



**Observatoire ARGA**

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## **INTERPOL REFUSAL PATTERNS**

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Anglet, 3 avril 2026

## **Purpose of the document:**

This report is prepared in order to systematize the recurring grounds on which requests for access, correction or deletion before INTERPOL and the Commission for the Control of INTERPOL's Files (CCF) do not lead to the result sought, and to develop a practical methodology for reducing the number of refusals and procedurally weak filings. The practical function of the document is to show that failure within the INTERPOL system does not arise only when a case is objectively weak, but also when the defense misclassifies the risk, substitutes general complaints about injustice for INTERPOL's own criteria, fails to structure evidence in accordance with published reasoning patterns, or ignores the distinction between the form of the offence, the purpose of the data, the lawfulness of proceedings, due process, refugee implications, family/private matter boundaries and genuine international police interest. For ARGAs, this analysis has immediate operational value because it allows defense work to move from reaction to managed strategy: not merely disputing refusal after the fact, but understanding in advance how it is generated and how it can be prevented. ([interpol.int](http://interpol.int))

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## 1. Executive Summary

In the post-reform environment, refusal within the INTERPOL system increasingly appears not as a direct rejection of human-rights argumentation, but as the result of a mismatch between what the applicant is trying to prove and what the CCF or the General Secretariat is actually examining. The published decision excerpts for 2018–2025 show a recurring set of tags around which outcomes are structured: purpose of the data, due process, lawfulness or validity of proceedings, description of criminal activities, political character, family or private matter, international interest and seriousness, accuracy and quality of data, refugee policy, ne bis in idem, extradition and misuse of INTERPOL channels. In other words, refusal within the INTERPOL system has a structural character: it often means not that the defense was “wrong to complain,” but that it litigated in the wrong language. ([Interpol](#))

The key practical conclusion is that refusal patterns must be understood not only as reasons for failure, but as a map for pre-filing diagnosis. If the defense does not first test whether there is a genuine international police interest, whether the alleged criminal activities are sufficiently described, whether the matter is in reality a family/private dispute, whether the data conflict with refugee policy, whether there is a serious due-process deficit, and whether the proceedings are lawfully valid at all, then a filing before the CCF becomes an expensive exercise in rhetoric. Rhetoric, in turn, tends to lose badly to procedure, especially where the procedure is fond of checklists. ([Interpol](#))

The CCF’s 2024 statistics confirm that the problem is not anecdotal. In 2024 the CCF closed 2,717 requests, a record number; among admissible requests, a substantial portion concerned notices and diffusions, and in 50 requests data were found non-compliant because of a total lack of cooperation from the source NCB. This means that part of the refusal problem is generated not only by weak applicants, but also by the limits of the institutional environment itself, in which the applicant depends on access to material, cooperation from the NCB and only partial public visibility of reasoning. Yet this is precisely why the quality of the initial filing becomes critical: the less transparent the system, the less room there is for crude improvisation. ([Interpol](#))

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

The topic of refusal patterns matters internationally because refusal within the INTERPOL system rarely ends within INTERPOL. If an applicant does not obtain deletion, correction or restriction of data, the consequences continue to operate through extradition proceedings, migration checks, border alerts, banking compliance, reputational screening and digital identity systems. A failed CCF outcome therefore often means not merely procedural disappointment, but the continued existence of transnational legal risk. In that sense, analysis of refusal causes forms part of broader defense architecture rather than a narrow technical discipline concerning one organization. ([Interpol](#))

Since the November 2024 update of the Repository of Practice and the further expansion of the public body of decision excerpts, it has become much clearer that INTERPOL expects parties not to submit general declarations, but legally precise answers to the question of compliance of data processing with Articles 2 and 3 of the Constitution and the Rules on the Processing of Data. INTERPOL itself states that the NDTF examines the status of the individual concerned, the general context of the case and relevant information from external sources when assessing notices and diffusions. Accordingly, any refusal, including de facto refusal produced by weak argumentation, must be analyzed through institutional tests rather than emotional dissatisfaction. ([Interpol](#))

