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INTERNATIONAL ANALYTICAL REPORT

D-30. INTERPOL in Latin America

Mexico and Argentina

Police Cooperation, Extradition and International Protection

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Executive summary

International police alerts acquire coercive effect through the law of the country in which a person is located. The same INTERPOL communication can therefore initiate different sequences of action in Mexico and Argentina. Effective representation requires attention to the communication itself, the validity of the underlying foreign judicial decision, the domestic basis for arrest, the applicable treaty and the practical availability of review before surrender to the requesting State.

In Mexico, the relationship between the Ministry of Foreign Affairs, the federal prosecution service and a federal judge is central, followed by the extradition decision and judicial protection through *amparo*. In Argentina, Law No. 24,767 expressly connects certain INTERPOL communications with provisional arrest, while imposing requirements concerning their content and immediate judicial supervision. A judicial finding that extradition is admissible must be distinguished from the execution of surrender.

Changes to Argentina's international protection framework in 2024 and 2025 are particularly significant. A refugee application made during extradition proceedings may follow a special accelerated procedure. The continuation of judicial extradition proceedings must nevertheless be distinguished from the suspension of execution of a surrender decision. In Mexico, refugee status, complementary protection and political asylum likewise have different legal bases and procedures.

This report proposes coordinated action in four areas: liberty and judicial supervision; the conditions for extradition; protection against *refoulement*; and the lawfulness of INTERPOL data processing. Its practical objective is to ensure that every material circumstance reaches the competent authority before an irreversible act occurs. Removal of an international record, termination of domestic detention and correction of derivative information require separate confirmation.

1. Scope and method

This report examines Mexico and Argentina primarily as countries in which a wanted person is located and from which extradition may be sought. Some findings also concern their role as States requesting international police cooperation. The comparison does not assume a single Latin American extradition regime. Domestic legislation, bilateral treaties and regional obligations combine differently in each case. Analysis must first identify the requesting State, then the applicable treaty, and only then the relevant procedure, time limits and grounds for refusal.

The sources are official national legislation, INTERPOL documents and judgments of national courts and the Inter-American Court of Human Rights. Historical judgments are considered within the circumstances actually resolved. Subsequent changes to the law or to an individual's legal position are identified separately. The 2010 *Apablaza Guerra* judgment, for example, cannot establish that the person's position remained unchanged in 2026. Similarly, the assessment of assurances in *Wong Ho Wing* does not create a general presumption that extradition to a particular country is safe. [18-22]

The scenarios in sections 20 and 21 are hypothetical. They illustrate how evidence can be organised and the appropriate procedural forum identified; they do not describe ARGAs clients or the results of actual applications. Recommendations on file management, allocation of responsibilities and

implementation monitoring are analytical proposals. They do not replace mandatory application requirements or the role of a lawyer qualified to act in the relevant jurisdiction.

The source cut-off is 28 September 2026. Where procedures change, the legally relevant version is the one applicable to the particular act: arrest, notification, filing of an appeal or surrender. Domestic remedies and the CCF filing process are especially sensitive to such changes. Their requirements cannot safely be inferred from an old publication or another country's practice. A useful legal assessment establishes a verifiable connection between the fact, the applicable rule, the competent authority and the measure sought.

2. Understanding an INTERPOL communication

An INTERPOL Red Notice seeks the location and provisional arrest of a person pending extradition, surrender or similar lawful action. It is based on a domestic arrest warrant or judicial decision, but is not itself an international arrest warrant. Countries determine its legal effect under their own laws. The statement that somebody was “arrested by INTERPOL” therefore usually obscures action by an identifiable domestic authority whose conduct requires separate legal scrutiny. [1-3]

A Red Notice, a diffusion, a foreign warrant and an entry in a domestic police or border system must be distinguished. They may contain overlapping information, but have different sources, recipients and consequences. Counsel should establish the document's designation, date and reference number, originating authority, purpose, underlying judicial decision and current status. A screenshot of a public notice can assist identification; it does not replace the procedural material relied on to arrest the person.

INTERPOL's public website does not provide a complete picture of international information exchange. The absence of a public page does not prove that no non-public notice or diffusion exists. Disappearance of a page also requires explanation: restricted public visibility, a change of status and deletion from the information system have different consequences. A reliable conclusion requires confirmation from the competent body concerning the relevant information and the person concerned.

The purpose of the search must also be established. Seeking a person for prosecution differs from enforcing a final sentence. A request to locate someone or obtain information differs from a request for provisional arrest. Translation must preserve these distinctions. “Wanted,” “accused” and “convicted” are not interchangeable. An error in a single verb can affect arguments about the presumption of innocence, the necessary extradition documents and the availability of a fresh hearing.

The practical starting point is consequently an inventory of operative instruments, rather than a conclusion based on the colour of an alert. Each instrument should be associated with its issuing authority and the action it is said to permit. Where the authorities provide only a summary, counsel should identify which underlying material remains unavailable and why it matters to the immediate application.

3. Four separate legal questions

The first question is whether the information complies with INTERPOL's rules. Article 2 of its Constitution links cooperation to respect for human rights, while Article 3 prohibits activities of a political, military, religious or racial character. The Rules on the Processing of Data establish requirements concerning information quality, purpose and content. Red Notices are subject to additional conditions, including the nature of the offence and the necessary judicial basis. [1, 2, 26]

The second question is whether domestic authorities are entitled to restrict liberty. Even a compliant international entry does not relieve them of national requirements governing competence, procedure and judicial control. The converse is also possible: a defect in INTERPOL processing does not extinguish an independent domestic warrant. Representation must identify the instrument actually supporting detention and seek review of that instrument rather than an abstract assessment of the international alert.

The third question is whether extradition is legally admissible. Relevant matters include the treaty, dual criminality, limitation periods, identity, political persecution, earlier judgments and any necessary assurances. Extradition proceedings generally do not reproduce the criminal trial on the underlying allegation. However, limits on the scope of those proceedings do not justify disregarding evidence directly relevant to a statutory or treaty bar to surrender.

The fourth question is whether removal to the proposed destination is permitted. Protection against return to a risk of torture operates independently of a person's recognition as a refugee. Criminal allegations and exclusion from refugee protection require serious examination, but do not make prohibited treatment permissible. The assessment must also consider onward transfer through a third country. [20, 24, 25]

The organisation of representation should reflect these distinctions. The same document may be relevant in several proceedings, but the relief sought changes: release, refusal of extradition, prevention of transfer or deletion of data. A generic complaint against "international persecution" may leave an authority without a concrete request it can determine within its competence. A coherent strategy instead assigns each issue to the appropriate forum and ensures that information about material developments is carried across the related proceedings.

