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HUMAN RIGHTS WATCH

"We Will Find You"

A Global Look at How Governments Repress Nationals Abroad



"We Will Find You"

A Global Look at How Governments Repress Nationals Abroad

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Summary

For decades, Human Rights Watch has documented governments reaching outside their borders to silence or deter dissent by committing human rights abuses against their own nationals or former nationals. Governments have targeted human rights defenders, journalists, civil society activists, and political opponents, among others, deemed to be a security threat. Many are asylum seekers or recognized refugees in their place of exile. These governmental actions beyond borders leave individuals unable to find genuine safety for themselves and their families. This is transnational repression.

Transnational repression looks different depending on the context. Recent cases include a Rwandan refugee who was killed in Uganda following threats from the Rwandan government; a Cambodian refugee in Thailand only to be extradited to Cambodia and summarily detained; and a Belarusian activist who was abducted while aboard a commercial airline flight. Transnational repression may mean that a person's family members who remain at home become targets of collective punishment, such as the Tajik activist whose family in Tajikistan, including his 10-year-old daughter, was detained, interrogated, and threatened.

Transnational repression is not new, but it is a phenomenon that has often been downplayed or ignored and warrants a call to action from a global, rights-centered perspective. Human Rights Watch's general reporting includes over 100 cases of transnational repression. This report includes more than 75 of these cases from the past 15 years, committed by over two dozen governments across four regions. While the term "transnational repression" has at times become shorthand for naming authoritarian governments as perpetrators of rights violations, democratic administrations have assisted in cases of transnational repression.

Methods of transnational repression include killings, unlawful removals (expulsions, extraditions, and deportations), abductions and enforced disappearances, targeting of relatives, abuse of consular services, and so-called digital transnational repression, which includes the use of technology to surveil or harass people. These tactics often facilitate further human rights violations, such as torture and ill-treatment.

This report also highlights cases of governments misusing the <u>International Criminal Police</u> <u>Organization</u> (Interpol)—an intergovernmental organization with 195 member countries—to target critics abroad.

Victims of transnational repression have included government critics, actual or perceived dissidents, human rights defenders, civil society activists, journalists, and opposition party members and others. Governments have targeted individuals because of their identity, such as ethnicity, religion, or gender. Back home, families and friends of targeted people may also become victims, as governments detain, harass, or harm them as retribution or collective punishment. Transnational repression can have far-reaching consequences, including a chilling effect on the rights to freedom of expression, association, and assembly among those who have been targeted or fear they could be next.

This report is not an exhaustive examination of cases of transnational repression. Instead, it outlines cases that Human Rights Watch has documented in the course of researching global human rights issues that point to key methods and trends of transnational repression.

Human Rights Watch hopes that by drawing attention to cases of transnational repression, international organizations and concerned governments will pursue actions to provide greater safety and security for those at risk. Governments responsible for transnational repression should be on notice that their efforts to silence critics, threaten human rights defenders, and target people based on their identity are no less problematic abroad than they are at home. This report provides governments seeking to tackle transnational repression with concrete recommendations, while raising caution against laws and policies that could restrict other human rights.

Human Rights Watch calls on governments committing transnational repression to respect international human rights standards both within and beyond their territory. Governments combatting transnational repression should recognize such abuses as a threat to human rights generally and act to protect those at risk within their jurisdiction or control.

Methodology

This report is based primarily on published Human Rights Watch research and reporting since 2011. In addition to existing research, the report's primary author held 20 conversations with Human Rights Watch researchers between May and August 2022 to follow up on past or emerging cases of transnational repression. Additional conversations were held with partner organizations and others working on transnational repression.

Human Rights Watch wrote to Interpol and all governments that engaged in cases of transnational repression included in this report, excluding Rwanda and Ethiopia, because they had already been contacted about the cases in question. We received a reply only from Interpol, whose comments have been reflected in the case discussions.

Methods of Transnational Repression

The term *transnational repression*, sometimes referred to as *extraterritorial repression*, is increasingly used by academics, nongovernmental organizations, governments, and international institutions to describe efforts by governments or their agents to silence or deter dissent by committing human rights abuses against their own nationals or former nationals outside their territorial jurisdiction.¹

Governments commit transnational repression in many different ways, including by threatening, harassing, and assaulting individuals or otherwise infringing on their human rights. Transnational repression includes actions that lead to the unlawful removal of a person from another country, including via expulsion, extradition, or deportation, or to the abusive use of consular services. Transnational repression also includes killings, abductions and enforced disappearances, the targeting of relatives, and the use of technology for surveillance and online harassment.

Killings

For some targets of transnational repression, their lives may be at risk. Governments have frequently reached across borders to kill dissidents, journalists, activists, human rights defenders, or others perceived to be a threat. Demonstrating the responsibility of a government in the killing of a national abroad can often be difficult. In the following cases, Human Rights Watch uncovered significant evidence of state involvement.

¹ See, for example, Dana M. Moss, "Transnational Repression, Diaspora Mobilization, and the Case of the Arab Spring," *Social Problems* (2016) 63, accessed August 23, 2022, doi: 10.1093/socpro/spw019; Alexander Dukalskis, "Transnational repression: data advances, comparisons, and challenges," *Political Research Exchange* (2022) 4:1, accessed August 22, 2022, doi: 10.1080/2474736X.2022.2104651; Gerasimos Tsourapas, "Global Autocracies: Strategies of Transnational Repression, Legitimation, Co-Optation in World Politics," *International Studies Review* (2021) 23(3), accessed August 22, 2022, doi:10/1093/isr/viaao61; Nate Schenkkan and Isabel Linzer, "Out of Sight: Not Out of Reach," Freedom House (2021), https://freedomhouse.org/sites/default/files/2021-01/FH_TransnationalRepressionReport2021_rev012521_web.pdf, accessed August 22, 2022; Marcus Michaelsen, "Silencing Across Borders," Hivos (2020), https://hivos.org/assets/2020/02/SILENCING-ACROSS-BORDERS-Marcus-Michaelsen-Hivos-Report.pdf, accessed August 22, 2022.

Rwanda

Human Rights Watch has <u>documented</u> several cases of Rwandans killed abroad who had been threatened by individuals who were part of or close to the Rwandan government. The context of broader persecution of perceived critics or opponents of the government inside Rwanda provides credibility to the allegation that these attacks were politically motivated. It also raises serious concerns about the possibility of official state tolerance, acquiescence, or collusion in these attacks. In some cases, government officials, including President Paul Kagame, seemed to <u>gloat over the killings</u>.

In January 2014, Patrick Karegeya, a former Rwandan government official living in exile in South Africa, was killed. During an inquiry into Karegeya's death, South Africa's special investigative unit said it was "directly linked to the involvement of the Rwandan government" and South Africa's National Prosecution Authority issued arrest warrants for two Rwandans.

Seif Bampokiri, a leader of Rwanda's opposition party, was shot dead in South Africa in February 2021. Those close to him said his outspoken criticism of the Rwandan government had made him the target for regular threats.

In September 2021, <u>Révocat</u>
<u>Karemangingo</u>, a former lieutenant in the

In an October 2023 report, "Join us or Die", Human Rights Watch found that Rwandan authorities and their proxies are using violence, judicial mechanisms, and intimidation to try to silence criticism from Rwandans living around the world. The report documents a range of methods of transnational repression used by the Rwandan government, including killings, enforced disappearances, surveillance, and abuses against relatives. These tactics, when used together, form a global playbook of repression and abuse that aims to muzzle dissenting voices and scare off potential critics. As a result, Rwandans living abroad practice self-censorship, refrain from political activism, and live in fear of traveling, being attacked, or seeing their relatives in Rwanda targeted.

Rwandan army who had refugee status in Mozambique, was in the town of Matola, Mozambique.

Karemangingo was described as a central figure in the Rwandan refugee community. A person close to him said Karemangingo had received a warning from the Mozambican intelligence services that he was at risk of attack by the Rwandan government. The

Rwandan refugees in Mozambique who spoke to Human Rights Watch nearly all said Karemangingo's death sent a chilling warning to the community. Some even reported embassy staff threatening them, saying that they would "end up dead like Karemangingo."

Emmanuel Munyaneza, a former member of parliament who fled to Uganda in 2007 and received refugee status, was found dead in Uganda in March 2022. He had in the past been threatened by individuals he believed worked for the Rwandan government. Photos of his body suggest that he was beaten and tied up before his death. Seleman Masiya was murdered in his home in Mozambique in July 2022 just days after telling a friend that he was being pressured into working for the Rwandan government. He was stabbed multiple times in the face and neck.

