Germany hosts one of the largest refugee populations in the world and at least a dozen governments target their nationals residing in Germany, including the most prolific offenders like Turkey and China. The government has demonstrated some awareness of and resilience to the phenomenon. However, a more robust German response is hampered by the security apparatus’ focus on extremism and inconsistencies in protection schemes for refugees and asylum seekers, including policies that identify them as a potential source of threats to Germany rather than as potential victims of foreign repression. Incorporating the risk of transnational repression into Germany’s national security framework, prioritizing human rights in foreign policy, and small, practical changes to the migration bureaucracy would position Germany as a leader in responding to transnational repression.

**Best practices in Germany’s response to transnational repression:**

- Intelligence and law enforcement bodies coordinate to **warn and protect targeted individuals**.
- Expulsion of diplomats following incidents of transnational repression **creates accountability**.
- Foreign assistance requests, including for extradition and arrest, require **oversight and consultation** among multiple government ministries.
- The government invests resources into a migration system that **grants legal protection to refugees**, including political exiles.
Introduction

In December 2021, a German court convicted a former colonel in the Russian intelligence service, Vadim Krasikov, of the 2019 daylight assassination of Zelmikhan Khangoshvili, an ethnic Chechen asylum seeker and Georgian citizen living in Berlin. The judge in the case explicitly identified the Kremlin as behind the crime, stating that “in June 2019 at the latest, state organs of the central government of the Russian Federation took the decision to liquidate…Khangoshvili in Berlin.” Even before the verdict was rendered, suspicions about Russia’s involvement led Germany to expel two Russian diplomats, and Krasikov’s conviction was followed by the expulsion of two more. The German foreign minister called the assassination a “grave breach of German law and the sovereignty of the Federal Republic of Germany.”

The strong response by the German state to Khangoshvili’s murder is relatively unique. Numerous other governments including those of Rwanda, Turkey, Egypt, Vietnam, Azerbaijan, Tajikistan, Bahrain, Saudi Arabia, and China, have used tactics of transnational repression to target individuals residing in Germany. However, most incidents have not triggered criminal proceedings or diplomatic expulsions—forceful responses have instead been reserved for high-profile, violent acts of transnational repression.

The German government demonstrates high levels of awareness of transnational repression through government reports, offering police protection to at-risk individuals, and responses to high-profile attacks as in the case of Khangoshvili. However, the government’s policy responses are inconsistent and have notable gaps. Germany’s national security framework does not adequately address foreign states’ threats to the human rights of individuals residing in Germany. Instead, a heavy focus on preventing terrorism and radicalization, as well as the prioritization of conflicting foreign policy goals, hamper the government’s ability to address transnational repression.

In the migration sphere, efficiency trade-offs, such as housing asylum seekers of a specific nationality together, inadvertently put people at risk. Responses to the migration crisis of 2015—including scaling up translation capacity without implementing safeguards against surveillance by translators, and increased use of temporary forms of migrant protection—further exacerbate the system’s vulnerabilities.

At least a dozen governments target their nationals residing in Germany.

Acts of transnational repression are frequently folded into responses to terrorism and radicalization, which obscures their impact and distracts from creating appropriate policy responses.

Government awareness and national security priorities

While certain German authorities demonstrate a relatively high level of awareness of the tactics of transnational repression, the government fails to recognize it as a distinct phenomenon. In a 2020 interview, BfV president Thomas Haldenwang suggested that he has not seen any clear examples of transnational repression against the people of diaspora. Authorities are consequently attuned to clandestine activities by foreign states. However, they overlook opportunities to address the specific threat posed by transnational repression in favor of other national security and foreign policy priorities. Acts of transnational repression are frequently folded into responses to terrorism and radicalization, which obscures their impact and distracts from creating appropriate policy responses.

The BfV’s 2020 report on the protection of the constitution identified Russia, China, Iran, and Turkey, and describes the Khangoshvili assassination as an act of state-sponsored terrorism. A previous version of the report also identified Egyptians in Germany as potential targets of Egyptian intelligence.

Viewing tactics of transnational repression as a subset of existing national security priorities—specifically, terrorism and radicalization—rather than as a standalone threat to safety and human rights limits the German government’s ability to recognize potential victims. Germany’s current approach to transnational repression is best exemplified by a BfV 2018 brochure designed for refugees in Germany titled, “How can I identify extremists and members of foreign secret services within my environment?” The document notes the presence of foreign operatives within Germany who may surveil or intimidate refugees and encourages people to report suspicious activity to refugee accommodation centers, local police, or the BfV. However, because the brochure is focused on radicalization, terrorism, and activities by extremist groups, it counterproductively identifies refugees as a potential source of threats to Germany, rather than as potential victims of foreign repression.

