



Observatoire ARGA

INTERNATIONAL ANALYTICAL REPORT

**D-02. Diffusions as an Area
of Limited Procedural Control**

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Executive summary

Diffusions are a regulated mechanism of international police cooperation. Limited procedural control should be understood as a mismatch between the stages of transmitting a request, authorising its searchability in INTERPOL's databases, using it nationally and subsequently correcting it. It does not mean an absence of rules or review. The same material may be at different stages in different information environments. Safeguards therefore require analysis of the entire sequence, rather than only the final decision on recording data. [1; 2, Arts 8-12, 97-100]

According to INTERPOL's published description, Red Notice and wanted-person diffusion (WPD) requests become searchable by member countries after review and authorisation by the Notices and Diffusions Task Force (NDTF). However, recipient National Central Bureaus receive a WPD in email format before that review is complete, with a warning about its pending status. This distinction defines the issue examined here: how should the provisional status accompany subsequent use? [3]

The framework combines the source's responsibility for lawful and accurate data, General Secretariat review, the powers of the Commission for the Control of INTERPOL's Files (CCF), and the separate duties of a State taking coercive action. A CCF request does not replace domestic remedies against detention. Deletion does not cancel a national warrant or establish that every previous copy has been corrected. These matters fall within distinct competences and must be assessed separately. [2, Arts 11-12, 62-63, 128-129; 5, Arts 3, 37-41]

The report examines five officially published CCF decision excerpts directly concerning diffusions: 2018-12, 2023-01, 2023-03, 2023-07 and 2023-10. Outcomes include conditional deletion, findings of non-compliance, and retention subject to updates. The sample illustrates reasoning but cannot establish the frequency of abuse or the likelihood of a successful request. Unknown intervals between initial circulation and review are not replaced with estimates. [8-12]

The proposed improvements would preserve a verifiable status at each stage: a message identifier and version, an indication of whether review is complete, a separate basis for national action, subsequent notification and acknowledgment that a correction has been processed. These are recommendations by Observatoire ARGa, not a description of a universally implemented system. They seek to make distributed control traceable while preserving lawful urgent cooperation.

1. Research question and methodology

1.1. Scope

The principal question is: what limits arise in reviewing a diffusion when national authorities have already received the message, but INTERPOL compliance review remains incomplete or its outcome must be implemented beyond the central database? Answering requires distinguishing transmission, recording, accessibility, use and correction. Saying that data are "in INTERPOL" does not adequately describe each of these conditions.

The report concentrates on diffusions concerning individuals, particularly those seeking arrest or restrictions on movement. Other categories are mentioned to avoid incorrectly extending the WPD process to every request. Special mechanisms for tracing assets, commercial screening databases

and detailed national extradition procedures are not independent subjects of this study. They require their own evidence and are addressed elsewhere in the research programme.

1.2. Sources and limits

The source cut-off is 28 September 2026. The report uses the officially available INTERPOL Constitution, the RPD designated as the 2025 version and the CCF Statute designated as the 2025 version. The Constitution's filename includes 2024, while the normative text is designated 2023; these details are not interchangeable. Institutional webpages establish the publicly described process, not independent proof that it has been followed in every case. [1-7]

The CCF sample is purposive: four 2023 excerpts addressing different grounds of challenge and one 2018 excerpt concerning access to information. National action is illustrated by the ECtHR judgment in *Shiksaitov v. Slovakia* of 10 December 2020. That judgment does not determine the lawfulness of a diffusion and is used only for scrutiny of the duration of extradition detention. Its historical discussion of refugee status is not presented as a complete account of contemporary EU law. [8-13]

The text distinguishes legal requirements, published practice, analytical conclusions and the author's proposals. Closed case files, NDTF technical logs and audits of national databases are unavailable to this study. Their absence marks a limit of knowledge, not proven absence of control. All scenarios in section 15 are hypothetical and do not describe ARGAs client cases.

2. Diffusions, notices and direct messages

2.1. The cooperation mechanism and its purpose

A diffusion is sent by a National Central Bureau directly to all or selected member countries. This differs from the publication of a notice by the General Secretariat. A less formal channel does not necessarily have less significant consequences for an individual. INTERPOL's official description associates diffusions with the different purposes of the colour-coded notices system; WPDs are only one category. [4]

Article 97 RPD identifies several distinct purposes: arresting, detaining or restricting the movement of an accused or convicted person; locating and tracing; obtaining additional information; identification; warning about criminal activities; and providing information. The assessment depends on the stated purpose. A request to locate someone cannot, without separate legal analysis, be treated as an instruction to arrest. [2, Art. 97]

Research classification must therefore record the action requested, not only the colour or label. A document may combine a description of criminal proceedings, warrant information and a request for a specific form of assistance. Legal assessment should identify which element supports which action. Otherwise preliminary information may be mistaken for an already verified instruction.

2.2. Selective circulation

Article 99(3) RPD provides for using a diffusion, among other circumstances, where the source limits circulation or access, or where a request does not justify or qualify for publication as a notice. The latter possibility remains subject to the requirements governing the diffusion itself. It does not authorise circumvention of the Constitution or general processing conditions. [2, Arts 97(2), 99(2)-(3)]

Selective circulation may support minimisation by limiting disclosure to authorities that actually need the information. At the same time, it makes reconstructing the subsequent information route more complex. These properties are not contradictory. A limited initial recipient group does not guarantee that no further national dissemination occurs, but neither does it establish that dissemination has occurred.