Tajikistan

For over a decade, the Tajik authorities have conducted a severe and <u>wide-ranging</u> <u>crackdown</u> on political opponents, dissidents, journalists, and human rights defenders. Many of those targeted are members of banned political opposition groups such as <u>Group 24 and the Islamic Renaissance Party of Tajikistan (IRPT)</u>. A 2015 <u>report</u> by Human Rights Watch and the Norwegian Helsinki Committee uncovered a wide-ranging campaign by the Tajik authorities to detain, imprison, and silence dissidents abroad.

In March 2015, <u>Umarali Kuvvatov</u>, the leader of the opposition movement known as Group 24, was shot and killed in Istanbul, Türkiye. Kuvvatov's killing followed years of his attempts to evade the Tajik authorities by moving abroad to various countries, including Russia, the United Arab Emirates (UAE), Kazakhstan, and Kyrgyzstan. Kuvvatov told Human Rights Watch in 2013 that the Tajik authorities had attempted to kidnap him several times, and in 2012 in Dubai he was held in detention for 10 months facing extradition to Tajikistan. The sustained efforts by the Tajik authorities to secure Kuvvatov's detention and return to Tajikistan support the claim that the Tajik authorities were involved in his later killing.

Saudi Arabia

The killing of <u>Jamal Khashoggi</u>, a prominent Saudi journalist critical of the Saudi authorities, at the Saudi consulate in Istanbul in October 2018, received global attention. He entered the consulate on October 2 to obtain travel documents and then disappeared. Over two weeks later, on October 20, the Saudi authorities confirmed that Khashoggi had

died violently whilst inside the consulate. Saudi authorities never arrested the most senior officials implicated in Khashoggi's killing, which included Saud al-Qahtani, the former royal court adviser, and Ahmed al-Assiri, the deputy intelligence chief. Instead, the authorities merely announced their resignations. A 2018 US <u>intelligence report</u> concluded that Saudi Crown Prince Mohammed bin Salman approved the murder. A Saudi court sentenced eight lower-level operatives found responsible for the murder to prison terms of 7 to 20 years in a trial that lacked transparency. There were also <u>allegations that Egyptian officials provided training</u> to Saudi Arabia's "Tiger Team," the group found responsible for Khashoggi's murder.

Unlawful Removals: Expulsions, Extraditions and Deportations

Governments also engage in transnational repression by seeking the unlawful return of one of their nationals. They work through other states to have the person forcibly returned or "removed" either without a formal legal process or through a legal process, such as extradition or deportation. Removal physically places people who have fled their own countries back into the hands of the government they tried to escape.

Extradition is the process of one state surrendering to another state, at its request, a person accused or convicted of a criminal offense committed against the laws of the requesting state.² Deportation is when the authorities of the host country physically remove a person and return them to their country of origin or to a third country. While deportations are carried out by the host country, typically pursuant to the host country's immigration laws, they sometimes occur as a result of requests or pressure by a person's country of origin.

Governments are lawfully empowered to remove individuals from their territory for legitimate reasons under international law. However, expulsions, extraditions, and deportations can constitute transnational repression when the individual's country of origin has sought the removal for illegitimate reasons, or when the removal violates international law. For example, a government that seeks an extradition to silence a critic or to punish them for legitimate political activism is committing transnational repression. Further, removals are

² See *Terlinden v. Ames*, US Supreme Court, Case No. 475, Judgment February 24, 1902; and UNODC, *Manual on Mutual Legal Assistance and Extradition*, 2012, https://www.unodc.org/documents/organized-crime/Publications/Mutual_Legal_Assistance_Ebook_E.pdf.

unlawful if they do not follow due process or if they violate the <u>principle of nonrefoulement</u> under international refugee and human rights law, which prohibits the return of anyone to a country where they would face persecution, torture, cruel, inhuman or degrading treatment or punishment, or other irreparable harm. Nonrefoulement provisions are included in the 1951 Refugee Convention, in Article 16 of the <u>International Convention for the Protection of All Persons from Enforced Disappearance</u>, and in Article 3 of the <u>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.</u> It is generally accepted that nonrefoulement obligations also form part of customary international law, meaning that it is practice that all states are bound by, irrespective of whether they are a party to the previously mentioned conventions.

Not all attempts by governments to seek the removal of a target of transnational repression are successful, but the mere request of removal may involve lengthy detention or other abuses. Threats to seek removal are also a means in and of themselves that governments use to silence critics, whether the individual targeted or the dissident community more broadly.

Oppressive governments target individuals they deem to be a threat to their rule, legitimacy, or international standing. Human Rights Watch has documented dozens of removals targeting government critics. Others are targeted because of their involvement with political, ethnic, religious, or other groups that are discriminated against or have fallen into disfavor with the government.

Often the person faces torture, ill-treatment, arbitrary detention, or wrongful prosecution upon return. Many have faced forcible disappearance and death.

Algeria

In March 2022, Spanish authorities <u>extradited</u> former army corporal Mohamed Benhalima to Algeria upon the request of the Algerian authorities. Benhalima had fled Algeria in 2019 due to a fear of reprisal after participating in the Hirak movement that called for political reform. Spain twice rejected Benhalima's asylum application, and his extradition went ahead despite <u>warnings</u> from the United Nations Refugee Agency (UNHCR) of the credible risk of torture that Benhalima faced upon return. Once returned to Algeria, Benhalima was <u>iailed</u> and tried for publishing "false information" that harms "territorial integrity." In May

2022, Benhalima was notified that he had already been sentenced to death *in absentia* by a military court while he was still in Spain. In June 2022, he declared in court that he had been subjected to torture. Spain is a member of the European Union and the Council of Europe, both bodies that have passed resolutions to combat transnational repression.

Bahrain

Ahmed Jaffer Muhammad, a Bahraini critic of the government who fled to Serbia after government authorities tortured and ill-treated him, was <u>extradited</u> in January 2022 after Bahraini authorities issued a Red Notice through Interpol.³ Bahraini courts had sentenced him to life in prison following unfair, *in absentia* trials. In permitting the extradition, Serbia violated the principle of nonrefoulement, as Muhammed had previously been tortured and ill-treated while detained in Bahrain and risked these abuses again. Further, the Serbian government ignored an order by the European Court of Human Rights prohibiting his extradition pending more information on the risks of torture or mistreatment upon return. While detained, Muhammad wrote to the Higher Court in Belgrade on four occasions stating his intention to seek asylum, but his extradition was approved despite this request. Muhammad is now imprisoned in Bahrain, serving a <u>life sentence</u>.

Cambodia

The Cambodian government has repeatedly reached across its borders to repress critics of the government and exiled opposition party members, including those recognized as refugees. In many cases, the government of Thailand has helped facilitate Cambodia's transnational repression.

In 2017, political dissident <u>Sam Sokha</u> gained notoriety after throwing a sandal at a photo of Cambodian Prime Minister Hun Sen. After Cambodian authorities issued a warrant for Sokha's arrest for "insult of a public official" and "incitement to discriminate," Sokha fled to Thailand, where she applied for asylum and was registered as a refugee by UNHCR. Despite her protected status, Thai authorities arrested her and authorized her <u>extradition</u> to Cambodia in February 2018.

³ See discussion of Interpol Red Notices, below.

In April 2018, Cambodia and Thailand's cooperation was formalized with a bilateral agreement that allows for the exchange of "foreign fugitives" who have crossed the border between the two countries. The details of the agreement were not made public, but it was signed in the context of an increasing crackdown on civil society in both countries. Following a coup in 2014, the Thai government pursued a violent crackdown on media outlets and large-scale detention of dissidents. In Cambodia, the civil and political rights environment was deteriorating rapidly following the arrest of political opposition leader Kem Sokha in 2017 and dozens of other opposition and civil society leaders. Bilateral extradition agreements such as this one make it easier for governments to abuse extradition and use it for politically motivated reasons, such as targeting critics. Given the increasing crackdown by both governments, the agreement facilitates transnational repression by putting dissidents living in exile at risk of harm. Following the deal, several Cambodian activists and journalists were extradited from Thailand to Cambodia.

In December 2018, <u>Rath Rott Mony</u>, a filmmaker who worked on a documentary that uncovered child sex trafficking in Cambodia, was arrested in Bangkok outside the Netherlands Embassy where he was seeking a visa. He was then <u>extradited</u> from Thailand to Cambodia, at the request of the Cambodian government, on the basis of charges of "incitement to discriminate." In June 2019, a Cambodian court, which is not independent from the ruling Cambodian People's Party, convicted him and sent him to <u>prison for two years.</u>

In November 2021, two UNHCR-registered Cambodian refugees, Veourn Vesna and Voeung Samnang, were forcibly returned to Cambodia from Thailand by the Thai authorities. Both men had links to the Cambodian opposition party and fled to Thailand from Cambodia, where they faced politically motivated charges, following the Cambodian government's crackdown on political opponents. Their removals appear to have been facilitated by the bilateral agreement between Cambodia and Thailand, and are consistent with the Cambodian government's persecution of its political opponents abroad.

