Repression Through Interpol

How Belarus Turns Police Cooperation Into A Tool Of Transnational Repression And Creates Constitutional Challenges For Europe

Ben Keith & Jacqueline Jahnel

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When Belarusian filmmaker and activist Andrei Hnyot was detained at a Serbian border crossing in October 2023, the charges seemed routine: tax evasion. But Hnyot had fled Belarus after participating in the 2020 protests, and the Interpol Red Notice that triggered his arrest originated from Minsk. Despite intervention by the European Parliament and credible evidence of political motivation, he spent a year in detention before his release. His case is not an exception; it is a pattern.

In October 2025, the European Parliament adopted a resolution on the situation in Belarus, urging the EU and its member states to "put an end to the alarming level of transnational repression conducted by the Lukashenka regime." Naming Belarus among the top ten perpetrators of transnational repression, the resolution specifically warned of Minsk's instrumentalisation of Interpol's intelligence and data-sharing mechanisms to persecute exiled Belarusians beyond its borders.

Following the fraudulent 2020 presidential election, the mass protests, and the subsequent brutal governmental crackdown, more than 500,000 Belarusians sought safety in European states. For those who escaped, many of them opposition figures, activists, and journalists, repression did not end at the border. The Lukashenka regime declared them fugitives and developed an array of tactics to persecute and silence them, with Interpol as a key instrument.

These practices directly implicate EU constitutional law, creating what might be called a procedural paradox: cooperation systems built on mutual trust must now routinely filter politically motivated data to uphold non-refoulement obligations. These include examining compliance with Articles 3 and 6 ECHR and Articles 19 and 47 of the Charter. The prohibition on political persecution requires much stronger systems to catch fabricated and politically motivated cases.

EU constitutional challenges

Politically motivated Interpol alerts test the limits of mutual trust, the principle that EU member states can rely on each other's judicial systems meeting baseline rule-of-law standards. When corrupted alerts enter shared enforcement systems, European authorities face a dilemma. They must balance maintaining effective judicial and law-enforcement cooperation with protecting fundamental rights guarantees.

The Court of Justice has addressed analogous tensions within the EU itself. In *Aranyosi and Căldăraru*, the Court held that even the high level of trust underpinning the European Arrest Warrant can be rebutted where systemic deficiencies in detention conditions create a real risk of inhuman treatment. Member States must then assess individual circumstances before executing a warrant. The logic extends to third-country data entering EU systems: where a state demonstrates systematic rule-of-law deficits, European authorities cannot simply process alerts at face value but must apply enhanced scrutiny to protect fundamental rights.

First, abusive alerts engage non-refoulement obligations. Article 3 ECHR and Article 19 of the EU Charter are substantive prohibitions against returning individuals to states where they face persecution or torture. Second, they undermine the prohibition of political persecution, which remains central both to extradition law and asylum procedures. Article 18 ECHR, which prohibits the use of restrictions on rights for purposes other than those prescribed, is also

engaged parasitically to Articles 3 and 6 ECHR, where prosecution requests are used for political ends. Third, they threaten fair-trial and due-process guarantees under Article 6 ECHR and Article 47 EU Charter when individuals cannot access or challenge the data held against them. This last concern is particularly acute in the Belarusian context: when the Minsk National Central Bureau (NCB) applies data-access restrictions, and the Commission for the Control of Interpol's Files cannot compel disclosure, targeted individuals are effectively denied the right to an effective remedy, a core Article 47 guarantee. Belarus's exploitation of Interpol not only creates constitutional tension but also undermines the protection of fundamental rights on European soil. Understanding these constitutional stakes requires a brief look at Interpol's framework and its vulnerabilities.

Interpol's architecture and its vulnerability

Interpol's mandate is narrowly defined. Created to facilitate police cooperation against transnational crime, it provides a secure communication network, databases, and a colour-coded notice system. The International Criminal Police organisation operates through decentralised National Central Bureaus (NCBs), embedded in domestic law-enforcement structures. NCBs submit data and request alerts on Interpol's platform.

