



Observatoire ARGA

ARGA Atlas

POLITICO-ECONOMIC PERSECUTION

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Purpose of the document:

This report is prepared to develop a practical legal framework for qualifying cases in which criminal prosecution, international circulation, extradition activity or related compliance measures are formally framed as ordinary economic crime enforcement but, in substance, display indicators of politically motivated or institutionally instrumentalized pressure. The practical function of the document is to separate a genuine criminal component from configurations in which an economic charge serves as a more acceptable procedural shell for political coercion, corporate conflict, asset redistribution, compelled loyalty, neutralization of an opponent or transnational repression through outwardly neutral legal channels. For ARGA, this topic is central because it is precisely at the intersection of political motive and economic narrative that qualification errors most often occur, leading to refusals before the CCF, weakened extradition defense, underestimation of non-refoulement risks and delayed activation of international protection mechanisms. ([Interpol](#))

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1. Executive Summary

Politico-economic persecution is not a separate formal category of international law, but a practical type of case in which an economic accusation is used as a procedurally convenient shell for objectives that go beyond good-faith criminal prosecution. Within the INTERPOL system this matters particularly because allegations of fraud, embezzlement, tax offences, abuse of office, money laundering or corporate misconduct outwardly resemble ordinary-law matters and therefore often pass through an initially more permissive filter than cases with overt party-political, electoral or ideological content. The updated Repository of Practice on Articles 2 and 3 shows that INTERPOL assesses not only the formal legal classification of the offence, but also the overall context of the case, the connection to the political environment, the possible predominant motive, the status of the person concerned, the nature of the underlying dispute and whether international police cooperation serves a genuine law-enforcement purpose. ([Interpol](#))

The main practical problem is that defense teams often make symmetrical mistakes. Either they mechanically call an economic case “political” without showing why the political interest is predominant or structurally decisive. Or, conversely, they accept the economic narrative as presumptively neutral and argue only about accounting, damage, transactions or corporate control, thereby losing the more important question of whether the criminal machinery is being abused. Post-reform INTERPOL practice makes such mistakes especially costly: the published decision excerpts show that the CCF works not at the level of slogans, but at the level of the relationship between the factual matrix, due process, institutional purpose, seriousness, quality of data, refugee implications and Article 3 concerns. ([Interpol](#))

The practical conclusion of this report is the following. In politico-economic persecution cases, defense should not be built around the single phrase “this is politically motivated,” but around the demonstration that the economic qualification is being used as an instrument of pressure under conditions of deficient judicial independence, selective prosecution, coercive leverage, abuse of process, enforcement asymmetry and loss of a genuine international police purpose. That framework makes the argument usable at the same time before the CCF, extradition authorities, asylum procedures, UN mechanisms and the compliance environment. ([Interpol](#))

2. Context & Problem Statement / Why This Topic Has Legal and International Significance

In transnational practice, political persecution rarely arrives in a pure and theatrically obvious form. Much more often, it is packaged in economic form. It is through allegations of fraud, tax violations, abuse of corporate authority, asset diversion, banking irregularities or money laundering that state and quasi-state actors obtain the ability to use the language of ordinary criminal law in situations where an openly political motive would be too visible. Such packaging is especially effective in the international arena because economic offences are presumed to be neutral, technical and naturally appropriate for inter-state cooperation. The burden of demonstrating abuse is therefore shifted in practice onto the targeted individual. ([Interpol](#))

This topic is significant for international law because it lies at the intersection of several protective regimes. First, it concerns the limits of permissible international police cooperation within the INTERPOL system and the application of Articles 2 and 3 of the Constitution of INTERPOL. Second, it concerns the right to a fair trial, judicial and prosecutorial independence, protection against arbitrary deprivation of liberty and abuse of extradition, directly linked to Article 14 ICCPR, Articles 5 and 6 ECHR and UN standards on the role of prosecutors and the independence of justice. Third, it concerns the way in which economic accusations are used in corporate wars, sanctions-related conflicts, disputes over ownership, forced compliance and political retaliation. One and the same case may be criminal in form, proprietary in factual substratum and political in function. ([OHCHR](#))

This is where the central methodological problem arises. If the defense reduces the question to the dilemma “political or economic,” it often loses already at the level of framing. In reality, such cases are almost always hybrid. The decisive question is not whether economic material exists, but how that material was mobilized, who benefited from criminal escalation, whether civil or corporate alternatives existed, whether selective enforcement is visible, whether minimum due process was preserved, and whether the prosecution remains functionally directed toward criminal justice rather than suppression of the person concerned. This is why ARGAs treat politico-economic persecution as an autonomous working category of legal analysis rather than a rhetorical formula. ([Interpol](#))