China

For many years, the Chinese government has repressed and violated the human rights of <u>Uyghurs</u>, an ethnic Turkic population who are predominantly Muslim and live in the Xinjiang Uyghur Autonomous Region in northwest China. Human Rights Watch and others

found that Chinese authorities were committing various <u>crimes against humanity</u> against Uyghurs and other Turkic Muslims in Xinjiang. A <u>2022 UN report</u> concluded that abuses against Uyghurs "may constitute crimes against humanity."

The Chinese government has tried to force Uyghurs who have fled China to return, where they are likely to face <u>serious harm</u> including arbitrary arrest, torture, cultural and political persecution, and forced labor. The Chinese government has often secured forced returns without issuing extradition orders or going through formal bilateral legal channels by leveraging its political or financial influence against host governments or their officials. Governments that have permitted these extraditions have violated international legal protections against nonrefoulement.

In 2015, following pressure by Chinese officials, the Thai government <u>deported</u> 109 Uyghur men and boys to China. They have not been heard from since. Also in 2015, <u>several Uyghurs were extradited from Afghanistan</u> during negotiations over a counterterrorism alliance to include China, Pakistan, Tajikistan, and Afghanistan. Following the Uyghurs' extradition from Afghanistan, China promised over US\$70 million in military aid to Afghanistan. In July 2017, <u>Egyptian authorities</u> detained dozens of Uyghur students in Egypt at the behest of the Chinese government, forcing at least 12 to return to China.

China's attempts to force the return of Uyghurs leaves many in indefinite detention and with an uncertain future. The Thai government has held up to 50 Uyghurs facing extradition in <u>indefinite immigration detention</u>, putting them at grave risk by holding them for long periods in horrendous conditions. In 2023, Aziz Abdullah and Mattohti Mattursun, Uyghurs who had been detained for nine years, both <u>died</u> of medical conditions in Bangkok's Suan Phlu Immigration Detention Center.

Chinese government attempts to remove Uyghurs and other Turkic minorities to China are not always successful. Sayragul Sauytbai, an ethnic Kazakh woman with Chinese citizenship, fled from China to Kazakhstan fearing for her safety. In 2018, Kazakh authorities arrested and prosecuted Sauytbai for "illegal border crossing." The Chinese government called for her extradition to China and sent a consular official to one of her court hearings. She was held in pretrial detention until the court handed her a suspended sentence and released her in July 2018. The Kazakh authorities eventually permitted Sauytbai to leave for Sweden, where she obtained asylum.

Egypt

In July 2019, the Kuwait authorities <u>deported</u> eight men from Kuwait to Egypt: Hossam Ibrahim al-Adl, Abdel Rahman Mohamed Ahmed, Abu-Bakr Atef al-Fayiomi, Abdel Rahman Ibrahim Abdel Moniem, Walid Suleiman, Najeh Awad, Faleh Hassan, and Mo'men Abu Al-Wafa. The Kuwait authorities claimed that the men were being sought by the Egyptian authorities for alleged links to the Muslim Brotherhood, an outlawed opposition group. Human Rights Watch raised concerns that the men faced serious risk of torture and persecution in Egypt, as well as unlawful detention conditions. The Kuwait authorities later confirmed the involvement of the Egyptian authorities, stating that they had worked in cooperation with the Egyptian authorities.

Kazakhstan

In 2012, activist Murat Tungishbaev fled Kazakhstan when his reporting on the 2011 oil strikes resulted in a summons by Kazakh security services. Human Rights Watch documented allegations of ill-treatment and torture of people arrested during those strikes, as well as an increasing crackdown on journalists and media outlets who reported on the strikes. After fleeing Kazakhstan, Tungishbaev lived in exile in Kyrgyzstan where he sought asylum and worked for an opposition television channel. In June 2018, he was extradited to Kazakhstan at the request of the Kazakh authorities. In Kazakhstan he was subsequently tried and convicted on charges related to "extremism." The Kyrgyz authorities cooperated in extraditing him despite his outstanding asylum claim, and did not allow him to appeal his extradition.

Tajikistan

Many of the Tajik targets of transnational repression Human Rights Watch spoke to were living in Türkiye. In February 2018, Namunjon Sharipov, a member of the IRPT in Türkiye, was taken into custody by Tajik consular officials in Istanbul and forcibly returned to Tajikistan. He was forcibly disappeared in Tajikistan as his whereabouts were kept secret and he was compelled to make <u>public statements</u> declaring that he had returned voluntarily. Later in 2018, two more Tajik opposition members, Suhrob Zafar and Nasimjon Sharipov (no relation to Namunjon Sharipov), were also <u>detained</u> in Istanbul. The Turkish police had detained them upon the request of the Tajik authorities, but their whereabouts since being arrested have been concealed. The men remain forcibly disappeared.

<u>Nizomiddin Nasriddinov</u>, a prominent political activist and member of Group 24, was extradited to Tajikistan from Belarus in July 2023. Nasriddinov, who holds refugee status in Germany, faces serious risk of torture and ill-treatment in Tajikistan.

Turkmenistan

In July 2016, Belarusian authorities <u>arrested</u> Swedish-Turkmen activist and former journalist Chary Annamuradov on the basis of a 10-year-old extradition request from the Turkmen government. Annamuradov had fled Turkmenistan in 1999 due to persecution, and in 2003 was granted asylum in Sweden, where he resided at the time of arrest. He was arrested in the Minsk airport as he arrived from Sweden to Belarus for vacation with his daughter. In 2016, after more than two months of detention, Belarusian authorities released Annamuradov and allowed him to return to Sweden. Annamuradov's family was also targeted and three of his brothers died under suspicious circumstances.⁴

United Arab Emirates

In May 2023, Jordanian authorities detained Khalaf Abdul Rahman al-Romaithi, a dual UAE/Turkish national, at Amman's Queen Alia International Airport upon his arrival from Türkiye. Al-Romaithi attempted to enter Jordan on his Turkish passport, but Jordanian authorities stopped him after an iris scan at the airport revealed that Jordanian police had issued a warrant for his arrest based on a UAE request. The UAE Federal Supreme Court sentenced al-Romaithi *in absentia* to 15 years in prison following the grossly unfair and infamous "UAE94" mass trial of 94 government critics. The convictions were based on their peaceful exercise of the rights to free expression, association and assembly. Human Rights Watch therefore called on Jordanian authorities not to comply with this request due to the risk al-Romaithi faced in UAE, including arbitrary detention, unfair trial, and possibly torture. On May 17, 2023, the Emirati state news agency reported that the United Arab Emirates had "received" Khalaf Abdul Rahman al-Romaithi from Jordanian authorities, confirming his extradition to the UAE. His whereabouts remain unknown.

⁴ On the targeting of Annamuradov's family, see "Targeting of Relatives" section.

Abductions and Enforced Disappearances

Governments that reach across their borders to physically apprehend and return their nationals without the formal involvement of the state in which the victim resides can be considered an abduction or kidnapping. When the abducting state refuses to acknowledge holding the person or provides no information as to their fate or whereabouts, it is an enforced disappearance. Forcibly disappeared people are commonly subjected to torture or extrajudicial execution. Families must live with the uncertainty of not knowing if their loved ones are dead or alive, and worry about their treatment in captivity.

Human Rights Watch has documented cases of governments or their agents snatching people in broad daylight or forcing them into unmarked cars outside of their homes, or physically dragging them off grounded airplanes.

Algeria

Slimane Bouhafs is an Amazigh activist who fled Algeria after persecution by the Algerian authorities, and was granted international protection by UNHCR in Tunisia. He went missing from Tunisia in August 2021. According to witnesses, unidentified men in civilian clothes appeared at Bouhafs' home in Tunis, put a bag over his head and forced him into a car before driving away. His whereabouts were not officially confirmed for several days, when he appeared in an Algerian court for alleged links to the *Mouvement pour l'autodétermination de la Kabylie* (Movement for the Self-Determination of Kabylie) and for posts he made on Facebook. The Algerian authorities, in a letter, claimed to have arrested Bouhafs in Algeria in August 2021, after he tried to check into a hotel without showing identification. On July 4, 2023, an Algerian court sentenced him to three years in prison for "insulting Islam" and terrorism-related charges.

