen of the Russian Federation, permanently residing in Italy, who has carried out lawful professional activities in the fields of consulting, logistics, and support of international commercial projects.

A criminal case has been initiated against him on charges of large-scale fraud under Article 209 of the Criminal Code of the Kyrgyz Republic. On the basis of this charge, an international search has been initiated through INTERPOL and an extradition request has been submitted to the Italian Republic.

The factual basis of the accusation is reduced to a number of commercial transactions and contractual relations between business entities in which, according to the Kyrgyz authorities, Ignatiev participated as an intermediary, consultant, or coordinator.

## II. Economic and Corporate Nature of the Conflict

An analysis of the case materials leads to the unequivocal conclusion that the matter is rooted in a corporate and commercial dispute related to:

- supplies of raw materials;
- logistics and freight operations;
- non-performance or improper performance of contractual obligations between commercial entities.

The case materials contain no evidence of Ignatiev's personal misappropriation of funds, receipt of criminal proceeds, or his status as a beneficiary or controlling person.

In essence, this concerns a conflict between legal entities that is subject to resolution within the framework of civil and commercial (arbitration) proceedings. Criminal law is being used as an instrument of pressure in the context of a corporate confrontation, which is unacceptable from the standpoint of the principles of the rule of law.

## III. Violations of the Legislation of the Kyrgyz Republic

### 1. Violation of the principle of legality

In breach of the fundamental principles of criminal law of the Kyrgyz Republic, criminal liability is being imputed for actions that do not constitute a criminal offense. Commercial risks, contractual disputes, and business losses are being substituted with criminal-law qualification.

### 2. Absence of the objective element of the crime

The case materials lack a specific description of actions that could be qualified as fraud. It is not indicated:

- what exactly constituted the deception;
- what knowingly false information was allegedly communicated;
- how a causal link was established between Ignatiev's actions and the alleged damage.

### 3. Absence of the subjective element of the crime

No direct intent to unlawfully appropriate property has been proven, and there is no evidence of a selfish motive or personal gain.

### 4. Violation of the principle of individual criminal responsibility

Ignatiev is being held responsible for the actions of third parties and legal entities. The accusation is generalized and vague, which contradicts the fundamental principle of personal criminal responsibility.

### 5. Significant procedural violations

There have been in absentia procedural decisions, a lack of proper notification, a formalistic character of investigative actions, and a de facto deprivation of the right to an effective defense.

## IV. Violations of International Law and Human Rights Standards

### 1. International Covenant on Civil and Political Rights (ICCPR)

The provisions of Articles 9 and 14 have been violated, as the criminal prosecution is arbitrary in nature and fails to ensure the right to a fair and independent trial.

### 2. Prohibition of abuse of criminal law

International standards expressly prohibit the use of criminal prosecution for the resolution of private economic disputes. In the present case, this prohibition is systematically disregarded.

### 3. Principle of non-refoulement

Given the condition of the judicial system of the Kyrgyz Republic, the role of national security bodies, and human rights violations documented by international organizations, extradition creates a real risk of serious violations of fundamental rights.

## V. Abuse of INTERPOL Mechanisms

### 1. Violation of the INTERPOL Constitution

The use of INTERPOL channels in this case contradicts:

- Article 2 of the INTERPOL Constitution, as there is no genuine international criminal interest;
- Article 3 of the INTERPOL Constitution, which prohibits activities of a political or economic character.

### 2. Violation of the INTERPOL Rules on the Processing of Data (RPD)

Systemic violations have occurred, including:

- violation of Article 12 (accuracy and relevance of data);
- violation of Article 35 (absence of international interest);
- violation of Article 83 (absence of sufficient judicial data);
- failure to individualize the role of the wanted person.

Taken together, this indicates the improper use of INTERPOL's information resources in a private commercial conflict.

## VI. Violations of the Principles of Extradition Law

### 1. Absence of double criminality

The alleged acts do not constitute a criminal offense under the law of Italy and the states of the European Union, which excludes the admissibility of extradition.

### 2. Violation of the principle of specialty

The wording of the charges allows for expansion and requalification after a possible surrender, which contradicts the fundamental guarantees of extradition law.

### 3. Disproportionality of the measure

Extradition is being used not as an instrument of justice, but as a means of pressure and coercion in a commercial conflict.

## VII. Systemic Context in the Kyrgyz Republic

International organizations and judicial practice have repeatedly documented:

- lack of judicial independence;
- the dominant influence of law enforcement bodies in economic cases;
- the use of criminal prosecution for asset redistribution and pressure on business;
- the formalistic and predetermined nature of justice.

The case of Alexey Ignatiev fully falls within this systemic context.

## VIII. Conclusions

1. The criminal prosecution of Alexey Ignatiev is of a commercial and corporate nature.
2. The case lacks the essential elements of a criminal offense.
3. Serious violations of the legislation of the Kyrgyz Republic have been committed.
4. Systemic violations of international legal norms and human rights standards are present.
5. INTERPOL and extradition mechanisms are being used in violation of their constitution, purposes, and principles.

## IX. Final Remarks

This case constitutes an example of the abuse of criminal law and international cooperation mechanisms for private economic interests. Its further pursuit through INTERPOL channels and extradition procedures poses a threat to trust in international institutions and the principles of the rule of law.

This report is intended for use in international human rights, judicial, and institutional procedures, as well as for the purpose of preventing further human rights violations and abuse of international law.

## X. Normative and Legal Sources on Which the Conclusions Are Based

### **1. International instruments and treaties**

- Universal Declaration of Human Rights, 1948
- International Covenant on Civil and Political Rights, 1966
- UN Convention against Torture, 1984
- UN Basic Principles on the Independence of the Judiciary, 1985

## **2. European standards**

- European Convention for the Protection of Human Rights and Fundamental Freedoms
- Case-law of the European Court of Human Rights in extradition matters

## **3. INTERPOL Constitution and regulatory documents**

- INTERPOL Constitution, Articles 2 and 3
- INTERPOL Rules on the Processing of Data (RPD): Articles 11, 12, 35, 83, 87
- Practice of the Commission for the Control of INTERPOL's Files (CCF)

## **4. Extradition law**

- Generally recognized principles of extradition
- International judicial practice on refusal of extradition in cases of a commercial dispute

## **5. National legislation of the Kyrgyz Republic**

- Criminal Code of the Kyrgyz Republic
- Criminal Procedure Code of the Kyrgyz Republic

## **6. Reports of international organizations**

- Office of the United Nations High Commissioner for Human Rights
- Amnesty International
- Human Rights Watch
- UN Universal Periodic Review on the Kyrgyz Republic

The report has been prepared exclusively on the basis of applicable legal norms, official sources, and recognized international law-enforcement practice and is intended for institutional and judicial use.

## **References:**

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