



**Observatoire ARGA**

**ARGA Atlas**

**MULTILEVEL DEFENSE STRATEGY: NATIONAL  
PROCEEDINGS, INTERPOL, UN MECHANISMS, AND  
COMPLIANCE CONTOUR**

Author:

Sergei Khrabrykh — President of ARGA, PhD

Organization: Observatoire ARGA, ARGA Atlas

Mailing address: 21 route de l'Aviation, 12 C, 64600 Anglet, FRANCE

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

Website: [www.argaobservatory.org](http://www.argaobservatory.org), <https://www.arga-atlas.com/>

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## Purpose of the document:

This report develops a practical model of multilevel defense in cross-border cases where the threat to the client is not generated by a single procedure, but by several interconnected layers at once: domestic criminal or extradition proceedings, INTERPOL channels, UN mechanisms, and the compliance environment, including banks, providers, counterparties and reputational filters. The report proceeds from the premise that a modern case involving international search, extradition, politically motivated prosecution or transnational pressure is almost never won in one forum alone. It is won or lost at the point of coordination between procedures. The purpose of the document is to show how these layers relate to one another, where procedural and strategic conflicts arise, and how defense should be built so that different tracks do not undermine one another but instead reinforce a single legal position. INTERPOL's CCF examines requests for access to, correction of and deletion of data in the INTERPOL system, WGAD operates through complaints and urgent actions concerning arbitrary detention, UN special procedures use communications to governments, and Rule 39 before the ECtHR applies only in exceptional circumstances involving an imminent risk of irreparable harm. For that reason, a multilevel defense strategy must be not a collection of parallel complaints, but a single architecture of legal pressure and protection. ([Interpol](#))

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### 1. EXECUTIVE SUMMARY

Multilevel defense in international cases is necessary not because lawyers enjoy making life structurally absurd, but because state pressure, transnational persecution and extradition risk no longer exist in a single procedural form. A person may simultaneously face domestic extradition proceedings, data visibility within INTERPOL, grounds for arbitrary-detention engagement, a possible need for UN intervention, and a parallel collapse of private-sector compliance as banks, platforms and counterparties react not to a final judgment, but to the existence of international risk itself. If defense responds only on one level, the others begin to work against it. ([Interpol](#))

A proper multilevel defense strategy therefore rests on coordination, sequencing and evidentiary consistency. Domestic defense must challenge detention, extradition, admissibility and surrender. The INTERPOL track must work through access, correction or deletion of data within the CCF

framework. The UN track should be directed either to WGAD or to thematic or country special procedures communications, depending on the type of harm and urgency. The European emergency track, where available, may involve Rule 39 before the ECtHR, but only where there is an imminent risk of irreparable harm, most often under Articles 2 or 3 in expulsion or extradition cases. The compliance layer should not mechanically duplicate court arguments, but translate them into the language of risk, legitimacy, reputational exposure and documented dispute. ([Interpol](#))

The central conclusion is that multilevel defense does not mean “file everywhere at once.” That approach often produces more noise than result. An effective model is built around a single factual core, a clear distinction between the function of each mechanism, careful sequencing, and an understanding that some forums work toward immediate restraint, others toward data integrity, others toward international pressure, and still others toward preserving economic viability and operational survival. In international defense, the real question is not how many complaints have been filed. The question is whether they work as one system. ([OHCHR](#))

## 2. WHY THIS ISSUE HAS LEGAL AND INTERNATIONAL SIGNIFICANCE

The issue is especially significant because a transnational case almost always exceeds a single legal forum. An extradition request may be accompanied by the publication or circulation of data through INTERPOL channels; extradition detention may simultaneously create grounds for WGAD engagement; imminent removal may trigger a Rule 39 request; and the existence of an international-search or accusatory narrative may prompt independent private-sector responses, from freezing relationships to account closure and enhanced due diligence. If defense does not see the case as a system, it inevitably starts extinguishing sparks rather than the fire. ([Interpol](#))

Its legal importance is heightened by the fact that each level serves a different function. The CCF does not by itself annul a domestic arrest warrant and is not a substitute for national litigation; WGAD does not automatically suspend extradition, but it can strengthen the international characterization of detention as arbitrary; special procedures communications are not judicial orders, but they create documented international scrutiny; Rule 39 is urgent and exceptional, not a general appeal mechanism; and compliance engagement is not a court proceeding at all, yet it may determine whether the person retains access to funds, mobility, essential services and business continuity during the legal struggle. Failure to understand the difference between these functions is one of the most common strategic errors. ([Interpol](#))

