



## ICE Issues Welcome Guidance on Use of Red Notices by Law Enforcement

The International Protection Practice was pleased to learn that Immigrations and Customs Enforcement (ICE) has issued a [directive](#) instructing its personnel to stop using INTERPOL Red Notices and wanted person diffusions as the sole grounds for arrest and detention.

Attorneys, advocates, and experts have been [raising the alarm](#) for years about ICE's improper use of Red Notices. ICE agents historically have [used Red Notices as grounds for arrest](#) and detention, despite explicit language in INTERPOL's Constitution that a Red Notice is [not an arrest warrant](#).

Autocratic governments too often issue fraudulent Red Notices to silence perceived dissidents or justify the expropriation of businesspeople. This is a serious violation of human rights, and part of the wider practice of transnational repression. It is particularly objectionable when these fraudulent Red Notices are the primary or even the sole basis for arrest, without investigation into the Notice's validity. The ICE directive appears to be a response to the call from advocates to end this abusive practice.

We welcome the directive as the beginning of a process to address persecutory Red Notices and to end their abusive effects in the United States. We appreciate ICE's commitment to taking a more nuanced approach to the way it assesses and uses Red Notices and wanted person diffusions both prior to and during law enforcement actions.

Concerns remain, however, about the ability of ICE officers to investigate the intricacies of INTERPOL publications, the fact that the process for challenging Red Notices is confined to the existing immigration court system, and ICE's statement to advocates that it will not reevaluate previous and ongoing cases where Red Notices may have been misused.

ICE agreed to meet with a group of experts and advocates, including GYH attorneys, to respond to questions and concerns about the efficacy of the directive and agreed to continue communication with the concerned community. GYH's International Protection Practice will continue to advocate for change at U.S. and international agencies to promote and protect human rights.