For ARGA, the issue is fundamental for another reason as well. A significant number of applicants and representatives still proceed on the basis of an outdated assumption: if a case is unjust, INTERPOL should simply see that. Post-reform practice suggests the opposite. INTERPOL and the CCF see, above all, what has been translated into the vocabulary of their own criteria: purpose,

lawfulness, description, quality, Article 2, Article 3, refugee policy, seriousness, family/private matter and misuse. Failure often arises not because abuse does not exist, but because abuse was never integrated into the relevant legal matrix. ([Interpol](#))

### 3. Legal Framework / Normative and Institutional Framework

The normative foundation for analyzing refusal patterns consists of the Constitution of INTERPOL, especially Articles 2 and 3, the Rules on the Processing of Data, the Repository of Practice on Articles 2 and 3, and the statutory and procedural framework of the CCF. The RPD expressly require that, prior to any recording of data, the source authority ensure that the data are of interest for the purposes of international police cooperation. That already creates an important refusal axis: where a matter does not demonstrate a genuine international police interest, it is vulnerable from the outset regardless of how dramatic the domestic allegations may appear. ([Interpol](#))

The 2024 Repository of Practice is particularly important because it systematizes the operational understanding of Articles 2(1) and 3 and expressly presents itself as a living and dynamic document. It shows that INTERPOL assesses not only the formal classification of the offence, but also context, status of the person concerned, political environment, underlying dispute, predominant motive and compatibility with the spirit of the Universal Declaration of Human Rights. Refusal patterns in matters labelled as ordinary-law offences therefore cannot be analyzed by reference to the title of the domestic offence alone. ([Interpol](#))

The published decision excerpts perform a quasi-precedential role. Formally, INTERPOL emphasizes the confidentiality of decisions and publishes only anonymized excerpts; yet it is through the tags attached to those excerpts that recurring reasons for failure and success become visible. For example, 2025 Decision No. 2 concerning a Red Notice was found not compliant on the combined grounds of due process, lawfulness/validity of the proceedings and description of criminal activities. In 2025 Decision No. 1, the not-compliant outcome involved purpose, family matter, international interest/seriousness and ne bis in idem. In 2023 excerpts, non-compliance appeared in matters involving diffusion and extradition issues, refugee policy, description of criminal activities and due process. These are no longer isolated episodes, but a stable map of causation. ([Interpol](#))

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

The first refusal mechanism lies in misidentifying the task itself. Applicants often approach the CCF as though it were a general tribunal of justice charged with correcting every domestic injustice. But the CCF does not annul national cases and does not issue free-standing political or legal assessments beyond its mandate. Where a request is structured as a complaint against the national prosecution as a whole, without linking that grievance to the compliance of data processing, it falls outside the functional core of the CCF and becomes structurally weak. The CCF's 2024 Annual Activity Report expressly notes that some "other requests" extended beyond its mandate, such as requests for cancellation of national proceedings. One of the classic refusal patterns is therefore simple: asking for what the body is not empowered to give. ([Interpol](#))

The second mechanism concerns underestimation of the purpose of the data. Published excerpts repeatedly show that even where criminal proceedings formally exist, the decisive issue may be whether INTERPOL channels are being used for a legitimate international police purpose. If a deletion request fails to demonstrate that the data serve an ulterior, improper or non-policing function and confines itself to saying that the case is fabricated, it misses one of the most productive arguments available. Purpose often distinguishes a harsh criminal file from a file that should not be internationally circulated. ([Interpol](#))

The third mechanism manifests through weak work on validity and lawfulness of proceedings. In 2025 Decision Excerpt No. 2, the fact that the proceedings allegedly arose from administrative and tax-law violations was relevant to the question whether INTERPOL channels were validly used at all. This shows that refusal patterns frequently form around defects in the domestic process as the source of the data. But for this argument to work, the defense must do more than allege illegality in the abstract; it must show why the domestic proceedings are insufficiently valid, sufficiently defective or mischaracterized for the purposes of international circulation. ([Interpol](#))

The fourth mechanism concerns the description of criminal activities. This tag appears in the excerpts with striking regularity. The reason is fairly mundane: INTERPOL is not obliged to become a warehouse for poorly framed domestic narratives. Where the factual description is vague, conclusory, internally inconsistent or insufficiently linked to recognizable criminal conduct, the data become vulnerable. A poor description does not necessarily prove innocence. It often does, however, demonstrate that organization-wide circulation of the data is incompatible with standards of quality and lawful police cooperation. ([Interpol](#))