In 2017, the Turkish-Islamic Union for Religious Affairs (DITIB) admitted that some of its imams had facilitated transnational repression by surveilling individuals suspected of being connected to the movement of religious leader Fethullah Gülen, at the behest of the Turkish government. These allegations precipitated an investigation by the federal prosecutor’s office and contributed to the government’s eventual decision to no longer fund projects with DITIB. However, the decision was also a response to multiple DITIB-related controversies otherwise unrelated to transnational repression, and again reflected the government’s broader
approach to terrorism and extremism. Similarly, the German government has taken greater interest in the foreign funding of mosques in recent years, as it views foreign funding as a risk factor for radicalization. In 2018, Germany’s foreign ministry began requesting that Gulf states register donations or other contributions to mosques in Germany.

Conflating defense against radicalization with protection for individuals recasts potential victims as security threats, which can contribute to Islamophobia. Counterproductively, this approach also leaves people of Muslim origin, who are among the most vulnerable to transnational repression, at even greater risk of harm.

**Foreign and domestic information sharing**

German authorities have at times alerted individuals believed to be under surveillance by foreign states and provided police protection to people under threat, though the processes triggering these actions and the frequency of their use are unclear. Such alerts rely on extensive information sharing within the government, and the complex coordination required by Germany’s federal structure introduces room for error.

Intelligence sharing and cooperation between governments is a risk factor for transnational repression.

However, intelligence sharing and cooperation between governments is a risk factor for transnational repression. Publicly available reporting provides some insight into information sharing and protection in several cases related to Turkey’s transnational repression. The Turkish government is one of the most prolific perpetrators of transnational repression globally and is active in Germany. It primarily targets people allegedly affiliated with the Gülen movement, which President Recep Tayyip Erdoğan holds responsible for the 2016 coup attempt and labels as a terrorist organization. Two Turkish journalists in exile report that German police continuously evaluate their safety and adjust the level of protection they receive accordingly.

In February 2017, Turkish intelligence services requested German cooperation in their surveillance of hundreds of Turks living in Germany who were allegedly supporters of the Gülen movement. Turkish authorities shared detailed information with the BND leadership, including names, addresses, phone numbers, and clandestinely acquired photographs. Despite Turkey’s efforts, Germany’s intelligence services do not view Gülen supporters as terrorists, and members of government at multiple levels expressed alarm about surveillance occurring on German soil. In an example of successful coordination across multiple levels of government, the BND alerted numerous relevant government offices, including the BfV, the federal criminal police office, and the federal prosecutor general of the Turkish request. Local offices, including state police, were tasked with alerting the affected individuals that they were being surveilled and might face reprisals if they travel to Turkey.

Roughly two thirds of physical incidents of transnational repression involve cooperation between origin and host states, or cooption—origin states using the host state’s institutions to reach an individual, often by leveraging allegations of terrorist activity—and cooperation between origin and host states. Authorities’ decision not to cooperate with Turkish intelligence services’ requests about Gülen supporters, and instead to protect the named individuals, suggests that German awareness of transnational repression and information sharing across federal and state-level authorities translates to resilience against cooption in certain cases.

**Accountability and foreign policy**

Germany’s efforts to impose accountability for transnational repression are inconsistent. As in the Khangoshvili case, some attacks have been dealt with through the German judicial system. For example, the 2017 state-sponsored kidnapping of a Vietnamese asylum seeker, Trinh Xuân Thanh, and his companion resulted in a multiyear prison sentence for a Vietnamese man who assisted in the abduction.

Over the last 10 years, Germany has expelled diplomats in relation to three instances of transnational repression that occurred within Germany. A total of four Russian diplomats were expelled over the course of the Khangoshvili affair, and two Vietnamese diplomats were expelled in the aftermath of Thanh’s abduction. The third was in 2012, when authorities ousted four Syrian diplomats in relation to surveillance of Syrians in Germany.

