

Still Not Safe: Transnational Repression in 2022

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A man armed with an AK-47 rings the doorbell of a home in Brooklyn, New York; he is looking for a journalist and vocal critic of the Iranian government living there. A political opponent of the Nicaraguan regime is found dead in Honduras; his family suspects that he was lured to his death from his home in exile in Costa Rica. A labor activist is returned to Bahrain with the help of an Interpol Red Notice and the cooperation of Serbian officials; he is handed over on a tarmac in Belgrade before sunrise, just hours after the European Court of Human Rights issues an interim measure against his extradition.

All over the world, individuals brave enough to speak out against repression are being targeted by autocrats who reach across borders to silence their voices. Tactics of transnational repression—including assassinations, unlawful deportations, detentions, renditions, physical and digital threats, and coercion by proxy—are used by governments to stamp out dissent among diasporas and exiles living beyond their borders. More than just a threat to individual activists, transnational repression is a tool of global authoritarianism. It imperils human rights, democratic values, and national security.

This brief describes new cases and other developments in transnational repression from 2022. Freedom House's database now includes information on 854 direct, physical incidents of transnational repression committed by 38 governments in 91 countries around the world since 2014.¹ Last year, Freedom House recorded 79 incidents committed by 20 governments. The most prolific perpetrators of transnational repression continue to be the governments of China, Turkey, Russia, Egypt, and Tajikistan. However, more and more governments, from Djibouti to Bangladesh, are employing violence and harassment to repress critics living abroad and are managing to escape both international and domestic accountability.

As in previous years, formal and informal cooperation between authoritarian governments to harass, detain, and return individuals posed the most serious threat to exiles; both the origin and host governments were rated Not Free by Freedom House in 70 percent of incidents recorded last year.

Journalists and others exercising their freedom of expression again found themselves in the crosshairs of extraterritorial targeting in Africa, Asia, and Latin America. Russia's full-scale invasion of Ukraine made more people vulnerable to transnational repression in Europe and Central Asia. Two prominent host countries, the United Kingdom and the United States, made strides in creating policy responses to counter the threat posed by autocrats. However, both governments allowed competing foreign policy considerations and restrictive migration policies to continue to endanger people seeking protection from oppression.

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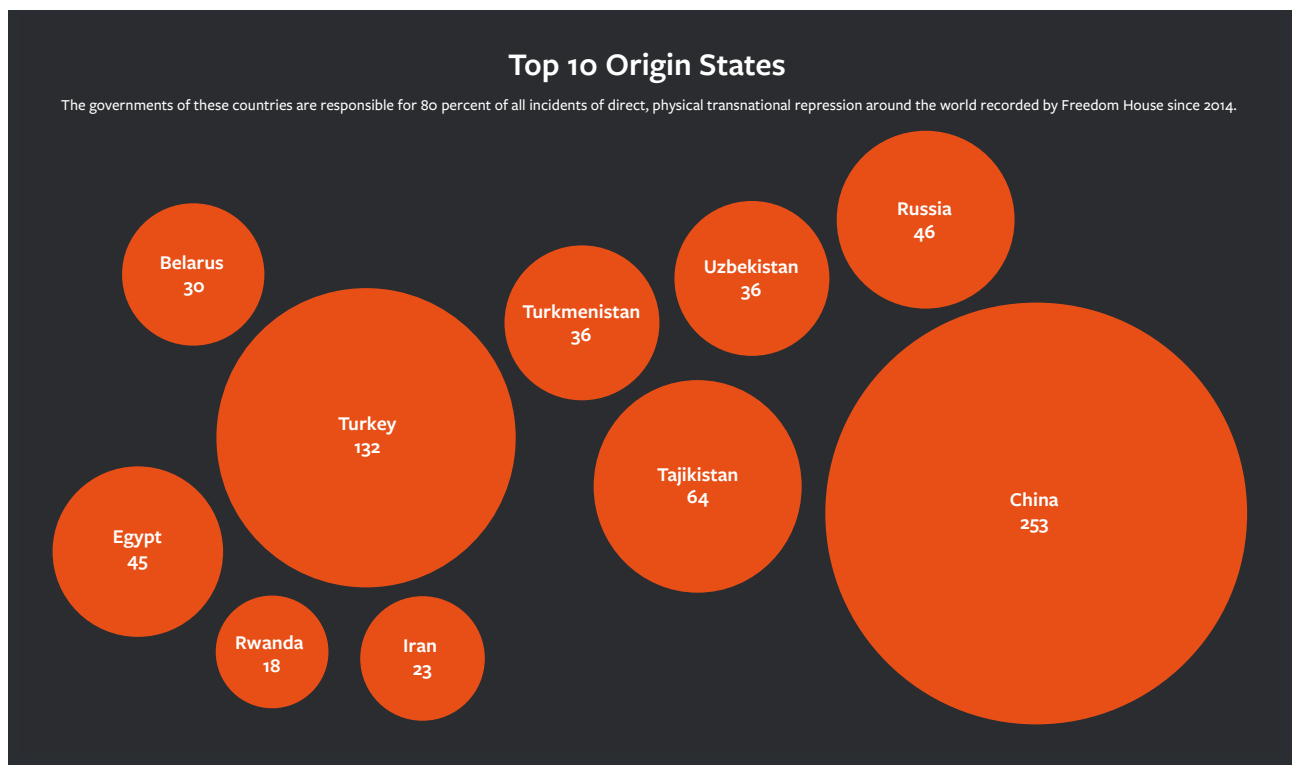
TRANSNATIONAL REPRESSION IN A TIME OF WAR