A standardised diffusion must also be distinguished from a direct message governed by Articles 9 and 101 RPD. Not every exchange through I-24/7 infrastructure automatically creates the same kind of searchable record. Classification of the communication determines what information should be requested for verification and where its current version may be held. [2, Arts 9, 101]

3. Three levels of legal responsibility

3.1. The data source

Before circulation, the source must verify data quality and lawfulness, recording conditions, international interest, and compliance with INTERPOL's rules, including Articles 2(1) and 3 of the Constitution and relevant international obligations. A valid national warrant is an important element but does not replace this combined assessment. [2, Art. 99(2)]

Substantive assessment requires the source to explain the wanted person's individual connection to the conduct described. Listing criminal provisions, job titles or company names does not answer what the alleged involvement consists of. In diffusion cases, the CCF examines whether the account is sufficient and coherent while preserving the distinction from determining guilt. [8, paras 32-40; 9, paras 29-32]

3.2. INTERPOL and the CCF

The General Secretariat administers the system and reviews processing under the RPD. The CCF supervises compliance of personal data processing with the Organisation's rules and decides requests for access, correction and deletion. These are distinct mechanisms: screening an incoming request is not equivalent to determining an individual's application before the independent Commission. [2, Arts 22, 128-129; 5, Art. 3]

3.3. The receiving State

A national authority is responsible for its own measure: its basis, competence, procedure and duration. INTERPOL review and domestic judicial scrutiny address different questions. Approval of a database record does not turn it into a universal international arrest warrant; refusal to record it does not automatically terminate criminal proceedings in the requesting State. [2, Arts 11, 62-63; 5, Art. 39(3)]

4. Transmission before completion of review

4.1. Two separate moments

Analysis of the period before review is complete requires reconstructing the sequence of dispatch, receipt, completion of review and national action. The order of the last two depends on the circumstances. A warning cannot be assumed to remove every risk; nor can it be assumed that a national authority will ignore it. [3]

The analytical risk arises when transfer into another environment loses the procedural status. For example, an original message may contain a warning, while a shorter national entry reproduces only the requested action. This is a hypothetical defect, not a finding about its prevalence. Establishing it would require the original message, the resulting entry, the amendment log and the legal basis for national processing.

The same difficulty can arise through paraphrase. Describing someone as "wanted by INTERPOL" obscures the source, request category and review stage. A more precise record should distinguish an allegation by a national authority, transmission through the Organisation's infrastructure and the result of compliance review. This proposed differentiation matters particularly where information supports coercive action.

4.2. The meaning of a warning

A pending-review warning serves an informational function. Its existence proves neither the lawfulness nor the unlawfulness of every subsequent national action. Legal consequences depend on the applicable rules and the measure's independent basis. It would therefore be incorrect to infer a universal prohibition of arrest from the request's technical status.

Article 63(1) RPD requires authorities to ensure that data remain accurate and relevant when using them for coercive measures. It also expressly allows measures permitted by national law and applicable international treaties before or during verification. This qualification rules out a simple model in which final INTERPOL approval must precede every action. [2, Art. 63(1)]

Observatoire ARGAs proposes recording the basis of action taken while status remains provisional. Where an urgent measure is lawful, the record should identify its independent basis, necessity, authorised decision-maker and subsequent verification. Such documentation should not delay lawful intervention, but should make review possible once the urgency has passed.

4.3. Establishing the significance of the time gap

The interval between dispatch and completion of review does not itself explain the consequences for an individual. What matters is the sequence of decisions within that interval. A recipient merely keeping a message pending review raises a different legal question from using that message to restrict liberty. Research must identify the first legally significant use, rather than stop at the date of entry in the central system.

For this reconstruction, the report proposes comparing four documents: the original message and warning; available confirmation of receipt; the national decision identifying its information basis; and subsequent communication of the review outcome. If the national decision relies on another warrant or a separate cooperation channel, that connection should be recorded separately. It then

becomes possible to assess whether incomplete review actually mattered to the measure or whether the international communication merely coincided with it.

A practical difficulty is the difference between clocks and recording formats. A date shown on a message printout may represent creation, dispatch, receipt or export. The proposed research record identifies the function and time zone of each timestamp. Where precise timing is unavailable, it records a possible interval rather than an artificially exact sequence. This discipline matters particularly where dispatch of an update and an arrest occurred on the same day.

The legal significance of this reconstruction lies in establishing what material information was available to a particular authority. Later confirmation of compliance does not answer whether the original domestic basis was sufficient. Similarly, subsequent deletion requires examination of its reason: an initial defect and a new development may affect assessment of an earlier measure differently. The timeline should therefore briefly identify what became known at each stage.

5. Substantive review and its limits

5.1. Reviewing a request without trying the criminal case

Review of data's suitability for international cooperation lies between technical validation of a form and adjudication of the criminal charge. Checking only whether fields are completed may miss an absent link between a person and the alleged acts. Requiring a determination of guilt would turn a police cooperation mechanism into a criminal court. [8, paras 32, 39-40; 9, para. 30]

The practical task is to test an explanation, not to deliver a verdict. It should be possible to understand which acts are attributed to the person, when they allegedly occurred, how the person participated and why the information serves the stated purpose. A material contradiction requires an answer from the source; disagreement by the applicant does not itself resolve the contradiction in the applicant's favour.

Limited procedure becomes problematic where a significant issue receives no substantive response while processing consequences continue. Noting that a warrant exists is insufficient for that assessment. The question is whether the actual information answers the specific concern about data quality. Matters confined to testing a witness's credibility at a domestic trial may, however, fall outside the Commission's task.

5.2. Updating after new developments

Compliance is not a property established permanently. A change in proceedings, cancellation of a warrant, corrected identification or a new judgment may alter the assessment. Each development must be evaluated on its substance. Refusal of extradition may rest on nationality, missing documentation or human rights risks; those grounds are not interchangeable. [8-11]

The RPD provide for examination where doubts arise and interim measures to prevent prejudice. The normative mechanism exists. The research question is how promptly new information is connected to the correct record and reaches the authority using it. Without an event log, claims of either complete inaction or immediate correction remain unproven. [2, Arts 128-129]

The report proposes distinguishing the initial review outcome from subsequent status. An undated "reviewed" label with no version reference can mislead after the factual basis changes. Under the

proposed model, the object of assessment is a particular data version at a particular time, not an individual treated as carrying an immutable international status.