Belarus

The Belarusian government <u>increasingly cracked down</u> on peaceful protests that erupted following President Aliaksander Lukashenko's manipulation of the presidential vote in 2020. In 2021, Belarusian authorities forced a commercial flight to land as it passed through Belarusian airspace in order to detain <u>Raman Pratasevich</u>, an activist and former editor of an opposition Telegram channel, and his girlfriend Sofya Sapega. Following his

arrest, Pratasevich <u>confessed</u>, <u>denounced the opposition</u>, <u>and issued apologies</u> in televised appearances apparently made under duress.

China

In October 2015, Chinese authorities <u>abducted</u> the China-born Swedish citizen and book publisher Gui Minhai from his home in Thailand. Gui Minhai co-owned the Hong Kong Mighty Current Media, which published books about mainland politics. Unidentified assailants took Gui from his apartment in Thailand and he disappeared for three months. Gui then reappeared in Chinese government custody in China. He was <u>briefly released</u> between October 2017 and January 2018, though Chinese police arrested him again in Beijing while he was accompanied by Swedish consular officials. A Chinese court convicted him and sentenced him to 10 years in prison for "providing intelligence overseas." The authorities have provided no information on his <u>whereabouts</u> since his sentencing, meaning that he was forcibly disappeared.

Iran

In October 2019, Iran's Revolutionary Guard Corps Intelligence arrested <u>Rouhallah Zam</u>, an Iranian journalist and dissident living in exile in France who founded a popular Telegram channel. He was likely abducted while visiting Iraq. He was forcibly returned to Iran. In December 2020, Iranian authorities executed Zam following a trial that Human Rights Watch characterized as "grossly unfair."

In 2021, a New York federal court unsealed an indictment against four men who allegedly "conspired to kidnap" American-Iranian journalist <u>Masih Alinejad</u>, who was living in New York. Alinejad founded the campaign called "My Stealthy Freedom," which advocates against compulsory hijab wearing in Iran. Since leaving Iran, she has been the target of harassment and intimidation by Iranian authorities due to her activities, and her family in Iran have also been threatened.

Rwanda

Rwandan asylum seeker and journalist <u>Cassien Ntamuhanga</u> fled Rwanda, where he was in prison, to Mozambique in 2017 after being <u>convicted in a politically motivated trial</u> on charges of conspiracy against the government. In May 2021, several witnesses saw Mozambican police officers take Ntamuhanga to the local police station, but the

Mozambican police denied having him in custody. These witnesses also reported seeing a man who was with the police speaking to Ntamuhanga in Kinyarwanda, which is spoken by Rwandans. His whereabouts remain unknown.

In August 2020, <u>Paul Rusesabagina</u>, a prominent critic of the RPF, was abducted and then forcibly disappeared while traveling through Dubai, UAE. Rusesabagina co-founded the opposition Rwandan Movement for Democratic Change (*Mouvement rwandais pour le changement démocratique*, or MRCD), a coalition of opposition groups, which has an armed wing known as the National Liberation Forces (*Forces de libération nationale*, or FLN). The FLN has claimed responsibility for several attacks in Rwanda's Southern Province since 2018.

Rusesabagina, a Belgian citizen and a US resident, had fled to Belgium from Rwanda two decades earlier. Three days after he disappeared in Dubai, the Rwanda Investigation Bureau announced Rusesabagina was in their custody. According to Human Rights Watch research, Rusesabagina was in the custody of Rwandan authorities or their proxies as of the night of August 27, 2020, but his detention was not acknowledged until August 31, meaning he was forcibly disappeared for at least three days. During this time, and afterwards, Rusesabagina was subjected to ill treatment and other serious human rights violations. Human Rights Watch called the subsequent trial of Rusesabagina in Rwanda "flawed" and "riddled with irregularities and evidence of political interference." On September 20, 2021, he was sentenced to 25 years in prison. In March 2023, following diplomatic pressure, Rusesabagina was released from prison and flown to the United States.

South Sudan

The South Sudanese government has targeted dissidents, including registered refugees, living abroad in Kenya and Uganda. Human Rights Watch has <u>reported</u> on the risk of torture and other abuses that refugees and asylum seekers face if returned to South Sudan. In January 2017, two outspoken critics of South Sudan's government, Dong Samuel Luak, a prominent South Sudanese lawyer and human rights activist, and Aggrey Ezbon Idri, a member of the armed political opposition, <u>were abducted</u> from the streets of Nairobi, Kenya. In April 2019, the United Nations Panel of Experts on South Sudan <u>issued a report</u> that found that South Sudan's National Security Service (NSS) were responsible for the abduction. The report detailed that the NSS flew the two men to South Sudan on a

commercial plane with the help of South Sudan's embassy in Nairobi. Human Rights Watch spoke to six former detainees who confirmed that they saw Luak and Idri at NSS facilities in South Sudan, where they were held in solitary confinement for most of their time there. The UN Panel of Experts concluded that "it is highly probable that Aggrey Idri and Dong Samuel Luak were executed by Internal Security Bureau agents at the Luri facility on 30 January 2017." Both Kenyan and the South Sudanese authorities deny any involvement in the abduction.

In May 2017, Ugandan police officers arrested a South Sudanese <u>university student</u> on charges of being a rebel fighter and carrying weapons. He told Human Rights Watch that the police said to him that, "the government of South Sudan has been looking for you." He said that the police did not show him an arrest warrant, extradition order, or any other documentation. Several days later, he was handed over to the South Sudanese authorities and taken to two different NSS detention facilities in South Sudan where he was tortured. Human Rights Watch learned that, as of August 2020, he remained in Juba Central Prison awaiting trial.

In February 2023, armed men, reportedly in Kenyan police uniforms, abducted Morris Mabior Awikjok Bak, a registered refugee from South Sudan, from his home in Nairobi. He had sought asylum in mid-2021 following threats to his life for his criticism of prominent government officials. Credible sources told Human Rights Watch in May 2023 that Awikjiok was being held in solitary confinement at South Sudan's NSS headquarters in Juba. In October 2023, the Commission on Human Rights in South Sudan reported that Awikjiok was being held without access to family, lawyer, or a doctor. Awikjiok's family have approached both the Kenyan and South Sudanese authorities for information about his whereabouts, but have received no response.

Tajikistan

In May 2015, Tajik political activist <u>Ehson Odinaev</u> disappeared in St. Petersburg, Russia, following repeated attempts by Tajik authorities to remove him through extradition. Odinaev's brother told Human Rights Watch in <u>video interview</u> that Odinaev was told by Tajik authorities: "We will find you, and we will kill you." Odinaev's family met Tajik representatives in Moscow who suggested that there was a special unit that exists to "solve the problem of the opposition." Odinaev's whereabouts remain unknown.

In 2019, Russian authorities in Moscow took into custody <u>Sharoffidin Gadoev</u>, a member of Group 24, and handed him over to Tajik officials who forced him onto a plane to Tajikistan. Gadoev was severely beaten by both Russian and Tajik officials. A Tajik official <u>told him</u>, "You have three options: cooperate, go to prison for 25 years, or die." The Netherlands, where Gadoev holds refugee status, highlighted the case and asked other European officials to call for his return. Following <u>pressure</u> from the Dutch and German governments, in March 2019 Gadoev was sent home to the Netherlands.

In March 2021, Izzat Amon, a migrant workers' rights defender, was abducted in Moscow, and his whereabouts were unknown for two days until the Tajikistan Ministry of Interior stated that he was in pretrial detention in Tajikistan. Amriddin Alovatshoev, a Tajik national based in Russia, reportedly helped organize a protest in November 2021 outside the Tajik embassy in Moscow concerning the violent protests in Khorog, Tajikistan, earlier that month, where government forces used live fire against the crowd and two protesters died. In January 2022, Alovatshoev was forcibly disappeared and returned to Tajikistan from Russia after being detained by Russian law enforcement. Tajikistan's prosecutor general announced a month later that Alovatshoev was in Tajikistan in pretrial detention facing unspecified criminal charges.

In June and July 2022, at least seven activists of the Pamiri diaspora were <u>abducted</u> from Russia, including Oraz Vazirbekov, who was reported missing at Moscow's Domodedov airport on July 29. Vazirbekov reappeared in a televised speech in Tajikistan, in which he said that he had returned to Tajikistan "voluntarily" before his disappearance. Earlier, he had expressed fears of being kidnapped by the Tajik authorities. His current whereabouts are unknown.

Thailand

Wanchalearn Satsaksit, a pro-democracy Thai activist affiliated with the anti-government United Front for Democracy Against Dictatorship (known as the "Red Shirts"), was abducted by unidentified assailants in front of his apartment in Phnom Penh, Cambodia, in June 2020. He had fled to Cambodia in 2014 following the military coup in Thailand. Neither the Thai or the Cambodian government have seriously investigated the case, nor provided a substantive response about his whereabouts or taken responsibility for his abduction, despite extensive efforts by his family.