3. Legal Framework / Normative and Institutional Framework

The basic international framework for assessing such cases in the INTERPOL context is formed by Articles 2 and 3 of the Constitution of INTERPOL and the Rules on the Processing of Data. Article 2 links the organization’s activity to the spirit of the Universal Declaration of Human Rights, and the updated 2024 Repository of Practice expressly develops the interpretation of Article 2(1), including human-rights considerations. Article 3 prohibits the organization from undertaking any intervention or activities of a political, military, religious or racial character. At the same time, the Repository of Practice itself shows that Article 3 assessment does not turn on the title of the domestic offence and requires analysis of context, identity of the person concerned, predominant motive, nature of the offence, connection to political events or actors and broader surrounding circumstances. This is especially important in cases with economic qualification. ([Interpol](#))

A second pillar lies in international standards on fair trial and judicial independence. Article 6 ECHR guarantees the right to a fair and public hearing by an independent and impartial tribunal, and Article 5 ECHR protects against unlawful and arbitrary deprivation of liberty, including in extradition-related detention. Article 14 ICCPR, as recalled by the Special Rapporteur on the independence of judges and lawyers in a communication dated 19 January 2026, requires an independent and impartial tribunal and freedom of the judiciary from political interference; that communication also cites Human Rights Committee General Comment No. 32 on the incompatibility of executive control over the judiciary with the notion of an independent tribunal. These standards are not abstract. They have direct practical significance where an economic accusation becomes a channel for political pressure. ([ECHR](#))

A third pillar is found in standards on the role of prosecutors. OHCHR publishes the Guidelines on the Role of Prosecutors, according to which prosecutors shall perform their duties fairly, avoid discrimination and respect the rights of suspects; the same instrument emphasizes consideration of discontinuance or non-prosecution where permitted by law. For the analysis of politico-economic persecution this is essential: selective prosecution, refusal to discontinue politically useful but legally weak cases, and use of criminal exposure as a means of negotiation or corporate pressure directly indicate deviation from standards of prosecutorial independence and propriety. ([OHCHR](#))

Accordingly, the legal framework of such cases is not exhausted by Article 3 INTERPOL. It includes at least four overlapping blocks: neutrality and human-rights limits within INTERPOL; fair-trial and liberty guarantees under the ECHR and ICCPR; standards of prosecutorial independence; and general principles of legality, proportionality, abuse of process and legal certainty. Only the combined use of these blocks makes it possible to distinguish genuine economic prosecution from politically instrumentalized economic enforcement. ([Interpol](#))

4. Mechanisms of Practice / Abuse / Key Mechanisms of Practice, Abuse, or Conflict

The first mechanism is the masking of political interest through economic neutrality. The prosecution is framed through charges that appear universally recognizable at the international level: fraud, corruption, tax evasion, money laundering, abuse of office. By doing so, the requesting state or

initiating actor gains an important tactical advantage. The dispute is moved out of the space where an international observer will immediately look for signs of political persecution and into a space where the defense must laboriously explain the hidden architecture of pressure. This is precisely why INTERPOL, in its Repository of Practice, examines context and predominant motive rather than the label of the offence alone. ([Interpol](#))

The second mechanism concerns corporate or proprietary conflict criminalized through captured state institutions, loyal investigators or administrative-political support for one side. In such cases, criminal proceedings become an extension of the conflict rather than a response to crime. The economic material may be partly real: disputed transfers, controlled companies, contested authorizations, tax positions, beneficial ownership structures. But the decisive issue is not the existence of complex financial facts as such; it is that the criminal instrument is chosen selectively, disproportionately and asymmetrically despite the availability of other legal avenues. This is a classic zone of abuse of process. ([OHCHR](#))

The third mechanism manifests through selective enforcement and procedural asymmetry. Similar conduct by some participants remains untouched, while against the targeted person the maximum set of coercive tools is activated: arrests, searches, asset freezes, extradition requests, notices or diffusions, media leaks and secondary compliance consequences. It is often disproportionality and one-sidedness in enforcement that reveal the hidden function of the case. The legal problem is not that the state applies criminal law to economic misconduct at all, but that it applies it strategically and unevenly in order to alter a balance of power beyond the criminal process. ([ECHR](#))

The fourth mechanism lies in defects of prosecutorial and judicial independence. When a politically sensitive economic case passes through a system where executive influence over prosecutors or judges is plausible or documented, each formal procedural stage loses part of its legitimizing force. The existence of an indictment, warrant or conviction no longer automatically demonstrates good faith. This is precisely why international standards link fair trial to institutional independence and not only to procedural form. In politico-economic persecution cases, the paperwork often looks cleaner than the reality. Bureaucracy has always had a fondness for laundering abuse through neat formatting. ([OHCHR](#))