6. Direct exchanges and limits of visibility

Article 22(6) RPD specifically addresses direct exchanges through INTERPOL infrastructure where the General Secretariat is not a recipient or has not accessed the exchange. Its role is limited in the manner prescribed. However, becoming aware of a potential rule violation triggers action to examine and ensure compliance. Absence of routine access to content therefore cannot be equated with absence of all powers. [2, Art. 22(6)]

Article 19(2) of the CCF Statute contains a corresponding qualification concerning the Commission's access to direct exchanges. Unless it becomes aware of a potential violation, access without the relevant entity's explicit authorisation is restricted under that provision. The legal trigger matters: information about a possible breach changes the situation. The regime is neither unrestricted continuous inspection of all correspondence nor absolute immunity from scrutiny. [5, Art. 19]

This requires distinguishing absence of a searchable entry, absence of processing in a specific database and absence of a message. A negative answer to one inquiry does not automatically answer all three. A focused request benefits from a date, an apparent sender, a recipient, a message reference and a document indicating its existence. Where those details are unavailable, uncertainty should be identified rather than circumvention asserted as fact.

For institutional design, direct exchanges present a challenge of targeted oversight. Continuous reading of all communications could be excessive and inconsistent with access restrictions. An alternative is preserving minimum technical information sufficient to identify a route and enable scrutiny when a lawful basis arises. A proposed routing log must not become a parallel, indefinite dossier on data subjects.

The evidential threshold for flagging a potential violation must be distinguished from finally establishing one. A documented discrepancy or evidence of retransmission after a prohibition may justify examination even if the applicant cannot access the complete message. A general suspicion of a State's political interest, without a connection to particular processing, does not establish an unlawful exchange.

7. Applicant access and confidentiality

The right to request access, correction or deletion is exercised through the CCF within its competence. The request should be as specific as possible but should not be confined to whether a public entry exists. Information being processed and information disclosed to the applicant are distinct matters: confidentiality may limit disclosure without removing the need for the Commission's internal assessment. [5, Arts 3, 29, 35]

Article 35 of the Statute provides grounds for restricting communication, requires justification and addresses the possibility of partial disclosure, such as a summary. Inadequate justification does not itself cause automatic disclosure. Its effect on the outcome must be assessed within the proceedings.

An access request should therefore not assume an unconditional entitlement to the full original diffusion and all related correspondence. [5, Art. 35]

Excerpt 2018-12 is instructive. The Commission found general confidentiality references insufficient and examined necessity, proportionality and counterbalancing safeguards. The operative part provided for deletion if the source failed to give adequate reasons for withholding information within one month. This was a conditional outcome, not unconditional immediate deletion. [12, paras 47-51 and operative part]

Four questions help assess procedural quality: which information is material to a challenge; what specific interest the restriction protects; whether its substance can safely be communicated; and how non-disclosure affects the justification for continued processing. These questions do not create an automatic duty to disclose dangerous information. They make the connection between confidentiality and the basis of the decision open to scrutiny.

Confidentiality also protects applicants. Information about residence, witnesses, family or the grounds of international protection may create a separate risk if communicated to the source. Applicants should identify such passages and explain the requested restriction. They should not assume that every document sent to the CCF necessarily remains wholly inaccessible to other participants regardless of examination needs. [5, Arts 20, 35; 6]

7.1. Excerpt 2018-12: the independent significance of procedure

The distinctive feature of this decision is the combination of two assessments. The Commission considered the description of alleged involvement sufficient and did not establish predominant political character, but found the disclosure restriction inadequately justified. The source was given time to remedy the latter deficiency, with deletion depending on fulfilment of the condition. [12, paras 37-42, 47-51 and operative part]

The analytical significance extends beyond a dispute about obtaining a document copy. It supports a two-level inquiry: whether processing has a sufficient substantive basis, and whether the procedure enables that basis to be challenged. A positive answer to the first does not conclude the second. For a model of limited procedural control, this is important: a deficiency may lie in the organisation of review even where the original description of the allegation has passed substantive scrutiny.

A possible objection is that restricting access protects an investigation. Applied analysis should break that objection into separate questions. What creates the risk: a witness's name, the method of obtaining information, the date of an operation, or the existence of proceedings? Would the risk remain after removing a sensitive passage? What part of the communication would enable the applicant to understand the substance of the alleged involvement? These answers define a focused request instead of a demand for the entire file.

The proposed working document is a register of disputed restrictions. Each passage is associated with its apparent importance for the defence, the requested form of communication and a possible alternative: anonymisation, a summary of substance, an indication of the period, or a description of the role without identifying the source. This enables discussion of a specific counterbalancing arrangement. Refusal of one form of disclosure should not end examination of available alternatives.

A conditional outcome also requires disciplined follow-up. The decision date, the event triggering the specified period, submission of further reasons by the source and subsequent confirmation of the record's status must be distinguished. The public excerpt does not establish what happened after the decision. A research database should therefore classify the outcome as conditional and implementation as unestablished until a separate document is available. This avoids counting the case as a confirmed final deletion.

8. Provisional measures and time

Article 37 of the Statute empowers the CCF to decide provisional measures concerning processing at any time during proceedings. It is a power, not an automatic consequence of lodging a request. Separately, the RPD provide for General Secretariat interim measures where compliance is doubtful. The legal basis, addressee and content of these mechanisms must be stated precisely. [5, Art. 37; 2, Art. 129]

Paragraph 2 of excerpt 2018-12 demonstrates actual use of provisional restriction: member countries' access to the challenged data was blocked pending further examination. This does not establish blocking in every comparable case or cancellation of an existing national measure. A provisional measure concerning data and release from custody are distinct legal outcomes. [12, para. 2]

Urgency should be explained by linking the alleged defect to a specific consequence. An existing detention, a scheduled hearing or documented use of the disputed record may be relevant. A general reference to the difficulties of international wanted-person data does not explain why a particular restriction is needed now. Equally, an applicant seeking to prevent a documented risk need not wait for harm actually to occur.