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

The first typical refusal scenario appears in politically or corporately sensitive cases where the defense relies entirely on Article 3 rhetoric but fails to prove contextual mechanics. The Repository of Practice shows that assessment of political character is contextual and multifactorial. Mere assertion of political motivation, without demonstrating the status of the person, the surrounding events, the predominant motive, the prosecutorial pattern and the actual purpose of circulation, often leads not to success but to non-persuasiveness. Refusal here is generated by overstatement without structure. ([Interpol](#))

The second typical scenario concerns private or family matters that are artificially converted into international police business. The 2025 and 2024 decision excerpts show that family matter, purpose and seriousness are recurring axes of non-compliance. This means that even where a national process exists or an offence has been formally classified, INTERPOL still asks whether international resources are being used to exert pressure in a dispute that does not truly belong within the sphere of genuine international criminal cooperation. A defense team that ignores this angle often overlooks an obvious refusal pattern. ([Interpol](#))

The third scenario concerns refugee and asylum situations. INTERPOL's 2017 Refugee Resolution and related policy framework require specific caution where refugee or asylum-seeker status has been confirmed by another country. Published excerpts show non-compliant outcomes where refugee policy intersects with extradition, due process and description defects. This means that refusal patterns in international-protection cases often arise not from the refugee label alone, but from its interaction with broader defects in prosecution and circulation. The common defense mistake is either to overestimate refugee status as automatically decisive or to fail to integrate it into the compliance logic at all. ([Interpol](#))

The fourth scenario concerns diffusions. The 2024 Annual Activity Report states that among admissible access or deletion requests involving applicants actually subject to data, 29 percent concerned diffusions while 59 percent concerned notices. This is practically important: refusal patterns cannot be analyzed solely through public Red Notices because a substantial portion of the problem lives in less visible data categories. Where the defense focuses only on the red notice, it may already be losing before the argument begins, simply because it is not challenging the full architecture of processing. ([Interpol](#))

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

The first risk lies in confusing refusal with non-compliance. Psychologically, everything looks the same to the applicant: the desired result was not achieved. Legally, however, one must distinguish between cases in which data are found compliant, cases in which an update is allowed, cases in which conditions for revision are not met, cases that fall outside the mandate, and cases where the arguments simply failed to engage the relevant compliance test. Without that distinction, the defense starts treating the wrong disease and repeats the same mistake in the next filing. ([Interpol](#))

The second risk is copy-paste advocacy. Because the CCF publishes only anonymized excerpts rather than a full public jurisprudence, representatives are tempted to build universal templates around a few familiar arguments: Article 3, due process, asylum, unfair trial. But the published excerpts show much more granular reasoning. Two cases with a political background may diverge in outcome simply because one turns on poor description of criminal activities while the other turns on purpose or seriousness. In this environment, a universal template is almost always too blunt an instrument. ([Interpol](#))

The third risk is dependence on cooperation of the source NCB. The 2024 Annual Activity Report indicates that in 50 requests data were found non-compliant because of a total lack of cooperation from the source NCB. At first glance this looks favorable to applicants. Institutionally, however, it reveals the fragility of the process: the outcome may depend not only on merits, but on whether the source interacts with the review mechanism at all. The defense cannot treat such a result as a strategy; it must prepare the case as though cooperation will occur and the arguments will have to stand independently. ([Interpol](#))

The fourth risk concerns time and backlog. Even with record closure numbers in 2024, the CCF remains a high-volume body processing thousands of requests. This means that a weak initial filing not only increases the chance of failure, but also lengthens the exposure window during which the person remains subject to arrest, screening or reputational harm. Refusal patterns therefore have a temporal dimension: poor argument does not merely lose, it also makes the applicant pay in time. ([Interpol](#))

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

The first systemic weakness is that transparency remains structured but incomplete. INTERPOL has published a richer Repository of Practice and more decision excerpts, which is a genuine advance. But because full decisions remain confidential, applicants still see categories of reasoning rather than the full architecture of assessment. That is useful, but insufficient for true foreseeability. In such a system, refusal patterns are studied by silhouette rather than by blueprint. Unsurprisingly, many still miss the target. ([Interpol](#))