Russia’s devastating war against the people of Ukraine has intensified patterns of transnational repression in Ukraine, Russia, Central Asia, and Europe.

The full-scale invasion resulted in thousands of civilian deaths, human rights violations, and the mass displacement of millions of Ukrainians as well as many foreign nationals living in exile in Ukraine. Ukraine has a visa-free entry system for citizens of 81 countries and a vibrant native civil society that offers much-needed support for newcomers.² Although government protection for foreign activists has often been only partial and few asylum seekers are able to secure permanent residency, the country has traditionally been an extremely attractive destination for dissidents and others fleeing the reach of autocrats. Moscow’s attack and the subsequent war made the dangers faced by people targeted by transnational repression in Ukraine more acute.

Ersin Erkinuly, an ethnic Kazakh originally from the Xinjiang region, fled China in 2019 fearing internment in the government’s camps. In the four years since, Erkinuly has been unable to find safety abroad. While he was in migration detention in Ukraine in 2020 after coming to the country from Turkey, reports emerged that the Chinese Embassy in Kyiv was petitioning for his return.³ China is the world’s leading perpetrator of transnational repression, employing a wide array of tactics and targeting both groups and individuals. In Freedom House’s database, China is an origin country for 30 percent of all recorded incidents of physical transnational repression. After Russia’s invasion, Erkinuly fled Ukraine alongside other foreign nationals and filed for asylum in Poland. In July, he was detained by German migration officials, allegedly for illegally crossing the France-Germany border.⁴ The war has further exposed Erkinuly and others fleeing Chinese persecution to the threat of transnational repression, amplifying their inability to secure asylum and avoid protracted detention.

Moscow’s invasion also led to worsening repression inside Russia, spurring a mass exodus. The Kremlin criminalized antiwar demonstrations, revised the criminal code to penalize the dissemination of “fake news” about the Russian military, and initiated a “partial mobilization” of men for military service. Although the precise number is difficult to identify, hundreds of thousands of citizens left the country as a result of these measures and others.⁵ While many were able to relocate safely, some were targeted abroad by Moscow.



