



Observatoire ARGA

INTERNATIONAL ANALYTICAL REPORT

D-03. Life After Deletion of INTERPOL Data

National Records, SIS and Legal Remedies

Author:

Sergey Khrabrykh - President of ARGA, PhD

Organization: Observatoire ARGA

Correspondence: 21 rue de l'Aviation, 64600 Anglet, France

Contact: info@argaobservatory.org, +33 7 58 49 62 27

Website: www.argaobservatory.org

23 September 2026

Contents

1. Executive summary	3
2. Subject, method and research limitations	3
3. The legal meaning of deletion	4
4. How deletion is communicated through INTERPOL channels	5
5. A typology of residual records	6
6. Evidence: linking confirmation of deletion to a national consequence	7
7. National law enforcement processing in the EU	8
8. SIS: an independent alert and state responsibility	9
9. Access, rectification and remedies in SIS	10
10. The Court of Justice: WS and the limits of data retention	11
11. France: access to closed files and judicial review	12
12. Germany and Europol: different recipients and outcomes	13
13. Remedies and the formulation of requests	14
14. Travel after deletion: the limits of certainty	15
15. Analytical scenarios	15
16. Counterarguments and risks of the proposed model	17
17. ARGAs proposals and criteria for completing the work	18
18. Conclusions	19
19. Sources and reference apparatus	20

Source cut-off: 23 September 2026. Keywords: INTERPOL; CCF; data deletion; national police files; SIS; Europol; rectification; restriction of processing; judicial protection.

1. Executive summary

Deletion of data from the INTERPOL Information System brings a particular international police cooperation operation to an end. It is not a universal decision terminating domestic criminal proceedings, cancelling a warrant, lifting an entry ban or destroying every copy previously received. At the same time, a national authority cannot treat the former international status as unchanged merely because the information once arrived through an official channel. The central question after deletion is not simply whether a name remains in a database, but whether a particular use of a particular record is lawful at the relevant time.

This report distinguishes four situations: an outdated reproduction of a discontinued status; an independent national measure; a historical record retained for a limited purpose; and mistaken identification of different individuals. Each requires its own evidence and remedy. This classification is ARGAs analytical model, not an official INTERPOL classification. Its purpose is to make the subject of a request verifiable and to avoid seeking action that the recipient has no power to take.

INTERPOL officially describes notifications to countries concerning deletion and the need to update national databases. However, confirmation that a notification was sent does not itself prove that every national recipient has already amended every related record. Nor does a subsequent additional border check prove the opposite: it may have another basis. Any gap between notification and confirmed implementation must be established through documents rather than assumed. [1]

In the European context, the separate regimes governing national law enforcement processing, the Schengen Information System (SIS) and Europol are particularly important. Their rules allocate responsibility among different authorities. A CCF decision should be presented as significant evidence that the underlying information has changed; a specific request for rectification, erasure or restriction of processing must be linked to the rules of the system in which the disputed record remains. [2; 4-7]

The practical outcome must be described precisely: which information was corrected, which action ceased, who was notified and what remains unknown. A statement that a person is “no longer wanted anywhere in the world” exceeds the available evidence. This report contains no statistics on residual records, claims no measured effectiveness for its proposed approach and does not describe ARGAs client cases. Judicial examples are used only within the scope of the issues actually decided by the court.

2. Subject, method and research limitations

2.1. Research framework

The report examines the period following confirmed deletion of INTERPOL data, when an individual seeks to address consequences arising in other information and legal systems. Its main focus is national police files, SIS and selected Europol procedures. France and Germany are considered as limited examples of routes to protection, not as a representative sample of European practice. For jurisdictions outside this framework, the report offers a method for identifying the relevant questions, without extending European deadlines or remedies to them.

The analysis consistently separates five objects: the underlying information; the international communication; the national record; the legal instrument authorising action; and the action itself. A matching surname and account of allegations do not establish that these objects are legally identical. A national record may reproduce a notice or refer to a separate order. A single arrest may generate several documents, only one of which records the immediate legal basis for restricting liberty.

2.2. Hierarchy of evidence

The first group of sources comprises INTERPOL and EU legal instruments. The second comprises judgments and official judicial summaries; summaries are not used to support conclusions absent from the accessible text. The third comprises official descriptions of administrative procedures. A public guide can help identify the recipient of a request, but does not replace legislation or establish actual implementation in a particular case. Outdated guidance has been excluded from the basis for current deadlines.

Some repeat requests to EUR-Lex returned technical pages instead of substantive text; the relevant propositions were checked against accessible official texts and indexed official extracts. No exhaustive article-by-article review of all national regimes is claimed.

2.3. Matters outside the report's scope

Commercial screening databases, banking decisions and private aggregators belong to report D-04 and are not examined substantively here. Extradition and immigration proceedings are discussed only insofar as they relate to information records. The report does not replace verification of a specific national warrant and is not an authorisation to travel. The absence of an open dataset of individual cases prevents measurement of the frequency of violations, the duration of delays or the probability of renewed arrest.