5. Case Patterns / Typical Scenarios, Patterns of Development, or Practice Models

The first typical scenario concerns a businessman, corporate controller, senior manager or beneficial owner who enters into conflict with a politically connected counterparty, former partner or state actor. After negotiations, arbitration or corporate struggle fail, the dispute is rapidly reclassified into a narrative of fraud, embezzlement or abuse of office. Questions of corporate control, authority, execution of transactions or valuation of loss are presented as though they already contain a settled criminal core. If INTERPOL channels are then activated, the case begins to resemble ordinary economic-crime enforcement even though its function is to redistribute leverage. ([Interpol](#))

The second scenario concerns a former official, politically connected entrepreneur or person associated with a previous power center. After a change of government, elite conflict or restructuring of access to resources, economic and corruption-related proceedings are opened against that person. Formally the case may contain real financial material. Yet timing, target selection, media orchestration, selective immunity of comparators and insistence on international pursuit show that the contest is not only about legality but also about political neutralization. Such hybrid files especially require careful Article 3 analysis rather than crude political labeling. ([Interpol](#))

The third scenario concerns tax and compliance enforcement used as retaliation. Tax, currency, AML or disclosure violations may be employed to convert dissent, refusal to cooperate, whistleblowing or strategic disloyalty into criminal exposure. Such cases often look particularly technical and therefore

particularly persuasive to outside institutions. But closer examination reveals a pattern: abrupt criminal escalation after refusal to transfer assets, provide testimony, sign a settlement, change a corporate position or cease public activity. The political element here is not always party-political. Sometimes it consists in the defense of a power-based distribution of resources and loyalty. ([OHCHR](#))

The fourth scenario is one in which the defense itself destroys a strong case through faulty qualification. Instead of demonstrating the hybrid mechanism, it either omits the political dimension completely or omits the economic detail completely. In the first version the matter appears to be just another money dispute. In the second it appears to be a loud accusation without material basis. The published CCF practice suggests that viable argument is precisely linked argument, in which economic allegations are neither theatrically denied nor naively accepted, but reframed through motive, context, proportionality, due process and institutional purpose. ([Interpol](#))

6. Risk Assessment / Main Risks, Legal Vulnerabilities, and Problem Areas

The first risk lies in incorrect legal qualification. If counsel frames the defense as though any economic prosecution with a political background automatically falls within Article 3 INTERPOL, refusal may follow because of crude overstatement. The Repository of Practice shows that Article 3 assessment is contextual and fact-intensive. What is needed are indicators of predominance, nexus and misuse, not merely the existence of a political atmosphere around the person. ([Interpol](#))

The second risk is the opposite and no less common: hyper-technical acceptance of the economic narrative. When the defense argues only about audits, bookkeeping, payment chains or corporate authority, without addressing selective enforcement, pressure architecture and abuse of process, the case loses its international-legal depth. The result is that the CCF, the extradition court or the asylum authority sees merely contested criminality rather than politically instrumentalized enforcement. That is not because institutions are inherently wise or inherently cruel. Usually they are just structurally literal. They read what is placed before them. ([Interpol](#))

The third risk concerns timing. Politico-economic persecution often evolves faster than protective mechanisms. While counsel prepares a perfectly refined analytical position, arrest exposure, extradition detention, asset restrictions, banking de-risking and reputational dissemination may already be advancing in parallel. Delay caused by the desire to prove everything impeccably may itself become a strategic mistake. A layered defense with phased evidentiary refinement is therefore preferable. ([ECHR](#))

The fourth risk concerns the evidentiary nature of motive. Political or corporate-power motive is rarely recorded by direct admission. It is usually inferred from pattern evidence: timing, comparators, procedural anomalies, refusal to use civil remedies, public rhetoric, coordination with power centers, selective leaks and abnormal insistence on international circulation. If the defense cannot assemble such pattern evidence, the case looks speculative. This is why this category requires not only legal work but institutional analytics. ([Interpol](#))

7. Institutional Gaps / Institutional Limitations, Gaps, Deficits of Safeguards, or Systemic Weaknesses

The first systemic weakness is that international mechanisms generally identify “pure” political repression more easily than hybrid persecution in economic packaging. If a matter concerns an opposition rally, publication, election or party activity, political character is often easier to detect. If instead the file concerns tax losses, shareholder conflict, procurement structures or laundering allegations, institutions tend to maintain for longer the initial presumption of ordinary criminality. This creates a structural advantage for abusive states or actors sophisticated enough to package pressure in financial language. ([Interpol](#))