Beyond expelling diplomats, itself a rare move, Germany’s existing accountability mechanisms are limited. Germany does not apply sanctions unilaterally, but it adheres to UN and EU
sanctions and has participated in multilateral responses to transnational repression elsewhere in Europe. In September 2020, the Green Party proposed that Germany adopt an individual sanction mechanism, similar to the Global Magnitsky Act, that would allow authorities to impose targeted sanctions such as visa bans and asset freezes against individuals found to have committed human rights violations. The resolution used the murder of Saudi journalist and dissident Jamal Khashoggi as a justification for the need for such sanctions and advocated for similar measures at the EU level. In 2021, Germany was a strong proponent of EU-wide sanctions in response to the Belarusian hijacking of a passenger plane in order to arrest exiled activist Roman Protasevich. In 2018, in coordination with other European countries and the United States, Germany expelled four Russian diplomats in response to the Russian poisoning of former intelligence officer Sergei Skripal in England.

German support for multilateral sanctions in response to attacks that occurred outside of Germany is notable because transnational repression within the country has not elicited a united European response, nor any lasting change to Germany’s bilateral relations. The Khangoshvili case does not appear to have impacted Germany’s relationship with Russia more broadly, despite condemnations by government officials. German chancellor Olaf Scholz called for a relationship reset with Russia soon after taking office at the end of 2021 and within weeks of the verdict in the Khangoshvili case. Though later overshadowed by Russia’s February 2022 invasion of Ukraine, the timing of the initial effort at reconciliation underscored how transnational repression can be deprioritized in relation to other foreign policy considerations.

Germany’s new foreign minister, Annalena Baerbock, has said she will pursue a “values-based foreign policy,” and the governing agreement between coalition parties pledged support to civil society and human rights defenders “even in the event of cross-border persecution.” If it comes to fruition, the new approach could bring increased accountability and attention to transnational repression.

Over the last 10 years, Germany has expelled diplomats in relation to three instances of transnational repression that occurred within Germany.
Migration

Germany is the fifth-largest host state for refugees in the world, with 1.14 million refugees and over 295,000 asylum seekers. Syrians account for approximately half of all refugees in Germany, followed by people from Afghanistan and Iraq. In addition to Syrians, Germany also hosts sizeable populations of diasporas vulnerable to transnational repression, including Turks, Iranians, and Eritreans.

With so many foreign residents from targeted populations living in Germany, transnational repression is entangled with the country’s migration structures. The Federal Office for Migration and Refugees (BAMF), which coordinates the migration system, is undergirded by extensive bureaucratic processes and structures, some of which inadvertently create vulnerabilities to transnational repression. Policy responses to rising numbers of asylum seekers have increased the potential exposure to targeting by a foreign state. Nevertheless, Germany has laws and oversight mechanisms that help protect against origin states coopting German institutions to target their nationals.

Legacy of the German response to the refugee crisis

Since 2015–16, over a million people, largely from Syria, applied for asylum in Germany. The country accepted more refugees than it was required to under EU agreements, but the issue of migration became increasingly contentious as nationalist and other segments of society pushed back on pro-migrant policy, and the government eventually walked back some of the more generous policies. Living in Germany generally offers refugees more protection from transnational repression than if they remained in states that have a track record of willfully violating the right to asylum and cooperating with origin states. However, Germany’s response to the refugee crisis underscores the risks associated with bureaucratic efficiency.

BAMF hired thousands of new interpreters to accommodate the spike in asylum applications. Freelance translators are required to be in good legal standing and take various “reliability” tests, but civil society organizations and asylum seekers have long called their qualifications into doubt and numerous reports have pointed to interpreters acting in the interest of the asylum seeker’s origin state.

Interpreters have access to deeply personal information of vulnerable people. Information gathered by translators and shared with origin governments can result in further intimidation and surveillance, smear campaigns, and harm to family members and associates still residing in the origin country. Turkish asylum seekers have alleged that interpreters and other BAMF officials shared their personal information with Turkish government-affiliated media, leading to smear campaigns and the publication of sensitive information, including their location, by those outlets. Others from Turkey and elsewhere report harassment and intimidation by the translators. Eritrean and Turkish translators have allegedly altered testimonies and intimidated asylum seekers in Germany during the asylum interview process. Manipulating interviews can result in denial of asylum applications.

Over the years, numerous German officials have claimed that interpreters do not engage in surveillance, harassment, or intimidation. However, some politicians called for more extensive vetting of interpreters in response to such reports of misconduct. In response to a range of concerns about interpreters, BAMF introduced new training programs, more stringent language requirements, and a code of conduct in 2017. BAMF also introduced a complaint-management system. Most of these reforms address concerns about translators’ qualifications, but they do not address the risk that translators may act on behalf of foreign states. The complaint system provides an opportunity for recourse if intimidation or harassment occurs, but it does not prevent harm during initial interactions and it places the burden of assessing translators on already vulnerable individuals, rather than on the German state.