3. The legal meaning of deletion

3.1. The decision and its subject matter

The first document to examine after a favourable outcome is the operative part of the decision or the official confirmation of deletion. It is important to establish whether it concerns a particular notice, a specified dataset, the basis for processing or all data within the identified proceedings. The scope of the decision cannot automatically be extended to every possible record concerning the individual. Equally, it should not be reduced to the disappearance of a public webpage where the document requires broader deletion.

The CCF Statute distinguishes consideration of data in the INTERPOL system from domestic criminal proceedings. The Commission's decisions are binding on the Organisation within its competence; this does not confer power to set aside national court decisions. The legal force of a decision and its evidential significance outside INTERPOL are therefore related but distinct questions. [2, Articles 33(4), 38-41]

The reason for deletion matters to a subsequent request. A finding that processing is incompatible with the Organisation's rules, withdrawal by the source and expiry of a retention period may produce the same visible result, but do not convey the same information about the quality of the allegations. Without the decision, the most favourable explanation cannot simply be selected. If only part of the

reasoning is available, a national submission should identify the known outcome and the limits of what is known about its reasons.

3.2. Deletion, blocking and absence from public view

Temporary restrictions on access during a review should not be described as final deletion. Likewise, an individual's absence from INTERPOL's public search does not prove the absence of non-public data. In practical terms, an official communication addressed to the individual, dated and identifying its subject matter, is a more reliable basis than a saved web-search result. The latter may establish only the state of a particular public interface at a particular moment.

The outcome must be described without recasting its criminal-law significance: “the data were deleted from the specified system” is not equivalent to “the allegations were found to be false” or “the individual was acquitted”. The opposite proposition, that “deletion changes nothing”, is also legally inaccurate. If a national record indicated that an international notice was active, a change in that status becomes a circumstance requiring assessment. The dispute moves to the current basis for, and permissible use of, the national data.

The author's conclusion is that confirmation of deletion should be treated as the starting point for further review. It is sufficiently significant to prompt examination of derivative information, but will generally be insufficient to establish the fate of every independent national measure. Documents terminating proceedings, cancelling a warrant or recording another procedural outcome must therefore be analysed separately.

4. How deletion is communicated through INTERPOL channels

4.1. Notification and implementation

According to INTERPOL's official description, a Red Notice deleted by the General Secretariat is immediately removed from the Organisation's database; deletion notifications are sent to countries every 24 hours. CCF deletion decisions are communicated to countries weekly, advising them to update national databases. A confirming certificate may be issued in certain circumstances; if travel difficulties subsequently arise, the Organisation may remind the country concerned to update its records. This describes an established process, not a published audit of each country's implementation. [1]

For research purposes, four dates must be distinguished: adoption of the decision, implementation within INTERPOL, transmission of the notification and amendment of the national record. They answer different questions. Even a precise first date does not establish the last. If an authority says that “the information has been updated”, it is useful to clarify whether this concerns the central system, a local copy, a particular police file or merely forwarding the request to another unit.

4.2. Rules on copies

Article 51 of the RPD regulates deletion by purpose and the treatment of copies within the INTERPOL Information System. Retention for a separate purpose is subject to specified conditions. Articles 52-53 permit particular forms of limited retention; they do not create a general entitlement to continue an active search after deletion. Article 52, in particular, prohibits temporary retention of criminal history where the person has been cleared of the charges that led to the original recording, and requires historical information to be distinguished from an active request. [3]

Separately, Article 56 of the RPD establishes conditions for regulated downloads: updates, including deletions, at least weekly, and a maximum relevant retention period of six months. These parameters cannot be applied to every national record: it must first be established that the operation is a download of this kind. Articles 62-63 require checks on the suitability and currency of data; the verification rule preceding coercive measures contains a qualification concerning national law and treaties. [3]

The practical question is therefore functional: does the recipient hold a technical copy of an international communication, or an independent record for another purpose? In the latter case, the independent basis should be identified; in the former, the question is why the update has not been reflected in the current status. The word “archive” alone answers neither question. What matters is whether the remaining record permits operational action and who can access its former status.

5. A typology of residual records

5.1. An outdated copy

The most obvious analytical hypothesis is that a record continues to describe a notice as active after it has been deleted. Verification requires the identifier of the original communication, the date of the national response and the exact wording of the status. If the response refers only to the historical receipt of information, the hypothesis is not yet established. The error arises where a past communication is presented as the current basis for action today.

A rectification request in this situation should identify the specific discrepancy. A demand to “clear all databases” does not explain which record is inaccurate. A more precise subject is ending the reproduction of an active international status and checking related fields that trigger action. The author's recommendation is to separate rectification of status from the lawfulness of continued retention of historical materials.

5.2. An independent national basis

The second hypothesis is that the authority is acting on its own warrant, an extradition request or another measure not cancelled by the CCF decision. Merely repeating the argument about INTERPOL deletion does not resolve that dispute. It is necessary to determine whether the national measure concerns the same acts, who adopted it, whether it can be challenged in the proceedings concerned and which new circumstances are relevant. The independence of that basis must be documented; it cannot be presumed in the authority's favour.

5.3. Historical traces and mistaken identity

The third hypothesis is that information remains showing that a communication previously existed. A historically accurate record can become misleading if it omits the date of deletion and limits on further use. The entire context must therefore be assessed: purpose, access, duration, annotations and actual use. A record of a complaint or implementation of a decision may, conversely, help prevent a repeated error.