Türkiye

The Turkish government has openly said that it has been pursuing Turkish nationals abroad allegedly affiliated with the <u>movement</u> led by US-based Sunni Muslim cleric Fethullah Gülen. The Turkish authorities consider the Gulen movement responsible for masterminding the July 15, 2016, attempted military coup. In a televised interview in 2018, Deputy Prime Minister Bekir Bozdağ said that Türkiye's intelligence service had <u>abducted</u> <u>80 Turkish nationals</u> from 18 countries for their alleged links to the Gülen movement. Türkiye's official <u>Anatolian Agency news agency</u> has also regularly published information about individuals the Turkish National Intelligence Agency has brought back to Türkiye and detained pending trial.

Human Rights Watch is aware of several cases in which Turkish authorities abducted Turkish nationals and removed them to Türkiye, bypassing legal processes and court orders abroad. Ayten Öztürk, who was tried in 2019 for links with the armed group Revolutionary People's Liberation Party/Front, was abducted in 2018 from Beirut airport, Lebanon, by Turkish intelligence services and taken to Türkiye, where she was forcibly disappeared and tortured for over five months before being officially registered in police custody. Selhaddin Gülen, nephew of Fethllah Gülen, went missing in May 2021 while traveling to Kenya to marry his fiancé, a Kenyan national. Despite being a registered asylum seeker in Kenya, he was under a deportation order from the Kenyan authorities, based on an Interpol Red Notice from Türkiye, which required him to report weekly to the Directorate of Criminal Investigations headquarters in Nairobi. On one of these visits, he vanished. Photographs were released several weeks later of him in handcuffs in Ankara. Orhan İnandı, whom the Turkish government accused of links to the Gulen movement in 2019, was abducted in Kyrgyzstan with the involvement of the Turkish authorities in May 2021. One week after he went missing, İnandı resurfaced in police custody in Ankara.

After the May 2023 elections, Türkiye's intelligence agency <u>continued the practice</u> of organizing the abduction and rendition to Türkiye of individuals with alleged associations with the Gülen movement in collaboration with authorities in countries with weak rule of law frameworks. In July and September, Tajik authorities bypassed legal extradition processes by abducting Emsal Koç and Koray Vural before they were flown to Türkiye, where they were placed in pretrial detention pending trial.

In Focus: Women Targeted by Transnational Repression

Women who live in countries where government's restrict their rights may become targets of transnational repression if they attempt to flee their families or their government's <u>restrictive laws</u>. While it is often families who target women relatives who have fled abroad, in cases where they do so with the support of government authorities, it is transnational repression.

Saudi Arabia

When Saudi women flee abusive families, they are breaking the rules of a <u>strict male</u> <u>guardianship system</u>, which denies women the ability to make certain decisions about their lives. Human Rights Watch has documented cases whereby the families of fleeing women, with the support of the Saudi authorities, target these women abroad and attempt to bring them back.

On April 9, 2017, Dina Ali Lasloom attempted to flee her Saudi family and go to Australia. While transiting in Manila, the Philippines, she was prevented from boarding her flight to Australia. Lasloom posted a video from the airport saying, "They took my passport and locked me up for 13 hours... if my family comes, they will kill me." The details around this case were largely hidden, but Human Rights Watch obtained information from a number of sources. An airline security official told Human Rights Watch that he saw two airline security officials and two men carry her with duct tape on her mouth, feet, and hands from the hotel where she was being held. Reuters reported that several passengers on the Saudi Arabian Airlines (now known as Saudia) flight to Riyadh said they saw a screaming woman being carried onto the plane. Human Rights Watch was later able to confirm that the two men were Lasloom's uncles. On the following day, April 12, the Saudi Embassy in the Philippines posted a statement saying that Dina had returned to Saudi Arabia and that the case was a "family affair." In contradiction to this, Bloomberg reported that a government official stated that Lasloom was being held without charge under protective custody in a detention facility for women under 30 years old, pointing to the involvement of Saudi authorities in this case.

In January 2019, <u>Rahaf Mohammed al-Qunun</u> attempted to flee her family in Saudi Arabia by traveling to Australia. During a connection in Thailand, she was stopped by Thai authorities and detained to be returned to Saudi Arabia. A Saudi embassy official took her

passport and engineered the rejection of a Thai visa. A Human Rights Watch researcher confirmed that Thai officials planned to put her on a flight back home. Al-Qunun's father and brother, whom she alleges psychologically and physically abused her, flew to Bangkok in an attempt to meet her. Activists from all over the world were alerted via <u>social media</u>. Following global pressure, the Thai authorities eventually allowed her to travel safely to Canada, where she received asylum.

United Arab Emirates

Emirati women face discrimination, including <u>male guardianship policies</u>, that leave them exposed to domestic violence. Those who flee abusive families have also been forcibly brought home, with the help of the Emirati authorities. Human Rights Watch has reported on the abduction and enforced disappearance of two daughters of Sheikh Mohammed bin Rashid al-Maktoum, ruler of Dubai.

In February 2018, Sheikha Latifa bint Mohammad al-Maktoum, daughter of the ruler of Dubai, Sheikh Mohammed bin Rashid al-Maktoum, attempted to flee the UAE by sea to a third country. A witness told Human Rights Watch that on March 4, 2018, Latifa was intercepted by Emirati authorities on their boat 50 miles off the coast of Goa, India, and forcibly returned to the UAE. According to the witness, the Indian Coast Guard participated in the raid in coordination with UAE authorities. On April 18, Agence France-Presse reported that a source close to the Dubai government confirmed that Latifa "was brought back" to the UAE. In December 2018, UAE authorities released statements and pictures showing that Latifa was alive. Prior to her attempted escape, Latifa had told friends that she wished to flee restrictions imposed by her family. She had attempted to flee before, in 2002, but was caught, detained, and tortured. A UK high court ruling on another case in March 2020 found that Latifa's father was responsible for her abduction, and that since her return she has been deprived of her liberty. Her whereabouts remain unknown.

The court ruling also <u>found</u> that Sheikh Mohammed was responsible for the abduction of another one of his daughters, Sheikha Shamsa, from Cambridge, UK, in 2000. The court confirmed that she too was being deprived of her liberty in UAE. The failure of the UK authorities to investigate the abduction provides the ruler of Dubai with cover to commit transnational repression on UK soil.

The cases of Latifa and Shamsa highlight the power of the UAE to compel other governments to collude in their acts of transnational repression or fail to investigate it, in these cases the Indian and the UK authorities.

Targeting and Collective Punishment of Relatives

Individuals who flee persecution in their home country often make the difficult decision to leave relatives behind or have no other choice but to do so. Government harassment of a target's relatives who remain in the home country is a form of transnational repression used to silence and threaten nationals living in exile. Relatives have been harassed, threatened, arbitrarily arrested and detained, banned from foreign travel, or killed.

Bahrain

Bahraini authorities have targeted relatives of Sayed al-Wadaei, the founder of the Bahrain Institute for Rights and Democracy, who had been living in exile in the UK. In October 2016, Bahraini authorities detained and interrogated Al-Wadaei's wife and their young son at Bahrain's Manama airport. His wife said the interrogation officer told her, "Deliver this message to your husband: I will get him." In March 2017, Al-Wadaei's 18-year-old brotherin-law, Nazar Sayed Namaa al-Wadaei, was arrested in Jid Ali, Bahrain and reported being tortured. Al-Wadaei's mother-in-law, Hajer Mansoor Hassan, was also summoned to the Criminal Investigations Directorate. In October 2017, both were sentenced to three years in prison on charges of planting a fake bomb, which Sayed al-Wadaei claims are based on confessions obtained through torture.

Egypt

In a 2019 report, Human Rights Watch found that Egyptian authorities have harassed, threatened, or punished family members of dissidents living abroad and that such violations are widespread, organized, and have been increasing. In October 2019, the day after an anchor at a Türkiye-based opposition television channel displayed photos of the family of Egyptian President Abdel Fattah al-Sisi family at various events, his mother and sister's apartments were raided, and his brother was detained. In an interview with Human Rights Watch in 2019, a former activist living in Germany alleged that the Egyptian authorities banned his wife and three children from traveling abroad since 2017 and seized their passports for a few weeks after interrogating his wife on his activities abroad.

Salah Soltan, the father of prominent US-based advocate Mohamed Soltan, was forcibly disappeared by Egyptian authorities and has been held incommunicado since June 2020. The prison conditions described by Salah Soltan include extended periods of solitary confinement that may amount to torture. Reports in 2023 indicated that Salah Soltan was deprived adequate health care despite his life-threatening conditions. It is evident that the actions against him were in retaliation for his son's work, given that Soltan was arbitrarily arrested weeks after his son filed a civil suit in a US federal court against the former Egyptian prime minister, Hazem al-Beblawy. The lawsuit alleged torture by the Egyptian authorities. Other members of the Soltan family have also been targeted, including five male cousins who were arrested in June 2020 for five months. The homes of six extended family members were also raided.