The second weakness concerns fragmentation of protective regimes. INTERPOL looks at compliance of data processing; an extradition court looks at extradition legality and risk; an asylum authority looks at protection needs; banks look at AML and compliance exposure; UN mechanisms look at arbitrary detention, judicial independence or retaliation. None of these institutions automatically sees the entire picture. A person who is in fact subjected to one integrated architecture of pressure must therefore prove the same hybrid mechanism in several legal languages across several procedures at once. This is precisely where a coordinated defense model becomes necessary. ([Interpol](#))

The third weakness lies in excessive respect for the formal existence of criminal process and insufficient attention to institutional capture. If a national file contains warrants, charges, court decisions and financial summaries, international bodies may treat that as a sufficient indication of ordinary legality. But international standards of fair trial and judicial independence exist precisely because formal documents do not guarantee absence of political interference. In politico-economic persecution cases, documentary density is often part of the disguise rather than a rebuttal of abuse. ([OHCHR](#))

8. Practical Guidance / Practical Recommendations and Model of Legal Action

The first step is internal requalification of the case within the defense strategy. One should abandon the question “is this case political or economic?” and replace it with the question “how is the economic qualification being used within the architecture of pressure?” This avoids false binary logic and immediately allows construction of an argument map around motive, function, beneficiaries, disproportionality, alternatives deliberately avoided and international misuse. ([Interpol](#))

The second step is evidentiary decomposition into three layers. The first layer is material economic facts: documents on transactions, corporate governance, tax findings, movement of assets, board decisions and comparable acts of other persons. The second layer is procedural anomaly: selective arrests, deviations from ordinary procedure, refusal to hear exculpatory evidence, pressure on defense, suspicious speed or suspicious delay. The third layer is contextual motive indicators, such as political conjuncture, corporate struggle, change of control, sanctions background, retaliation after dissent or refusal, and coordination with executive rhetoric. Only taken together do these layers demonstrate politico-economic persecution as a mechanism rather than a slogan. ([OHCHR](#))

The third step is forum-specific adaptation. For the CCF, the emphasis is on Article 3, Article 2, purpose of data, quality, due process and absence of genuine international police interest. For extradition, the emphasis is on fair-trial deficits, risk of arbitrary detention, abuse of prosecutorial power, possible ulterior purpose and proportionality. For the asylum and non-refoulement track, the emphasis is on the risk of persecution through criminal justice machinery. For banks and compliance counterparties, the emphasis is on politically exposed misuse risk, unreliable prosecutorial narrative and contested legitimacy of the charges. One factual body must be translated into several legal languages rather than narrated identically to everyone. ([Interpol](#))

The fourth step is procedural discipline. One must not exaggerate where one can prove; one must not replace analysis with moralism; one must not conceal inconvenient economic facts if they are real. In hybrid cases, credibility of the defense is itself a strategic asset. If counsel frankly acknowledges the existence of a complex financial background but shows how it was weaponized, the argument becomes much stronger than if the matter is portrayed as wholly invented. Institutions are far more willing to believe in abuse when they are not being asked to believe in a fairy tale. ([Interpol](#))

9. Policy Recommendations / Recommendations on Legal and Institutional Approach

First, INTERPOL and CCF practice would benefit from further development of published reasoning patterns specifically for politico-economic cases. The updated Repository of Practice already moves

in that direction by emphasizing context and predominant motive, but more visible guidance on hybrid economic-political files would increase predictability and reduce simplistic refusals based only on the formal label of the offence. ([Interpol](#))

Second, extradition and other international authorities should more consistently assess not only the existence of national procedural acts, but also the institutional integrity of the proceedings that produced them. The standards of Article 6 ECHR, Article 14 ICCPR, the Guidelines on the Role of Prosecutors and principles of judicial independence require a deeper inquiry than the mere fact of indictment. If criminal process is being used as a mechanism of displacement, retaliation or asset redistribution, international cooperation should not automatically legitimize its consequences. ([OHCHR](#))

Third, the human-rights and advocacy community should consolidate a working doctrine of hybrid persecution analysis. Such a doctrine should proceed on the basis that economic allegations may be partly real, yet still be functionally abusive when deployed through selective enforcement, captured institutions and ulterior political or corporate purpose. The value of such a doctrine is that it frees defense from the sterile choice between “absolute innocence” and “ordinary economic criminality” and returns attention to the legal function of the prosecution. ([Interpol](#))