The fourth hypothesis concerns a matching name, incorrect transliteration or confused identifiers. The dispute then concerns not only the status of the original communication, but also the connection between the record and the particular person. Deletion of a record about one individual does not establish that a later check using another identifier concerns the same dataset. A comparison of the minimum necessary identifying information is required, with due protection for confidentiality.

These four hypotheses may overlap. For example, a national file can contain both a valid warrant and an outdated reference to INTERPOL. Correcting the latter does not automatically extinguish the former, but makes the basis for a subsequent decision clearer. The model is diagnostic; the frequency of each situation has not been established from the available sources.

6. Evidence: linking confirmation of deletion to a national consequence

6.1. A minimum documentary record

A working file should be organised around a chronology. It begins with proof of identity and the representative's authority. This is followed by the CCF decision or General Secretariat communication identifying the subject of deletion. Next come documents concerning the national action: an official record, written refusal, access response, judgment or other official confirmation. Each level of documentation should answer its own question rather than substitute for the others.

Matching reference numbers, dates, accounts of the acts and identification of the source can help connect two events. A matching surname is insufficient. If the primary document is unavailable, this should be recorded as a gap rather than filled with an assumption about its contents. The request may ask the authority or supervisory body to verify the connection without fully disclosing protected information. Refusal to disclose material does not turn the applicant's hypothesis into an established fact, but neither does it exclude independent verification.

6.2. Causation

The sequence “deletion - travel - arrest” establishes a temporal connection. To assert that arrest was caused by an uncorrected copy, evidence of its basis is needed. Alternatives include a new request, a separate national measure, mistaken identity or other proceedings. Responsible research must test these alternatives even where they weaken the initial account.

A practical file should distinguish established facts, the individual's statements and the representative's inferences. For example, presentation of a passport may be established by one document; an account of an officer's words by the participant's statement; and a conclusion about a specific database only by additional supporting material. This structure helps the court identify the dispute and reduces the risk of rejection because the claim is excessively broad or speculative.

6.3. Preserving evidence without excessive dissemination

Erasure of an erroneous operational record and preservation of evidence of the error can be compatible where the materials serve different purposes and have different access arrangements. Before seeking erasure, it is sensible to preserve lawfully obtained responses and document versions needed to protect the individual's rights. This is the author's recommendation for managing a file, not permission to obtain closed data or circumvent access restrictions.

The package for each recipient should be sufficient, rather than maximal. A national authority checking a particular identifier does not necessarily need the complete body of asylum information or third-party details. Removing irrelevant materials makes causation easier to examine. A control table linking each document to the fact it establishes and the limits of that inference is more useful than an unstructured archive, even where the latter is much larger.

7. National law enforcement processing in the EU

7.1. Selecting the applicable regime

Processing by public authorities is not invariably governed by the same instrument. For law enforcement purposes within Directive (EU) 2016/680, national implementing provisions are relevant; the GDPR does not replace that special regime. Applicability to other purposes must be determined separately. The institution's name alone does not decide the question: its capacity and the task for which it uses the information must be established. [5; 6]

Article 16 of the Directive provides for correction of inaccuracies, erasure of unlawfully processed data and, in specified cases, restriction of processing instead of erasure. These include an unresolved dispute over accuracy and the need to preserve data for evidential purposes. Rectification, erasure or restriction entails notification to recipients and corresponding action concerning data under their responsibility. Article 17 preserves a role for the supervisory authority where disclosure is restricted. [5, Articles 16-17]

7.2. Presenting the issue to the controller

A national request should identify the suspected processing and explain why the change within INTERPOL affects its permissibility. If inaccuracy is alleged, the erroneous field or conclusion must be identified. If the purpose of retention is disputed, the original purpose should be distinguished from the current one. If restriction is sought, the request should explain which further use creates a risk pending resolution of the dispute.

A useful sequence for the recipient's assessment is: confirm the applicable regime; check the source and current status; determine whether an independent basis exists; select the legal consequence; and address notification of recipients. This is a structure for argument, not a legally prescribed uniform form. A response referring only to the general interest in combating crime leaves unanswered whether this particular record is necessary for this particular purpose.

7.3. Avoiding indefinite restriction as a substitute for erasure

Restriction of processing can protect an individual while accuracy is investigated, but should not automatically be treated as final resolution. It is necessary to understand what is prohibited: viewing, disclosure, automated matching or use for a coercive measure. If restrictions appear only in an explanatory letter while the operational interface continues to display the former status, the legal and practical outcomes may diverge.

Conversely, a demand for immediate destruction of all materials may make an earlier violation harder to prove. The proposed model therefore treats operational data separately from materials used to review lawfulness. Any such separation must have a basis in the applicable law; it cannot be inferred solely from administrative or applicant convenience. The final response should be assessed by the clarity of its purpose, regime and arrangements for further review, rather than by its use of the word “closed”.