Penalty thresholds also differ between the relevant tests. The general criteria in Article 83 of INTERPOL's Rules require, for a person sought for prosecution, an offence punishable by a maximum term of at least two years, and for enforcement of a sentence, the relevant six-month threshold for the sentence imposed or remaining; the Rules also contain specific qualifications. These are not the domestic extradition test. In a hypothetical case with eight months remaining, the ordinary six-month INTERPOL criterion might be satisfied while the general rule in Article 6 of Argentina's legislation requires at least one year of imprisonment remaining when the request is made. Before concluding that extradition must be refused, the applicable treaty must be checked. Counsel should bring together the statutory penalty, sentence imposed, period already served and calculation date. If the figures come from different versions of the legislation or refer to different dates, an apparently obvious comparison can be misleading. The example illustrates why the existence of a notice does not establish compliance with every condition for domestic surrender. It

also identifies a focused evidentiary request: an authoritative, current sentence calculation rather than a general assurance that the offence is serious. [2, 13]

4. The first hours after detection or arrest

The immediate task is to reconstruct events. Record the precise time at which liberty was first restricted, the location, the responsible unit, the documents shown and the time of production before a judge. Where the person is told that a “check” is taking place, establish whether they can leave, contact counsel and obtain information about the legal basis. The name given to a room or procedure does not determine the person's actual situation.

Counsel needs the arrest record, the domestic order, information about the international communication and the identity of the court handling the matter. If a document is withheld, request a written explanation. Identity, nationality, residence documentation and international protection status should be checked immediately. Medical needs, language and the position of accompanying children should be documented separately because they affect effective participation in the process.

For an initial court application, a short chronology with supporting documents is usually more useful than an extensive political overview. It should identify the stated basis for detention, the specific defect, the next deadline and the action requested. In an identity case, the central evidence is the comparison of personal identifiers. Where the formal extradition request is late, receipt records become decisive. If transfer is being arranged despite a protection claim, evidence of its imminence is essential.

Consent to a simplified transfer should be considered only after confidential legal consultation and with interpretation the person understands. A desire to leave a detention facility quickly does not demonstrate an understanding of surrender. Counsel should establish what opportunities to object will remain, what conditions are proposed and how non-refoulement is being addressed. Avoiding premature consent must be accompanied by active use of the available procedural safeguards.

Contact with the consulate of the country of origin also requires an informed approach. Where persecution is alleged, disclosure of location, family details or the contents of an asylum application may create additional risks. Informing a competent authority that protection has been sought is different from transmitting the entire confidential file. The recipient, legal basis and necessary scope of each disclosure should be established rather than assumed.

5. Mexico: the domestic extradition process

Mexico's model involves both the executive and the judiciary. Article 119 of the Constitution provides an important part of the constitutional basis, while the International Extradition Law governs the processing of requests. When a foreign State intends to make a formal request, the Ministry of Foreign Affairs, Secretaría de Relaciones Exteriores or SRE, assesses the preliminary communication. Where appropriate, it is transmitted to the federal prosecution service, Fiscalía General de la República or FGR, which applies to the competent federal judge for the relevant measures. [7, 8]

This sequence matters when an authority asserts that a Red Notice is sufficient. Counsel must establish the domestic order and the statutory procedure by which it was made. At the same time, the person's lack of a copy of a formal extradition request does not establish that every initial restriction was unlawful: the legislation provides for a preliminary stage. A sound challenge identifies a missing mandatory condition or a breach of the limits applicable to that stage.

Once a formal request arrives, SRE examines its admissibility and completeness. An accepted request passes through FGR to the judge. The law provides for the detained person to be informed of the request and supporting documents, to have counsel, and to present objections and evidence. The judge issues a legal opinion, after which SRE decides whether extradition will be granted or refused. The judicial opinion and the final administrative act perform different functions, and both must be tracked.

The required package depends on the treaty and the legislation. It includes the alleged offence, applicable legal provisions, the judicial instrument, identity information and the necessary procedural confirmations. The documents required for an accused person differ from those required for a person sought to serve a sentence. Translation review should cover more than names and dates: the status of the decision, temporal applicability of the law, type of penalty and remaining sentence may all be material.

The Mexican process should not be treated as a shortened retrial of the foreign prosecution. It nevertheless requires examination of whether surrender is permissible. If a requesting State omits the cancellation of a warrant, an acquittal or evidence of political persecution, those matters can bear directly on the extradition decision. They should be presented through reliable documents, with the legal significance of each exhibit clearly explained.

6. Mexico: time limits and objections

Provisional detention requires a particularly precise calendar. Article 119 of the Constitution refers to a limit of up to sixty calendar days. Article 18 of the International Extradition Law uses the expression “two months,” referring to the Constitution, and connects termination of preliminary measures with failure to submit the formal request to SRE. The two expressions should not be treated as arithmetically identical in every calendar. The constitutional limit, applicable treaty and verified date of implementation must guide the assessment. [7, 8]

That period concerns the preliminary stage, rather than providing a universal limit for the entire extradition process. Once a formal request has arrived and a different basis for detention applies, the lawfulness, necessity and duration of the continuing measure require independent assessment. Confusing the stages produces a misdirected application: instead of challenging the operative basis, counsel disputes a preliminary period that has already ended.

Article 25 provides up to three days to raise objections and twenty days to prove them, with the possibility of extending the evidentiary period as prescribed by law. The main statutory categories concern non-compliance with the applicable treaty or legislation and mistaken identity. Human rights, political persecution and the prohibition of torture should be connected to the relevant bars to extradition, rather than confined to an introductory narrative.

A practical deadline record identifies the triggering event, the document proving it, the calculation rule, the final date and the person responsible for filing. Service on counsel, personal notification and receipt by an authority can have different legal significance. Where a date is disputed, preserve the envelope, electronic receipt and official record. Reconstructing events from memory after a deadline has expired is an avoidable weakness.

Article 26 provides for consideration of release on bail under the conditions it specifies. It does not promise release in every case. Counsel should submit verifiable information about residence, family ties, health and the ability to comply with procedural obligations. The application should address the actual reasons for detention and propose a workable alternative. Where circumstances change, the relevance of earlier findings should be reassessed rather than simply repeating the original request.

7. Mexico: amparo and prevention of surrender

Amparo provides a means to challenge acts and decisions that violate rights protected by the Constitution and international treaties. In an extradition matter, a prohibition on physical surrender, review of detention and challenges to other procedural acts must be distinguished. An order stopping surrender does not by itself release the person or finally reject the foreign request. [9, 10]

In jurisprudential holding 1a./J. 165/2024 (11a.), digital registration number 2029664, the First Chamber of Mexico's Supreme Court distinguished two forms of interim protection. Where extradition is identified as the challenged act and the amparo application is admitted, the court must immediately, on its own initiative, prevent surrender until the amparo proceedings are fully resolved. Separate interim proceedings must also be opened concerning other acts that may affect liberty or other rights without themselves constituting surrender. The holding arose from contradiction of criteria 44/2022, resolved on 6 November 2024.

Its practical significance lies in the precision of the relief requested. The application should identify the authorities capable of arranging surrender, the act being challenged and the facts showing a risk of execution. Requests concerning detention, access to counsel or other measures should be formulated separately. A general request to “suspend everything” does not define the subject of judicial supervision.