Article 40 provides four months for an access decision and nine months for correction or deletion, running from admissibility, with extensions allowed under the provision. These periods should not be presented as a guaranteed overall duration from first submission to the removal of every consequence. Article 41 separately governs communication and implementation. [5, Arts 40-41]

The proposed effectiveness assessment measures several intervals: from reporting a defect to initial urgency assessment; from a provisional decision to implementation; and from receipt of a new judicial document to a status update. These are more informative than a single average processing period because they distinguish protection against immediate harm from final determination. Specific binding limits require separate institutional decisions and assessment of resources.

8.1. Connecting the defect to the provisional measure requested

Substantive justification for interim protection should connect three elements: a preliminarily substantiated data deficiency, a concrete risk of use and an explanation of how the requested measure would reduce that risk. A mistaken-identity challenge requires a different documentary package from a dispute about the temporal application of criminal law. In the former, comparison of identifiers is central; in the latter, the relevant legislation, chronology and procedural documents are required.

The proposed application structure separates the main deletion argument from the urgent procedural request. This identifies which issue requires final examination and which action is sought pending

that examination. A new domestic event should appear in an update with its date, supporting document and an explanation of the changed risk. Repeatedly sending the same materials without that explanation makes genuinely new information harder to identify.

A separate quality indicator is whether interim protection addresses the actual channel of risk. Restricting availability in one system should be assessed alongside information about where the message is already being used. Where consequences have arisen domestically, the available national procedural mechanism must be identified. Coordinating these two avenues connects the data decision to the legal consequence that the applicant seeks to prevent.

9. CCF practice: sufficient description

9.1. Excerpt 2023-01

This case concerned a diffusion relating to fraud and embezzlement or misappropriation allegations. The CCF did not find that refusal of extradition eliminated its purpose: the source had pursued extradition. However, the account of individual involvement was insufficient. Gaps concerned dates, the alleged means of influence and the explanation linking the person to the charge. The data were found non-compliant. [8, paras 29-41]

The decision separates two assessments. A request may retain an authorised purpose but fail the requirements governing its substantiation. Deletion cannot therefore be paraphrased as a rule that every extradition refusal terminates a diffusion. Still less does the result amount to acquittal by a national court.

9.2. Analysis of 2023-01: from corporate connection to alleged conduct

For practical work, this decision supports a proposed method for testing the coherence of an allegation. The analysis first identifies the particular act, then the person's role, the alleged means of influence and the connection to the result. Each transition needs its own explanation. Share ownership, membership of a governing body and an ability to dispose of assets may establish context, but moving from that context to an allegation of particular conduct requires separate substantiation.

In a hypothetical corporate dispute, a table of powers during the relevant period would be useful. It compares the individual's legal position, documented authority, alleged act and actual capacity to perform it. This does not automatically establish absence of informal influence. It does, however, require identifying whether the source alleges formal authority, de facto leadership, a specific instruction or assistance to another participant. Each proposition requires a different explanation.

A second working tool is a table of discrepancies between the account and the documents. Each row should contain one verifiable question: for example, whether the person belonged to the governing body when a decision was taken, or whether a payment falls within the alleged period of involvement. The supporting document appears alongside an explanation of which part of the account it affects. This makes the argument suitable for assessing data quality without asking the CCF to determine the entire commercial or criminal dispute.

A potential weakness is substituting disagreement with a conclusion for absence of explanation. Where the source has specified an act and its alleged mechanism, a subsequent claim that a witness

is unreliable may require domestic evidential examination. The objection should therefore identify its precise boundary: a material element is missing, the account is internally inconsistent, or the truth of an already particularised assertion is disputed. These situations require different arguments.

Finally, an extradition judgment is useful for more than its outcome. An application should identify the reasons directly concerning information quality and compare them with the current request. If information has since been supplemented, that addition must be considered. Reusing an earlier criticism without checking the present content may weaken an initially persuasive argument.

9.3. Excerpt 2023-03

An obstacle to extradition from the country of nationality and the absence of a transfer of proceedings did not suffice to establish loss of the diffusion's purpose. Insufficient detail about personal conduct was decisive. The CCF distinguished determining guilt from examining the adequacy of the account for international exchange. General references to the existence of evidence did not remedy the specific deficiencies. [9, paras 20-32]

Comparing these cases supports an analytical model for the source's response. It should address the identified gap rather than merely confirm that proceedings exist. Where the issue is the timing of an alleged act, repeating a list of witnesses does not necessarily resolve it. Where individual participation is disputed, a position or corporate connection does not by itself explain how the offence was allegedly committed.

This model does not require an international body to demand the entire criminal file or re-examine witnesses. It proposes matching each material question to the content of the answer actually received. This preserves the CCF's limited competence without reducing scrutiny to accepting any formula supplied by a national authority.

9.4. Analysis of 2023-03: responsive explanations and material gaps

The central practical question is whether the response addresses the objection. A list of evidential sources and an explanation of particular alleged conduct perform different functions. A three-column working record can identify the allegation, the documented gap and the source's response. It makes clear which questions were answered, which remain open and which require assessment beyond reviewing information quality.

The distinction between remuneration for ordinary activity and alleged criminal benefit deserves particular attention. In a hypothetical case, both sides may accept that a service was paid for while disputing knowledge of an unlawful scheme or the character of the person's involvement. Denying the payment itself would then distract from the material issue. A more useful inquiry identifies the additional fact connecting receipt of funds to the particular charge and how the international request describes it.

Conversely, a person's absence from one document is not equivalent to proof of non-involvement. The significance of the omission depends on the document's purpose: should it identify every participant, does it concern another episode, or does it reflect an early investigative stage? A strong argument explains why the omission matters to the specific allegation. Otherwise document comparison can become a catalogue of differences that do not affect data quality.