8. SIS: an independent alert and state responsibility

8.1. Why SIS is not an INTERPOL copy

The Schengen Information System has its own alert categories and legal bases. Regulation (EU) 2018/1862 applies to police and judicial cooperation; Article 26 regulates alerts on persons wanted for arrest for surrender or extradition. Deletion of an international communication does not itself establish whether a SIS alert exists or which category it falls within. [4]

In practice, an officer's oral reference to a person being “wanted” is too imprecise. It does not distinguish SIS from a national list or another cooperation channel. Before disputing a retention period or identifying the complaint recipient, it is necessary to establish the system, the issuing state and the action sought by the alert. Otherwise, the legal argument may concern the wrong object even where the underlying allegations are the same.

8.2. Who can amend an alert

Article 59 makes the issuing state responsible for data quality and lawfulness and reserves to it the power to amend or delete the data. Another state with evidence of inaccuracy or unlawful storage must communicate it through the exchange of supplementary information as soon as possible and within two working days. This is a deadline for interstate communication after the relevant evidence comes to its attention, not a universal deadline for responding to the individual. [4, Article 59]

A practical inference follows: a request in the state where the problem was discovered can matter even if that state did not issue the alert. The request must, however, reflect the division of roles. It can seek verification, initiation of the prescribed exchange and appropriate review; it cannot assume that any officer in any country may unilaterally delete another state's alert. Equally, SIRENE's role in information exchange should not be confused with a court's power to set aside a national measure.

8.3. Copies, supplementary information and independent files

Deletion of the alert, supplementary SIRENE materials and a national case file are separate matters. Article 64 sets a limit of up to one year after deletion of the associated alert for certain supplementary information, while preserving a qualification concerning particular national files governed by national law. [4, Article 64] Neither SIS deletion nor that one-year limit therefore establishes a universal date for destruction of the entire case history.

The author's conclusion is that review should address not only the alert's existence, but also the remaining material's capacity to initiate the former action. If a national file lawfully documents a past check, its existence is not equivalent to a continuing SIS alert. If it is used as an active substitute for a deleted alert, separate questions of legal basis and accuracy arise. That assessment requires information about the record's actual function, not merely its name.

9. Access, rectification and remedies in SIS

9.1. The content of a request

Article 67 of Regulation 2018/1862 provides for the exercise of access, rectification and erasure rights, subject to possible restrictions on disclosure. Where another state handles the request, the issuing state must be given an opportunity to state its position. Restricted access does not remove supervisory review. Article 68 provides remedies through competent authorities, including courts, under national law, and mutual enforcement of final decisions. [4]

The proposed request has two components: establishing the content of processing that may be disclosed, and remedying a specific violation. Separating them is useful where an authority cannot reveal full details but can verify currency and lawfulness. A request that, “if direct disclosure is restricted, verification be undertaken through the prescribed procedure” remains precise without assuming an unconditional right to obtain closed material.

9.2. Keeping procedural deadlines separate

Under Article 67(4), information about the follow-up to the exercise of rights must be provided within the deadlines referred to in Article 12(3) of the GDPR: ordinarily within one month, with a possible two-month extension under the prescribed conditions and notice of extension within the first month. [4; 6] This cross-reference does not turn all law enforcement processing into GDPR processing. It resolves a particular timing question within the special SIS regime.

The deadline for responding to the applicant, interstate exchange, complaint handling and judicial challenge must be tracked separately. They begin from different events. The representative's dispatch date, receipt by the competent authority and discovery of evidence of error may differ. Proof of delivery and responses identifying insufficient identity information are useful in the file. Deadlines from an old SIS II guide should not be carried forward without checking their current legal basis.

9.3. When a response is insufficient

A response stating that information has been sent to the competent unit confirms forwarding, not rectification. A statement that access is restricted describes disclosure arrangements, but does not itself resolve lawfulness. A statement that no alert exists must be related to its date, search scope and system. Each may be correct in its own terms without necessarily resolving the entire request.

For mistaken identification, Article 62 provides a specific mechanism concerning data on a person whose identity has been misused. [4] Before supplying additional identifiers, the legal purpose and prescribed conditions should be established; enlarging the dataset should not become an automatic response to every dispute. The author's recommendation is to select the remedy that addresses the particular risk and to record its outcome in a verifiable form.

10. The Court of Justice: WS and the limits of data retention

10.1. What the Court decided

In *WS v Germany*, the Court of Justice considered the consequences of a Red Notice in connection with *ne bis in idem*: the prohibition of renewed proceedings for the same acts where the applicable conditions are met. The Grand Chamber's judgment of 12 May 2021 in C-505/19 is not a general instruction for implementing CCF decisions. It addresses arrest and data processing where the relevant impediment may exist or has been conclusively established. [8]

The Court permitted processing to verify whether the principle applied before its applicability had been established by a final judicial decision, subject to compliance with Directive 2016/680. The official summary separately states that, if the data remain recorded after the impediment is established, they must be accompanied by a note that the person may no longer be prosecuted in the specified states for the same acts. This is not unconditional permission for any retention. [8, paragraphs 119-121; 9]

Deletion of the notice on 5 September 2019 did not automatically remove the relevance of the preliminary reference: the national court reported that a subject for judicial protection remained. [8, paragraphs 59-62] This circumstance is used here only to explain why a legal dispute may continue after the international record changes.