Red Notices request the location and provisional arrest of a particular person. Once issued by Interpol's General Secretariat, it is circulated to all 196 member states and copied into national systems, such as the Schengen Information System, national watchlists or immigration databases. While not an international arrest warrant, Red Notices are the "sniper rifle of autocrats", used to persecute dissidents across borders.

Interpol does not investigate underlying facts, evaluate political context, or assess the human-rights situation of the requesting state. Its framework assumes that NCBs act in good faith. Article 3 of Interpol's Constitution prohibits political activity, and the Rules on the Processing of Data (RPD) require reliable judicial information before an alert is issued. However, compliance depends largely on the requesting state, which creates a structural vulnerability.

Belarus systematically exploits this weakness. Leaked audio recordings from 2021 reveal senior law-enforcement officials, including NCB staff, discussing how to conceal the political nature of cases by reframing them as ordinary criminal charges. Charges of tax evasion, fraud, property offences or defamation are particularly popular in Minsk. The formal labels satisfy Interpol's technical thresholds while the political intent remains concealed.

Data restrictions and information blackout

This misuse of Interpol by Belarus extends beyond charge manipulation. A more recent and worrying tactic adopted by the NCB in Minsk is the extensive use of data-access restrictions. While intended to protect sensitive investigations, such restrictions prevent individuals from confirming whether they appear in Interpol's systems. They block access to the information needed to challenge a Notice before Interpol's quasi-judicial review body, the Commission for the Control of Interpol's Files (CCF).

Interpol's rules require NCBs to justify every restriction. But if an NCB provides vague or inconclusive responses, the CCF cannot compel disclosure. When the requesting authority is uncooperative, restrictions can therefore persist. Belarusian lawyers face parallel obstacles: defence counsel are routinely denied access to case files for clients abroad. The combined effect is an information blackout. This makes it nearly impossible for exiles to verify accusations, contest data, or defend themselves.

How politically motivated alerts enter EU systems and create structural challenges

The consequences of politically motivated alerts unfold outside Interpol. Once a Red Notice or diffusion (direct alert between NCBs) is circulated, it is processed by border police, immigration authorities, and courts bound by procedural safeguards and human-rights obligations. EU systems designed for rapid information exchange cannot instantly distinguish between politically motivated data and legiti-

mate alerts. Red Notice Monitor has documented this issue in the UK immigration context.

The case of Belarusian filmmaker and activist Andrei Hnyot illustrates the stakes. Hnyot, who participated in the 2020 protests, was detained in Serbia in October 2023 on a Belarus-requested Red Notice alleging tax evasion. He sought asylum, citing a credible risk of torture. The European Parliament urged Serbia not to extradite him, and independent media questioned the charges. Nonetheless, Hnyot spent a year in detention before his release in late 2024. Similarly, in 2024, Polish police detained a Belarusian man, already granted protection in Poland, on the basis of a Red Notice. Previously, Valiantsin Vlasik, who had received a humanitarian visa in Poland, was detained at the Hungarian border on the basis of a request alleging financial crimes. He had spent six months in a pre-trial detention centre before being released and able to return to Poland.

In these cases, courts ultimately refused extradition. The political motives were apparent, and the risk of ill-treatment overwhelming. But the cases reveal the core constitutional tension: Belarus exploits procedural legitimacy to trigger EU legal obligations designed for democratic partners bound by the rule of law. This exploitation of Interpol penetrates the foundations of European cooperation and thereby jeopardises fundamental rights guarantees on European soil.

EU responses and the procedural paradox

The EU has begun to respond. Courts consistently refuse extradition to Belarus. Asylum authorities treat alerts from states with systemic human-rights violations as strong indicators of risk. Several Member States have issued internal guidance to police and migration officials on handling high-risk alerts. The European Parliament has repeatedly called for stricter scrutiny and stronger safeguards. In November 2025, the European Parliament adopted a resolution on addressing transnational repression.

