



Kobre & Kim on the U.S. TRAP Act and the (Potential) End of INTERPOL Notice Misuse in Law360

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In recent years, the INTERPOL notice system has been misused by certain countries aiming to target and intimidate political rivals. But with the proposal of the Transnational Repression Accountability and Prevention (TRAP) Act in U.S. Congress, this is a problem that might finally be addressed. A team of Kobre & Kim government enforcement defense lawyers, including William McGovern, Daria Pustilnik, Robin Rathmell and Polly Wilkins, took a look at this new political development and what it could mean for the notice and diffusion process in *Law360*.

The INTERPOL notice system allows countries to request the help of other member countries to, for example, seek the location and provisional arrest of an individual. Some countries, however, use this to intimidate, harass and persecute opponents, and as the lawyers point out, INTERPOL lacks an effective mechanism to stop these politically motivated notices and diffusions.

Fortunately, the TRAP Act, the first of its kind in the world, “could lead to increased controls and transparency in the notice and diffusion processes.” The Act directs the U.S. government to work with other countries to monitor and raise concerns about abuses by certain governments, publicize those abuses in a report and use its influence to improve transparency within Interpol itself. The lawyers believe this law will increase transparency, create consequences for abuse and offer protection for those wrongfully targeted, thereby restoring INTERPOL to its original purpose.

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