10.2. Implications for a post-deletion strategy

The author's inference from the case is that a possible impediment must be distinguished from an established legal bar. If the applicant merely suggests that the acts are identical, an authority may need to verify that proposition. If a competent court has already resolved the relevant issue, further processing cannot be organised as though that outcome did not exist. The document establishing the impediment then becomes central to the file, while INTERPOL's letter performs a different evidential function.

It is equally important to distinguish retention from action. A record bearing a clear legal annotation can have a different meaning from an active alert indicating that arrest is permissible. Protection requires examination of whether the system's user sees that annotation and whether it informs the decision. An explanation in one document does not prove that it appears in every interface; actual implementation requires separate verification.

The judgment cannot be extended to every discontinued case, every country or every ground for deletion. It is necessary to establish the applicability of the relevant EU provisions, the nature of the final decision and the identity of the acts. The case illustrates the relationship between legal status and permissible data use. It does not establish a universal European certificate precluding all subsequent checks.

11. France: access to closed files and judicial review

11.1. FPR and the limits of disclosure

The French example shows why a file's name does not determine a single request procedure. In its decision of 2 April 2025, No. 475160, the Conseil d'État distinguished questions concerning national-security information in the FPR from other claims. The special judicial formation examines closed material without necessarily disclosing to the applicant whether a record exists. In the part examined, the court found no unlawfulness and rejected the claims. This was not a case of successful deletion following a CCF decision. [10, paragraphs 2, 6-7]

The official Service-Public procedure, updated on 30 January 2026, describes an application through the CNIL for FPR information concerning national security. Its stated review period of six months, potentially longer in complex cases, belongs to that procedure. It does not replace the SIS deadline and is not a universal time limit for every French police file. [12]

The practical conclusion is that the disputed processing must first be classified. A refusal to disclose does not establish that no review took place. Equally, the existence of special review arrangements does not mean that every restriction is automatically justified. Preparing an application requires attention to the original request's subject, the authority's competence, the scope of the challenged refusal and the court's ability to examine closed material.

11.2. An FPR copy within API-PNR

In its decision of 22 May 2025, No. 501135, the Conseil d'État considered the relationship between a partial, updated FPR copy and API-PNR France. For the relevant national-security information, the court identified the FPR route, including a prior application to the CNIL. It held that no further adjudication was necessary because the issue had already been resolved, rather than ordering deletion. [11, paragraphs 2-6]

For this research, the case illustrates how the technical location where data are encountered and the legal regime for challenging them may differ. It does not establish that INTERPOL information was actually present in that copy, nor justify describing all passenger systems as derivative INTERPOL databases. Its relevance to D-03 is comparative: dealing with a copy requires identification of the data's origin and the applicable procedure.

11.3. Avoiding a procedural error

The proposed model for a French file records separately the original request, the controller's response, the CNIL application and the judicial claim's subject. Resubmitting the same issue under the name of another interface does not necessarily create a new dispute. Novelty should be supported by a new measure, new processing or another legally significant circumstance, not merely revised wording.

The two decisions do not constitute a statistical sample or establish prospects of success. Their value lies in identifying procedural boundaries: secrecy can change the review procedure, and a record's origin can change the route to protection. These boundaries must be considered after INTERPOL deletion before asserting that a national refusal demonstrates failure to implement a CCF decision.

12. Germany and Europol: different recipients and outcomes

12.1. The German SIS route

Official guidance from Berlin's data protection authority identifies the BKA as the recipient of SIS access requests and the BfDI as the supervisory authority for the relevant BKA processing. The power to rectify or delete an alert is linked to the issuing state. Only that part of the guidance is used here; its general statements about retention periods are not treated as an exhaustive account of the current rules. [13]

An applicant can therefore begin with the designated national channel without assuming that Germany issued the alert. Where the request concerns both SIS and an independent German file, it is useful to ask that the two be distinguished. A response establishing the absence of one does not resolve the other. Where the recipient lacks competence for part of the request, clear confirmation of what was forwarded, and to whom, is desirable.

This report does not reproduce the complete German appeal procedure. It uses the example to support a general conclusion: the national access point, the issuing authority and the supervisory authority may be different actors. Selection of the defendant and judicial procedure requires separate examination of the case documents. WS likewise does not establish a universal BKA duty to secure the absence of every foreign measure.

12.2. Europol

Europol operates under a separate legal regime. Articles 36-38 of the verified consolidated version of Regulation 2016/794 dated 11 January 2026 regulate access, rectification, erasure, restriction and allocation of responsibility. A request may be made through the designated national authority or directly to Europol. Access involves distinct forwarding and response stages; notification of recipients following rectification or erasure is regulated separately. [7]

The existence of Europol data cannot be assumed merely because a Red Notice previously existed. A request first needs a factual basis. If a record is indeed processed, its origin and purpose should be established. The Regulation distinguishes Member State data, other sources and Europol's own analytical processing; responsibility depends on that structure. [7, Articles 37-38]

The author's conclusion is not to combine INTERPOL and Europol in a single demand to “remove the international wanted status”. A Europol request should concern data under its responsibility. A CCF decision may demonstrate a change at the source, but the particular processing must be assessed. Confirmation that a request was sent to a national authority is not a substantive Europol response, and correction of one record does not establish closure of all national proceedings.