Ethiopia

In June 2016, <u>several members</u> of Australia's Ethiopian community who are from Somali Regional State protested an Ethiopian regional government delegation's planned visit to Australia. Later, the protesters learned that the Ethiopian government had arrested dozens of their relatives back in Somali Regional State because of their involvement in the protest. In one case, a 70-year-old mother of one of the protesters was arrested and allegedly beaten in custody. Before taking her to a military camp, a paramilitary unit called the Liyu police asked her: "Are you the mother of [name withheld]? Your son created trouble for the [regional] president." Several Ethiopians who attended the protest in Australia reported that pro-government members of the Ethiopian community in Australia had called them in the days following the protests and pressed them to make a video supporting the president of Somali Regional State to secure the release of their relatives. Said one protester: "I don't feel safe here.... I thought I was safe."

Russia

Local governor Ramzan Kadyrov has long been responsible for <u>violent repression in Chechnya</u>, including repeatedly engaging in collective punishment against families of alleged Kadyrov opponents. In December 2021, unidentified assailants in Chechnya <u>abducted dozens of relatives</u> of activists living abroad. This included the relatives of Tumsu Abdurakhmanov, an opposition blogger living in Sweden. Abdurakhmanov received text messages, presumably from those behind the abduction, alleging that his loved ones were being ill-treated and stating that they will be released only when Abdurakhmanov stops all

public criticism of the leadership of Chechnya. Khasan Khalitov, the Turkish-based founder of the human rights association Vanifond, said that his relatives were also abducted, including his sister and brother-in-law. All those abducted are considered to have been forcibly disappeared. The abductions in December 2020 are consistent with this long-standing pattern of collective punishment, by which the Chechen leadership persecutes entire families, even distant relatives, for the alleged actions of one of their members.

In January 2022, Chechen police <u>abducted</u> Zarema Mussaeva, the mother of Ibraghim Yangulbaev who runs an anti-government Telegram channel from abroad. She was <u>dragged barefoot</u> through the snow from her apartment in Nizhny Novgorod and forcibly brought to Chechnya, where she was held incommunicado for two weeks. There she was prosecuted, put on trial, and sentenced to five and a half years in prison on spurious, politically motivated charges of committing an act of fraud and attacking a police officer. Her sentence was later reduced to five years on appeal. In December 2023, a court in Chechnya <u>refused</u> her request for parole. She currently remains imprisoned.

Rwanda

Noel Zihabamwe had been living in Australia since 2004, when he fled Rwanda after refusing to join the Rwandan Patriotic Front (RPF). In Australia, staff of the Rwandan High Commission in Singapore (which also covers Australia) tried to recruit him to provide intelligence. Following these refusals, Zihabamwe was publicly targeted, including at a meeting with the Rwandan community in Australia in 2017. At the meeting, the Rwandan high commissioner verbally attacked him, telling others at the meeting that there was "a gun pointed at Zihabamwe." His two brothers, Antoine Zihabamwe and Jean Nsengimana, were targeted by Rwandan security officials, who would regularly visit them including in the middle of the night and question them about Zihabamwe's work in Australia. In September 2019, the two men (along with Nsengimana's son) were held in police custody for 10 days, during which they were subject to brutal beatings and torture. According to a witness to the beatings, one of the guards said, "You have someone in your family who refuses to work for us!" Shortly after their release, on September 28, 2019, the two men were again stopped by police, who removed them from a bus. They have not been seen since.

<u>Théobald Rutinhunza</u>, a former member of the Rwandan opposition and founding member of the Rwandan League for the Promotion and Defense of Human Rights, currently lives in

France. Between January and March 2021, police in Rwanda detained his son, Jacques Nkurunziza, a dual French-Rwandan national, three times. Nkurunziza told Human Rights Watch that on one occasion he was kept handcuffed for two days, with no water or food, and that several officers interrogated him for several hours, including about his father. After his release, the French embassy advised Nkurunziza to return to France for his own safety.

A former military official, who did not want to be named or provide his location due to fears for the safety of his family, told Human Rights Watch that his family members are <u>being targeted</u> in Rwanda. He said that his relatives were being called onto television and radio where they were saying he was a "bad person." He also told Human Rights Watch that two Rwandan intelligence agents visit his sister every morning and every evening. He said: "I know the system well; I was in it."

Saudi Arabia

Saudi authorities have frequently retaliated against the family members of critics and dissidents living abroad. Omar Abdulaziz, a Canada-based Saudi dissident, said that Saudi authorities detained his two brothers in August 2018 in an effort to silence his online activism. Abdulaziz has a popular YouTube show where he voices criticisms of the Saudi Arabian government. At the time of writing, his brothers remain in jail.

Omar Al-Jabri and Sarah Al-Jabri are the children of Saad Al-Jabri, a former top Saudi intelligence official. They have been targeted by Saudi authorities since 2017, when Omar was 18 and Sarah was 17, to coerce their father to return to Saudi Arabia from exile, including by placing them on a travel ban, freezing their bank accounts and financial assets, and interrogating them about their father's whereabouts and activities. In 2020, Saad Al-Jabri sued Crown Prince Mohammed bin Salman in US Federal Court alleging that the crown prince had sent a hit squad to murder him in Canada in 2018. Soon after, in March 2020, the Saudi authorities arrested Al-Jabri's children and held them incommunicado until January 2021, in an apparent effort to coerce him to return to Saudi Arabia. A Saudi court in November 2020 sentenced Omar and Sarah Al-Jabri in an unfair trial to nine and six and a half years in prison respectively, for "money laundering" and "attempting to escape" Saudi Arabia. In December 2020, an appeals court upheld their sentences in a secret hearing at which they were not present.

On July 10, 2023, the Specialized Criminal Court, Saudi Arabia's counterterrorism tribunal, convicted Muhammad al-Ghamdi, 54, a retired Saudi teacher, of several criminal offenses related solely to his peaceful expression online. Al-Ghamdi's brother, Saeed bin Nasser al-Ghamdi, is a well-known Saudi Islamic scholar and government critic living in exile in the United Kingdom. In a tweet on August 24, Saeed wrote that the "false ruling aims to spite me personally after failed attempts by the investigations to return me to the country."

Tajikistan

In September 2016, several <u>peaceful Tajik opposition activists</u> took part in an intergovernmental conference about human rights in Warsaw, Poland. The Tajik authorities retaliated against those taking part in the conference by targeting their relatives in Tajikistan. On the second day of the conference, the mother, brother and sisters of exiled party leader Ilhomjon Yakubov were <u>detained</u>, <u>harassed</u>, <u>and interrogated</u>. Authorities threatened to "destroy them" if Yakubov continued to criticize the government. A few days later, security service officers came to Yakubov's mother's home and warned family members that they would confiscate the family's property unless Yakubov returned to Tajikistan.

On the same day, a crowd <u>surrounded the home</u> of the family of opposition activist Shabnam Khudoydodova and chanted that she be prosecuted. The crowd returned the next day and threw rocks at the house, broke in, and physically assaulted family members. A source close to the city administration told Human Rights Watch that the Tajik security services had organized the demonstration. When Khudoydodova's mother approached the police and attempted to file a complaint, the police official told her, "Tell your daughter to shut up and not to write or say anything. We will soon catch her and hang her in front of your eyes!" Tajik security forces continued to target <u>Khudoydodova's 10-year-old daughter</u>, Fatima. In December 2016, her passport and birth certificate were confiscated, and officials told other family members that they would put her in an orphanage if anyone attempted to travel abroad. In August 2018, when Fatima and Khudoydodova's mother and brother attempted to travel to Europe to meet Khudoydodova, Tajik security forces forced them off the flight, interrogated them, and banned them from traveling. All of them, including Fatima, were forced to sign documents acknowledging that they were on a wanted list.

In December 2016, <u>Vaisiddin Odinaev</u> attended a peaceful political protest in Prague, opposing the Tajikistan President Emomali Rahmon. A few days later, security officers took Odinaev's grandfather into custody and interrogated for five hours about his grandson's activities.⁵

In October 2023, Tajik <u>authorities targeted</u> almost 50 family members of opposition members living abroad who helped protests in Germany against President Rakhmon's visit to Berlin. They were detained, questioned, and reportedly subjected to ill-treatment, threats, blackmail, and insults. Several of the participants of the protest in Berlin publicly <u>called</u> on the Tajik government to stop harassing and punishing their family members.

