



Jürgen Stock
Secretary General
INTERPOL General Secretariat
200, quai Charles de Gaulle
69006 Lyon, France

Sent by email

5 June 2023

Dear Secretary General Stock,

Re: Open letter sent on behalf of The Arrested Lawyers Initiative

Please find enclosed an open letter signed by a group of international law and human rights experts who are calling on INTERPOL to take appropriate actions to comply with its human rights obligations and protect individuals against abuse by Turkey of INTERPOL's Stolen and Lost Travel Document (SLTD) database.

Please also find attached a detailed report on the ways Turkey misuses INTERPOL's SLTD database including case studies demonstrating the associated risks and human rights violations.

This open letter is sent on behalf of The Arrested Lawyers Initiativeⁱ, a Brussels-based rights group committed to protecting and upholding the rule of law by defending international lawyers and human rights defenders to carry out their duties without fear of intimidation, reprisal or harassment.

Yours Sincerely,

Ben Keith
Direct Access Barrister with litigation rights

ⁱ <https://arrestedlawyers.org/>

Chambers of David Josse QC
5 St. Andrew's Hill
London EC4V 5BZ
Tel: 020 7332 5400
Fax: 020 7489 7847
DX: 417 LONDON
Email:
clerks@5sah.co.uk
www.5sah.co.uk

OPEN LETTER TO SECRETARY GENERAL OF INTERPOL

INTERPOL SHOULD TAKE A MORE ROBUST APPROACH TO PROTECTING HUMAN RIGHTS BY ERADICATING THE MISUSE OF INTERPOL'S DATABASES BY TURKISH AUTHORITIES

5 June 2023

Dear Secretary General Stock,

We, the undersigned, are concerned about Turkey's misuse of INTERPOL's Stolen and Lost Travel Document (SLTD) system, and about INTERPOL's ability to adhere to its human rights obligations by implementing protections against such misuse.

It is widely reported that the Turkish Government is deliberately misusing INTERPOL's SLTD database to circumvent the formal extradition process and to evade INTERPOL's controls of Notices and Diffusions. Turkish authorities misuse the SLTD mechanism by improperly recording as lost or stolen or revoked or invalid the passports of dissidents in an attempt to have them deported to Turkey where they face political reprisals.

The Nordic Research Monitoring Network has published leaked documents from Turkey's National Intelligence Organization showing that the country abuses INTERPOL's SLTD system to bypass a set of restrictions imposed on Turkey's access to the Red Notice database.ⁱ

INTERPOL is required by its Constitution not to take any action of a political nature and to comply with the Universal Declaration on Human Rights (UDHR). Freedom of movement is a fundamental human right enshrined in the UDHR and the European Convention on Human Rights.

The Turkish Constitutional Court has repeatedly ruled that the revocation or invalidation of passports by the Government is unlawful because the revocation of travel documents must only be done by court order. Despite the rulings, over 300,000 Turkish citizens remain banned from travelling because their passports have been unconstitutionally cancelled.

Any use of INTERPOL's SLTD database to record a passport as lost, stolen, or revoked without evidence of a court order will be in direct violation of INTERPOL's Constitution and Rules. We, the undersigned, request that, as a matter of urgent priority, INTERPOL adopts measures to prevent abuse of its SLTD database and to immediately delete all non-compliant data on the SLTD database.

A 2019 study commissioned by the European Parliament's Subcommittee on Human Rights recommended that INTERPOL 'should take steps to hold the NCBs accountable for their misapplication of Interpol rules and regulations, applying Articles 130 and 131 of the RPD.ⁱⁱ The Notices and Diffusions Task Force can request additional information from NCBs in order to decide whether a Notice is compliant. We recommend implementing a similar review mechanism for the SLTD database to protect INTERPOL from misuse and individuals from human rights violations.

Please find attached a detailed report on how Turkey misuses INTERPOL's SLTD database and case studies demonstrating the associated risks and human rights violations.

Actions

1. We ask that INTERPOL suspends Turkey from using INTERPOL databases until the General Assembly can make a final decision. This power is given to the General Secretariat under Article 130 of the RPD.
2. We ask that INTERPOL suspends Turkey from the use of the SLTD database until further checks can be put in place.

Sincerely,

The Arrested Lawyers Initiative, Belgium

Patrick Breyer, Member of the European Parliament

Dr Theodore Bromund, The Heritage Foundation

William Browder, Head of the Global Magnitsky Justice Campaign

Nicola Canestrini, Italian human rights lawyer

Javier Cremades, President of the World Jurist Association

Clare Daly, Member of the European Parliament

Rhys Davies, UK Barrister, Editor of Red Notice Monitor

Gunnar Ekeløve-Slydal, Deputy Secretary General of The Norwegian Helsinki Committee

Michelle Estlund, US Attorney

Enes Kanter Freedom, US

Human Rights Foundation, US

Human Rights Defenders, Germany

Italian Federation for Human Rights (FIDU), Italy

Ben Keith, UK Barrister, Editor of Red Notice Monitor

Baroness Kennedy of the Shaws KC, Member of the UK House of Lords and Chair of the International Bar Association's Human Rights Institute

Yuriy L. Nemets, Esq., US Attorney

Dr Anna Oehmichen, German human rights lawyer

Professor Laurent Pech, The Good Lobby, Belgium

Marie-Aimée Peyron, Vice President Conseil National des Barreaux-Bâtonnier de Paris (2018-2019)

Roger Sahota, UK Solicitor, Editor of Red Notice Monitor

Professor Antonio Stango, President of the Italian Federation for Human Rights

State Watch, UK

The Norwegian Helsinki Committee

Mick Wallace, member of the European Parliament

Ali Yildiz, Brussels-based human rights lawyer

ⁱ <https://nordicmonitor.com/2021/08/turkey-set-a-plan-in-motion-to-manipulate-interpol-in-hunting-down-critics-opponents/>

ⁱⁱ [https://www.europarl.europa.eu/thinktank/en/document/EXPO_STU\(2019\)603472](https://www.europarl.europa.eu/thinktank/en/document/EXPO_STU(2019)603472)