The current Amparo Law must be used, including the 2025 amendments. Article 17 specifies a thirty-day period for challenging extradition proceedings, while Article 33 of the extradition legislation retains its own reference to fifteen days before communication for surrender. These provisions should not be reduced to informal advice to wait fifteen or thirty days. Counsel must establish the applicable rule, procedural stage, service and urgency while securing the necessary interim protection.

Once protection is ordered, implementation needs confirmation. An order remaining only in counsel's electronic folder does not solve the operational problem at the border. The file should identify the recipients, the time of notification and the response available if compliance is threatened. One team member should be responsible for monitoring the proposed physical transfer so that parallel proceedings do not create an unfounded sense of security.

8. Mexico: refugee status, complementary protection and asylum

The Law on Refugees, Complementary Protection and Political Asylum regulates several distinct forms of protection. Refugee recognition involves the competent authorities within the Secretaría de Gobernación system and COMAR. Political asylum, *asilo político*, operates under a separate regime involving SRE. Complementary protection is considered under statutory conditions where the person does not satisfy the refugee definition. The outcome of one process cannot simply be inferred from the name or existence of another. [11, 12]

Article 6 protects applicants and refugees against return in the circumstances it specifies, including the danger of torture or other prohibited treatment. Article 7 concerns suspension of immigration proceedings initiated because of an applicant's irregular entry. It should not be described as automatically cancelling all earlier measures: Article 21 requires attention to measures already adopted, and extradition detention rests on a separate legal basis.

Article 53 is particularly important at the intersection of protection and extradition. When a request concerns an applicant or a recognised refugee, SRE must notify the competent department within five working days. An opinion is required on compliance with non-refoulement; it is transmitted through SRE to the judge before the relevant judicial opinion is issued. Counsel should check that this inter-agency process appears in the file, what assessment was made and which individual risks were actually examined.

A refugee application engages the thirty-working-day period under Article 18, together with the statutory rules governing situations in which earlier filing was materially impossible and claims based on later events. A late application requires an explanation of the circumstances, rather than an invented date on which fear supposedly arose. International police action may provide new evidence of risk, but does not establish every element of refugee status by itself.

A useful protection file contains a chronology of persecution, information about the specific prosecution, protection decisions in other countries and current evidence of individual risk. Confidential information should be transmitted through an appropriate protected channel. For communication with the extradition court, the status decision and the necessary legal assessment may suffice. Disclosure of the entire asylum interview should have a distinct justification tied to the issue being decided.

9. Argentina: INTERPOL communications and provisional arrest

Argentina's Law No. 24,767 expressly provides for provisional arrest in several situations. Article 44 covers a formal request from a foreign authority, a specified case involving pursuit at the border of a neighbouring country, and a person sought by a foreign court through communications in INTERPOL bulletins. The observation that a Red Notice "is not a warrant" therefore does not, on its own, answer whether an arrest in Argentina is lawful. The statutory connection between the communication and the domestic measure must be examined. [13]

Under Article 48, the communications covered by Article 44(c) must satisfy Article 45. The required information includes identification details, the date and place of the alleged conduct, its legal classification, the relevant penalty information, the existence of a judicial arrest order and an

undertaking to request extradition formally. A communication should not be assessed solely by its colour or label. Any missing mandatory element should be identified precisely and linked to the request for judicial review.

The arrested person must be placed immediately at the disposal of the competent federal judge. Article 49 requires a hearing within twenty-four hours and appointment of a public defender if private counsel has not been designated. Identity, the contents of the communication and the initial permissibility of the measure are particularly important at this stage. Counsel should also establish whether the requesting State has been notified of the arrest and when, because that event starts a key statutory period.

Under the general regime in Article 50, the formal request must be submitted within thirty calendar days after the requesting State is notified of provisional arrest. In the circumstances specified by the legislation, a ten-calendar-day extension may be granted at that State's request. An applicable treaty may prescribe a different regime. If administrative processing of an already received formal request is delayed, the judge may, at the arrested person's request, set a deadline for its transmission to judicial proceedings; the law specifies the consequences of non-compliance.

Release because a timely request has not arrived does not necessarily resolve the matter permanently. Article 50 permits a further arrest once a formal request has been received. Counsel must therefore distinguish termination of a particular provisional measure from a final refusal of extradition. Even after release, work on the INTERPOL record and monitoring for new judicial acts may remain necessary. The client should receive an explanation of the actual effect of release, including any continuing obligations.

10. Argentina: judicial determination and the executive stage

Article 2 of Law No. 24,767 gives priority to an applicable treaty and provides for supplementary use of domestic legislation where the treaty leaves an issue unregulated. Reciprocity matters where no treaty applies. Beginning with a supposedly universal list of Argentine deadlines, without checking the treaty relationship with the requesting State, is methodologically unsound. The case file should contain the treaty itself rather than merely an assertion that one exists. [13]

The judicial stage examines the legal conditions for extradition. Article 30 limits debate about whether the alleged conduct occurred and whether the requested person is guilty. This separates extradition proceedings from the foreign criminal trial. At the same time, Articles 8 and 11 contain barriers requiring substantive attention: political offences or persecutory purposes, the risk of torture, specified death penalty concerns, previous proceedings, convictions in absentia and credit for time spent deprived of liberty.

For an in absentia conviction, Article 11(d) requires assurances concerning reopening of the case, an opportunity to be heard, the exercise of defence rights and a new judgment. A letter offering general "access to justice" does not allow these elements to be assessed. Counsel should establish who can initiate reopening, whether it is mandatory, the applicable period, whether facts and evidence can be examined, and what happens to enforcement of the original sentence.

Under Articles 32-36, a refusal by the court and a finding that extradition is admissible have different legal structures. A positive admissibility finding is followed by an executive stage with the

refusal powers specified in the legislation. The judicial decision can be challenged through the statutory ordinary appeal to the Supreme Court, with suspensive effect. That special route should not be replaced in an account of the law by a generic description of extraordinary constitutional review.

Liberty requires separate attention. Article 26 contains a restrictive rule concerning release in extradition proceedings, so an ordinary application invoking general bail provisions may be insufficient. Constitutional and inter-American protection against arbitrary or excessive detention nevertheless remains relevant. An application should address individual circumstances, procedural risk, elapsed time and available alternatives. It should not promise an unconditional entitlement to bail. The proposed alternative must also be practically workable, including reliable notification arrangements and a realistic means of attending proceedings.

11. Argentina: asylum and suspension of surrender

Law No. 26,165 extends its basic protection principles to recognised refugees and applicants. Article 14 gives a refugee application suspensive effect in relation to execution of a decision authorising extradition until the status determination procedure has concluded with a final decision. The provision concerns execution. It should not automatically be read as suspending every act of the extradition court. [14]

Article 15 sets out the consequences of refugee recognition for proceedings requested by the government of the country of nationality or former habitual residence, subject to the law's non-refoulement provisions. Article 20 of Law No. 24,767 separately addresses returning a request from the country that gave rise to protection. Applying these rules requires confirmation of status, its continuing validity and the relationship between the requesting country and the basis of protection. A request from a third State requires its own assessment, including the possibility of onward transfer.