Comparison of the two cases in section 9 supports a proposed criterion for an adequate response: it should make the connection between the described circumstances and the individual's alleged role understandable. This is an analytical method for organising materials, not a new standard of proof of guilt. It helps select documents by function: one establishes a period of authority, another explains a transaction, and another records a procedural outcome. The number of annexes does not itself supply a missing connection.

Failure of a purpose-based argument should also inform the structure of an application. Where the material contains a specific dispute about personal involvement, that issue should not disappear into a general objection to international wanted-person processing. A more precise structure separates the grounds and identifies the outcome sought for each. Rejection of one argument then does not create the mistaken impression that every other issue has already been resolved.

10. CCF practice: retention subject to updates

10.1. Excerpt 2023-07

The CCF examined alleged retroactive application of criminal law to an asserted continuing offence and accepted the explanation that the conduct continued after the legislation entered into force. The data were retained subject to an annotation about refusal of extradition. The Commission separately declined to review extradition documents exchanged bilaterally outside INTERPOL channels. [10, paras 18-25 and operative part]

This outcome shows that review can lead to an updated record. An annotation is not merely decorative: it gives material context to the authority deciding whether to act. Assessing effectiveness therefore requires checking whether the update was available when the data were subsequently used.

10.2. Analysis of 2023-07: chronology as a review tool

A retroactivity argument requires comparison of two chronologies: legislative development and the alleged conduct. The first identifies adoption, entry into force and changes to the offence and penalty. The second identifies commencement, individual episodes and the alleged end of the conduct. The analysis then records which part of the allegation the source places within the relevant law's period of application. Without this comparison, the dispute may remain an exchange of general references to a principle.

The expression continuing offence requires care in translation. It should not automatically be equated with a category in another national legal doctrine without examining the applicable law. For research purposes, what matters is explaining the source's legal construction: which acts constitute a single offence, what determines its completion, and why the chosen provision covers that period. Merely using the term does not answer those questions.

The proposed method tests a response by identifying its pivotal proposition. If continuation after entry into force is decisive, the inquiry should establish how that continuation is described in the materials. If foreseeability of criminal liability matters, the relevant sources should be identified separately. A further objection can then specify whether it concerns the time period, the legislation's content or the connection between the provision and the conduct alleged.

An annotation about refusal of extradition creates a further independent object of analysis. An applicant may fail to obtain deletion but secure a change to the information available to the next recipient. To assess the practical outcome, the report proposes checking whether the annotation records the decision, its date and the qualifications necessary to understand it. Research should separately record the existence of the annotation and evidence that it was available during subsequent national action.

10.3. Excerpt 2023-10

In a case involving parallel proceedings, the CCF did not consider known whereabouts and competing jurisdictions sufficient to eliminate the diffusion's purpose. It did not establish the asserted double-jeopardy bar in those circumstances. The data were retained with an update about the parallel proceedings and the applicant's discharge for lack of evidence. The decision supports neither universal permission for repeated prosecution nor a universal international prohibition. [11, paras 18-25 and operative part]

The examples establish a methodological requirement: outcome classifications should capture correction and annotation, not only retention or deletion. Even binary statistics about successful and unsuccessful complaints may conceal legally significant changes. The operative part must be read to determine what actually changed.

10.4. Analysis of 2023-10: the legal effect of a national outcome

Parallel proceedings call for a map of procedural acts. For each State, it should identify the authority, the subject of the charge, the procedural stage, the decision type and information about finality. Transfer of proceedings, transfer of evidence and choice between competing extradition destinations should be recorded separately. These events may accompany each other but perform different legal functions. Combining them under the expression "the case has already been dealt with" makes the argument imprecise.

A principal translation and analytical risk concerns the word discharge. It should not be rendered as a final acquittal without examining the relevant national act. Assessment requires the grounds of the decision, the possibility of reopening, the issues determined and the applicable rules governing cross-border effect. That inquiry is jurisdiction-specific; an anonymised CCF excerpt does not supply the complete material needed to replace it with a universal formula.

Under the proposed approach, a double-jeopardy argument begins by identifying the rule that gives a decision in one State legal significance in another. Its conditions must then be tested against the person, the facts and the procedural outcome. Only afterwards should its consequences for international processing be assessed. This sequence distinguishes a legal prohibition from an argument that coordinating investigations would be preferable.

Human rights analysis should also consider situations in which uncoordinated proceedings create prolonged uncertainty. They should be described through consequences and documents: unanswered requests, decisions requiring clarification and restrictions that continue. This may support further examination of a record's currency and completeness. The specific remedy sought should nevertheless follow from an identified data deficiency, rather than general dissatisfaction with cooperation between States.

10.5. Comparative matrix and selection of the issue

Decision and outcome	Central review issue	Analytical direction for a new case
2023-01: deletion [8]	Particularisation of personal involvement	Connect each objection to a defined element of the account
2023-03: deletion [9]	A substantive answer to identified gaps	Distinguish existence of evidence from an explanation of alleged conduct
2023-07: retention with an update [10]	Temporal application of legislation	Compare chronologies and assess the independent value of an annotation
2023-10: retention with an update [11]	Consequences of parallel proceedings	Establish the type, finality and cross-border effect of the national act
2018-12: conditional deletion [12]	Justification of disclosure restrictions	Identify a disclosure alternative and verify fulfilment of the condition

The comparison identifies three independent lines of work: the record's substance, the conditions for challenging it and the implementation outcome. The first assesses the account and processing basis; the second, access to material information and the opportunity to respond; the third, the precise status change and its communication to users. This classification helps organise an application and subsequently record its results.

Published decisions are used here to frame questions, rather than as ready-made outcome templates. Applying the model to a new case begins by comparing legally material circumstances. A shared offence category or nationality cannot replace comparison of the objection, the responses received and the competence of the authority from which action is sought.