In the fall, law enforcement officers in Kazakhstan repeatedly detained Evgeniya Baltatarova, a journalist from Russia's Buryat region, who was placed on a wanted list by Moscow for disseminating "fake news" about the Russian army. Her detention was explained by authorities as complying with the Minsk Convention, a cooperation agreement between several members of the Commonwealth of Independent States that has facilitated the detention and extradition of individuals wanted by governments in Eurasia.⁶ Late in the year, authorities in Kazakhstan deported Mikhail Zhilin, an officer in Russia's Federal Security Service (FSB) who had fled military conscription, because his name appeared on a wanted list for "desertion."⁷ He was deported after his claim to asylum was denied but before his lawyers had exhausted legal appeals in an act that the lawyers argued contravened the protections afforded by the United Nations Refugee Convention and Protocol ("Refugee Convention"). Zhilin now faces a lengthy prison sentence in Russia.

People fleeing forced military service in the Russian army may face obstacles applying for asylum in nearby European countries as well. In September, representatives of Estonia, Latvia, and Lithuania indicated that Russian citizens hoping to escape mobilization would be unlikely to receive a humanitarian visa or be considered for political asylum.⁸ The inability to obtain protected legal status in these countries will make Russians more vulnerable to transnational repression.

Against the backdrop of the war of aggression and intensifying repression at home, Moscow continued to facilitate the targeting by fellow authoritarian governments of exiles living in Russia. The government of Tajikistan used long-established practices of security cooperation with Moscow to undertake an extensive campaign of transnational repression, which accounted for 27 percent of global incidents recorded last year.

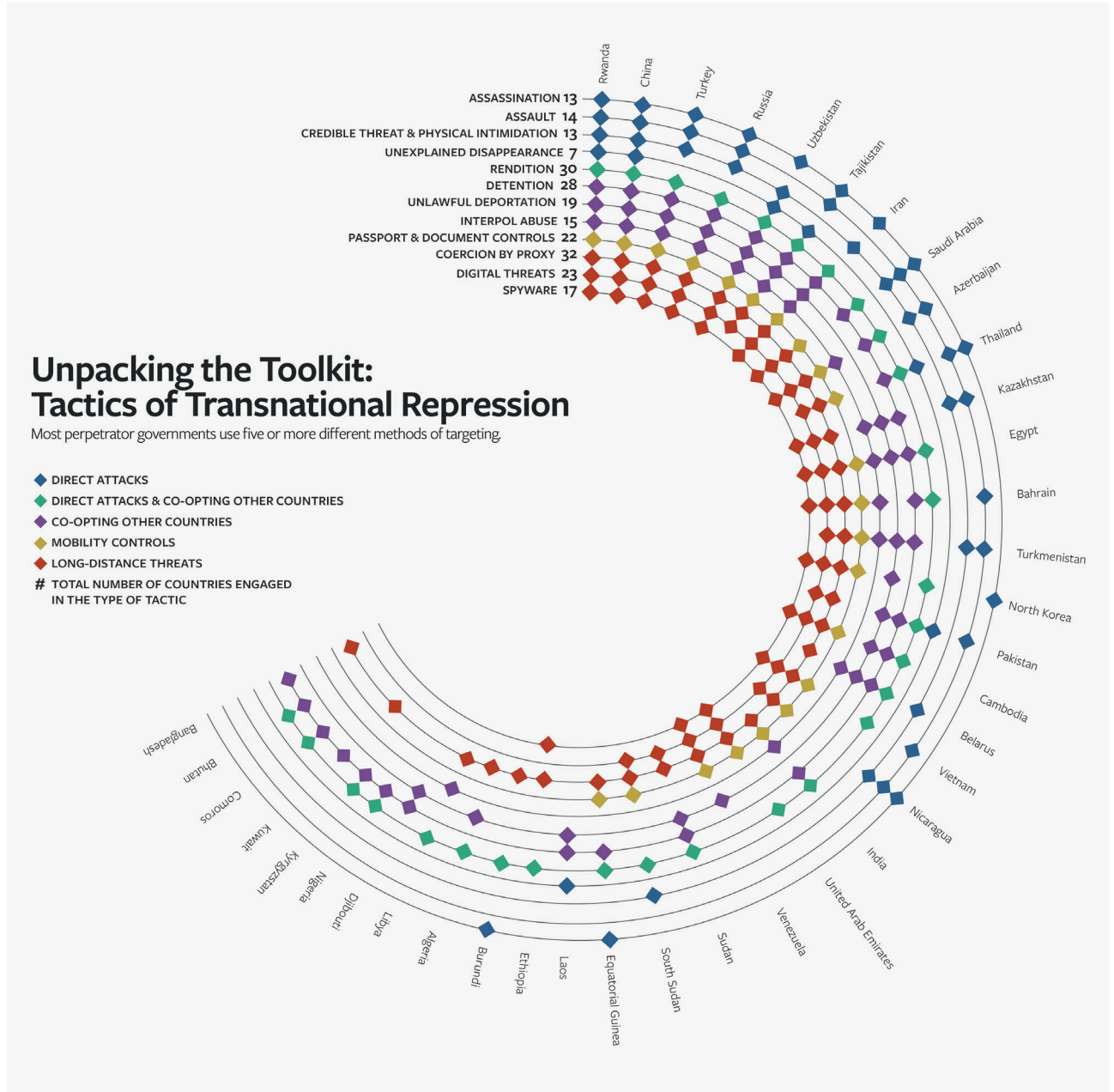
Members of the Pamiri diaspora, an ethnic group from Tajikistan's Gorno-Badakhshan Autonomous Oblast (GBAO), bore the brunt of their government's cross-border targeting, which followed a crackdown on protests in the region.⁹ Eleven citizens of Tajikistan were returned from Russia via rendition and unlawful deportation in 2022. These included individuals who had obtained Russian citizenship, including Oraz and Ramzi Vazirbekov, who vocally opposed Dushanbe's "antiterror" campaign in GBAO and disappeared from a Moscow airport in January. In November, they were sentenced in Tajikistan to 16 and 13 years in prison, respectively, on charges related to calling for the overthrow of the government.¹⁰ Another victim, Amriddin Alovatshoev, an activist for migrant rights who had participated in protests outside the Tajikistani embassy in Moscow, was returned to Tajikistan in February. He made a televised confession and was eventually sentenced to 18 years in prison for hostage taking.¹¹