The regulations approved by Decree No. 646/2025 connect the proceedings in greater detail. Article 14 provides for informing CONARE and the court, exchanging necessary information and continuing judicial extradition proceedings while preserving the applicable restrictions on execution. Following a judicial finding of admissibility, it provides for suspension of the executive-stage period pending resolution of recognition, cessation or cancellation of status. Confidentiality must be maintained during the exchange between authorities. [16]

Protection granted by a third country deserves particular attention. Article 7 of the regulations permits recognition of its extraterritorial effect for protection against return to the country of origin. Unless rebutted, an authentic, valid refugee travel document carrying an unexpired right of readmission is sufficient evidence of that status, subject to verification. This is a specific Argentine provision, rather than an imported European Union rule on mutual recognition.

The practical package should contain the recognition decision, current confirmation of status, identification of the country of feared persecution and a safe way to verify the information with the protecting State. Confidential protection history should not be checked by approaching the alleged persecutor. An expired travel document calls for updated evidence; expiry of the document should

not be equated with cessation of refugee status without legal examination. The significance of the foreign decision should also be explained separately in the extradition and INTERPOL proceedings.

12. Argentina: the 2024 and 2025 reforms

Decree No. 942/2024 amended provisions of Law No. 26,165 concerning exclusion, cessation and cancellation of refugee status, as well as judicial review. The 2025 regulations introduced detailed procedural mechanisms. Advice based only on the original 2006 text may consequently miss deadlines that determine whether protection can be exercised in practice. Application of the new provisions remains subject to scrutiny under constitutional and international guarantees. [14-16]

The exceptional procedure for a refugee application made during extradition proceedings is especially significant. Article 41 of the regulations calls for a personal interview on the day of filing or the next day, a technical report within three days after the personal statement and a decision within ten working days of the administrative determination selecting that procedure. These periods govern different acts. They should not be collapsed into a single description of a “ten-day asylum deadline.”

Counsel should obtain the reasoned procedural classification, arrange interpretation and ensure that available evidence reaches the interview. Where a document cannot realistically be obtained immediately, record why it matters, who holds it, the requests already made and the procedural opportunity needed to supplement the file. Acceleration does not dispense with an effective hearing or the needs of a vulnerable applicant. An objection based on inadequate time should identify concrete prejudice, such as inability to translate a judicial finding concerning torture or contact an essential witness.

Under the current Article 50, a direct judicial appeal against refusal, cessation or cancellation must be lodged within five working days of notification. That appeal has suspensive effect. The statutory text provides that subsequent *recurso extraordinario* federal and *recurso de queja* do not themselves suspend execution. A strategy therefore cannot assume that every successive challenge automatically prevents enforcement. Where a real risk persists, the need for specific interim protection must be assessed independently.

CONARE Resolution No. 491/2025 delegated specified powers to its Executive Secretariat concerning preliminary assessment and selection of the procedure. [17] The author and content of the actual decision must be checked. A filing sent to the wrong authority, an overlooked electronic notice or an expectation of a lengthy administrative reconsideration process can undermine a case more seriously than a lack of general legal argument. A working notification system is therefore part of substantive protection, rather than an administrative detail.

13. Comparison: similar concerns, different procedural action

Issue	Mexico	Argentina
Basis for a preliminary measure	Identify the domestic order and the SRE, FGR and federal judge sequence	Articles 44-49 of Law No. 24,767 expressly address INTERPOL communications and judicial supervision
Formal request	Constitutional provisional limit of up to 60 calendar days; verify the treaty and Article 18	General rule: 30 calendar days from notice of arrest, with a possible 10-day extension; treaty takes priority
Extradition determination	Judicial opinion followed by an SRE decision	Judicial admissibility finding and the statutory executive stage
Urgent protection	Amparo, distinguishing prevention of surrender from other measures	Special appeal procedures, liberty review and protection against execution where applicable
Asylum	COMAR and competent authorities; Article 53 opinion; separate political asylum regime	CONARE; Articles 14-15 and the 2025 regulations, including an accelerated procedure

The comparison explains why a pleading from one country cannot be reused simply by changing the names of authorities. In Argentina, denying that an INTERPOL communication can have any legal effect would be mistaken. In Mexico, treating the foreign communication as a complete explanation of domestic procedure would also be mistaken. In both jurisdictions, the treaty must be examined before reaching a final conclusion about deadlines or grounds for refusal. [7-17]

The product of the judicial stage also differs. A Mexican legal opinion and an Argentine admissibility judgment are not interchangeable instruments. Different documents are consequently needed for review, suspension and proof of a final outcome. In correspondence across languages, a reference to a “court decision on extradition” should be clarified by explaining its legal function and current effect.

Both systems require protection to be effective before surrender. If an interim order has not reached the executing authority, or the protection proceedings are absent from the extradition file, the formal existence of rights may fail to prevent an operational error. A single register of operative restrictions is useful: who made the order, what action it prevents, when it ends and who can confirm compliance.

The register should also state what remains unresolved. A suspension can coexist with continuing detention; a protection decision can coexist with a request from a third country; and deletion of INTERPOL data can coexist with a domestic warrant. Accurate comparison depends on keeping those combinations visible rather than assigning the whole case a single label such as “cleared” or “blocked.”

14. Political persecution and ordinary criminal allegations

Political context does not make every prosecution impermissible. Allegations of fraud, corruption or violence may retain their ordinary criminal character even where the accused participates in politics. Conversely, an ordinary criminal label can conceal a persecutory purpose. Analysis must connect the substance of the allegation, the authorities' conduct and the person's individual position. A general description of the political system is insufficient. [1, 2, 8, 13, 26]

Persuasive evidence usually has several verifiable components. Compare the timing of public activity, commencement of the prosecution, changes to the charge, treatment of comparable individuals and statements by officials. Establish whether a commercial dispute and ordinary investigative measures preceded the political event. A document contradicting an attractive defence chronology should be addressed rather than concealed. An omission discovered later can weaken the credibility of the entire submission.

INTERPOL applies its own assessment under Article 3, taking account of the conduct, the person's position and the overall context. The national court applies treaty and statutory barriers to extradition. One body's decision can be relevant to another, but the legal question may differ. A predominantly political character in the data processing and a risk of prohibited treatment after extradition, for example, require different evidentiary connections.

In an economic case, the private dispute must be separated from the alleged offence. Failure to perform a contract does not itself establish fraud; the existence of a civil judgment does not exclude a distinct criminal act either. Relevant questions concern the alleged deception, when intent arose, the movement of funds, the identified victim and the wanted person's role. CCF should not be asked to resolve the entire corporate dispute afresh. The application should identify a defect in the data or a conflict between the police purpose and the organisation's rules.