11. National use and independent scrutiny

11.1. From information to coercive action

On receiving an international communication, the national authority must determine what action is permitted. Identification, a brief restriction of liberty, provisional arrest and detention in extradition proceedings are not a single measure. Their bases and procedures must be established under applicable domestic and treaty law. Transmission alone does not decide the matter. [2, Arts 62-63]

Analytical scrutiny of the national decision includes identity, communication category, continuing validity of the basis, the assistance requested and relevant restrictions. Subsequent developments must be assessed separately. When the data's status changes, it is necessary to examine whether an independent domestic basis remains. Neither its existence nor its absence can be assumed without considering the competent authority's decision.

11.2. A judicial example and the limits of analogy

In *Shiksaitov v. Slovakia*, the ECtHR examined extradition detention of a person previously granted asylum in Sweden. It accepted an initial examination of extradition obstacles but found insufficient diligence in the subsequent proceedings; detention exceeded twenty-one months. The Article 5 finding concerned State action. The Court did not determine the unlawfulness of a diffusion or INTERPOL's responsibility. [13, paras 56-59, 72-84]

For this study, the significant distinction is between justifying the start of a measure and justifying its continuation. New information should lead to a genuine reassessment where it is material to the domestic basis. Continued existence of an information record does not itself explain why deprivation of liberty remains lawful at each later stage.

Institutionally, the case file should distinguish international status from the national basis. If a measure continues after deletion of the international record, the independent act supporting it should be identifiable. Where no such act exists, reference to an old entry should not obscure the lack of a current justification.

12. Correction, deletion and national copies

12.1. Distinct results of a decision

Deletion from INTERPOL's system, communication to recipients and amendment of a domestic record are separate events. Article 41(4) of the Statute provides for prompt notification to member countries that previously received data when the CCF has ordered correction or deletion. Dispatch alone does not establish that every national system has actually changed. [5, Art. 41(4)]

An implementation confirmation must therefore be read within its stated scope. Confirmation of deletion from INTERPOL is not a general certificate that no wanted-person record exists anywhere. Conversely, a domestic record remaining after deletion is not automatically unlawful: it may rest on an independent valid act. Its origin, purpose and current legal basis must be examined.

Article 100 RPD separately regulates suspension or withdrawal of a diffusion by the source. Source-initiated suspension is not the same as a CCF provisional measure, and withdrawal is not the same as a finding of original unlawfulness. These distinctions matter both when communicating an outcome and when considering further remedies. [2, Art. 100]

12.2. A proposed chain of confirmations

Observatoire ARGAs proposes distinguishing five states: decision taken; INTERPOL record changed; notification sent; recipient acknowledgment of processing the notification; and the resulting national record status established. The last may mean deletion, correction, restriction of use or retention on an independent basis. This is an outcome-documentation model, not an assertion of an existing universal duty to supply every acknowledgment to the applicant.

Where a domestic record remains, the response should, where possible, identify its category and the available means of review. This does not require disclosure of operational details or a full user list. It avoids repeatedly informing an applicant that the same central decision has been implemented when the concrete difficulty concerns a different dataset.

A repeated border incident should be examined through documents: which authority acted, which record it cited, the record's date, and whether the new status was considered. An adverse incident alone does not prove that a deleted diffusion was reinstated. Other grounds, mistaken identification or an outdated copy may explain it; each possibility requires separate examination.

12.3. Recording implementation and remaining national risk

For practical follow-up, the report proposes a separate implementation record. It identifies the substance of the instruction to amend data, the implementation date, known notification recipients and the confirmed status of domestic proceedings. Each field is linked to a document. Where an answer is missing, the field remains marked "unconfirmed", so absence of information does not become a finding of either compliance or breach.

Priorities should follow documented use. If materials establish an arrest in a particular State, clarification of that specific situation should come first. Sending identical inquiries to numerous bodies without indications of processing may increase disclosure of personal information and make responses harder to manage. A targeted approach connects the inquiry to a documented incident and the recipient's competence.

The quality of a national authority's response requires separate assessment. Receipt of a notification differs from amendment of a record; amendment differs from termination of a measure. The inquiry should therefore specify the answer sought: whether a particular record exists, its source and the action taken following the correction notice. National access restrictions and remedies must be established for the relevant jurisdiction.

Any new adverse document should be compared with the implementation record. An old identifier may justify examining use of an outdated version; a different identifier requires clarification of the new basis. Both inquiries should preserve original documents. Overwriting history with the latest status makes it harder to establish what information an authority possessed when taking the disputed action.

13. Resubmission and confusion between channels

One control task is to recognise a renewed request following a decision adverse to the source. However, the same individual does not make all subsequent material identical. A new request may concern different proceedings, new circumstances or a corrected deficiency. Review should compare the previous decision's scope and reasons with the new information, rather than impose a lifelong prohibition on processing anything about the individual.

The RPD provide tools to prevent unauthorised or erroneous processing, including compliance-management data. This function supports consideration of matching incoming material to a previously identified defect. Retaining minimum information to prevent an error must, however, be distinguished from maintaining an operational wanted-person record. [2, Art. 125]

The proposed model records the link between an initial and renewed request: the previous identifier, the ground for discontinuing processing, the alleged new circumstance and the assessment outcome. This helps identify attempts to repeat the same content under a new number. At the same time, the source should be able to explain a material change without a presumption of bad faith.

Channels must also be distinguished. Documents exchanged bilaterally by judicial authorities outside INTERPOL do not enter CCF competence merely because they concern the same individual. Excerpt 2023-07 illustrates this limit directly. Where material is processed through the INTERPOL system, applicability of its rules must be assessed separately. [10, para. 25]

14. Measuring effective control

14.1. The unit of observation

The proposed unit of analysis is a particular request version and its sequence of events. Counting individuals is insufficient: one person may be associated with several requests, corrections and national incidents. Message counts are not equivalent to counts of independent cases. Before publishing a measure, its denominator, period, inclusion criteria and treatment of repeated entries must be defined.