Millions of people from Central Asia live in Russia. As many as 174,000 Tajikistani citizens obtained Russian citizenship last year alone.¹² Moscow's readiness to enable transnational repression committed by neighboring autocrats puts many of these individuals in serious peril. The Russian government's decision to withdraw from the Council of Europe in anticipation of being expelled after its invasion of Ukraine adds a new dimension to the threat faced by exiles living there. Now outside the purview of the European Court of Human Rights, individuals subjected to transnational repression in Russia will not be able to appeal to the body for protective measures against unlawful deportation.¹³

Lastly, Russia's attack on Ukraine unsettled the existing security arrangements in Europe, providing an opportunity for Turkey to try to expand its already extensive campaign of transnational repression. Since the July 2016 coup attempt against the government of President Recep Tayyip Erdoğan, Ankara has relentlessly pursued exiles associated with the Gülen and Kurdish movements.¹⁴ Freedom House's Transnational Repression database includes 132 incidents perpetrated by Turkish authorities. In September, a businessman named Uğur Demirok became the latest victim of the world's most brazen campaign of renditions when Turkey's intelligence agency kidnapped him from Baku, the capital of Azerbaijan.

After Sweden and Finland applied to join the North Atlantic Treaty Organization (NATO) in May, Turkey refused to support their applications unless Sweden handed over a set of wanted individuals, including several journalists. So far, Sweden's authorities have refused to violate rule-of-law protections for asylum seekers, but Turkey is still attempting to leverage NATO accession for extraditions. In the meantime, people living in Europe who are being sought by Turkey for return continue to experience intimidation and assault.¹⁵

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Russia’s invasion of Ukraine significantly exacerbated existing trends in transnational repression, demonstrating how human rights crises spill over and ripple out. Responding to extraterritorial violence and the growing reach of authoritarian governments requires seeing the issue through a lens that encompasses humanitarian, asylum, and security dimensions.

