

Question for written answer E-011457/2013
to the Commission (Vice-President / High Representative)
Rule 117
Judith Sargentini (Verts/ALE) and Barbara Lochbihler (Verts/ALE)

Subject: VP/HR - Interpol Red Notices and diffusions concerning EU-recognised refugees

Petr Silaev is a refugee from Moscow. He escaped a police crackdown following his participation in a demonstration against corruption and irregularities surrounding a controversial motorway development outside Moscow. The Finnish authorities decided to grant Mr Silaev political asylum in accordance with the 1951 Refugee Convention. However, because of an Interpol diffusion issued by Moscow prosecutors, Mr Silaev was arrested in Spain, where he subsequently fought an extradition request from Russia. This was rejected on the grounds that the prosecution brought against him was politically motivated. Despite this favourable decision, Mr Silaev spent eight days in detention and was unable to leave Spain for six months as he was required to report to the local court¹.

Interpol's systems can be misused to obtain the arrest and detention in one Member State of those who have already been recognised as refugees in another Member State in accordance with common EU standards. The Organisation for Security and Cooperation in Europe (OSCE) has expressed concern about the 'abuse of the Interpol Red Notice system by participating States whose judicial systems do not meet international standards'², and has called on Interpol to improve its oversight mechanisms so as to prevent misuse of the system³.

In the light of this:

1. will the Vice-President / High Representative seek information from Interpol regarding the mechanisms it has in place for detecting attempts to abuse its systems in order to seek the arrest, detention and extradition of those facing politically motivated prosecutions, and about how it determines whether a prosecution is politically motivated?
2. will the Vice-President / High Representative seek information from Interpol as to the significance which Interpol attributes to: (a) the granting of asylum by an EU Member State based on the specific criminal proceedings which form the basis of a Red Notice; (b) refusal by an EU Member State to extradite a person to face the criminal proceedings which form the basis of a Red Notice, on the grounds that those proceedings are politically motivated?

¹ Full information regarding the case is available at: <http://www.fairtrials.net/cases/petr-silaev/>

² Monaco Declaration and Resolutions adopted by the OSCE Parliamentary Assembly at its 21st Annual Session in Monaco, 5-9 July 2012, point 93.

³ Istanbul Declaration and Resolutions adopted by the OSCE Parliamentary Assembly at its 22nd Annual Session in Istanbul, 29 June - 3 July 2013, point 147.