Violent conduct requires particular care. Political motivation does not create general immunity from prosecution for serious crimes. Where the case concerns torture, fabricated evidence or denial of access to a court, those matters need detailed proof. A professional submission can acknowledge the gravity of an allegation while demonstrating why a particular form of international cooperation is legally impermissible. This approach also helps distinguish a credible protection claim from an attempt to use political terminology as a substitute for answering the material issues.

15. Prohibited treatment and diplomatic assurances

Non-refoulement assessment asks what the foreseeable consequences of transfer would be for this individual. General information about torture or prison conditions should be connected to the likely place of detention, type of allegation, previous treatment, health and access to independent representation. Current information is essential because the political situation or applicable penalty may have changed since the original request. [20, 21, 24]

The risk of capital punishment and the risk of torture must be examined separately. Legislative abolition of the death penalty for a particular offence can materially alter one issue without resolving the other. Equally, a guarantee of a fresh trial following an in absentia conviction does not

answer concerns about detention conditions. Assurances should be assessed against each alleged risk, rather than treated as a single expression of diplomatic trust.

Relevant questions include the authority of the signatory, the legal capacity to fulfil the undertaking, its specificity and the availability of independent monitoring. Who determines the place of detention? Can a monitor interview the person confidentially? Who will be informed of a transfer to another institution? What response is available if a condition is breached? A general promise to comply with domestic law offers limited additional protection if these questions remain unanswered.

Onward transfer presents a distinct problem. Extradition to a State that does not itself persecute the person can result in return to the country of danger through re-extradition or immigration removal. Specialty, consent to further extradition and non-refoulement assurances should be considered together. The assessment must examine both the initial destination and the legal route by which a subsequent transfer could occur.

Protection from torture does not depend on a finding of innocence. It also does not terminate all possible criminal responsibility. Lawful cooperation, investigation in an appropriate jurisdiction and transmission of evidence may remain available under the applicable safeguards. This report treats effective criminal accountability and examination of human rights risks as legal obligations that must be made compatible. Neither should be used as a substitute for addressing the other.

In the court file, assurances can usefully be assessed by pairing each specific risk with the proposed response. A concern about isolation calls for examination of access by counsel and independent monitors; a medical concern calls for evidence of the necessary treatment and a way to confirm continuity of care. The source supporting the practical enforceability of each promise should be recorded alongside it. Missing elements should not be supplied through an assumption of either State good faith or bad faith: a precise question should be asked and an answer sought. If assurances arrive after the initial judicial examination, the defence needs a meaningful opportunity to study and challenge them before surrender. A material change in the proposed institution, legal characterisation of the charge or authority providing the undertaking calls for reassessment of the relevant risk. This is the report's proposed working method, derived from the distinctions examined in inter-American case law; it is not an officially prescribed form of assurance. Its value lies in making the connection between a promise and the threatened harm visible to the decision-maker. [21]

16. CCF: scope of review and current filing requirements

The Commission for the Control of INTERPOL's Files, or CCF, deals with access to, correction and deletion of data in INTERPOL's information system. It does not release people from domestic detention, overturn foreign convictions or grant asylum. An application to CCF should therefore proceed alongside domestic remedies. Waiting for it must not cause a missed court deadline or allow physical surrender to occur. [4, 5]

Since 26 March 2026, new requests must be submitted through the dedicated secure CCF portal. Email and ordinary post are no longer the general channels for new applications. An alternative requires exceptional circumstances recognised by the Commission under Rule 25(2).

Correspondence in existing matters may continue by email until the parties are informed of migration to the portal. Older templates advising applicants merely to email a complaint need to be updated.

A sound application contains precise identification, evidence of the representative's authority, clear requested relief and organised exhibits. Grounds should be presented separately: absence of a valid judicial basis, mistaken identity, a predominantly political dimension, human rights concerns, refugee status or another incompatibility with INTERPOL's rules. Each proposition should refer to a particular document, date and page. Several hundred pages of unexplained attachments can obscure the decisive issue rather than demonstrate it.

Where surrender is imminent or there is a serious safety risk, a reasoned request for a provisional measure within CCF's powers may be appropriate. It should substantiate urgency and explain how the data processing relates to the threatened harm. Submitting the request does not mean that processing has already been blocked or national enforcement suspended. The team must obtain the response and read its precise scope.

Article 40 of the Statute provides periods for decisions on access and on correction or deletion, running after admissibility, with provision for a justified extension. They are not release deadlines or guarantees of a decision before the next national hearing. Following a CCF outcome, counsel must distinguish the decision itself, its implementation in INTERPOL's system and the further steps needed domestically. The client's practical position depends on that whole sequence, rather than the favourable wording of a single letter.

17. Identity, confidentiality and data quality

Identification errors can result from a shared name, different transliteration, reordered surnames, multiple nationalities or an outdated document. Spanish-language records require particular care with compound names and surnames. Dropping part of a name for convenience can generate a false match. Comparison should use date and place of birth, documents from different periods, photographs and, where lawful and necessary, biometric information. [2, 8, 13]

Evidence can be organised in a table showing the field in the international record, the person's verified information, its source and the significance of the discrepancy. Not every difference proves an error. A changed surname may reflect marriage, a different date may be a recording mistake, and another passport may be a lawful replacement. A strong submission assesses the identifiers together and addresses plausible explanations. Once mistaken identity is established, correction is needed in all affected processes, because releasing one individual does not automatically repair the originating record.

Confidentiality is independently important. An asylum file may contain relatives' addresses, witnesses' names and descriptions of participation in political groups. Transmission to the country requesting police cooperation may create a new risk. Article 48 of Argentina's Law No. 26,165 and the corresponding Mexican provisions require particular protection for this information. [11, 14] The material supplied to each recipient should be limited to what is necessary: status confirmation, an extract from a decision, anonymised information or the full document through an appropriate procedure.

A CCF submission should explain which materials should not be disclosed to the source of data and why. The Commission applies its own rules on access and information exchange. It would be inaccurate to promise either unrestricted access to another party's material or complete isolation of everything supplied by the applicant. A disclosure restriction should be supported by an identified risk. Where an important argument depends on sensitive evidence, counsel should consider how its verifiable substance can be presented without unnecessarily exposing a witness.

Integrity of the case file also matters. Preserve the original document, receipt date, sender and certified translation; an amended version should not erase the record of an earlier one. An openly explained correction to a translation is preferable to silently replacing an exhibit after it has been relied on. If authenticity is disputed, provenance and the sequence of receipt help distinguish a technical error from an attempt to mislead an authority.

18. National case law: amparo and Apablaza Guerra

Mexico's holding 1a./J. 165/2024 (11a.) is useful because it differentiates interim protection by subject matter. Its conclusion on preventing surrender after admission of an amparo application does not determine the wanted person's guilt, the lawfulness of all domestic records or entitlement to release. Other acts require their own interim examination. [10] In practical drafting, this means identifying both the threat of surrender and the independent violations addressed by each additional request.

