



Transnational Repression: a Threat to Rights and Security in the United States

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Safeguarding Dissident Voices: Addressing Transnational Repression Threats to Homeland Security
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Chairman Pfluger, Ranking Member Magaziner, and distinguished members of this subcommittee, thank you for the opportunity to testify today. I ask that my full remarks be entered into the record.

Transnational repression defined

Transnational repression occurs when states reach across borders to silence dissent from activists, journalists, and others living in exile. Perpetrator states do so using intimidation and violence. This issue presents a direct threat to rights and security around the world, including here in the United States, and will require a coordinated response from across the US government and between the United States and other democratic governments.

From 2014 through 2022, Freedom House has collected information on 854 direct, physical incidents (assassination, kidnapping, assault, detention, or deportation) of transnational repression around the world, committed by 38 governments in 91 countries. During this time, 13 states have engaged in assassinations abroad, and 30 have conducted renditions.

These numbers are likely only the tip of the iceberg when indirect tactics are also factored in. Indirect tactics include the use of spyware, surveillance, threats sent over social media or by phone, or threats and violence against family members back home, which is known as coercion by proxy.

According to our database, the top ten perpetrators of transnational repression globally are China, Turkey, Tajikistan, Egypt, Russia, Turkmenistan, Uzbekistan, Iran, Belarus, and Rwanda. Together, these ten countries are responsible for 80 percent of the cases in our database. And China, which conducts the most comprehensive and sophisticated campaign of transnational repression in the world, is responsible for 30 percent of the cases.

Transnational repression in the United States

The United States' strong rule of law and active security sector lend a measure of protection against transnational repression. We know from our research that both are important factors in preventing transnational repression.

Nonetheless, many communities in the US face serious and persistent threats, as my fellow witnesses can attest to firsthand and as we see in recent high-profile incidents on US soil.

One of the most famous cases in the United States involves the Iranian regime's plot to kidnap journalist and women's rights activist Masih Alinejad from her home in Brooklyn. When that didn't work, Iran attempted an assassination plot that was thankfully also unsuccessful. To this day, Alinejad lives under federal protection.

Last November, peaceful demonstrators were physically assaulted in San Francisco during the Asia Pacific Economic Cooperation (APEC) Summit while protesting human rights violations by Xi Jinping and the ruling Chinese Communist Party.

Later that same month, federal authorities indicted and arrested an Indian national for alleged conspiracy to murder a Sikh activist based in Queens.

It is common for activists we work with to receive threats over social media, to be surveilled or targeted for spyware, or for their family members back in their country of origin to be pressured, threatened, or even beaten up or jailed. Hong Kong-American Samuel Chu, who is wanted for arrest in Hong Kong due to his advocacy to the US Congress, discovered a drone hovering outside his apartment in California, apparently looking in his windows with a camera.

In addition to threats from China, Iran, and India, there are substantial reasons to be concerned about threats towards US persons originating from an even broader set of countries, including Saudi Arabia, Egypt, the UAE, Turkey, Russia, Rwanda, Ethiopia, El Salvador, Nicaragua, and Bangladesh. It is notable that this list includes a number of countries that can be considered allies or partners of the United States. There are likely other countries as well that are surveilling and intimidating individuals in the United States which we have not yet documented.

An important aspect of the threat in the United States is the manipulation of our own institutions. One way this can occur is through Interpol abuse, which occurs when a country misuses Interpol's notification systems to have someone detained on spurious charges. Interpol is now much more aware of the problem than a few years ago and has tried to make improvements to its internal processes, but some member states continue to try and abuse the system.

We were pleased to note in September 2023 that ICE updated its guidance on Interpol to make this kind of abuse harder to perpetrate in the United States.

Another way manipulation can occur is through foreign intelligence agencies providing false information for our asylum and immigration processes. A recent disturbing case of this was documented by the Organized Crime and Corruption Reporting Project (OCCRP). OCCRP obtained a confidential FBI memorandum concerning the case of Leopold Munyakazi, a Rwandan scholar who had applied for asylum, in which the FBI found that the US examination of his asylum process was compromised by Rwandan intelligence. Munyakazi was nonetheless deported and is currently imprisoned in Rwanda.