A second policy problem stemming from Germany’s response to the influx of refugees is an increased use of subsidiary
protection, a category that does not grant refugee or asylum-seeker status but allows an individual to remain in the country in recognition that they may face serious harm upon returning to their home country. In 2015, four percent of individuals who received protection were given subsidiary status. That percentage jumped to 35 percent in 2016, peaked at 37 in 2017, and has since remained elevated at approximately 30 percent. Asylum seekers from Syria and Eritrea, both populations vulnerable to transnational repression, are given subsidiary protection at high rates.

Subsidiary protection provides less security than refugee status, leaving recipients more vulnerable to targeting by their origin state. Its temporary nature requires more frequent renewal than refugee status, creating an administrative burden and long-term insecurity. Differences in documentation leave recipients of subsidiary protections reliant on their home-country embassies for passport renewal and other documents, such as marriage licenses. Continued contact with embassies is a risk factor for surveillance, intimidation, and other harms. Subsidiary protection does not include the right to family reunification, unlike refugee and asylum status, exposing recipients to coercion by proxy.

Refugee reception centers

Refugee reception centers exemplify the tradeoff between efficiency and protection for at-risk individuals. The BAMF divides asylum seekers among the 16 federal states, with a percentage of asylum seekers assigned to each state. Asylum seekers are placed among the states on the basis of their country of origin, with each refugee reception center responsible for refugees from a specific country or countries. For example, Thai asylum seekers are divided among two centers in North Rhine-Westphalia and two in Lower Saxony. Asylum seekers live in the provided housing for up to six months, or until their application is decided.

The centers are an efficient means of providing goods and services to people in the asylum process. However, that same centralization inadvertently creates risks for people vulnerable to transnational repression. First, publicly listing which refugee welcome centers house populations from which country make them potential targets of surveillance, intimidation, and attack. For example, supporters of the Eritrean government visited refugee housing to urge Eritreans to pay the diaspora tax—a percentage of earnings the Eritrean government requires all Eritreans abroad to pay, regardless of their status. A Saudi woman reported intimidating visits from anonymous men she believed were government loyalists.

Second, living among others from the same origin state creates opportunities for transnational repression to occur within that group of asylum seekers. In one example, a Saudi asylum seeker learned that investigators in Saudi Arabia were questioning her friends about specific details of her life in Germany. The details they knew about her whereabouts and activities were so specific she worried that someone she interacted with while living in the provided refugee housing was reporting information to Saudi authorities.

A 2017 guide on extremism and secret service activities published by the BfV for refugee aid workers notes that refugees who acted against the government in their home state are potential targets of their origin state’s intelligence operatives in Germany. It warns that foreign intelligence officers may pose as refugees to surveil fellow refugees and interfere with their efforts to gain asylum status. The document also notes that surveillance can result in harm to their family members who remain in the origin country.

While the guide emphasizes the importance of identifying these problems, it does not offer harm-mitigation solutions beyond being alert to these issues throughout normal asylum processes. It also frames recruitment of refugees to act on behalf of the foreign state as one of the goals of espionage, which is a separate issue from transnational repression and frames targeted refugees as potential security threats, rather than victims of ongoing state violence.

German authorities treat information about individuals received from foreign states, including through Interpol, with well-warranted skepticism.

Promising oversight

In general, German authorities treat information about individuals received from foreign states, including through Interpol, with well-warranted skepticism. Authorities generally do not rely on information supplied by origin countries when reviewing asylum claims. Extradition requests, requests for legal
assistance, and arrest warrants are processed at the federal level, in consultation with multiple government bodies, before dispersal to relevant law enforcement. The German Federal Ministry of Justice (BFJ), the Federal Foreign Office, the Federal Criminal Police Office, and other government authorities may be involved in the review process, which includes determining whether there are legal or political reasons not to comply with the request. The Act on International Mutual Assistance in Criminal Matters has numerous restrictions on extradition, including when the request is based on an alleged political offence, when there is a risk that the individual will be transferred to a third state, and when the individual may be subject to capital punishment. In 2018, the German government halted deportations of Uyghurs and other Muslims to China due to the Chinese Communist Party’s persecution of these groups.

Oversight and protections against unlawful deportation are particularly necessary because Germany, both bilaterally and as part of the EU, has return-and-readmission agreements with numerous states known to engage in transnational repression, including Azerbaijan, Belarus, Russia, Pakistan, and Turkey.