Argentina's Supreme Court judgment of 14 September 2010 in *Apablaza Guerra*, Galvarino Sergio s/ arresto preventivo illustrates another boundary. The Court resumed appeals that had been suspended pending a refugee decision, taking account of years of uncertainty. It declared extradition to Chile admissible while preserving the requirement to respect non-refoulement at the stage of the executive's final decision. The judgment neither ordered automatic surrender because of an INTERPOL communication nor held that every refugee application must suspend judicial consideration indefinitely. [18]

The Court also rejected classification of the serious conduct described in the request as political offences for the relevant treaty exception. The extradition judgment did not determine criminal guilt. Analysis must preserve the distinction between the requesting party's allegations, judicial assessment of an extradition barrier and a final criminal conviction. A person's political history cannot substitute for examination of the particular conduct on which the request relies.

The historical outcome must not be presented as the current status of the case. Argentine Ministry of Security Resolution No. 302/2026, published on 7 April 2026, reported national and international search orders dating from 31 March 2026 for the purpose of implementing the extradition decision, and offered a reward for information. [19] It is an official administrative source concerning that stage. It does not establish subsequent arrest, completed surrender or criminal guilt, and this report does not infer later events from it.

The common lesson is to identify the exact legal effect of each instrument. "Surrender suspended," "extradition admissible," "status determined" and "search order in force" describe different positions. In a live case they should be recorded separately, with a document and date. That discipline helps prevent inaccurate travel advice and premature closure of the protection work. It

also allows a new representative to understand which favourable decision remains relevant and which later development requires immediate attention.

19. Inter-American case law and urgent measures

In *Wong Ho Wing v. Peru*, decided on 30 June 2015, the Inter-American Court examined risks associated with extradition to China alongside the length of proceedings and deprivation of liberty. It considered changes in the law, individual circumstances and diplomatic assurances. On the situation established at that time, it did not find a proven real, foreseeable and personal risk of prohibited treatment on extradition, and considered the death penalty legally unavailable in the circumstances examined. It nevertheless found violations of the reasonable-time guarantee and the right to liberty. [21]

The practical conclusion is neither that assurances are always sufficient nor that lengthy proceedings necessarily prohibit extradition. Risk on return and the justification for detention require independent examination. A domestic application can usefully set out the history of detention review, alternatives considered and the authorities' actual procedural activity. Invocation of international cooperation does not explain why the current form of custody remains necessary.

Pacheco Tineo Family v. Bolivia, decided on 25 November 2013, concerned the family's return to Peru in 2001 following consideration of protection and removal. The Court found violations of the right to seek and receive asylum, non-refoulement, procedural guarantees and judicial protection, and separately examined the rights of the children and family. It emphasised the need to follow proper procedures even where an arrest warrant exists. [22]

For Mexican and Argentine practice, the case is especially relevant where immigration and extradition measures overlap. Calling a transfer “return” or “removal” does not eliminate the need to assess risk and provide procedural safeguards. At the same time, the judgment does not confer refugee status on everyone sought under a warrant. The existence of a warrant does not, by itself, prove a protection claim.

A serious and urgent risk of irreparable harm may justify considering a request for precautionary measures from the Inter-American Commission under Article 25 of its Rules of Procedure. The request needs individualised facts, evidence of imminence, information on national protection sought and a clear proposed measure. [23] This is a separate mechanism, rather than an appeal from CCF. Provisional measures of the Inter-American Court under Article 63(2) of the Convention have their own conditions and procedural route; an individual does not acquire universal direct access to the Court simply by sending a letter. Submission of an international request is not itself confirmation that domestic surrender has stopped.

20. Practical scenarios: arrest, deadlines and identity

Scenario 1. Detection at a Mexican airport

A traveller is matched with a foreign wanted-person record. They are told that “INTERPOL requires extradition,” but are not shown a domestic order. They hold a residence permit from a third country and previously alleged persecution there. These facts establish neither that every restriction is unlawful nor that recognised refugee status exists.

Counsel first establishes the actual time of arrest, the responsible authority and the domestic legal basis. The preliminary-stage documents, information on SRE and FGR action, the assigned judge and the contents of the foreign warrant are requested. The residence permit is checked against any international protection decision: an ordinary right of residence is not equivalent to refugee recognition.

If a risk of surrender is substantiated, amparo and the relevant suspension should be considered. If protection is sought in Mexico, the request is recorded and the prescribed communication between authorities secured. A separate data application is made to CCF. The immediate objectives are specific: judicial examination of the arrest, a documented prohibition on transfer where justified, and confirmation that the protection request has been registered. None should be described as already achieved merely because the corresponding application has been sent.

Scenario 2. Provisional arrest in Argentina

A person is arrested on a communication referring to a foreign warrant. The copy given to counsel contains no clear undertaking to submit a formal extradition request. It is not yet known whether the inter-agency file contains a fuller version.

The court application seeks production of the actual basis relied on and examination of Articles 45 and 48 of Law No. 24,767. The completeness of the evidence must be established before absence from a partial copy is treated as conclusive proof of absence from the entire file. At the same time, counsel records when the requesting State was notified of arrest and checks the relevant treaty.

If the formal-request period has expired, the dates are proven and no permissible extension exists, termination of the measure should be sought. Release is documented together with any continuing obligations. Counsel explains that a subsequent formal request can alter the position. Work on the international record and official correspondence therefore continues rather than treating a deadline-based release as an acquittal or permanent refusal of extradition.

Scenario 3. A shared name

The detained and wanted persons share a common first name and one surname, but have different places of birth and photographs. The detained person's documents contain a second surname missing from the abbreviated alert. Relatives suggest posting the passport on social media to demonstrate the mistake.

A more reliable approach is a procedural comparison of authentic documents with the complete identifiers in the request. Counsel seeks examination of the available fields, records the discrepancies and requests termination of the measure against the wrongly identified person. Public

circulation of a passport cannot replace that examination and unnecessarily exposes personal information.

After a favourable judicial finding, targeted correction requests address the international and national records. The confirmation should make clear that a person was misidentified, rather than suggesting termination of the case against the other wanted individual. Accurate wording helps prevent another arrest when an automated system later produces the same name match. Copies of the correction should be preserved in a readily accessible, appropriately protected travel file.

21. Practical scenarios: asylum, allegations and deletion

Scenario 4. Protection sought during Argentine extradition proceedings

After extradition proceedings begin, a person alleges that the prosecution is being used to punish political activity. An interview under the exceptional procedure is set for the next day. An important foreign judgment is held by former counsel. An ordinary assumption that several months will be available to assemble evidence does not fit the current regulations.

The legal team obtains the procedural classification, promptly submits available evidence and records the request for the missing judgment. It explains what the judgment establishes, why it is unavailable and what conditions are needed for an effective interview. Interpretation, access to counsel and notification are documented. Acceleration alone does not establish a violation, but a specific inability to present material evidence should be placed before the authority.

If protection is refused, the five-working-day period for direct judicial appeal and its suspensive effect must be monitored. At later stages, the need for a specific urgent order is assessed separately. The extradition court is informed of the operative procedural position. Assuming without checking that CONARE or another body has communicated everything creates an avoidable risk, particularly where the decision and the physical transfer are being handled by different officials.