For transmission, useful measures include the proportion of requests received before review is complete and the distribution of that interval. For national use, they include preservation of provisional status and documentation of an independent basis for action. For correction, they include time to notification and the proportion of processing acknowledgments. This report gives no values because the necessary verified dataset is unavailable.

14.2. Potentially misleading indicators

An overall deletion count without grounds does not measure abuse. A record may be withdrawn when its purpose is achieved, changed after a new judicial act or found non-compliant from the outset. Combining those outcomes distorts the result. Similarly, the length of proceedings alone does not reveal whether interim protection was provided.

An average can conceal a small number of very lengthy cases. The report therefore proposes publishing medians and upper percentiles separately by stage, where data volumes and protection against identification permit. Measures should state the proportion of missing dates; otherwise improved reporting may be mistaken for improvement or deterioration in the procedure itself.

Control quality includes both directions of error: unjustified retention and unjustified obstruction of lawful cooperation. Increasing the number of blocks without examining their reasons does not independently demonstrate improvement. The proposed system assesses timeliness and justification, not the maximisation of a particular outcome.

15. Hypothetical applications

The following situations are analytical examples. They do not describe established events, provide advice on national law or predetermine the result in a particular jurisdiction.

15.1. A WPD arrives before review is complete

An NCB receives a message carrying provisional status. A national authority considers an urgent measure. The key questions are what action is requested; whether the warning is preserved; whether a domestic and treaty basis exists; what is known about identity and warrant validity; and who will arrange follow-up verification. Waiting for the NDTF is not presented as universally mandatory, but incomplete review should remain visible in the decision record.

15.2. No searchable entry is available, but a message exists

The applicant receives information that a particular searchable entry is absent, while a national document refers to international communication. This need not be contradictory: the inquiries may concern different objects. Dates, identifiers and channels should be compared. Indications of processing through INTERPOL should support a focused inquiry; a document transmitted by another route requires a separate national mechanism.

15.3. Extradition is refused while a diffusion remains

The first question concerns the reason for refusal. A nationality obstacle is not equivalent to finding the allegation unsupported. If the court identified specific deficiencies in the account of participation, it is necessary to establish whether the INTERPOL data remedy them. Whether the judicial outcome should be added to the record must also be considered. The appropriate argument depends on the judgment's reasoning, not its result alone.

15.4. Data are deleted while a restriction continues

The inquiry starts with the domestic measure's basis. If an outdated copy supports it, correction and the consequences of its use become the issue. If an independent warrant remains effective, central deletion does not settle the national dispute. Distinguishing the two requires the act itself, information about its validity and the applicable remedy. Repeatedly submitting the same deletion confirmation without identifying the actual basis may not address the cause of the restriction.

15.5. A new request follows deletion

A new number does not prove a new basis. Conversely, prior deletion does not prove that every later processing operation is unlawful. The facts, legal basis and reasons for the previous decision must be compared. The proposed system links incoming material to the review history so that the competent body can assess changes while preserving each request's separate status.

16. Counterarguments and limits of reform

The strongest objection to additional safeguards concerns speed. Police cooperation may require immediate transmission where delay risks escape or harm. The proposed model therefore does not depend on an absolute prohibition of transmission before all checks are complete. It requires preserving provisional status and documenting the independent basis of an urgent national decision.

A second objection concerns sovereignty. INTERPOL does not administer national courts and cannot technically erase every State record. Confirmation of correction must therefore not promise more than falls within its competence. A realistic model provides for standardised notification, a recipient response and identification of an independent basis for retention where one exists.

A third objection concerns disclosure of operational information. Detailed recipient and action lists may reveal an investigation or a person's location. The proposal distinguishes internal oversight logs from information communicated to applicants. An internal acknowledgment does not imply an unconditional right to receive it in full. Disclosure may be restricted with appropriate justification while maintaining effective examination.

A fourth objection is workload. Universal manual acknowledgment of every technical event could divert resources from substantive review. Implementation should therefore begin with events of direct significance: status changes, coercive action, refusal to record, provisional restriction and deletion. Status transmission can be automated, but automation should not substitute for legal assessment of a disputed basis.

Finally, rigid automatic blocking may obstruct legitimate new requests. Matching incoming material should identify relationships and refer the matter for assessment, not mechanically prevent processing because a name matches. Quality control requires both protection against repeated violations and the ability to consider a new lawful basis.

17. Observatoire ARGA recommendations

17.1. Preserve status and version

A minimum set of fields should accompany further transmission of a WPD: a unique identifier, version, source, purpose, dispatch date and current review status. A national copy should remain linked to the original material. This does not require general access to a closed file; it requires preventing the request from becoming detached from its review status.

17.2. Document urgent action

Action before completion of review should record its separate domestic basis and urgency. Documentation must be compatible with the applicable rules on immediate measures. A technical barrier must not effectively cancel lawful powers; equally, urgency must not justify indefinite avoidance of subsequent scrutiny.

17.3. Implement corrections

A processing change or termination should generate a notification identifying the request, version and required update. Recipients should be technically able to acknowledge processing and identify any independent domestic basis retained. Introducing such a duty requires identifying the competent normative level; it is not presented as an existing universal obligation.

17.4. Improve reasons

Decisions should be organised around challenged conditions: purpose, lawfulness, quality, individual involvement, access restrictions and the required correction. Where one sufficient ground makes examination of another unnecessary, the text should make that clear. This helps prevent narrow outcomes from becoming wider claims about the accusation or the source State.

17.5. Review resubmissions

A new request concerning related facts should be compared with the previous decision and the asserted change of circumstances. Matching information should be minimal, access-restricted and assigned a separate compliance purpose. It should not operate as an undisclosed continuation of a wanted-person record after operational data have been deleted.

17.6. Publish verifiable reporting

Aggregate measures should distinguish WPDs from other categories, and initial review from provisional measures, correction and deletion. The methodology should define units, completeness of dates and sampling limitations. Until that evidence exists, individual published decisions cannot establish the scale of the procedural gap.