13. Remedies and the formulation of requests

13.1. Matching the violation to the outcome

The proposed sequence begins by identifying the violation. An incorrect current status calls for rectification; unlawful processing calls for erasure; unresolved accuracy or evidential necessity may make restriction relevant. Cancellation of a national warrant, release from detention and review of an entry ban are separate subjects of protection. They cannot be replaced by a personal-data request.

Related questions may be raised in one submission, but each requested outcome should be stated separately. For example: establish whether the record still describes the notice as active; rectify that status; assess the lawfulness of continued retention; notify recipients through the prescribed process; and communicate the outcome to the extent permitted. This structure makes partial compliance visible and identifies unresolved questions.

13.2. Refusal, inaction and incomplete responses

Assessing a refusal requires reading its grounds. An authority may consider the request unsupported, outside its competence, insufficiently specific or subject to secrecy restrictions. Different grounds call for different responses. Clarifying an identifier does not replace a challenge to a legal position; a delay complaint does not resolve whether an independent retention basis exists. The next step depends on identifying the particular question the authority has not addressed.

Where the response is incomplete, it should be compared with each original request. This helps avoid endless correspondence in which the parties use the same words for different objects. A file benefits from a table of outstanding questions, dates and responsible recipients. This is an organisational tool, not a new procedural obligation imposed on the state.

13.3. Urgent protection and compensation

Where deprivation of liberty or another immediate measure continues, an ordinary access request may not produce a timely result. The available national urgent procedure and its conditions must be identified separately. The report does not suggest that filing a processing complaint automatically suspends arrest, extradition or a border decision. The relationship between proceedings must be substantiated and, where required, placed before the competent court.

A compensation claim likewise does not arise automatically from INTERPOL deletion. The applicable liability regime, violation, harm and required causal connection must be established. Rectification materials may be important, but do not substitute for evidence of consequences. The author's recommendation is to preserve documents on official actions and substantiated expenditure from the outset, without presenting hypothetical losses as established amounts.

14. Travel after deletion: the limits of certainty

14.1. What an INTERPOL document confirms

A certificate or deletion letter is useful in explaining the changed international status. It is not a visa, cancellation of a national warrant or an entry authorisation binding on every state. INTERPOL expressly notes that national searches and cooperation outside its channels may continue. [1] Assessment of travel therefore requires separate analysis of known national measures and the intended jurisdictions along the route.

A practical error is to move from an established negative fact to an unlimited guarantee. Confirmation that a particular notice is absent on a particular date says nothing about all future requests. One country's response does not automatically cover transit through another. These limits should be stated plainly in the assessment, so that the document does not create greater confidence than its sources support.

14.2. A working assessment of a specific route

The proposed assessment begins with a list of known legal measures rather than an attempt to “check all databases”. For each country, available official information, outstanding gaps and possible clarification are identified. Where a national warrant exists, addressing its status has independent importance. Where only a former notice is known, requests should be proportionate to the information available and should not present a suspected record as established.

During travel, access to documents genuinely confirming the changed status and to a representative's contact details is important. Possession of that package, however, does not guarantee that an officer will immediately accept its conclusions. The report does not propose evading checks or concealing identity. Its purpose is legally accurate presentation of documents and the ability to identify the basis for an action promptly if a problem occurs.

14.3. After a new incident

Following another check, the first analytical question is its basis. Questioning, a brief additional check, refusal of entry and deprivation of liberty must be distinguished. Describing all these events as “arrest” is inaccurate and may distort a later complaint. The necessary information comprises the date, authority, procedural document and available explanation of the measure.

A new incident can reveal an old error, but may also reflect a new legal circumstance. It should therefore be entered in the chronology as a separate event, after which its connection with the deleted data is tested. This does not minimise its impact on the individual. It makes the argument usable by a competent authority required to determine a specific dispute rather than assess a general level of concern.

15. Analytical scenarios

All scenarios below are hypothetical. They do not describe ARGAs clients, closed proceedings or an established prevalence of problems. Their purpose is to show how the same initial document can lead to different requests depending on the remaining legal basis.

15.1. An outdated active status

Suppose an individual has confirmation of deletion, but a later national response still refers to the same notice as active. The number and identifiers match. This provides a concrete basis for checking currency. The next question is whether a separate national basis exists and whether the erroneous status affects the authority's action. The request should address correction of the status and the required notification of recipients.

Even in this scenario, it cannot be assumed that every subsequent action is unlawful. Another legal instrument may underlie it. Yet the existence of another basis does not make an inaccurate reference correct. Two strands of work are therefore appropriate: removing the information error and assessing the independent measure. A response resolving only one is partial.

15.2. A national warrant remains in force

In the second scenario, the authority confirms deletion of the international notice but produces a separate, valid warrant. The copy issue may then be resolved while the dispute over the measure continues. The warrant must be read, its procedural status determined and the relevance of the deletion reasons to domestic proceedings examined. A CCF decision does not automatically establish that the national court lacks competence.

One possible outcome is confirmed updating of the international status alongside a continuing national risk. That conclusion is less categorical than a promise that all restrictions have been lifted, but more accurately reflects the evidence. It identifies the next competent authority and helps define the subject of protection.