The international significance of the issue is also tied to the asymmetry of state action. States and requesting parties already know how to act in parallel: the criminal case runs in one place, diplomatic contact works in another, data circulates through police-cooperation networks, and financial risk is produced through due-diligence systems. A response in one process therefore rarely neutralizes the whole pressure architecture. Hence the need for multilevel defense as a rights-based and strategy-based response, rather than as a matter of style. ([Interpol](#))

## 3. NORMATIVE AND INSTITUTIONAL FRAMEWORK

The domestic level remains primary because that is where arrest, extradition detention, access to materials, hearing schedules, admissibility of surrender and direct liberty consequences are usually determined. International mechanisms do not automatically replace domestic remedies, although in urgent circumstances they may operate in parallel. UNODC’s Model Treaty on Extradition reflects the classic logic of treaty-based cooperation, but it does not displace human-rights limits or domestic procedural safeguards. This means that any multilevel case must begin with a clear domestic litigation map rather than with a sentimental belief that “international pressure” will magically repair a weak record at home. ([UNODC](#))

The INTERPOL contour is built around the Rules on the Processing of Data and the Statute of the CCF. INTERPOL expressly states that the RPD govern all data processing in the INTERPOL Information System, including the publication and circulation of Red Notices, and that the CCF is an independent body ensuring that personal data processing conforms to the organization's rules and examining requests for access, correction and deletion. This makes the INTERPOL track independent but limited in function: it concerns the lawfulness and compliance of data processing within INTERPOL, not a full rehearing of the domestic criminal case as such. ([Interpol](#))

The UN contour includes at least two principal tracks. The first is the Working Group on Arbitrary Detention, whose methods of work describe how it handles complaints, urgent actions and deprivation-of-liberty cases. The second is the special-procedures communications system, which OHCHR describes as a mechanism through which independent experts send letters to governments and others regarding alleged violations. These mechanisms are not identical: WGAD centers on arbitrary-detention analysis, while special procedures may be selected on the basis of thematic relevance, torture, judges and lawyers, human rights defenders, migrants, and so on. Proper choice of mechanism therefore depends on the structure of the harm, not on habit. ([OHCHR](#))

The European emergency layer is represented by Rule 39 before the ECtHR. Official ECHR materials state that interim measures are indicated only in exceptional circumstances, usually where there is an imminent risk of irreparable harm, especially under Articles 2 and 3 and often in expulsion or extradition cases. This means that Rule 39 is not a general-purpose international complaint. It is a narrow emergency tool. Using it without meeting its threshold is not strategy. It is paperwork with delusions. ([ECHR](#))

Finally, the compliance contour lies formally outside traditional public-law remedies, but is practically critical. INTERPOL's own data-protection framework shows how data circulation can affect broader information systems, while enhanced due diligence in private actors often reacts to open-source, sanctions-adjacent, police-cooperation or politically exposed risk signals. In a transnational case, compliance management is therefore not vanity work. It is part of preserving the client's capacity to survive the procedure long enough to win it. That conclusion is partly doctrinal and partly practical, but it follows directly from the official data and risk architecture that now links public and private responses. ([Interpol](#))

#### 4. KEY MECHANISMS OF MULTILEVEL DEFENSE

The first mechanism is the creation of a unified factual core. All tracks must rest on the same chronology, identity set, procedural posture and risk narrative. This does not mean the documents should be identical. On the contrary, they should be function-specific. But factual contradictions between domestic court submissions, a CCF request, a WGAD petition and compliance letters are toxic. The CCF assesses data lawfulness under INTERPOL rules; WGAD looks at arbitrary detention; Rule 39 requires imminent irreparable harm; compliance actors look for documented and credible risk context. If the factual core shifts across versions, the defense destroys its own credibility. ([Interpol](#))

The second mechanism is functional differentiation. Domestic proceedings are for release, refusal of surrender, evidentiary contest and procedural control. INTERPOL is for data access, correction and deletion within the police-cooperation architecture. WGAD is for arbitrary-detention qualification and urgent engagement where detention is central. Special-procedures communications are for targeted international scrutiny addressed to the relevant right or mandate. Rule 39 is for imminent irreparable harm. The compliance track is for preserving operational capacity and reducing collateral damage. When lawyers confuse these functions, they either overload one mechanism with alien arguments or underuse another by treating it as symbolic. ([Interpol](#))

