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September 22, 2017

Jürgen Stock  
Secretary General  
INTERPOL General Secretariat  
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69006 Lyon, France  
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### Re: Concerns Regarding Interpol and China

Dear Secretary General Jürgen Stock,

Human Rights Watch is an independent non-governmental organization that monitors and reports on human rights in more than 90 countries around the world. We have been reporting on and advocating solutions to human rights abuses in China for more than 30 years.

We write now on the occasion of Interpol's 86<sup>th</sup> General Assembly, which will convene in Beijing from September 26-29, 2017. We are concerned about instances in which China appears to have misused Interpol's "red notice" system, and about Interpol's ability to adhere to human rights obligations under the leadership of the new president, Meng Hongwei, the vice minister of the Chinese Ministry of Public Security.

For three decades Human Rights Watch has documented widespread human rights violations by China's police with almost complete impunity. Since President Xi Jinping assumed power in China in 2013, the Chinese government has carried out its harshest and most systematic crackdown on human rights since the Tiananmen Square massacre in 1989. Authorities have not only targeted peaceful critics of the government and Chinese Communist Party inside the country, they have also increasingly reached beyond China's borders to intimidate or silence those they perceive as problematic, often using law enforcement as a pretext for forcing someone to go to China.

In recent years, Human Rights Watch has documented several of these cases, including China's use of a police operation known as "Fox Hunt" or "Skynet," in which China has brought back hundreds of allegedly corrupt

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officials living overseas, often from jurisdictions with weak legal systems. In 2016, likely pressured by Beijing, Kenyan police forcibly returned dozens of Taiwanese nationals suspected of fraud to China without their having had an opportunity to contest their deportation before a competent court. In 2015, Gui Minhai, a Swedish national and a publisher of books critical of the Chinese leadership, was abducted in Thailand and later reappeared in custody in China. Gui remains detained incommunicado in an unknown location.<sup>1</sup> In 2009, China pressured the Cambodian government to forcibly repatriate a group of Uyghurs, a Turkic Muslim minority from Xinjiang, despite their having United Nations “persons of concern” designations.<sup>2</sup> These cases demonstrate China’s disdain at home and abroad for human rights protections, including the right to a fair trial, to freedom of movement, and to be free of torture or ill-treatment.

### **Abuse of red notices**

Interpol’s constitution stipulates that international police cooperation should be conducted in the spirit of the Universal Declaration of Human Rights, a set of principles protecting human rights that all United Nations member states are expected to uphold. “Red notices”—a request to Interpol member states to arrest a named individual—will not be published if they violate the constitution, which forbids the organization from “undertak[ing] any intervention or activities of a political, military, religious, or racial character.” In 2015, Interpol adopted a new policy to remove a “red notice” if it can be verified that the person has been recognized as refugee under the 1951 Convention relating to the Status of Refugees. In principle, people who are or suspect they are subjected to red notices can contact Interpol, the judicial authority in the country that issued the notices, or the country where they live to request the deletion of the notices.

In recent years, the Chinese government, against Interpol’s regulations, has tried to control and persecute dissidents and activists abroad by issuing politically motivated red notices through Interpol.

China has claimed on a number of occasions that it has issued a red notice against Dolkun Isa, a well-known activist who campaigns from Germany on behalf of Uyghur minorities. Isa was granted refugee status in Germany in 1996 and subsequently was naturalized as a German citizen; he was first made aware by German police in 1999 that a red notice for him existed. In a 2016 press conference, a spokesperson for the Chinese Foreign Ministry said Isa was “wanted by the Interpol for severe criminal and violent terrorist activities including bombing, robbery and murder... in Central Asia and in China.”<sup>3</sup> Isa denies these allegations, and wishes to challenge the designation—but even that process requires China’s cooperation.