THE HIGH COST OF SPEAKING OUT

The purpose of transnational repression is to silence dissent in order to maintain an autocrat’s grip on power. Although origin countries target many different groups, including ethnic and religious minorities, individuals who publicly criticize the government are often singled out for harassment and even violence. Journalists have been the targets of 97 incidents, or 11 percent of all incidents, of physical transnational repression identified by Freedom House since 2014.

Although journalists can be subjected to cross-border targeting even in liberal democracies that protect media freedoms, laws that limit freedom of expression in countries with weak or nonexistent rule-of-law protections are particularly likely to be used as tools of transnational repression. In 2022, Djibouti was added to Freedom House's database as an origin country that employs tactics of transnational repression. In May, police in Somaliland, a self-declared independent but internationally unrecognized territory in Somalia, arrested Arreh Souleiman Aouled, a Djiboutian activist who had posted critical remarks about Djiboutian president Ismail Omar Guelleh on Facebook.¹⁶

Although Aouled was reportedly initially taken into custody without being presented with a warrant, authorities eventually charged him under a criminal law prohibiting speech that insults the dignity of another person. Human rights groups feared that Aouled would be spirited out of the country after reports emerged that the Djibouti government sent a helicopter to transport the activist.¹⁷ Aouled was eventually acquitted. However, activism in Somalia against the repressive government of a neighboring state remains dangerous.

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In December, Bolivia expelled a Cuban activist who had lived in the country for three years. Magdiel Jorge Castro, who has an active social media following and routinely criticizes the Cuban government, was accused by Bolivian migration authorities of violating a 2013 law that prohibits foreign nationals from “disturbing national security or the public order.” He was given 15 days to leave the country.¹⁸ There was no verified evidence that Castro's expulsion from Bolivia was done at the request of Cuban authorities. However, the incident mirrors familiar trends in the cross-border targeting of exiles in which host governments repress or harass activist members of a diaspora at times when the bilateral relationship between the host and origin country is improving. This was the case in 2021 when Turkey began to detain Uyghur activists during a period of warmer relations with Beijing. Similarly, Castro's expulsion coincided with a meeting of the Bolivian and Cuban heads of state in Havana as part of the Summit of the Bolivarian Alliance for the Peoples of Our Americas-People's Trade Treaty (ALBA-TCP). Existing laws in host countries that infringe on the freedom of expression of foreign nationals, refugees, or asylum seekers can be used to suppress dissent and, in some cases, effectively accomplish the same aims as direct methods of transnational repression.

Weak protections for refugees also imperil journalists and others targeted with transnational repression. In August, authorities in Malaysia deported Syed Fawad Ali Shah, a journalist from Pakistan who had lived in the country as a legally recognized refugee since 2014. Shah had reported on the activities of Pakistani security services in connection to enforced disappearances and had allegedly been abducted and tortured as a consequence of his work.¹⁹ Malaysian authorities confirmed that Shah was deported after a request was made by the Pakistan High Commission in Kuala Lumpur, which claimed that Shah was a former police officer wanted for disciplinary proceedings.²⁰

Freedom of expression continues to be under attack around the world. Freedom House's *Freedom in the World 2023* report found that in 2022, independent media came under attack—including via criminal prosecution, extrajudicial violence, and censorship—in 157 countries and territories. Exiled journalists and activists are doubly vulnerable, exposed to repressive laws in host countries and to targeting by foreign autocrats.