The third mechanism is sequencing. Not every case should start everywhere at once. Sometimes the first step must be urgent domestic relief, especially where custody or surrender is imminent. Sometimes Rule 39 is needed in parallel because the window is collapsing. Sometimes an INTERPOL request should be filed early because red-notice or data effects are actively worsening the case. Sometimes WGAD comes only after a sufficiently documented detention record exists. Sometimes compliance engagement must begin immediately because the client's accounts, travel capacity or counterparty relationships are already deteriorating. Sequencing is not bureaucracy. It is the difference between coordinated escalation and evidentiary stampede. ([ECHR](#))

The fourth mechanism is translation across legal languages. The domestic court needs procedural defects, treaty arguments and rights standards. The CCF needs arguments framed in terms of INTERPOL's rules on data processing and organizational compliance. WGAD needs detention facts tied to arbitrary-deprivation-of-liberty categories and methods of work. Special procedures need a communications-style narrative identifying actors, dates, allegations and threatened rights. Compliance actors need concise, documented risk framing with emphasis on contested status, procedural posture, disproportionality and ongoing legal challenge. One truth, different legal dialects. Humanity never misses a chance to weaponize format. ([Interpol](#))

## 5. TYPICAL SCENARIOS AND PRACTICE MODELS

The first typical scenario is the extradition-plus-INTERPOL case. The person is detained or at risk of extradition while INTERPOL data amplifies mobility restrictions and reputational damage. In such a case, the domestic team cannot afford to say, "first we will deal with the court, then we will think about the CCF." If the data layer continues operating, it may keep generating border risk, banking issues and compliance escalation even if the detention situation temporarily improves. National defense and INTERPOL defense should therefore usually be coordinated early, even if filed on different timelines. ([Interpol](#))

The second scenario is arbitrary-detention escalation. The person is held in extradition or related detention, domestic remedies exist formally but move slowly, and the factual pattern suggests arbitrariness, disproportionate prolongation or politically contaminated deprivation of liberty. Here WGAD may become important, not as a replacement for domestic litigation, but as a mechanism of international legal characterization and pressure. Where the harm extends beyond detention, for example torture risk, reprisals, intimidation of counsel or targeting of family, special-procedures communications may need to proceed in parallel. ([OHCHR](#))

The third scenario is the imminent-transfer case. Domestic remedies are pending or exhausted, surrender is near, and there is a credible risk of irreparable harm upon extradition or expulsion. This is the classic zone in which Rule 39 may become relevant, provided the threshold is genuinely met and the file is prepared with urgency and precision. Filing Rule 39 too early without imminent risk can be weak; filing it too late because the team was still "considering options" is worse. ([ECHR](#))

The fourth scenario is compliance collapse without final conviction. Banks, payment providers, employers or counterparties begin reacting to the existence of international allegations, police-cooperation visibility or reputational alerts long before any determination on the merits. Here the defense must leave the comfort of the courtroom and record contested status, ongoing proceedings, data-challenge posture, rights concerns and disproportionality in a form that private actors can actually use. Otherwise the client may "win legally" years later after being economically neutralized in the meantime. Modern legality does have a taste for irony. ([Interpol](#))

## 6. MAIN RISKS, CONFLICT ZONES AND PROBLEM POINTS

The first risk is inconsistency across forums. A domestic court filing says one thing, a CCF request says another, a UN petition dramatizes facts in a way the court record cannot support, and compliance letters overstate procedural victories that do not yet exist. This is fatal. International mechanisms may be independent, but they are not blind to contradiction. In multilevel defense, credibility is a strategic asset, and once damaged, it rarely returns on schedule. ([Interpol](#))

The second risk is the wrong mechanism for the wrong harm. Not every extradition problem is a CCF problem. Not every detention problem is a Rule 39 problem. Not every reputational issue belongs in a UN urgent appeal. The official frameworks themselves make these distinctions clear: the CCF concerns data processed in the INTERPOL system; WGAD concerns arbitrary deprivation of liberty; Rule 39 concerns imminent irreparable harm; and special-procedures communications concern alleged violations within the mandate concerned. Strategic confusion here wastes time that international cases usually do not have. ([Interpol](#))

The third risk is sequencing failure. Filing everything at once may create evidentiary disorder, while waiting too long may render key tools useless. Rule 39 after surrender is too late. WGAD without a developed detention record may be underpowered. Compliance outreach after accounts are already closed is defensive rather than protective. A CCF request without a clearly structured data challenge may turn into a generic political complaint instead of a rules-based submission. Timing is not decoration in multilevel defense. It is part of the merits. ([ECHR](#))