Turkmenistan

Beginning several decades ago, relatives have apparently been killed in retaliation for the activities of a family member living outside the country. Three brothers of Chary Annamuradov, an independent journalist who fled Turkmenistan in 1999, died under suspicious circumstances in the year following his departure. In August 2016, unidentified men kidnapped and beat Annamuradov's last living brother, Altymurad Annamuradov. They returned him to his home after two days in a weak and bruised condition, and in a fragile emotional state. Family members told Human Rights Watch that he was questioned about his brother, beaten, and humiliated. He died two days later. His kidnapping and eventual death occurred while his brother, Chary Annamuradov, was arrested in Belarus and threatened with extradition to Turkmenistan.

Abuse of Consular Services

To travel abroad, a person needs documents from the consular services of their home country. Governments have acted through their consular services to cancel passports or refuse to provide such services as a way to target individuals living abroad. Governments refusing to renew or issue official documents may be violating the international https://documents.new.org/ a recognized by the Universal Declaration of Human Rights. It also

⁵ Vaisiddin Odniaev, Ilhomjon Yakybov and Shabnam Khudoydodova all appeared in a <u>video</u> produced by Human Rights Watch in 2016 to tell their accounts.

⁶ For more information on this case, please see the section titled "Unlawful Removals."

may infringe on other basic rights that require identification documents, such as the right to leave any country or to open a bank account.

Belarus

President Aliaksander Lukashenka's government has increasingly targeted Belarusians in exile. In December 2022, the Belarusian parliament passed <u>legislative amendments</u> to a 2002 citizenship law that would allow the president to strip Belarusians abroad of their citizenship if convicted of crimes such as "participation in mass riots" or "causing grave harms to the interests of Belarus." These amendments targeted critics in exile, as the listed crimes are often used in politically motivated charges, and trials often take place without meaningful fair trial guarantees. The amendments also pose a grave risk of arbitrary deprivation of citizenship on political grounds. In January 2023, these amendments were signed into law.

The Belarusian government has also issued regulations in apparent retaliation against critics of the government living outside the country. In September 2023, the Belarus government issued a decree denying all citizens the ability to renew their passports from abroad, thereby affecting the <u>estimated</u> 200,000 to 500,000 Belarusians who live in exile. The decree requires citizens to return to Belarus to process their documents, where they may risk arrest and political prosecution if they are alleged to be critics of the government. Not only does the decree put Belarusians in exile at great risk if they return to Belarus, it also infringes on their ability to live, travel, work, and access essential services such as medical care if they remain abroad.

Egypt

In December 2020, the Egyptian government revoked the citizenship of <u>Ghada Naguib</u>, a political activist living in Türkiye since 2015. This followed a well-documented campaign by the government to attempt to silence her and her activism, including by intimidating and detaining her relatives. This decision, and the nationality law, Law 26 of 1975, contravene the <u>Universal Declaration of Human Rights</u>, which states that "No one shall be arbitrarily deprived of his nationality." When Naguib tried to contact the Egyptian consulate in Istanbul, she was refused service.

Human Rights Watch research found that since 2015, Egyptian consular services have denied identity documents to at least 26 Egyptian nationals abroad, including dissidents, journalists, and lawyers in Türkiye, Germany, Malaysia, Qatar, and two other unnamed countries. The number of cases is just a small sample of the overall scale. Some consular services required applicants to fill out unofficial documents with information such as their social media accounts. This ban also included children of the affected victims.

An Egyptian woman living in Türkiye was denied a new passport and was subsequently removed from her husband's health insurance plan, forcing her to pay out of pocket for treatment for a chronic autoimmune disease. Further, without a passport, she was unable to take a position as a lecturer and PhD student in the Netherlands. In another case, an Egyptian engineer living in Germany requested a passport renewal several times, but his request was ignored by the Egyptian consul. He told Human Rights Watch that he believed he became a target due to having been a member of the Muslim Brotherhood. He asked a relative still in Egypt to request his birth certificate from the civil registration office, but he said they were told, "You know what he did. We won't issue him any papers." Without a passport, the engineer has been unable to become a German citizen.

Rwanda

Rwandan embassies in Europe <u>have blocked</u> access to consular services if the person in question is not a member of the Rwandan Community Abroad (RCA), a group of associations tied to the Rwandan Ministry of Foreign Affairs. Embassy officials have threatened several Rwandans in Mozambique over the phone. One was told he would die if he did not fall in line. A Rwandan refugee who fled to Uganda due to her husband's political activities in Rwanda told Human Rights Watch that she was repeatedly visited at her home by embassy officials and has had to move neighborhoods.

Digital Transnational Repression

Digital transnational repression refers to the use and exploitation of digital technologies to target people abroad, including surveillance and online harassment; tactics that are often scalable, hard to detect, and adaptable. Additionally, the international law framework for digital attacks is underdeveloped, making it easier to skirt accountability.

By exploiting technical vulnerabilities of devices such as mobile phones, governments have harassed, surveilled, and threatened targets living abroad. This compromises the physical safety of targets, as well as all the people with whom they communicate. It can leave victims feeling especially vulnerable wherever they are. Digital transnational repression has often had a chilling effect on political criticism more broadly, with individuals self-censoring or changing behavior due to the fear of being reached online.

Governments use a range of tactics to digitally repress their nationals abroad, including through control over telecommunications systems or specific applications, or by using spyware.

Spyware allows access to all of a user's data and essentially turns an infected device, such as a mobile phone, into a <u>portable surveillance tool</u>. Once installed, it can provide access to the phone's contacts, GPS coordinates, camera, microphone, call history, and messages, thus enabling surveillance over the user's activity and conversations. This type of surveillance puts the affected individual at extreme risk as their location, contacts, communications, passwords, and other contents of their device are available to governments who can use that information to find, threaten, and harm them. There are various companies that make and sell surveillance software to governments. Among the most prominent is Israel-based NSO Group, which created the spyware <u>Pegasus</u>. Pegasus is a highly developed software that can infect mobile phones remotely and unknowingly to the user, often via "zero-click exploits," meaning the user is infected without them having to click a link or carry out any other action.

Among commercial spyware developers, NSO Group and its Pegasus spyware have received the most media attention. Human Rights Watch has also reported on government use of similar software such as FinFisher and Remote Control System (RCS) to surveil individuals living abroad. Human Rights Watch has called for the spyware industry to be properly <u>regulated</u>.

In addition to surveillance, governments use the online space to harass or threaten targets. This might take the form of online smear campaigns, which can involve spreading disinformation or highly personal information in the public sphere about the individual to discredit or silence them. It may also take the form of online harassment, for example using digital communication tools to threaten or attack targets directly and out of public view.

The below cases are examples of these digital forms of transnational repression.

China

The Chinese government maintains surveillance of the Chinese diaspora around the world, including pro-democracy students and academics from mainland China, Hong Kong, Xinjiang, and Tibet. A <u>2021 Human Rights Watch report</u> focused on such surveillance at Australian universities, which documented that students and faculty were harassed and intimidated, including by threats of physical violence or being doxxed (having their personal information posted online). Students and academics are broadly aware that such surveillance takes place, and many take steps to self-censor.

Human Rights Watch verified three cases in which the police in China visited or asked to meet with the families of students studying in Australia. The Chinese authorities threatened one student with prison after the student opened an anonymous Twitter account and posted messages critical of the Chinese government. He told Human Rights Watch, "I thought it would be safe here. I thought they wouldn't be able to trace it back to me." Chinese authorities confiscated the passport of another student, who expressed support for democracy in front of classmates in Australia, upon the student's return home. Every pro-democracy student interviewed expressed fears that their activities in Australia could result in Chinese authorities punishing or interrogating their family back home. They said this was a constant concern that had to be evaluated before they decided what to say in class, what classes or events they could attend, and even with whom they could be friends. A Chinese academic who gave a public interview criticizing the Chinese authorities reported daily harassment from fake email accounts, with threats such as "you're coming to your end."

The Chinese government also pursues censorship and surveillance of its citizens abroad through <u>WeChat</u>. WeChat, run by the Chinese company Tencent, is primarily a social media app that includes messaging, financial services, and several other functions. WeChat censors and surveils their users on the Chinese government's behalf and hands over user data to authorities when so-called sensitive information is discovered. Human Rights Watch has described WeChat as a "complete digital ecosystem in which people in China lead their entire digital lives, and they are trapped in its controlled information environment without meaningful choice." Due in part because of its widespread use and convenience,

communication among the Chinese diaspora is often done via WeChat, despite people knowing that the Chinese government is capable of monitoring their activity.