Despite these safeguards—and efforts by the government to limit Interpol abuse, such as reviewing the coordination between relevant ministries—targets of transnational repression in Germany have been subject to detention and unlawful deportation. In 2017, intervention by the Foreign Office prevented a Rwandan from being extradited at the Rwandan government’s request, but not until he had already spent time in detention. Similarly, in 2015 an Egyptian journalist was detained on the basis of an Egyptian extradition request for two days before being released. In 2017 and 2018, two Chechen asylum seekers were extradited to Russia despite a high likelihood of poor and politicized treatment. Improved coordination and awareness of transnational repression in oversight processes would prevent similar incidents in the future.
Recommendations for the German government:

- **Raise awareness of transnational repression within the government.** Develop trainings for all officials who engage with vulnerable populations or may encounter incidents of transnational repression in their work, including members of law enforcement, migration officials, and foreign affairs officials, including diplomatic staff.

- **Update national security priorities** to recognize that threats to an individual’s human rights by a foreign state are also a threat to German’s institutions and agencies.

- Implement a **review of existing laws and policies** to develop and improve mechanisms for ensuring the accountability of foreign states perpetrating transnational repression.

- **Identify and document transnational repression as a distinct problem,** including in the BfV’s annual report on the protection of the constitution and Federal Foreign Office’s human rights reports.

- **Ensure that protections and responses to transnational repression treat targeted individuals as potential victims, rather than as security threats.** Responses to transnational repression should be separate from policies that address radicalization, terrorism, or recruitment by foreign intelligence services.

- **Reduce reliance on temporary forms of protection for asylum seekers** and return to a norm of granting full refugee status.

- **Screen for vulnerability to transnational repression** early in the immigration and asylum process. Provide high-risk individuals with additional protection throughout the process, such as accommodation outside of a refugee reception center and digital security support.
About the Project

Defending Democracy in Exile: Policy Responses to Transnational Repression examines what is being done to protect exiles and diaspora members who are being intimidated and threatened by the governments from which they fled. This report assesses the responses put forward by the governments of countries where exiles and diasporas reside, by international organizations, and by technology companies.

It represents the culmination of the second phase of our research into transnational repression. It combines an analysis of the policies of nine host countries, interviews with members of diasporas targeted by transnational repression who reside in the United States, interviews with staff at technology companies, and data on 735 physical, direct transnational repression incidents that occurred between 2014 and 2021. With this report, we aim to advance the ongoing conversation among members of the general public, civil society, media, and policymakers on countering this practice.

Over a 16-month period, we developed an original methodology for evaluating policy responses to transnational repression, trained and collaborated with 16 in-country analysts to gather data, and held two roundtables to review and refine our findings and recommendations. Collaboration with academics and civil society researchers around the world was integral to the success of this project.

Yana Gorokhovskaia and Isabel Linzer led the project and cowrote the final report and eight of the nine country reports. Research Associate Bochen Han provided research support and wrote one country report. Intern Paulina Song helped to catalog and vet incidents for the transnational repression database. The project was made possible through the generous support of the National Endowment for Democracy.

Our data collection and coding methods can be viewed at https://freedomhouse.org/report/transnational-repression/about-acknowledgements. Data is available on request through the research@freedomhouse.org email account. Please use the subject line “Transnational Repression Data Request.”

This report builds on the findings of Out of Sight, Not Out of Reach: The Global Scale and Scope of Transnational Repression—the first global study of this dangerous practice—which Freedom House released in February 2021. The first phase of our research sprang from our engagement with academic researchers dedicated to examining transnational repression.

Finally, none of this would have been possible without exiles from Syria, Iran, Saudi Arabia, India, Egypt, Rwanda, Russia, China, Turkey, Vietnam, Equatorial Guinea, and Ethiopia who agreed to speak with us about their experiences of transnational repression. Their courage and resilience are an inspiration.
Endnotes

1 Countries that have committed acts of transnational repression in Germany include Rwanda, Turkey, Egypt, Vietnam, Azerbaijan, Tajikistan, Bahrain, Saudi Arabia, China, Iran, Syria, Russia, and Eritrea.


Holly Young, “Asylum Requests: A Good Interpreter Can Make All The Difference.”


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Policy Responses to Transnational Repression


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Learn more about transnational repression and view the full report online by visiting www.freedomhouse.org/report/transnational-repression.