17.7. Responsible bodies and implementation instruments

Recommendations concerning the WPD format are addressed primarily to the General Secretariat and participating NCBs within their respective powers. The proposed initial deliverable is an agreed specification for mandatory metadata and their display when exported. Before changing the form, participants should establish which fields already exist, which are lost in national use and which access restrictions apply. A pilot should examine a defined transmission route rather than the entire infrastructure simultaneously.

Recommendations about reasoning and outcome recording are addressed to the CCF within its powers and confidentiality requirements. For public presentation of practice, the report proposes a common classification: deletion, correction, annotation, unchanged retention and conditional outcomes. Provisional measures should be recorded separately within each category. This would explain the practical significance of review more accurately while preserving anonymisation.

Recommendations about domestic use are addressed to authorities managing the relevant records and bodies exercising procedural oversight. The proposed instrument is an internal procedure linking international updates to review of the national basis. Its legal form depends on the State's allocation of powers. The report does not propose that a CCF act directly impose such a duty on a body outside the Commission's competence.

For professional representatives, the practical instrument is a common register of arguments and developments. Each ground is linked to its documents, requested action, competent recipient and response. An updated submission should explain what changed since the preceding version. This register helps coordinate international and national work without conflating their procedural tasks.

17.8. Priorities and implementation assessment

The first priority is cases where a status change directly concerns restrictions on liberty or movement. The pilot should test delivery time for material updates and the ability to establish receipt by the responsible authority. The second priority is renewed requests concerning related facts: the inquiry tests whether a connection to an earlier decision is identified and a new basis independently assessed. The third is aggregate reporting, whose quality depends on consistency in the preceding stages.

Acceptance criteria should be specified before a pilot begins. For example, a defined set of events should allow reconstruction of the request version, applicable status and processing outcome for the

notification. Where that is impossible, a specific gap should be recorded: a missing log, an unidentified responsible authority or an unagreed acknowledgment format. This supplies grounds for the next procedural change instead of a general assertion that cooperation has improved.

Implementation also requires proportionality review of the information collected. Monitoring delivery ordinarily needs an identifier, event, date and processing status. The full allegation and detailed travel history should not automatically be duplicated in the oversight register. Retention periods, authorised users and procedures for correcting the register itself should be defined before collection begins. Otherwise a quality-control mechanism may create a separate dataset containing excessive personal information.

18. Implementation and conclusions

Implementation should begin by mapping existing forms and procedures: which statuses are already transmitted, where they are preserved and which events are logged. This baseline is needed to avoid proposing an existing mechanism as an innovation or creating duplicate reporting. Public information does not allow a researcher to complete that inventory on behalf of competent participants.

The next stage is a limited pilot for communicating status changes and acknowledging their processing. It should include recipients with different technical capabilities, a manual fallback and a record of cases where acknowledgment cannot be obtained. Success means traceability of the outcome, not the number of automated messages sent.

Following the pilot, the legal basis for mandatory fields, acknowledgments and timeframes should be assessed. Some improvements may concern forms and work organisation; new obligations or changes in competence require decisions at the appropriate normative level. Technical guidance is not assumed to be capable of independently amending the CCF Statute or national procedural law.

The central finding is that diffusions operate within a multi-level control system, but its stages differ in timing and competence. Procedural limitations arise from the need to connect those stages so that provisional status is preserved, material objections receive an answer and correction outcomes remain verifiable.

Published practice confirms the CCF's ability to examine diffusion content, apply provisional restriction and choose between deletion and updating. It does not establish universal effectiveness of every national consequence of those decisions. Judicial scrutiny of domestic coercive action remains independently important.

The proposed reform consequently focuses on accurate transmission of status, targeted review and documented implementation. It does not require abandoning urgent international cooperation. It seeks to establish who took each legally significant step, on what basis and with what information.

Annex A. Case-assessment matrix

Object	Evidence required	Assumption to avoid
Request type	Message or confirmation of category and purpose	Every message is a Red Notice
Identity	Combined identifiers and discrepancies	A matching name is sufficient
Review status	Date and outcome for the relevant version	Receipt means authorisation
National measure	Competent authority's act and applicable basis	INTERPOL itself ordered detention
New development	Judgment, warrant cancellation or other primary document	Every extradition refusal terminates a diffusion
Provisional protection	Measure decision and implementation information	Filing automatically blocks data
Correction	Object, substance and date of change	Every national copy has changed
Remaining record	Origin, purpose and independent basis	Retention is always lawful or always unlawful
Resubmission	Comparison of facts and the earlier decision	A new number cures the previous defect

This matrix is an analytical tool developed by Observatoire ARGAs. It does not replace the requirements of a specific procedure or imply unrestricted applicant access to every listed document. Where evidence is unavailable, the gap should be recorded and the authority competent to examine it identified.

Annex B. Evidential limitations

This study does not establish average WPD review time, the proportion of unlawful national actions or the probability of a successful CCF application. Those conclusions require different evidence. Five decisions are not a representative sample, and anonymisation restricts verification of their complete factual context.

No audit of INTERPOL's or member countries' internal systems was conducted. Proposals concerning versions, acknowledgments and logs describe functional requirements rather than discovered technical vulnerabilities. The report does not claim that a particular recipient loses warnings or ignores deletion messages.

The available legal versions were identified through official publications at the cut-off date. Process-description webpages may change, so the operational account is tied to the research date.

Historical decisions are used within their subject matter and do not imply that every procedure remains unchanged.

The study uses no confidential client material, does not identify anonymised parties and assigns no country ratings. Its recommendations require further legal and technical development by competent participants. These limitations are part of the methodology, not a reason to replace unknown facts with assumptions.

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All online sources were checked against official publications at the cut-off date. Bracketed numbers refer to this list. RPD and Statute citations identify articles of the respective instrument. Decision citations identify paragraphs of the published excerpts, not the confidential full files.