The fourth risk is treating compliance as public-relations fluff. In fact, compliance damage can become a direct litigation problem because loss of funds, housing, travel capacity or business continuity undermines the client's ability to instruct counsel, gather evidence and sustain long-term defense. A strategy that ignores this layer because it is "not really law" often ends up losing on very legal grounds later. The system has many ways to punish a person before judgment. Financial oxygen is one of them. This is an inference grounded in the interaction between police/data risk architectures and private due-diligence behavior. ([Interpol](#))

## 7. INTERNATIONAL AND EUROPEAN STANDARDS

At least five stable standards emerge from the official frameworks. First, INTERPOL data processing is governed by the RPD, and individuals have the right to seek access, correction and deletion through the CCF. Second, WGAD has established methods of work for complaints and urgent actions concerning arbitrary detention. Third, OHCHR special procedures use communications as a formal mechanism for addressing alleged violations to governments and others. Fourth, Rule 39 interim measures are exceptional and reserved for imminent risk of irreparable harm, especially under Articles 2 and 3. Fifth, extradition cooperation remains treaty-based and procedurally structured rather than politically free-form, as reflected in UNODC model instruments. Taken together, these standards justify a layered defense architecture rather than a single-forum illusion. ([Interpol](#))

The same sources also reveal the limit. None of these mechanisms is universal. The CCF is not a supranational criminal court. WGAD is not an appellate chamber over national extradition judges. Rule 39 is not a general anti-extradition petition. Compliance actors are not rights tribunals. Multilevel defense therefore works only when each tool is used for what it can actually do, while the overall architecture compensates for the limits of each individual forum. ([Interpol](#))

## 8. PRACTICAL CONCLUSIONS AND A LEGAL-RESPONSE MODEL

The first practical task is to build a defense map on day one. Counsel must determine what is happening domestically; whether INTERPOL data is active or suspected; whether detention is arbitrary or trending in that direction; whether there is imminent irreparable-harm risk; and whether

compliance damage is already materializing. This is the multilevel equivalent of triage. Without it, teams tend to overinvest in the most visible forum and neglect the most dangerous one. ([Interpol](#))

The second task is to create a master factual record and derive forum-specific products from it. One chronology, one evidentiary spine, one core legal theory. From that core, produce domestic motions, CCF requests, WGAD petitions, special-procedures communications, Rule 39 materials and compliance memoranda. This reduces contradiction risk and makes updating easier as the case evolves. ([Interpol](#))

The third task is to rank mechanisms by function. Domestic court for immediate liberty and surrender issues. CCF for INTERPOL data integrity. WGAD for arbitrary-detention characterization. Special procedures for targeted international scrutiny and pressure. Rule 39 for emergency irreparable-harm prevention. Compliance track for preserving economic and operational survivability. Once the team knows which tool does what, the case becomes manageable rather than mystical. ([Interpol](#))

The fourth task is to sequence with discipline. Start urgently where urgency exists. Do not wait on domestic proceedings if the surrender clock is collapsing and the Rule 39 threshold is met. Do not postpone the CCF if data circulation is actively harming mobility and financial stability. Do not rush WGAD before the detention pattern is sufficiently documented unless urgent-action grounds clearly exist. Do not let compliance letters drift into unsupported advocacy. Strategy is chronology with purpose. ([ECHR](#))

The fifth task is to protect the client's capacity to keep fighting. In cross-border defense, legal victory often depends on whether the person can still travel, pay counsel, access accounts, obtain documents, maintain residence and function under pressure. A multilevel strategy that ignores survivability is theatrically pure and practically irresponsible. There is no elegance in a perfect brief filed for a client who has been procedurally and financially suffocated in the meantime. This is a strategic inference grounded in how these mechanisms interact in practice. ([Interpol](#))

## 9. CONCLUSION

A multilevel defense strategy is not a fashionable label for filing more documents. It is a legal necessity created by the fragmentation of modern transnational pressure. National proceedings, INTERPOL data architecture, UN mechanisms, emergency European remedies and private-sector compliance reactions do not operate on the same timeline, do not apply the same legal tests and do not produce the same effects. Yet they often shape the same person's fate at the same time. That is why serious defense must be structurally coordinated across levels rather than emotionally committed to one preferred forum. ([Interpol](#))