15.3. A historical record without operational action

In the third scenario, a record remains of the notice's receipt and subsequent deletion, accessible to a limited group of staff for reviewing lawfulness. Its existence alone does not prove a continuing search. The legal purpose, duration and use restrictions must be checked. If these are substantiated, a demand for complete destruction may be weaker than a request to exclude operational use while preserving an accurate history.

If, however, the historical record actually enters an active list used for coercive action, its label does not decide the issue. Its function matters: how the data are used, which status the decision-making officer sees and whether the change has been taken into account. Review should address that relationship rather than stop at a debate about the term "archive".

15.4. A closed response and a new match

In the fourth scenario, the existence of a record is not disclosed, and a new match later occurs during document checks. Without additional material, these circumstances do not establish that an old copy remains. The prescribed supervisory route should be used, identifiers compared and the basis for the new action identified. Where necessary, the specific measure is challenged independently of the access request.

In all four scenarios, quality is measured not by an identical outcome but by a reasoned explanation of the differences. The same deletion letter may suffice to correct one field while being insufficient

to cancel another legal instrument. The method must preserve that distinction through to the final conclusion.

16. Counterarguments and risks of the proposed model

16.1. A legitimate interest in retaining history

The strongest counterargument to universal erasure is the need to preserve information about past actions, review their lawfulness and prevent errors from recurring. History may protect both the public interest and the applicant. This does not, however, authorise indefinite maintenance of an active adverse status. A specific purpose and proportionate arrangements must be justified rather than invoking the abstract usefulness of all information.

The proposed model responds through functional separation. An operational alert is assessed separately from a record of implementation. The distinction must not remain merely verbal: access rights and the decisions permitted on the basis of each dataset matter. The report does not claim that particular systems are technically designed in this way; it offers a criterion for assessing whether protection is sufficient.

16.2. Burdens on authorities and applicants

A strategy involving multiple recipients can generate duplication, conflicting responses and unnecessary dissemination of personal data. Sending the same complete file to every available institution is not the report's proposal. Priority goes to recipients whose connection with processing is supported by documents or a specific event. The map is refined as responses arrive, and resolved questions are not resubmitted without a reason.

The applicant's burden is also substantial: the internal architecture is often unknown. Requiring perfect identification of a closed file may therefore be impracticable. The author's recommendation is to describe the observed action, known source and available identifiers while asking the competent authority to clarify the route. This does not dispense with good faith, but allows review to begin despite objective information asymmetry.

16.3. Secrecy and verifiability

A limited response may be necessary to protect an investigation or other protected interests. A difficulty arises when even the available route to further protection cannot be understood from it. The proposed approach does not require disclosure of every closed item. It envisages review of lawfulness and currency by a competent independent body under the prescribed procedure, with the result accessible to the applicant describing the scope of that review.

16.4. Errors in causal explanation

The model risks attributing every subsequent difficulty to INTERPOL. To reduce that risk, each file should expressly record alternative explanations and the information capable of confirming or refuting them. Where such information is absent, the conclusion remains conditional. Inability to access a log does not establish a technical failure as the cause; a legal duty to update does not prove its implementation.

The proposed method has not undergone empirical evaluation using a representative sample. Its value in this report lies in the logical and legal verifiability of the sequence of actions. No numerical effect, resolution speed or probability of success is claimed.

17. ARGA proposals and criteria for completing the work

17.1. Managing an individual file

ARGA proposes documenting deletion consequences by system and purpose. For each known record, the file identifies the source, controller, legal basis, current status, request made and confirmed outcome. This is the author's organisational model; it does not assert that every authority must disclose every listed field to the applicant.

The first completion criterion is a definite subject: precisely what was erased or corrected must be clear. The second is a definite action: whether use of the former status has ended or only the wording of a response has changed. The third concerns recipients: whether the required notification exists and what is confirmed about it. The fourth concerns remaining questions, including independent national measures and closed information subject to access restrictions.

Three practical outcomes are possible: documented resolution; partial resolution; or an issue remaining unverified. The last is not equivalent to an established violation. It means that the available materials do not support a stronger conclusion. This scale is more accurate than a single “all cleared” label and allows further work to focus rationally on unresolved issues.

17.2. Institutional practice

The report proposes developing clear confirmations of implementation that distinguish updating of the central status, notification of recipients and examination of national consequences. Such a document should not promise more than the issuing body can confirm. Identifying the system, date and scope of the action is more useful than broadly certifying the absence of all risks.

National procedures should facilitate routing where an applicant does not know a file's internal name but provides official confirmation of deletion and information about a particular consequence. This is a proposal concerning the quality of administrative coordination. It does not confer authority on INTERPOL over national courts or require disclosure of protected operational methods.

17.3. What future research should measure

Empirical research would require an anonymised dataset of comparable cases: deletion date, notification date for a known recipient, national record category, response date, type of correction and existence of an independent basis. Cases without a confirmed residual record and those ending in refusal should be counted separately. A sample consisting only of successful complaints cannot establish the problem's prevalence.

Until such a dataset exists, procedures and individually confirmed decisions can responsibly be analysed, but an average time to “complete clearance” or a percentage of countries failing to act on notifications cannot responsibly be published. The proposed indicators are a future research plan, not a report on a programme undertaken by ARGA. This report establishes neither the number of files handled nor the Organisation's practical achievements.