The second weakness is that the line between compliance review and broader justice assessment remains difficult for applicants to internalize. The CCF is bound to work within its mandate and not to function as a supranational appellate court over domestic prosecutions. But for persons subjected to intense transnational pressure, that distinction naturally appears artificial: for them, data processing and real-world coercion are inseparable. Institutional design itself therefore contributes to refusal patterns by forcing applicants to translate lived persecution into a narrower compliance vocabulary. ([Interpol](#))

The third weakness concerns fragmentation of remedies. INTERPOL review, extradition litigation, asylum protection, UN urgent appeals and bank compliance reviews all speak different legal dialects. When an applicant receives a negative outcome in one link of the chain and then mechanically carries its logic into another, refusal patterns multiply across systems. The institutional lesson is therefore

that the problem often lies not only in a weak case, but in the absence of unified strategic translation across forums. ([Interpol](#))

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

The first practical step is refusal pre-mapping. Before filing, counsel should directly test at least eight axes: purpose, lawfulness/validity, description of criminal activities, quality/accuracy, Article 2 issues, Article 3 issues, refugee/private-family implications, and international interest/seriousness. If the defense cannot formulate a concrete argument on at least several of these axes, the filing is probably underdeveloped. The exercise is tedious, bureaucratic and offensively useful, which is of course why people try to skip it. ([Interpol](#))

The second step is disentangling the ask. It is necessary to separate clearly what the applicant wants from a national court from what is being requested from the CCF. If the request is in substance asking the CCF to declare the domestic case unlawful and terminate the prosecution, it is weakened at the point of entry. Before the CCF, the request must be framed in terms of access, correction, deletion, restriction, or findings of non-compliance in relation to INTERPOL data. Everything else can and should be used as supporting context, but not as the operative prayer for relief. ([Interpol](#))

The third step is evidence architecture. Materials should be organized not by the principle of “everything we have,” but by the principle of “what proves a specific compliance defect.” A court decision may prove a lawfulness defect; an asylum decision may prove a refugee policy issue; procedural chronology may prove lack of extradition follow-through; a corporate file may prove private matter or ulterior purpose; media and political context may support Article 3. Once each document is assigned a function, the request becomes a legal instrument rather than a warehouse of PDFs. ([Interpol](#))

The fourth step is parallel strategy. Even a perfectly prepared request should not be treated as a stand-alone solution. While the CCF considers the matter, extradition defense, asylum/non-refoulement arguments where relevant, reputational management and compliance communications should already be in motion if the case affects banking or mobility. Refusal patterns therefore need to be managed ex ante, not merely appealed ex post. ([Interpol](#))

#### 9. Policy Recommendations / Recommendations on Legal and Institutional Approach

First, INTERPOL and the CCF should continue expanding the public reasoning base, especially around recurrent refusal patterns. The decision-excerpt tags already provide useful information, but fuller publication of reasoning on why requests fail would improve the quality of advocacy and reduce mandate-confused filings. This would serve not only applicants, but the system itself: the better parties understand the legal tests, the fewer noise-heavy requests the institution will receive. ([Interpol](#))

Second, legal practice around INTERPOL should move from grievance drafting to compliance drafting. This means abandoning the style of “everything is unjust” in favor of question-specific argument. For ARGAs and similar actors, the lesson is plain: a strong filing is one that anticipates the refusal pattern before the institution has to point it out. Otherwise, the defense is effectively outsourcing its own primary analytical work to the CCF. Given the scale of its workload, that is an unusually optimistic form of delegation. ([Interpol](#))

Third, international advocates and human-rights teams should institutionalize refusal audits after every adverse outcome. An unsuccessful result should be broken down by defect type: weak purpose analysis, underdeveloped Article 3 context, insufficient detail of criminal activities, lack of refugee integration, mandate confusion, evidence mismatch or procedural timing problem. Only in this way do refusal patterns become not repeated defeat, but accumulated professional precision. ([Interpol](#))

## 10. Conclusion

INTERPOL refusal patterns are not a random collection of disappointments, but a relatively stable institutional logic. Published materials show that outcomes repeatedly turn on a limited but sophisticated set of criteria: purpose, due process, lawfulness, description, quality, Article 2, Article 3, refugee policy, seriousness, private/family matter boundaries and international police interest. High-quality defense must therefore proceed not from mere confidence in one's substantive rightness, but from the ability to translate that rightness into the relevant compliance test. ([Interpol](#))