Scenario 5. An economic allegation and political activity

A businessperson says that the search relates to support for an opposition movement. The request alleges misappropriation, while the file contains contracts, payments and litigation that began before the political activity. Counsel must address a chronology that complicates the initial account.

Commercial events and political actions are placed in a single timeline. The analysis identifies the elements of the alleged offence, changes in the prosecution's theory and evidence of official intervention. If the original dispute was real, that fact is acknowledged. Any claim that later use of criminal procedure became persecutory must then be demonstrated through the relevant evidence.

For CCF, the question concerns compliance with INTERPOL's rules. For the extradition court, it concerns the applicable barrier to surrender. For the protection authority, it concerns persecution and any exclusion issues. The same facts can receive different legal assessments. Political visibility alone cannot justify a promise of a favourable outcome. A credible submission also identifies what the existing material does not yet establish and seeks the missing evidence through lawful means.

Scenario 6. INTERPOL data deleted, a domestic measure remains

CCF has granted a request to delete specified data. Several weeks later, a border authority refers to the old entry, while a separate court order exists in the national file. The client assumes that the CCF letter cancelled every restriction.

First establish the decision's scope: the data, source and grounds covered, and whether implementation has occurred within INTERPOL. Then determine whether the national entry is a derivative copy or reflects an independent operative instrument. The first situation calls for updating the information; the second requires an application to the competent national body explaining the significance of the CCF decision.

Even a persuasive success in data proceedings is not an acquittal. The communication to the client should specify the restrictions removed, the grounds that remain and the confirmations still missing. Permission to travel should not be inferred from disappearance of a public page or a single letter without examination of the domestic procedural position. The objective is a documented account of the remaining legal risks, not a broader conclusion than the decision supports.

22. A common file and coordinated representation

A case involving several jurisdictions benefits from a common document register and a clear allocation of responsibilities. Local counsel handles domestic procedure and deadlines; the international protection specialist handles the relevant protection file; the CCF representative addresses INTERPOL data. A coordinator maintains factual consistency and version control. This arrangement does not require every participant to receive all sensitive material.

The file begins with identity documents, name variants, nationalities and residence records. Judicial instruments and international communications follow, then the domestic arrest, extradition and protection materials. Medical evidence, individual risk information and proposed assurances are maintained separately. Each item should identify its source, date, language, translation status and disclosure restrictions. The index should enable an unfamiliar reader to locate the decisive document without searching the entire collection.

A matrix linking a circumstance, supporting evidence and legal issue is particularly useful. Valid refugee recognition is supported by the competent authority's decision and may be relevant to non-refoulement, domestic legislation and INTERPOL's refugee policy. Invalidity of a foreign warrant requires the relevant judicial act rather than a representative's opinion. A general country report establishes context and still needs an individual connection. This approach reduces repetition and exposes evidentiary gaps before filing.

Notifications require particular discipline. One register should record submission, reference number, receipt confirmation, response period and the next mandatory action. Silence should not be recorded as consent, and technical transmission should not be recorded as a finding of admissibility. Where time is critical, a substitute should be appointed who can obtain an order and ensure it reaches the implementing authority if the primary representative is unavailable.

Translations must preserve both the degree of certainty and the procedural status. "Suspected" should not become "committed"; withdrawal of a request should not become an acquittal;

suspension should not become cancellation. A discrepancy between translation and original should be corrected consistently and explained. An English analytical edition of this report does not remove Spanish-language filing requirements in the relevant national proceedings. Publication language and procedural language serve different purposes.

Coordination also requires a record of decisions made by the client after advice. Consent to disclosure, agreement to a procedural course and instructions about contact with relatives or consulates should be clear. That record protects continuity when several lawyers are involved and reduces the risk that an urgent action is taken on an outdated assumption about the person's wishes.

For each hearing, prepare a short statement of purpose: what the court can decide that day, which evidence is needed and which instrument will confirm the result. At the preliminary stage, the issue may be production of the communication and verification of identity; after the formal request, it may be a specific treaty barrier; immediately before surrender, it may be an operative suspension and its recipients. After the hearing, record the written operative terms as well as oral explanations, the next action and the client's continuing obligations. When responsibility passes across time zones, specify the local date and time rather than describing urgency only as "tomorrow." If a document arrives overnight, an agreed arrangement should identify who reviews it and who makes any necessary filing. This does not create new legal deadlines. It provides a practical means of meeting the existing ones and prevents an apparently minor handover failure from defeating a substantive safeguard.

23. Implementing decisions and restoring rights

Work does not end with a favourable instrument. For every decision, establish its addressee, required result and means of confirming compliance. A domestic court may terminate detention while leaving procedural obligations; a protection authority may recognise status while residence documentation remains outstanding; CCF may find data non-compliant, after which implementation and updating of associated records are still necessary. [4, 6, 8, 13-16]

Following deletion of INTERPOL data, obtain confirmation of scope and implementation. INTERPOL informs member countries when non-compliant processing is discontinued and requests removal of the corresponding information from national databases. A particular domestic restriction may nevertheless have an independent basis. A targeted application should therefore provide the CCF decision and ask what legal ground supports continued use of the information. It must distinguish deletion of an incorrect copy, correction of status and review of a separate warrant.

INTERPOL's refugee policy provides for deletion of a notice or diffusion from the country of feared persecution after a member country confirms refugee status. Refusal or subsequent revocation of status can lead to retention or restoration of data if processing complies with the rules. [6] New decisions must therefore be communicated in a timely way. An old certificate should not be treated as a definitive answer to every future enquiry about the person's legal position.

Derivative effects may remain with carriers, banks, employers or public sources. In each setting, identify the information actually used and the applicable law. A deletion letter should not be presented as proof of acquittal if no acquittal exists. A more accurate package contains the

established procedural outcome, corrected information and a limited request to the recipient, such as reconsideration of a particular decision or updating of a record.

Compensation requires separate documentation of the legal basis for liability, harm and causation. Defence expenditure, lost income and medical consequences need appropriate evidence. Deletion does not, by itself, establish that every previous act was unlawful or determine the amount of compensation. Preserving evidence early makes later assessment of remedies possible without reconstructing the entire history. It also helps separate harm attributable to the international record from consequences of an independent national prosecution or unrelated commercial decision.

24. Practical priorities for ARGA

ARGA's regional analytical work should focus on verifiable procedures rather than a general ranking of “safe” countries. Separate, regularly updated materials for Mexico and Argentina should explain the processing of requests, judicial supervision, international protection and implementation of decisions. A common structure makes comparison easier while retaining the national differences. Regional coordination here means connecting competent specialists and sources; it does not assume that the organisation possesses powers reserved to public authorities.

The first priority is early verification of the domestic basis for restricting liberty. In each matter, the operative document, responsible authority, implementation time and urgent remedy should be identified. The second is a full non-refoulement assessment before transfer, addressing individual circumstances and possible onward movement. The third is timely action on INTERPOL information, including the current CCF process and official confirmation of refugee status where relevant.