The issue for the EU is not a lack of awareness but the practical difficulty of filtering politically motivated data in real time while respecting the rule of law. So far, the adopted measures do not eliminate the initial impact. Individuals may still be detained, questioned when travelling, or face delays in immigration procedures. To challenge and have a Notice deleted from Interpol's databases can take many months, even years. After deletion from Interpol's systems, outdated data often lingers in national systems until manually removed by the respective NCB. This leaves individuals in legal limbo. An atmosphere of fear ensues, and Belarus achieves the desired effect of transnational repression: to silence dissent.

These dynamics create a procedural paradox. EU authorities ultimately comply with fundamental-rights requirements, yet politically motivated information generates operational friction in a system premised on trust. Immigration, law enforcement, and legal systems face administrative strain in processing information that should never have entered shared databases. Such abuse of Interpol is not only a tool of repression but exposes structural vulnerabilities in the Schengen architecture.

This paradox is amplified by Western policy incoherence. Since 2021, the regime has engineered migration flows, airspace provocations, and other forms of non-military pressure. Many Belarusians face visa refusals, banking restrictions, renting obstacles, and administrative discrimination in Europe, partly a by-product of Western sanctions and political tensions. Between 2020 and 2023, Western states oscillated between slow-moving sanctions, diplomatic isolation, and reactive measures, creating unpredictable incentives for Minsk. Unable to settle on a unified Belarus strategy, the West inadvertently left space for Belarusian coercive practices to spill into international policing systems.

Regional authoritarian networks and Russian alignment

Belarus's deepening alignment with Russia since 2020 adds a further layer of concern. As Minsk integrates into a Russian-anchored authoritarian security system that includes other post-Soviet states, the potential for coordinated misuse increases. These networks share prosecution strategies and policing infrastructure. A single alert can circulate across multiple jurisdictions

that assume it reflects legitimate criminal suspicion. This increases the volume of politically motivated data entering international systems. For authoritarian states it is a low-cost tool of pressure, while democratic states must invest time, resources, and legal safeguards to mitigate the harm.

The procedural paradox

Belarus's engagement with Interpol shows how legal structures designed for cooperation can be repurposed into tools of transnational repression. The European Parliament resolution of October 2025 recognised this threat, urging Member States to end the alarming level of transnational repression conducted by the Lukashenka regime. Yet the challenge remains: cooperation systems built on mutual trust must now routinely filter politically motivated data. European authorities comply with fundamental-rights requirements, but the process generates operational friction, administrative strain, and prolonged legal limbo for targeted individuals. Belarus achieves its desired effect, silencing dissent through fear, even when extradition is ultimately refused.

A path forward

Addressing this problem requires a shift from reactive case-by-case handling towards coordinated structural safeguards. Member States should adopt presumptive non-enforcement protocols for Belarus-originated alerts, requiring enhanced verification before any enforcement action. Embedding country-risk indicators directly into Schengen Information System II would allow authorities to flag alerts from states with systemic rule-of-law deficiencies. Rapid-response legal assistance mechanisms for targeted individuals would reduce the disproportionate burden currently placed on exiled Belarusians navigating opaque procedures to clear their names.

Interpol itself must strengthen its Commission for the Control of Files by enabling automatic disclosure challenges when restrictions lack proper justification. Periodic audits of national bureaus with documented patterns of misuse would help prevent the repeated insertion of unreliable data into international policing systems.

The misuse of Interpol is more than a human-rights issue; it is a test of whether European information-sharing systems can withstand deliberate attempts to manipulate their procedural foundations. Closing these structural vulnerabilities is essential not only to protect those who have fled persecution but to ensure that international police cooperation remains anchored in the rule of law.

ABOUT THE AUTHORS

Ben Keith
Ben Keith is a leading barrister specialising in cross-border cases and international human rights law at 5 St Andrews Hill, London, and at International Human Rights Advisors. He edits the Red Notice Monitor blog.
Jacqueline Jahnel
Jacqueline Jahnel was called to the Bar of England and Wales in 2022 and holds an LLM in Public International Law from the University of Edinburgh and a BA in European Studies and EU Law from Maastricht University.

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