10. Conclusion

Politico-economic persecution is one of the most difficult and practically significant categories of transnational defense precisely because it destroys simple classifications. Economic qualification does not exclude political motive. Political motive does not eliminate the existence of factual financial material. The decisive question is whether criminal prosecution serves good-faith justice or is used as an instrument of pressure, redistribution of control, neutralization of the person and international coercion. Updated INTERPOL practice, international fair-trial standards and UN guidance all support a contextual rather than purely formal approach to that assessment. ([Interpol](#))

For ARGAs, the implication is straightforward. Strong defense in such cases is not built on a romantic opposition of “politics versus economics,” but on precise demonstration of how an economic accusation becomes the procedural carrier of an inadmissible purpose. Only such analysis can simultaneously strengthen the position before the CCF, in extradition, in the asylum track, in international notifications and within the compliance perimeter. Everything else is either undercooked rhetoric or an expensive luxury of misqualification. ([Interpol](#))

11. Appendix A. Terminology

Politico-economic persecution. A working category for cases in which economic or financial qualification is used as a shell for politically, corporately or institutionally motivated pressure that exceeds good-faith criminal prosecution. It is based on contextual analysis rather than the formal title of the offence. ([Interpol](#))

Predominant motive. The leading motive of the prosecution, identified through the totality of indicators including the status of the person concerned, timing, institutional beneficiaries, selective enforcement and the surrounding context. In INTERPOL practice it is central to Article 3 analysis. ([Interpol](#))

Selective prosecution. Uneven application of criminal law to one subject in the absence of comparable reaction to analogous conduct by others, or under conditions of clear enforcement asymmetry. It relates to standards of equality, impartiality and abuse of prosecutorial discretion. ([OHCHR](#))

Abuse of process. Use of criminal proceedings for purposes incompatible with good-faith administration of justice, including pressure, retaliation, coercion, leverage in corporate conflict or political neutralization. It is linked to due process and fair-trial standards. ([OHCHR](#))

Institutional capture. A condition in which the court, prosecution, investigators or other enforcement structures are subject to such a level of political, corporate or administrative influence that formal procedure no longer guarantees independence and impartiality. ([Spcomm Reports](#))

12. Appendix B. Risk / Powers / Legal Consequences Matrix

Task	Legal risk	Legal limit	Possible consequence	Practical comment
Qualify the case for the CCF	Calling an economic case “political” without contextual basis	Article 3 assessment is not contextual, declarative	Refusal or weak review	What is needed is motive evidence, not slogans
Defend only on bookkeeping and transactions	Missing the hidden function of the prosecution	Economic detail does not cancel abuse analysis	The case will be seen as ordinary criminality	Always prove motive, selectivity and beneficiaries separately
Ignore fair-trial institutions	Narrowing the dispute to INTERPOL alone	ECHR and ICCPR standards matter for broader defense	Weak extradition and international notification strategy	Build one package for CCF, extradition, UN and asylum
Exaggerate political motive and deny all financial facts	Loss of credibility	Credibility and accuracy are procedural assets	The argument will appear manipulative	Acknowledge the difficult factual matrix, then show weaponization
Fail to collect comparators and timing evidence	Motive remains unproven	Political motive rarely appears directly	The case will look speculative	Pattern evidence often decides the outcome
Delay international steps until perfect proof exists	Loss of time under arrest or extradition risk	Protective mechanisms move at different speeds	Detention, surrender, banking restrictions	A phased and parallel defense is necessary
Fail to adapt the argument to different forums	One text will not work everywhere	Each forum has its own legal test	Fragmented defense and procedural failure	Translate one factual core into several legal languages

([Interpol](#))

13. Official Sources

- INTERPOL, Repository of Practice on Articles 2 and 3, updated November 2024. A key source for understanding how INTERPOL assesses political character, predominant motive, context and human-rights implications in hybrid cases. ([Interpol](#))
- INTERPOL, published CCF decision excerpts and table of contents for 2025. Useful for identifying categories of reasoning relevant to due process, Article 3, quality of data, purpose and refugee-related analysis.

- European Convention on Human Rights. Core source for Articles 5 and 6 standards, including liberty, extradition-related detention and fair-trial guarantees. ([ECHR](#))
- OHCHR, Guidelines on the Role of Prosecutors. Important for evaluating selective prosecution, prosecutorial propriety and abuse of criminal process. ([OHCHR](#))
- UN Special Rapporteur on the independence of judges and lawyers, communication of 19 January 2026. A current source confirming the link between judicial independence, fair trial and freedom from executive interference under Article 14 ICCPR. ([Spcomm Reports](#))