Recent developments and future risks

A recent and worrying development is the extraterritorial repression of reporters. As the space for free media and dissent has closed in authoritarian countries, governments are increasingly reaching outward to target exiled journalists who continue to do their courageous work from abroad. Our new report released in December, titled [*A Light That Cannot Be Extinguished: Exiled Journalism and Transnational Repression*](#), examines this issue more closely and describes the repressive toolkit used against target exiled journalists and media. At least 26 governments have targeted journalists, and 112 of the 854 cases in our database – thirteen percent of all cases – involved journalists.

In our report, we interviewed exiled Cambodian, Uyghur, Turkish and other journalists in the United States who described the repercussions of transnational repression against them by the governments they left behind.

Perpetrator states of transnational repression are innovating even as awareness of the problem in host countries grows. Moving forward, host governments and law enforcement must pay increasing attention to the role of diplomatic staff and proxy actors working on behalf of perpetrator states to intimidate exiles. Cases like the murder-for-hire scheme allegedly organized by an Indian government employee against a Sikh activist in New York City points to the involvement of criminal associates. Additionally, foreign governments, such as that of China, may continue to seek out private investigators to co-opt host state institutions and more easily reach targeted individuals.

Progress so far

There has been strong, bipartisan interest in addressing this issue here in the United States and a growing interest from democracies in Europe and elsewhere.

The current administration has made addressing transnational repression a priority across agencies, with attention given by the National Security Council. We are pleased to see generally strong interagency coordination, and, as we understand it, increasing engagement between the Executive Branch and the Hill – something crucially important for an effective US response.

Among the steps taken by the US government: The Department of Justice has been investigating and prosecuting a growing number of cases of transnational repression plotted against US persons. The

FBI has a dedicated stream of work on transnational repression, including a [public web page](#), the issuance of several unclassified counterintelligence bulletins for targeted communities, and the creation of a general [threat intimidation guide](#) that is linked on the transnational repression webpage and translated into over 60 languages. Transnational repression is also now a category that can be reported via the general FBI hotline. The Department of Homeland Security (DHS) has shared information on transnational repression with DHS law enforcement, pursued outreach to vulnerable communities inside the US, and is working on developing a strategy to protect faith-based communities from incidents of transnational repression. DHS is also working to pull together national and international engagements on the issue, and DHS and the Federal Law Enforcement Training Center (FLETC) are in conversation around what a training module could look like. The Cybersecurity and Infrastructure Security Agency (CISA) has also been focused on outreach, issuing a public [fact sheet](#) on resources available to protect against transnational repression. The Commerce Department has [moved](#) to [rein in](#) the use of American technology in the production of powerful commercial spyware, which is a crucial vector of transnational repression. The State and Treasury departments have sanctioned perpetrators of transnational repression. The Department of State has provided some training for diplomats, and State's annual Country Reports on Human Rights Practices include a section on transnational repression. They are also engaging on this topic with allies around the world, including through the G7 Rapid Response Mechanism Working Group on Transnational Repression and have helped coordinate emergency responses with partners when individuals have been targeted for transnational repression abroad.

There are also a number of bills pending in Congress.

These are all important steps that we and others have encouraged, and we applaud these efforts. But, more action is needed.

An urgent need to act: recommendations for Congress

The impact of transnational repression on targeted individuals is severe. People's physical safety is endangered, their travel is complicated, their houses are surveilled in the US and elsewhere, they are harassed online and offline, and communication with family and friends living in the country of origin is fraught. Some people are cut off from their families entirely. Each individual incident of transnational repression produces ripple effects throughout the community, fostering an atmosphere of fear and suspicion among neighbors and compatriots.

For too long, democracies have missed or allowed the actions of authoritarian countries inside their borders. Such a pattern of impunity has emboldened states to act abroad without fear of consequences. Would the government of India have dared to target individuals in Canada and the United States if the brutal murder of Jamal Khashoggi had been met with more forceful accountability measures for each and every Saudi official involved in his death?