NEW POLICY RESPONSES, CONTINUING GAPS IN PROTECTION AND ACCOUNTABILITY

The governments of countries where exiles and diasporas have found refuge are beginning to consider policies to counter transnational repression. Most of these responses, however, prioritize mechanisms for ensuring domestic security while both overlooking vulnerabilities within the migration system and weakening international accountability by making foreign policy tradeoffs.

In November 2022, responding to a report by Safeguard Defenders documenting the presence of three unofficial police stations run by the government of China in the United Kingdom,²¹ the British government announced the creation of the Defending

Democracy Taskforce. The purpose of the taskforce is to work across the government and with the intelligence community to protect the UK from transnational repression, among other foreign threats.²² The UK has experienced a number of transnational repression incidents in the past, including high-profile poisonings of Russian exiles, attacks on Saudi dissidents, and harassment of activists by officials from China and Bahrain.²³ In October, a prodemocracy activist from Hong Kong who was protesting at the Chinese consulate in Manchester was assaulted by consulate staff.²⁴

In addition to the Defending Democracy Taskforce, the UK government is also considering other proactive steps including amendments to the National Security Bill that would criminalize acts of coercion, harassment, and intimidation that are linked to a foreign government; they would also increase sentences for existing criminal acts if they are found to be done at the direction of a foreign state. As part of the bill, the UK government is also proposing the creation of a Foreign Influence Registration Scheme that would require organizations and individuals to register with the secretary of state if they plan to engage in “political influence” activities.²⁵

At the same time that the UK government is considering policy changes that would enhance its ability to address the threat of transnational repression domestically, it has adopted a migration policy based on close cooperation with a government that uses tactics of transnational repression.

In April 2022, the UK government signed a Migration and Economic Development Partnership with the government of Rwanda that included a five-year “asylum partnership arrangement,” which allows the UK government to detain people coming to England to claim asylum and send them to Rwanda instead. The arrangement specifically targets people entering the UK through “irregular” means from a safe third country, including by crossing the English Channel in small boats. In June, a flight to Rwanda full of asylum-seekers was prevented from leaving England by an injunction from the European Court of Human Rights. However, in December, London’s High Court found that the arrangement was lawful overall even though the UK government was obliged to consider the circumstances of each asylum seeker individually before transferring them to Rwanda.²⁶

The asylum deal is dangerous because it undercuts the UK government’s obligation to abide by the UN Refugee Convention. It also puts the British government into direct partnership with a well-known perpetrator of transnational repression. The



British home secretary Suella Braverman meets Rwandan president Paul Kagame during a visit to Kigali, Rwanda, in March 2023. (Image credit: Alamy/Stefan Rousseau)

Rwandan government has targeted critics, including via assassinations, around the world.²⁷ Until recently, Rwanda imprisoned Paul Rusesabagina, a permanent resident of the United States, who was abducted by Rwandan authorities while in transit and returned to Rwanda in 2020. In the past, the Rwandan government has failed to safeguard the rights of refugees fleeing nearby conflict zones. In 2018, the security services used force, including live ammunition, against protesters at refugee camps.²⁸

The UK government’s concern over the threat posed by foreign governments domestically should extend to the process by which it negotiates international partnerships. Tactics of transnational repression are widespread among authoritarian governments. Raising the costs of foreign interference at home while partnering with perpetrators abroad undermines both the credibility and effectiveness of governments’ efforts to stop transnational repression.

The government of the United States, too, has undertaken measures to protect people from being subjected to transnational repression on US soil. The Federal Bureau of Investigation and the Department of Justice have not only raised awareness about the threat of transnational repression but also issued criminal indictments against perpetrators. In July 2022, the Department of State circulated a Diplomatic Note to Chiefs of Missions in Washington, DC, to warn foreign diplomats against “targeting individuals...for peacefully exercising their human rights and fundamental freedoms, through various forms of harassment, intimidation, and coercion.”²⁹ At the close of 2022, US lawmakers also introduced legislation to codify and criminalize transnational repression.³⁰