18. Conclusions

Life after deletion of INTERPOL data is determined by the combination of the international outcome, the national legal basis and the actual function of remaining information. The central task of protection is to connect a specific deletion document to specific processing and a specific consequence. Deletion does not automatically cancel every external measure, but it creates a legally significant circumstance for assessing the currency of derivative data.

Sound argument avoids two extremes: promising that all information will disappear and claiming that an INTERPOL decision has no relevance outside the Organisation. The correct question is what the national record asserts today, on what basis it is retained and which action it permits. The answer may call for rectification, erasure, restriction, supervisory review or a separate challenge to the national measure.

SIS, national files and Europol should be considered separately. Their connections do not create a single authority able to resolve the entire dispute in one letter. The judicial examples demonstrate the importance of the request's subject, established legal impediments and the competent procedural route; they do not prove widespread failure to implement deletions or replace individual verification.

A professional conclusion should state not only the outcome achieved but also its limits: system, date, extent of amendment, known position of recipients and remaining independent bases. That precision makes the document useful in subsequent protection without turning a favourable CCF decision into an unsupported guarantee against every cross-border risk.

19. Sources and reference apparatus

[1] INTERPOL. Compliance and review. Sections on consequences of non-compliance and what happens when a Red Notice is removed. Official description of country notifications and national consequences. Accessed 23 September 2026.

<https://www.interpol.int/How-we-work/Notices/Compliance-and-review>

[2] INTERPOL. Statute of the Commission for the Control of INTERPOL's Files. 2025 version; amendments of 27 November 2025. Articles 33(4), 38-41.

[https://www.interpol.int/en/content/download/5695/file/Statute%20of%20the%20CCF%20\(E\).pdf?inLanguage=eng-GB&version=17](https://www.interpol.int/en/content/download/5695/file/Statute%20of%20the%20CCF%20(E).pdf?inLanguage=eng-GB&version=17)

[3] INTERPOL. Rules on the Processing of Data. 2025 version. Articles 51-53, 56, 62-63. Official PDF checked; special conditions do not automatically apply to all national files.

https://www.interpol.int/en/content/download/5694/file/26%20E%20RulesProcessingData_RPD.pdf?inLanguage=eng-GB&version=36

[4] European Parliament and Council. Regulation (EU) 2018/1862 of 28 November 2018. CELEX 02018R1862-20220801. Key provisions: Articles 26, 59, 62, 64, 66-70. Full original text and verified official consolidated extracts; scope of verification explained in section 20.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02018R1862-20220801>

[5] European Parliament and Council. Directive (EU) 2016/680 of 27 April 2016. CELEX 02016L0680-20160504. Articles 1-2, 16-17; application through national implementing legislation.

<https://eur-lex.europa.eu/eli/dir/2016/680>

[6] European Parliament and Council. Regulation (EU) 2016/679 (GDPR) of 27 April 2016. Article 12(3), expressly referenced by SIS Article 67(4); material scope assessed separately.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016R0679>

[7] European Parliament and Council. Regulation (EU) 2016/794 on Europol. Verified consolidation of 11 January 2026, CELEX 02016R0794-20260111. Articles 36-38.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1782959642080&uri=CELEX%3A02016R0794-20260111>

[8] Court of Justice, Grand Chamber. *WS v Bundesrepublik Deutschland*. 12 May 2021, C-505/19, ECLI:EU:C:2021:376. Particular relevance: paragraphs 59-62, 119-121.

<https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A62019CJ0505>

[9] Court of Justice / EUR-Lex. Official summary of C-505/19. Used for the annotation required where data remain after *ne bis in idem* is established. Not a separate judgment.

<https://eur-lex.europa.eu/legal-content/EN/SUM/?uri=CELEX%3A62019CJ0505>

[10] Conseil d'État. Decision of 2 April 2025, No. 475160, ECLI:FR:CEFSP:2025:475160.20250402. Paragraphs 2, 6-7. Closed FPR review; claims rejected in the part examined.

<https://www.conseil-etat.fr/fr/arianeweb/CE/decision/2025-04-02/475160>

[11] Conseil d'État. Decision of 22 May 2025, No. 501135, ECLI:FR:CEFSP:2025:501135.20250522. Paragraphs 2-6. FPR and API-PNR; non-lieu, not an erasure order.

<https://www.conseil-etat.fr/fr/arianeweb/CE/decision/2025-05-22/501135>

[12] Service-Public. Demander à la CNIL de vérifier vos informations enregistrées dans le fichier des personnes recherchées (FPR). R75319; verified by the service on 30 January 2026. Procedure for national-security information.

<https://www.service-public.gouv.fr/particuliers/vosdroits/R75319>

[13] Berliner Beauftragte für Datenschutz und Informationsfreiheit. Schengener Informationssystem. Used only for the BKA access route and allocation of supervision; general retention periods on the page excluded.

<https://www.datenschutz-berlin.de/themen/justiz-und-inneres/schengener-informationssystem/>

[14] CNIL. SIS II - système d'information Schengen II. Page expressly marked outdated. Listed solely to make its exclusion from the legal basis transparent.

<https://www.cnil.fr/fr/sis-ii-systeme-dinformation-schengen-ii>