There are a number of measures Congress can take to limit the ability of governments to engage in transnational repression on US soil and ensure the protection of those within our borders.

1) Codify a definition of transnational repression in law and ensure the United States has the necessary legal authorities to sufficiently address the threat and support those who are targeted. At present, US law does not include a definition of transnational repression, something that is needed to allow officials to understand what transnational repression is, to identify and apprehend perpetrators, and to direct their agencies on reporting, training, and sufficient outreach to and support for victims and potential targets. Current legislative proposals include the Transnational Repression Policy Act (H.R.3654/S.831), which would direct the creation of a strategy to address transnational repression, require training for certain officials, and impose sanctions on perpetrators, and the Stop Transnational Repression Act (H.R.5907), which would provide criminal penalties for transnational repression. Though the subject matter of these bills extends beyond the jurisdiction of this subcommittee, we urge members to consider cosponsoring.

2) Work with the Executive Branch and with State and local officials to ensure that personnel coming in contact with perpetrators and victims of transnational repression receive the training necessary to recognize and respond to the threat and assist victims. Several agencies and bureaus are providing training for employees. But, trainings are not yet routinized or mandated for all officials or employees who may come in contact with perpetrators or victims. There is no standardized curriculum shared across agencies and often not even a standardized set of trainings for each relevant employee within an agency. Definitions, content, and recommended actions vary. It is important that US agencies establish clear training materials and ensure regular training throughout the career of personnel who may come in contact with perpetrators or victims. Establishing a training module for those who go through FLETC is one potential way to provide standardized trainings for a large number of relevant officials.

Whenever possible, federal agencies should also provide training to state and local officials they may partner with on transnational repression issues. FLETC offers training for state, local, campus, tribal, and territorial law enforcement agencies and could potentially incorporate transnational repression into those trainings. The Homeland Security Investigations-led Border Security Enforcement Taskforce (BEST) is another example of federal and local officials working together to address transnational threats. It is critically important those involved with the taskforce receive training to understand the threat of transnational repression and the profile of perpetrators and victims, so they can apprehend perpetrators and ensure they are not undertaking enforcement actions that will lead to the deportation of individuals who are under threat from and being targeted by their home countries.

3) Review current information-sharing practices to ensure efficient communication within and between agencies and with trusted partners and allies. It appears that among personnel tasked with tracking and responding to transnational repression there is a tremendous amount of ongoing communication across the federal government, but challenges remain.

Because the cross-cutting nature of transnational repression transcends the jurisdictions of both domestically- and internationally-focused agencies and because law enforcement and those in the

judicial system are often unable to share information due to the confidential nature of investigations and court proceedings, it is possible that information important to know across agencies or between the United States and partners is not being communicated. For example, when federal, state, or local law enforcement suspect an individual is engaging in transnational repression in the United States is that information communicated to other law enforcement in the US or abroad who may also encounter these individuals? Are potentially targeted communities notified? When individuals are convicted of engaging in transnational repression are their names shared with the State and Treasury Departments and with trusted partner governments for the consideration of potential transnational repression-related sanctions?

A review of current procedures could help identify best practices, gaps, and whether there are ways to maximize efficiency and minimize duplication of work.

Resourcing may present another challenge to the effective sharing of information, as the number of personnel assigned to handle transnational repression is fairly low. At DHS specifically, Congress should work with agency leadership to determine whether DHS and its component agencies have sufficient resourcing to address transnational repression, providing scaled up resources as necessary.

Freedom House has a number of other recommendations that stretch outside the jurisdiction of this subcommittee that I am happy to elaborate on during the Q&A. These include rapidly processing the pending asylum and immigration applications of individuals at risk of transnational repression, including the applications of hundreds of Uyghurs whose cases remain pending; ensuring the US has short- and long-term visa options available to those needing to flee their countries of origin; imposing sanctions on perpetrators more effectively; withholding foreign assistance from governments that continually engage in transnational repression; issuing travel advisories for countries where transnational repression is known to occur; and making sure to consistently raise the issue with governments known to engage in transnational repression, especially if those governments are close partners or allies.

Thank you. I look forward to your questions.