Despite publicly acknowledging the red notice, China refuses to authorize Interpol to confirm or deny the existence of the notice, or disclose the notice to Isa. Since 2010, the London-based human rights organization Fair Trials has repeatedly filed requests on behalf of Isa asking to access data concerning Isa held on Interpol's files, but to no avail.<sup>4</sup> Without accessing the red notice and knowing the details of allegations the Chinese authorities filed, Isa is unable to effectively contest the notice. According to a Chinese media report in September 2017, the red notice against Isa is still in effect.<sup>5</sup>

Isa has faced a number of difficulties with law enforcement and immigration officials in various countries when he travels. He believes that they were caused by the red notice. In 2009, South Korean authorities detained Isa for two days and refused him entry to the country. In 2016, his visa to India was revoked. Most recently, in July 2017, Italian police briefly detained Isa as he was heading to the Italian Senate to speak on the restrictions facing Uyghurs in China.

China also issued a red notice against Chinese activist Wang Zaigang. Wang, after moving to the United States in 2014, has been active in the overseas Chinese democracy movement. According to the red notice, authorities in Wang's home province of Heilongjiang province charged him in 2015 with "submitting tenders in collusion" in connection with a contract bidding for the construction of a hospital ward in the province. Wang's lawyer, Li Jinjin, told Human Rights Watch that Wang was not in any way involved in the business activity cited in the red notice. Li said Wang believes the red notice was in retaliation for his pro-democracy activism in the United States, particularly the protest he participated in Seattle in September 2015 when President Xi visited the city.

In June 2016, US immigration authorities acted on the red notice and arrested Wang. In March 2017, a federal immigration court in Hawaii granted Wang asylum. Li said neither she nor Wang has contacted Interpol to request the removal of the red notice against Wang. It is unclear whether the notice is still in effect.

Interpol's red notice is an alert to seek the arrests of wanted persons with a view to extradition. China's record of arbitrary detention, torture, and enforced disappearance of dissidents and activists, as well as the politicized nature of judicial proceedings in past cases of forced repatriation, raise serious concerns that if extradited, individuals such as Isa and Wang who have been the subject of Interpol red notices will be at risk of torture and other ill-treatment.<sup>6</sup>

## **Interpol president's background**

Human Rights Watch is also concerned about the ability of Meng Hongwei, who assumed Interpol's presidency in November 2016, to maintain Interpol's neutrality, and to respect and protect human rights in the organization's activities and strategies.

As Interpol's president, Meng plays an important role in setting the organization's agenda. Human Rights Watch understands his role to involve supervising the work of the secretary general, the day-to-day chief, and heading the executive committee, which is Interpol's core decision-making body.

Meng at the same time is a vice minister in the Chinese Ministry of Public Security, which is controlled by the Chinese Communist Party and plays an essential role in ensuring the Party's grip on power. According to China's Police Law, Chinese police must abide by the Constitution, which states that the Chinese people are "under the leadership of the Chinese Communist Party." The Ministry of Public Security oversees the powerful domestic security (or "*guobao*") branch, which is tasked with silencing dissent and has harassed, arbitrarily detained, and tortured countless individuals for exercising their fundamental rights, including democracy activists, religious adherents and ethnic minorities, as Human Rights Watch extensively documented.

As the head of China's Office of the National Counterterrorism Working Group, Meng also led China's counterterrorism work, with a focus on Xinjiang. While governments have a responsibility to protect public safety, the Chinese government has systematically conflated peaceful political advocacy with terrorism, particularly in Xinjiang. Human Rights Watch has repeatedly raised concerns about the government's counterterrorism efforts, particularly its vaguely worded Counterterrorism legal framework, which punishes peaceful dissent and deprives terrorism suspects of basic legal protections.<sup>7</sup> Human Rights Watch has also documented numerous incidents in which the Chinese police harassed, arbitrarily detained, tortured, imprisoned, or forcibly disappeared individuals, particularly Uyghurs, in Xinjiang for peacefully exercising their fundamental rights.<sup>8</sup> China's counterterrorism efforts in Xinjiang are further compounded by the government's strict control over information in that region, as well as freedoms of expression, peaceful assembly, and religion.