Quality should be assessed through completed actions: whether the domestic order was obtained, the applicable treaty identified, deadlines calculated, interim protection communicated to the executing authority and material risk evidence submitted. The number of letters or volume of exhibits does not itself demonstrate effectiveness. The register should show favourable decisions and continuing restrictions so that any successor representative can understand the actual position.

Public analysis should use anonymised procedural accounts and distinguish findings made by a court from the parties' assertions. Descriptions of allegations should preserve the presumption of innocence and identify the stage reached. Availability of information in an official publication does not make it necessary to reproduce passport details, family addresses or the contents of an asylum interview. Analytical value comes from explaining the legal mechanism rather than exposing the individual.

A durable outcome requires police cooperation to rest on reliable data, domestic coercion to remain subject to effective judicial supervision, and protection claims to be examined before irreversible transfer. Mexico and Argentina share that principle while providing different procedural routes. The model proposed here connects those routes through a sequence of verifiable actions and preserves the independent function of each decision and remedy.

Sources and references

Numbers correspond to references in the text. Domestic provisions are read subject to the applicable treaty; judgments are analysed within their factual and procedural scope. Items 21-22 reproduce primary judicial texts. Electronic sources accessed on 28 September 2026.

- [1] INTERPOL. Constitution of the ICPO-INTERPOL, 2024; Articles 2-3. https://www.interpol.int/en/content/download/590/file/01%20E%20Constitution_2024.pdf?inLanguage=eng-GB&version=18
- [2] INTERPOL. Rules on the Processing of Data; in particular Articles 82-84. https://www.interpol.int/en/content/download/5694/file/26%20E%20RulesProcessingData_RPD.pdf?inLanguage=eng-GB&version=36
- [3] INTERPOL. About Red Notices; legal effect, compliance and removal. <https://www.interpol.int/en/How-we-work/Notices/Red-Notices>
- [4] INTERPOL. Statute of the Commission for the Control of INTERPOL's Files; in particular Articles 40-41. [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)
- [5] INTERPOL. How to submit a request; portal introduced on 26 March 2026. <https://www.interpol.int/en/Who-we-are/Commission-for-the-Control-of-INTERPOL-s-Files-CCF/How-to-submit-a-request>
- [6] INTERPOL. Refugee Resolution, GA-2017-86-RES-09; official explanation of confirmation and deletion. <https://www.interpol.int/Who-we-are/Legal-framework/INTERPOL-Refugee-Resolution>
- [7] México. Constitución Política de los Estados Unidos Mexicanos; Articles 1, 15, 16 and 119. <https://www.diputados.gob.mx/LeyesBiblio/pdf/CPEUM.pdf>
- [8] México. Ley de Extradición Internacional; last reform published 20 May 2021. https://www.diputados.gob.mx/LeyesBiblio/pdf/36_200521.pdf
- [9] México. Ley de Amparo; consolidated text, last reform published 16 October 2025; Articles 17, 126-127 and 160. <https://www.diputados.gob.mx/LeyesBiblio/pdf/LAmp.pdf>
- [10] SCJN, Primera Sala. Jurisprudencia 1a./J. 165/2024 (11a.), registro digital 2029664; contradicción de criterios 44/2022, 6 November 2024. <https://sjf2.scjn.gob.mx/detalle/tesis/2029664>
- [11] México. Ley sobre Refugiados, Protección Complementaria y Asilo Político; last reform published 18 February 2022; Articles 6-7, 18, 21, 53 and 74. <https://www.diputados.gob.mx/LeyesBiblio/pdf/LRPCAP.pdf>
- [12] COMAR. Institutional mandate and refugee status procedure. <https://www.gob.mx/comar/que-hacemos>
- [13] Argentina. Ley 24.767, Cooperación Internacional en Materia Penal; in particular Articles 2, 8, 11, 20, 26-36 and 44-50. <https://www.argentina.gob.ar/normativa/nacional/ley-24767-41442/texto>
- [14] Argentina. Ley 26.165, Ley General de Reconocimiento y Protección al Refugiado; updated text; Articles 7, 14-15, 48 and 50. <https://www.argentina.gob.ar/normativa/nacional/ley-26165-122609/actualizacion>
- [15] Argentina. Decreto de Necesidad y Urgencia 942/2024; published 22 October 2024. <https://www.argentina.gob.ar/normativa/nacional/decreto-942-2024-405520/texto>
- [16] Argentina. Decreto Reglamentario 646/2025 and Annex; published 11 September 2025; Articles 7, 14-15 and 41 of the regulations. <https://www.argentina.gob.ar/normativa/nacional/norma-417374/texto>
- [17] CONARE. Resolución 491/2025; delegation concerning admissibility and procedural classification; published 16 October 2025. <https://www.argentina.gob.ar/normativa/nacional/resoluci%C3%B3n-491-2025-418825/texto>
- [18] CSJN. Apablaza Guerra, Galvarino Sergio s/ arresto preventivo, A.1579.XLI, 14 September 2010; especially considerations 10-21 and operative part. <https://www.csjn.gov.ar/archivo-cij/adj/pdfs/ADJ-0.064660001284479809.pdf>
- [19] Argentina, Ministerio de Seguridad Nacional. Resolución 302/2026; published 7 April 2026. <https://www.boletinoficial.gob.ar/detalleAviso/primera/340409/20260407>

- [20] OAS. American Convention on Human Rights; Articles 7-8, 22, 25 and 63(2). https://www.oas.org/dil/treaties_b-32_american_convention_on_human_rights.htm
- [21] Inter-American Court of Human Rights. Wong Ho Wing v. Peru, 30 June 2015, Series C No. 297; paragraphs 124-188, 207-223, 247-292 and operative part. English judgment reproduced by CEJIL. <https://summa.cejil.org/api/files/1497006729063cluh3i21rav6cjbkmktg4aemi.pdf>
- [22] Inter-American Court of Human Rights. Pacheco Tineo Family v. Bolivia, 25 November 2013, Series C No. 272; paragraphs 126-199, 216-229 and operative part. English judgment reproduced by UNHCR Refworld. <https://www.refworld.org/sites/default/files/attachments/583ffe8a4.pdf>
- [23] IACHR. Rules of Procedure; Article 25, precautionary measures. <https://www.oas.org/en/iachr/mandate/Basics/rulesiachr.asp>
- [24] United Nations. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984; Article 3. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>
- [25] United Nations. Convention relating to the Status of Refugees, 1951, and Protocol, 1967; Articles 1F and 33 of the Convention. UNHCR text. <https://www.unhcr.org/sites/default/files/legacy-pdf/3b66c2aa10.pdf>
- [26] INTERPOL. Repository of Practice: Application of Articles 2 and 3 of INTERPOL's Constitution. <https://www.interpol.int/content/download/12626/file/Repository%20of%20practice%20Articles%202%20and%203.pdf>