The main conclusion is brutally simple. In an international case, the winner is not the one who speaks most loudly about rights, but the one who knows how to distribute rights, risks, evidence and urgency across the proper mechanisms. If domestic defense, the INTERPOL track, the UN track and the compliance contour operate as a single architecture, the case has a chance of becoming manageable. If they exist as disconnected gestures, the system will quickly explain that it is simply a very complex case. In plain language, that usually means the defense failed to organize in time. ([Interpol](#))

## APPENDIX A. TERMINOLOGY

Multilevel defense strategy. A coordinated model of defense in which domestic, international, police-data and compliance mechanisms are used as interconnected but functionally distinct layers of legal response. This is an analytical term grounded in the interaction of official mechanisms. ([Interpol](#))

CCF request. A request to the Commission for the Control of INTERPOL's Files for access to data, correction of data or deletion of data within the INTERPOL system. ([Interpol](#))

WGAD communication / petition. A submission to the UN Working Group on Arbitrary Detention under its methods of work, aimed at characterizing detention as arbitrary and, where relevant, obtaining urgent action. ([OHCHR](#))

Special procedures communication. A letter under the UN special procedures system addressed to a government or other actor regarding alleged violations within a mandate. ([OHCHR](#))

Rule 39 interim measure. An exceptional urgent measure of the ECtHR used where there is an imminent risk of irreparable harm, most often in extradition, expulsion or other Article 2 / 3 situations. ([ECHR](#))

Compliance contour. The set of private-sector risks and reactions linked to due diligence, data-driven risk identification, account restrictions, counterparty caution and reputational filtering. This is a conceptual term used here as a practical description of the private-law layer of the case, grounded in officially existing data and risk architecture. ([Interpol](#))

## APPENDIX B. MATRIX OF RISKS / POWERS / LEGAL CONSEQUENCES

Domestic proceedings.

Legal risk: extradition, detention, restricted access to file, accelerated surrender.

Legal limit: treaty law, domestic procedure, ECHR and related safeguards.

Consequence: immediate loss of liberty or transfer.

Practical note: this is the primary level and cannot be replaced by international rhetoric. ([UNODC](#))

INTERPOL / CCF.

Legal risk: continued data processing, mobility restrictions, increased cross-border visibility.

Legal limit: the RPD and the CCF's competence over access, correction and deletion.

Consequence: ongoing data-based pressure even when the domestic posture changes.

Practical note: the data track must be handled as a separate contour, not as an appendix to the court case. ([Interpol](#))

WGAD / UN detention track.

Legal risk: prolonged or politically contaminated deprivation of liberty, weak domestic review.

Legal limit: methods of work and the arbitrary-detention framework.

Consequence: international characterization of detention and added pressure on the state.

Practical note: especially important where detention itself is the central harm. ([OHCHR](#))

Special procedures communications.

Legal risk: torture risk, reprisals, attacks on counsel, migrant-rights harm, broader human-rights pattern.

Legal limit: the mandate-specific communications mechanism.

Consequence: formal international scrutiny addressed to the relevant state actor.

Practical note: choose the mandate according to the violation type, not the mood of the week. ([OHCHR](#))

Rule 39.

Legal risk: imminent surrender or expulsion causing irreparable harm.

Legal limit: exceptional circumstances and the imminent-risk threshold.

Consequence: possible urgent interim protection.

Practical note: this is an emergency brake, not an ordinary appeal. ([ECHR](#))

Compliance contour.

Legal risk: account closure, enhanced due diligence, operational freeze, reputational isolation.

Legal limit: private actors are not courts, but they react to documented risk architectures.

Consequence: economic and operational incapacitation during legal proceedings.

Practical note: preserving survivability is part of preserving defense. This is a practical inference grounded in the interaction between official data systems and private compliance behavior.

([Interpol](#))

## OFFICIAL SOURCES

- UNODC Model Treaty on Extradition and revised manuals. Core international reference for treaty-based extradition cooperation and procedural structure. ([UNODC](#))
- INTERPOL Rules on the Processing of Data, Statute of the CCF, and official CCF page. Key sources on data-processing rules, CCF competence and the right to submit access / correction / deletion requests. ([Interpol](#))
- OHCHR Working Group on Arbitrary Detention methods of work and mandate pages. Core sources on complaint procedure, urgent action logic and the arbitrary-detention framework. ([OHCHR](#))
- OHCHR materials on special procedures and communications. Primary sources on the communications mechanism and mandate-based engagement with governments. ([OHCHR](#))
- ECHR official factsheet and Rule 39 site. Key official sources on the interim-measures threshold, exceptional nature and filing channel. ([ECHR](#))