### **Questions for clarification**

Human Rights Watch urges Interpol to use the occasion of your General Assembly to address the concerns we raise. We would also appreciate Interpol's response to our questions:


1. In March 2017, new measures went into effect to strengthen Interpol's information sharing system, including mechanisms to ensure the processing of data, such as

- red notices, are in compliance with Interpol's rules and to examine and decide on requests to access data. How has Interpol implemented these steps to prevent and redress abuses of the red notice system? Has Interpol rejected any notices by China out of concern that they were politicized? Has it allowed easier access to red notices by activists who are being subjected to them? Has it taken any such steps since the beginning of Meng Hongwei's tenure?
2. Given that Interpol's internal rules prohibit the publication of notices of a political nature and that refugee status suffices for the removal of a red notice, why does Interpol still have red notices against human rights activists such as Dolkun Isa?
  3. Interpol's constitution dictates that its work is to be conducted within the spirit of the Universal Declaration of Human Rights, which states that no one shall be subject "to torture or to cruel, inhuman or degrading treatment or punishment," or "to arbitrary arrest [or] detention." How does Interpol ensure that suspects extradited to China will not be subjected to arbitrary detention, torture, or ill-treatment?
  4. Concerning Interpol President Meng Hongwei's concurrent appointment as a leader of China's police force, how does Interpol ensure that he will not use his position to boost the Chinese government's expanding campaign to pursue dissidents around the globe?

We would welcome a response to these questions and any other comments you may have by October 16, 2017. We also believe that Interpol could demonstrate its commitment to the Universal Declaration of Human Rights by explaining its positions on some or all of these questions publicly during the forthcoming meeting in Beijing.

Should you have any questions, please do not hesitate to contact us via my colleague, Daniel Lee, at [leed@hrw.org](mailto:leed@hrw.org) or by fax at 1-202-612-4333, for further information.

Sincerely,



Sophie Richardson  
China Director  
Human Rights Watch

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<sup>1</sup> Human Rights Watch, "China: Release Abducted Swedish Bookseller," October 17, 2016, <https://www.hrw.org/news/2016/10/17/china-release-abducted-swedish-bookseller>.

<sup>2</sup> Human Rights Watch, "China: Forcibly Returned Uighur Asylum Seekers At Risk," December 22, 2009, <https://www.hrw.org/news/2009/12/22/china-forcibly-returned-uighur-asylum-seekers-risk>.

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<sup>3</sup> Ministry of Foreign Affairs of The People's Republic of China, "Foreign Ministry Spokesperson Hong Lei's Regular Press Conference," April 1, 2016, [http://www.fmprc.gov.cn/mfa\\_eng/xwfw\\_665399/s2510\\_665401/t1352614.shtml](http://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1352614.shtml).

<sup>4</sup> Fair Trials International, "Strength Respect for Human Rights, Strength Interpol," November 2013, <https://www.fairtrials.org/wp-content/uploads/Strengthening-respect-for-human-rights-strengthening-INTERPOL5.pdf>

<sup>5</sup> Xinhua, "Commentary: Truths put aside by rights organization's biased report," September 7, 2017, [http://news.xinhuanet.com/english/2017-09/07/c\\_136589795.htm](http://news.xinhuanet.com/english/2017-09/07/c_136589795.htm).

<sup>6</sup> Human Rights Watch, "China: Human Rights Lawyer in Arbitrary Detention," February 2, 2009,

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<sup>7</sup> Human Rights Watch, "China: Draft Counterterrorism Law a Recipe for Abuses," January 20, 2015,

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<sup>8</sup> Human Rights, Watch, "China: Free Xinjiang 'Political Education' Detainees," September 10, 2017,

<https://www.hrw.org/news/2017/09/10/china-free-xinjiang-political-education-detainees>.