For ARGA, the principal lesson is practical and rather unforgiving. Most refusals do not appear out of nowhere. They mature inside the structure of the request itself: in misqualification, in an undisciplined prayer for relief, in poorly arranged evidence, in formulaic reliance on Article 3, in underestimation of purpose and description tests, in neglect of private/family or refugee dimensions, and in the mistaken idea that the CCF is a world court for every species of injustice. Understanding refusal patterns is therefore not post-mortem commentary. It is preventive defense. ([Interpol](#))

## 11. Appendix A. Terminology

**Refusal pattern.** A recurring type of procedural failure or adverse outcome arising from a mismatch between the applicant's argument and the criteria of compliance review within INTERPOL. Identified through decision excerpts, annual reports and practice materials. ([Interpol](#))

**Purpose of the data.** A criterion for assessing whether data within the INTERPOL system serve a genuine purpose of international police cooperation or an ulterior, improper or non-policing objective. ([Interpol](#))

**Lawfulness/Validity of proceedings.** An assessment of whether domestic proceedings can serve as an adequate source for international circulation of data, or whether their defects undermine that use. ([Interpol](#))

**Description of criminal activities.** The requirement that alleged criminal conduct be described with sufficient clarity, specificity and recognizable legal substance for the purposes of international police cooperation. ([Interpol](#))

**Mandate confusion.** A situation in which the applicant asks the CCF for an outcome beyond its mandate, for example direct cancellation of domestic proceedings instead of a compliance finding regarding INTERPOL data. ([Interpol](#))

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

| <b>Task</b>                      | <b>Legal risk</b>  | <b>Legal limit</b>   | <b>Possible consequence</b>                              | <b>Practical comment</b>   |
|----------------------------------|--|--|--|--|
| File a request with the CCF      | Asking for cancellation of the domestic case instead of review of data | The CCF reviews INTERPOL data, not domestic prosecutions as such | Request outside mandate or structurally weak outcome     | Frame the ask only in terms of access/correction/deletion/compliance |
| Build the case only on Article 3 | Failure to show context, motive, status and purpose                    | Political character test is contextual                           | Refusal or compliant finding despite political suspicion | A multi-factor Article 3 analysis is required                        |

|   |  |   |   |   |
|---|--|---|---|---|
| Ignore purpose                                  | Failure to prove improper use of channels    | Data must serve a genuine international police interest | Weak request even if the prosecution seems unfair | Purpose often decides close cases             |
| Ignore description defects                      | Leaving vague allegations unchallenged       | Criminal activities must be sufficiently described      | Data remain in circulation                        | Test factual specificity line by line         |
| Fail to integrate refugee/private-family issues | Missing a separate deletion or refusal route | INTERPOL policies treat these categories specially      | Loss of a strong argument                         | Always assess ancillary protective categories |
| Rely on templates                               | Missing the actual compliance test           | Published reasoning is granular                         | Repeated adverse outcomes                         | Conduct refusal pre-mapping before filing     |
| Wait only for the CCF outcome                   | Losing time under extradition or arrest risk | Remedies are fragmented and time-sensitive              | Real harm before any decision is issued           | A parallel multilevel defense is required     |

[\(Interpol\)](#)

13. Official Sources

- INTERPOL, Repository of Practice on Articles 2 and 3, updated November 2024. The principal source for understanding how INTERPOL operationalizes Articles 2(1) and 3 and how context, status, motive and surrounding facts affect compliance review. ([Interpol](#))
- INTERPOL, CCF Decision Excerpts, Table of Contents 2025. A key source for identifying recurring categories of reasoning and refusal patterns, including due process, purpose, lawfulness, description, refugee policy, seriousness and family matter. ([Interpol](#))
- INTERPOL, 2024 Annual Activity Report of the CCF. Important for statistics on workload, the distribution of notices and diffusions, out-of-mandate request patterns and non-compliance findings linked to lack of NCB cooperation. ([Interpol](#))
- INTERPOL, Compliance and review - Notices. Official explanation of how the NDTF reviews notices and diffusions using Articles 2 and 3, external information and contextual analysis. ([Interpol](#))
- INTERPOL Refugee Resolution and related policy page. Material for cases in which refusal or deletion analysis intersects with refugee or asylum-seeker status and misuse concerns. ([Interpol](#))