

This article is the fourth and final installment in our series analyzing the latest 2025 decisions from the Commission for the Control of INTERPOL's Files (CCF). In this piece, we explore the CCF's assessment of Blue Notices, specifically their use for locating individuals and notifying them of legal proceedings.

INTERPOL Blue Notices as a Tool for Locating and Notifying Individuals: New CCF Decision Upholds Blue Notice in Case Involving Claim of Mistaken Identity

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Unlike Red Notices, which are often linked to arrest and extradition requests, Blue Notices serve a distinct function within INTERPOL's system. Their primary purpose is to collect information about an individual's identity, location, or activities in relation to an ongoing investigation. INTERPOL's Rules on the Processing of Data (RPD) allow for the issuance of a Blue Notice when a person has been convicted, charged, or is a suspect in criminal proceedings—provided the requesting National Central Bureau (NCB) supplies sufficient data to justify international police cooperation.

In this case, the applicant challenged the issuance of a Blue Notice against him, arguing that he had been misidentified and that the data registered in INTERPOL's systems violated his fundamental rights. The applicant contended that he had no criminal record, had frequently traveled internationally without issue, and was wrongly implicated due to a case of mistaken identity. He also alleged that the notice was interfering with his ability to travel and work, causing significant harm.

The NCB, however, maintained that the Blue Notice was justified. It asserted that the applicant had been officially charged with drug-related offenses, had been declared *en rebeldía* (in default) by the national court, and that authorities required information about his current whereabouts to proceed with the case. The NCB further explained that it had verified the applicant's identity through passport records and other identifying details and had even corrected an administrative error in the initial notice regarding the applicant's date of birth.

CCF Findings: Balancing Identity Verification and Procedural Rights

The CCF found that the NCB had provided a reasonable justification for the Blue Notice under INTERPOL's rules. The Commission determined that INTERPOL's framework permits the use of Blue Notices to obtain an individual's location for the purpose of notifying them of legal proceedings, provided that the requesting NCB meets the evidentiary threshold outlined in the RPD.



Regarding the applicant's claim of mistaken identity, the Commission reaffirmed that a simple assertion of *homonymy* is not sufficient to warrant deletion. The CCF noted that the NCB had actively taken steps to verify the applicant's identity and correct any errors in the notice. It further emphasized that challenges to misidentifications should primarily be addressed through national legal channels rather than INTERPOL's review process. In line with its previous jurisprudence, the Commission reiterated that it does not conduct independent fact-finding investigations but rather assesses whether the data registered in INTERPOL's system meets the required legal standards.

The applicant also argued that the Blue Notice violated his fundamental rights, citing general concerns about the fairness of the legal system in the requesting country. However, the CCF dismissed this argument, stating that simple assertions of procedural irregularities and broad criticisms of a country's judiciary or law enforcement practices are insufficient to establish a violation of INTERPOL's human rights safeguards. The Commission stressed that compliance assessments must be based on specific, case-related evidence rather than generalized reports. Without concrete proof demonstrating a *flagrant denial of justice*, the CCF found no grounds to conclude that the Blue Notice breached INTERPOL's constitutional principles.

Key Takeaways for Practitioners

This decision highlights the challenges of contesting a Blue Notice before the CCF. Unlike Red Notices, which require a showing that the subject is wanted for a *serious ordinary-law crime*, Blue Notices have a lower threshold for issuance, provided they serve a legitimate purpose under INTERPOL's framework. The ruling underscores several critical points for legal practitioners:

- **Mistaken identity claims require strong supporting evidence.** The CCF will not override an NCB's identification process unless compelling proof is presented that the individual named in the notice is not the person actually sought.
- **Human rights arguments must be specific and substantiated.** General concerns about a country's legal system will not suffice—applicants must provide detailed evidence showing how their individual rights are at risk due to INTERPOL's involvement.
- **Blue Notices can be used to notify individuals of legal proceedings.** The CCF recognized that seeking a person's location to inform them of charges can be a valid basis for a Blue Notice, provided the NCB supplies sufficient factual and legal justification.

For individuals facing a Blue Notice, this decision emphasizes the importance of a carefully developed legal strategy backed by clear, specific, and well-documented arguments. While the CCF remains a critical forum for ensuring compliance with



INTERPOL's rules, its scope is limited, and challenges must be approached with a precise understanding of INTERPOL's legal framework.