Though these are positive steps in combatting transnational repression at home, the efforts of the United States are diminished to some degree by high-level diplomatic engagement with the governments of Saudi Arabia and Egypt. Although he once said that the Saudi government should be made into an international pariah for the assassination of exiled Saudi journalist Jamal Khashoggi, President Joseph Biden visited Riyadh and met with the Crown Prince Mohammad bin Salman in July 2022; a US intelligence assessment had previously found Mohammad bin Salman to have personally approved the security operation that led to the killing of Khashoggi.³¹ The Saudi government has not reformed its approach to exiled critics in the years since Khashoggi’s assassination. Far from abandoning transnational repression tactics, Saudi authorities have attempted to collect information on social media users in the US criticizing the regime and have threatened activists.³² Inside the kingdom, authorities continue to facilitate transnational repression, including by aiding the government of China in its campaign to detain and return Uyghurs.³³

Like Saudi Arabia, Egypt is a long-standing security partner of the United States.³⁴ President Abdel Fattah El-Sisi visited Washington, DC, and met with Secretary of State Antony Blinken in December 2022. The Egyptian government also targets critics abroad, including individuals who hold US citizenship. In November, Egyptian authorities managed to have Sherif Osman detained in Dubai through a request made via the League of Arab States.³⁵ Osman is a dual US-Egyptian national and had used his YouTube channel to call for protests during the United Nations Climate Change Conference, COP27, which was hosted by Egypt. Osman was eventually released and allowed to leave the United Arab Emirates, but he spent seven weeks in detention and there is evidence that his family was prevented from leaving Egypt to meet him in the UAE as originally planned.

Democratic governments can accomplish a great deal through diplomacy and continued bilateral engagement, even with authoritarian countries. However, foreign policy dealings should uphold democratic principles and human rights norms. Transnational repression disregards both human rights and national borders. Effectively countering it requires a combination of policies that punish incidents committed in host states, policies that protect the right to asylum, and policies that prioritize respect for human rights in bilateral relationships.

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RECOMMENDATIONS

Host governments, civil society organizations, and technology companies can take action to increase accountability, provide protection for exiles and diasporas, and constrain the ability of states to commit transnational repression.

Recommendations for governments that host exiles and targeted diasporas:

- Establish an official definition of transnational repression to be used by all government agencies and a specific mechanism to track domestic incidents of transnational repression.
- Develop a plan to spread awareness about transnational repression among law enforcement agencies, intelligence services, and officials working with refugees and asylum seekers.
- Apply additional vetting to extradition requests and Interpol notices from governments of countries rated Not Free by Freedom House. Use voice, vote, and influence to limit the ability of Interpol member countries to target critics abroad.
- Commit to respecting the right to seek asylum, avoid shifting responsibility for asylee processing to third states, and strengthen existing refugee resettlement programs.
- Include details on the use of transnational repression in the information about countries of origin that is consulted during reviews of asylum applications.
- Impose targeted sanctions on perpetrators and enablers of transnational repression and use personae non gratae designations to ensure accountability.
- Restrict security assistance and arms sales to governments that perpetrate acts of transnational repression.
- Strictly regulate the purchase and use of surveillance tools and protect end-to-end encryption.

Recommendations for civil society organizations:

- Continue to document incidents of transnational repression, analyze perpetrator states' tactics, and identify gaps in policy responses.
- Develop programming for individuals and groups affected by transnational repression, including digital hygiene training and social, psychological, legal, and immigration support.

Recommendations for technology companies:

- Strengthen options for documenting transnational repression on digital platforms, including by giving people access to tools that allow them to filter, review, and report incidents of transnational repression in a convenient but private way.
- Publicly identify perpetrators of digital transnational repression and describe the methods and scale of their activity.
- Create company-wide strategies to respond to transnational repression that include policies regarding content moderation, harassment, foreign influence operations, cybersecurity, and privacy.

Detailed recommendations can be found here: freedomhouse.org/policy-recommendations/transnational-repression.

ENDNOTES

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