Misuse of INTERPOL and International Police Cooperation

Transnational Repression in Counter Terrorism Contexts

Submission to the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

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Introduction and scope

This report examines scrutiny of Türkiye-origin requests within INTERPOL and other police cooperation channels. We recommend rejection of non-compliant requests, matching resubmissions with earlier decisions and ensuring that protective assessments remain visible when another institution takes over.

Security Studies and Rule of Law Association (SRL Swiss) is an independent, non-profit civil-society organisation based in Geneva. This report predominantly concerns persons associated with the Hizmet/Gülen movement; it does not represent all Türkiye-origin terrorism cases. Judicial findings, official statements, witness accounts and media allegations are assessed separately. Türkiye rejects the relevant allegations of violations and maintains that its measures are lawful. [5]

Individual responsibility in the source file

The ECtHR judgments in Yüksel Yalçınkaya v Türkiye [GC], application no. 15669/20, 26 September 2023; Demirhan and Others v Türkiye, application no. 1595/20 and 238 other applications, 22 July 2025; and Yasak v Türkiye [GC], application no. 17389/20, 5 May 2026, should be read together in assessing the substitution of general indicators of association for individual criminal responsibility in terrorist-organisation membership cases. The systemic problem identified in Yüksel Yalçınkaya was reaffirmed in Demirhan and Others in respect of 239 applications. Yasak stressed the need for an individual assessment of the period in which the activities occurred, the person's role and the requisite criminal intent. [1, 6, 7]

The files considered in these judgments involved different types of evidence: ByLock and other messaging applications, Bank Asya accounts and transactions, trade-union, association or foundation links, employment and responsibilities in educational institutions, links to student houses or dormitories, donations, meetings, trips and demonstrations, publications, social-media posts, telephone contacts and witness evidence. Not all indicators arose together in every application. Without individualised assessment, indicators of association cannot suffice for a membership conviction merely because they occur alone or are listed together. The nature of the acts at the relevant time, the individual’s role and their relationship to the material and mental elements of the offence must be explained. [1, 6, 7]

INTERPOL review and gaps between channels

INTERPOL’s Constitution requires activities to be conducted in the spirit of the Universal Declaration of Human Rights (Article 2(1)) and prohibits intervention or activities of a political, military, religious or racial character (Article 3). The Commission for the Control of INTERPOL’s Files (CCF) assesses Article 3 arguments case by case and takes protective status, including refugee or asylum status, into account. [2]

The 2024 updated Repository of Practice and INTERPOL’s compliance materials show that the Organization reviews Notices and Diffusions for compliance with Articles 2 and 3. When a Red Notice is deleted for Article 2 or 3 reasons, member countries are notified and advised to update national databases and not use INTERPOL channels for the same matter. [3]

INTERPOL itself states that a requesting country may retain a person on a domestic wanted list and police authorities may use non-INTERPOL bilateral or regional channels. This is precisely the cross-channel gap identified by this report. [3] A person can therefore obtain a meaningful human-rights review inside INTERPOL while remaining exposed to the same source file through a different system.

National authorities must check earlier human-rights and political-character findings when considering a subsequent request and ensure the lawfulness of their own measures. INTERPOL is responsible for compliant data processing within its system and notifications concerning corrections or deletion. These functions are complementary. National systems should reflect deletion decisions so that outdated records do not trigger further apprehension or migration measures. [3]

INTERPOL distinguishes database visibility from receipt by a national authority. Incoming Red Notice and Wanted Persons Diffusion requests are not searchable in its databases before review and authorization. Wanted Persons Diffusions can nevertheless reach recipient National Central Bureaus by email while review is pending, with a warning that they have not been authorized. [3] Receipt does not establish legal compliance. National authorities must independently assess the legal basis, individual evidence and human-rights risks before detention, transfer or interference with migration status.

The Levent Kenez document

The following assessment rests on the document copy published by Nordic Monitor and reproduced in Annex A. It is not based on an original or independent authentication by the issuing authority. Content attributed to the copy is therefore distinguished from an independently verified official act. [8]

A publicly disclosed Turkish General Directorate of Security letter dated 18 June 2025 proposes using a wanted-person record for an offence other than terrorist-organisation membership to seek international action against journalist Levent Kenez. Signed by İskender Güray Keskin in his capacity as Acting Head of the Interpol–Europol Department, the letter states that Red Notice action could not currently be pursued against persons considered affiliated with the Gülen movement. It then requests preparation of Red Notice and/or extradition documents based on an allegation of unlawfully obtaining or disseminating personal data, referring to decision no. 2023/767 of the Ankara 73rd Criminal Court of First Instance. The letter also leaves the option of requesting extradition directly to the Ministry of Justice's assessment. [8]

This example demonstrates why a request submitted after an earlier obstacle cannot be assessed solely by the offence label. The underlying events, the connection with the earlier file, the relationship to journalistic activity and the independent evidential basis must be examined. Submission under a different offence heading must not displace scrutiny of political purpose or human-rights risks.

SRL Swiss's letters dated 22 July 2025, addressed to the Swiss State Secretariat for Migration (SEM) and the INTERPOL General Secretariat, set out the document and a request for enhanced scrutiny. Annexes B and C evidence the Association's notification texts; they do not authenticate the security directorate's letter or establish endorsement of its contents by the recipients. [9, 10]

Continuity of protection

Continuity of protection requires the subsequent authority to examine the risk identified in the earlier decision concerning the person and file. Any different conclusion should be explained in writing using new information and current conditions. This approach does not make one State's decision automatically binding in every other State; it prevents the same risk from disappearing from view when responsibility shifts. Only information necessary for protective assessment should be shared, rather than the full asylum file or address and family details. Sharing must be secure, purpose-limited and subject to access controls.

Recommendations and requests

Ensure that deletion or cancellation decisions based on human-rights or political-character concerns are promptly reflected in national databases and operational systems.

Require national authorities to record when data received through a Diffusion or other communication remain under INTERPOL legal review and prohibit irreversible transfer action based solely on unreviewed data.

Where a later bilateral or regional request concerns the same person or underlying file, require a fresh national human-rights assessment that takes relevant prior INTERPOL/CCF findings into account.

SRL Swiss recommends establishing a dedicated review sub-unit within the INTERPOL General Secretariat, linked to the existing Notices and Diffusions Task Force (NDTF). It should examine requests from Türkiye concerning persons associated with the Hizmet/Gülen movement in light of Yüksel Yalçınkaya v Türkiye [GC] (no. 15669/20), Demirhan and Others v Türkiye (no. 1595/20 and 238 other applications) and Yasak v Türkiye [GC] (no. 17389/20). [1, 6, 7]

Review should not be confined to ByLock. It should examine whether the financial, professional, educational, social and communications-related indicators examined above have been converted into an automatic attribution of guilt. Requests based on a list of such indicators without establishing the specific conduct attributed to the person, criminal intent and the alleged organisational link should not be accepted.

SRL Swiss recommends scrutiny of such requests under Articles 2 and 3 of INTERPOL's Constitution and its data-processing rules. Non-compliant Red Notice and Diffusion requests should be rejected and returned, with reasons, to Türkiye's National Central Bureau. The dedicated sub-unit should scrutinise resubmissions under different offence labels and activate the relevant mechanisms to remove existing non-compliant data. [2, 3, 4]

New submissions concerning a person whose request was previously rejected or whose data were deleted should be matched with the earlier file. A change of offence label must not cause earlier rejection grounds and human-rights assessments to be overlooked. Requests should not be authorised before compliance review is completed. Findings of non-compliance should lead to reasoned rejection, removal of existing records and notification of recipient countries. [3]

If repeated non-compliant requests by Türkiye's National Central Bureau are established, enhanced review should be applied. If violations persist, partial or full suspension of data-processing rights, including the right to request Notices and Diffusions, should be

considered. INTERPOL's existing interim and corrective measures should be used effectively to prevent abuse. [3]

We ask the mandate to engage with INTERPOL on these review proposals and seek Türkiye's explanation of requests resubmitted under different offence labels. Annex A contains the publicly disclosed security directorate letter; Annexes B and C contain our notifications of 22 July 2025. These are separate supporting files and do not establish endorsement by their recipients.

Publication of this report is authorised. Identifying witness records are excluded from that authorisation.

Sources

[1] ECtHR, Yüksel Yalçınkaya v Türkiye [GC], App no 15669/20, 26 September 2023. Link

[2] INTERPOL, Frequently Asked Questions Link

[3] INTERPOL, Compliance and review Link

[4] INTERPOL, "INTERPOL, human rights and international police cooperation" (4 November 2024), updated Repository of Practice on Articles 2 and 3. Link

[5] Permanent Mission of the Republic of Türkiye to the United Nations Office at Geneva, reply and additional information concerning Special Procedures communication AL TUR 5/2024, 30 October 2024. Link

[6] ECtHR, Demirhan and Others v Türkiye, applications nos. 1595/20 and 238 others, 22 July 2025. Link

[7] ECtHR, Yasak v Türkiye [GC], application no. 17389/20, 5 May 2026. Link

[8] Letter attributed to the Turkish General Directorate of Security, 18 June 2025, no. E-31683469-51173-2025061815112914322, concerning Levent Kenez Source

[9] SRL Swiss, letter addressed to the Swiss State Secretariat for Migration (SEM), 22 July 2025. Document copy: Annex B.

[10] SRL Swiss, letter addressed to the INTERPOL General Secretariat, 22 July 2025. Document copy: Annex C.

Source and edition note - 26 October 2026
The report is dated 13 October 2026. Annexes A-C are source-archive references and are not fully reproduced here. The leaked material discussed in the report is not authenticated as an original. An institutional notification must be distinguished from proof of delivery, a substantive reply or an adjudicated finding; none is inferred from the notification alone.