Ethiopia

The Ethiopian government has used its monopoly over the telecommunications sector to limit access to information and curtail the rights to freedom of expression and association. The government also used technology from foreign companies to bolster its widespread telecom surveillance capabilities of Ethiopians both in the country and abroad. The government has targeted some high-profile Ethiopians in the diaspora with highly advanced surveillance tools designed to covertly monitor online activity, capture communications, and steal passwords. In 2012, Yohannes Alemu—a refugee who became a Norwegian citizen—was targeted by the Ethiopian government for his political associations. His computer became infected with spyware called FinFisher, giving Ethiopian security agencies unfettered access to his online activity.

In 2015, the Ethiopian government silenced independent voices abroad by using apparent foreign spyware known as Remote Control System (RCS), which was sold by the now-closed Italian company Hacking Team. The specific attacks attempted to hack into computers and accounts of employees of the Ethiopian Satellite Television (ESAT), an independent, diaspora-run television and radio station based in the United States. Many Ethiopians turn to ESAT and other foreign stations to obtain news and analysis that is independent of the Ethiopian government.

In <u>2017</u>, Ethiopian authorities carried out a renewed campaign of <u>malware attacks</u>, abusing commercial spyware to monitor dissidents abroad. Targets received emails tailored to their interests, with links that contained malware sold by the Israeli company Cyberbit.

Rwanda

In 2019, <u>Faustin Rukundo</u>, a former senior official of Rwanda's opposition party who lives in the UK, was informed by Citizen Lab, an academic research center based in Canada, and Amnesty International, that his phone was infected with Pegasus. The surveillance of Rukundo came in parallel to attacks on his wife, Violette Uwamahoro, who was forcibly disappeared for two weeks while on a trip to Rwanda.

Philippe Basabose is a Rwandan refugee living in Canada who established an organization that denounces abuses against survivors of the Rwandan genocide and the government's politicization of the genocide. He was the victim of several online attacks by government-aligned genocide survivor associations and attacks on him were relayed in pro-government online media. Two other genocide survivors told Human Rights Watch that they regularly received messages and threats online. One said, "It is very, very hard. Especially when you have lost your family during the genocide." A Rwandan journalist living in the United Kingdom said that he feels afraid and isolated due to being attacked online — he believes the attacks are by the government. Though difficult to prove who is behind the online harassment of the Rwandan diaspora, the content shows alignment with government messaging and the websites where it is published are alleged to have ties to Rwanda's security establishment.

Saudi Arabia

Citizen Lab concluded with "high confidence" that in 2018 the mobile phone of Omar Abdulaziz, a prominent Saudi activist based in Canada, was targeted and infected with Pegasus. In an <u>interview</u> with the Guardian newspaper, Abdulaziz said that he believes that the information gained through surveilling him contributed to Jamal Khashoggi's murder.

Yahya Assiri, a Saudi human rights activist, and Ghanim al-Masarir, a comedian and dissident, both UK-based, allege that their devices were infected with Pegasus by the Saudi authorities.

In Focus: Interpol & Transnational Repression

The International Criminal Police Organization (Interpol) is an inter-governmental organization that enables its 195 member states to "share and access data on crimes and criminals." It is not a police force and cannot enforce extraditions. The organization's tools, however, are sometimes used by governments to facilitate transnational repression. This includes Red Notices (see further discussion below), which a government can use to target and even seek the return of its national living abroad. This can lead to devastating impacts on victims and their families. Interpol's structure, policies, and review process are all crucial to this intersection of Interpol and transnational repression.

Interpol Structure & Leadership

Each member state has an Interpol National Central Bureau (NCB), which serves as a point of contact for the global Interpol system. Interpol's activities are run by the staff of the General Secretariat, led by the secretary general. Interpol has two governing bodies: the General Assembly, and the Executive Committee. The General Assembly contains representatives from each member state, who come together annually to vote on Interpol activities and policies. The Executive Committee contains 13 members elected by the General Assembly, including the president of Interpol who is tasked with "the execution of the General Assembly's decisions and the administration and work of the General Secretariat."

The <u>president</u> of Interpol is an official from the national administration of a member state, elected by the General Assembly for a four-year term. The president is expected to preside over internal meetings, ensure that Interpol's activity is aligned with internal policy decisions, and coordinate closely with the secretary general. The role is part-time and unpaid. Over the past several years, there have been acute issues with the Interpol Presidency being held by officials from governments with poor human rights records, calling into question Interpol's commitment to its human rights obligations.

The current president of Interpol is Maj. Gen. Ahmed Naser al-Raisi of the UAE, who is also the Emirati inspector general of the Ministry of Interior. His candidacy and then election in November 2021 raised human.rights.alarms due to the history of abuses by the UAE state security apparatus which General al-Raisi is responsible for investigating as inspector general. In 2017, the presidency was held by Chinese Vice-Minister for Public Security Meng Hongwei. Human Rights Watch and other organizations expressed.concern about Interpol respecting human rights under Hongwei's leadership, particularly given that the Ministry of Public Security is controlled by the Chinese Communist Party and has been tasked with silencing government critics. The ministry has harassed, arbitrarily detained, and tortured countless people. In 2018, Meng, who was based in France, went missing.
After almost two weeks, news emerged that he was being held in Chinese custody and was under investigation by the new government's anti-corruption unit and that he had resigned from his post as Interpol president. Meng was sentenced to 13-and-a-half years' imprisonment by a Chinese court in 2020.

⁷ Correspondence from Interpol's General Secretariat to Human Rights Watch dated December 13, 2023

Abuse of the Red Notice System

Interpol Notices are "international requests for cooperation or alerts" that enable the sharing of information on wanted individuals among Interpol's member countries. A National Central Bureau can submit a notice, and once published the notice is available to all member countries. There are many types of notices, but it is Red Notices that are most pertinent to transnational repression.

A <u>Red Notice</u> is a "request to law enforcement worldwide," submitted by an Interpol member country, or an international court or tribunal, "to locate and provisionally arrest a person pending extradition, surrender, or similar legal action." It contains information on the wanted person, including the crime for which the individual is wanted. A Red Notice is an alert, not an arrest warrant. Interpol's member countries independently decide whether and how to respond to a given Red Notice.

When a government uses Interpol, and specifically Red Notices, to illegitimately target a national living abroad, that is transnational repression. While Interpol has certain standards and processes in place to prevent such activity, which member states are expected to uphold, abuses have continued to occur.

In Interpol's 2021 <u>annual report.</u> Secretary General Jürgen Stock reaffirmed that Interpol processes take the respect and protection of human rights very seriously. According to Interpol, every request for a Red Notice is <u>reviewed</u> by the Notices and Diffusions Task Force (hereafter referred to as "Task Force") to ensure that it complies with Interpol's rules, and that it is not politically, military, religiously, or racially motivated; all prohibited by Interpol's <u>constitution</u>. The Task Force asserts that it will consider the background of the individual concerned, such as if they are an activist or a refugee, and the context of the case at hand, including any relevant political developments.8 The Task Force may also consider if the requesting government has a pattern of rejections of past Red Notices requests. An average of 1,000 Red Notice requests <u>are rejected</u> each year according to Interpol's data, but an explanation for the rejection is not publicly available.

Interpol has made progress in ensuring that refugees are protected from abusive Red Notices. In 2017, Interpol's General Assembly adopted a <u>resolution</u> on "Interpol policy on

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⁸ Correspondence from Interpol's General Secretariat to Human Rights Watch dated December 13, 2023

refugees." Under the resolution, if a Red Notice is brought against an individual who a member country confirms has refugee status, Interpol will decline publication of the Red Notice or delete it if it is already published. However, the resolution also aims "to ensure that refugee status is not abused by terrorists and other criminals." The resolution does not offer any protection to asylum seekers. Despite the recognition by Interpol that more needs to be done to protect refugees, there have been documented cases of refugees being the subject of Red Notices. For example, Hakeem al-Alraibi, who has refugee status in Australia, was subject to a Red Notice in 2018, a year after the refugee resolution was passed (for more on this case, see below).

As of February 2024, 6,820 Red Notices were publicly available on the Interpol website. According to Fair Trials, a global campaigner for fair criminal justice, around 10,000 Red Notices are published per year. The Interpol Annual Report of 2021 stated that in 2021 the exact figure was 10,776. This means that a large proportion of Red Notices are not publicly available. In 2021, Interpol stated that there were 69,270 valid Red Notices in circulation, meaning that around 90 percent of Red Notices are not disclosed. This lack of transparency allows authorities who might use Red Notices for politically motivated reasons to continue doing so without the concern of being monitored or scrutinized.

According to Interpol, a Red Notice may be made public if the National Central Bureau requesting the Red Notice asks for it to be published, and the Task Force approves this request. Individuals who believe they may be under a Red Notice may make a formal request to the relevant office at Interpol asking for access to their file. However, people who are under Red Notices often are unaware, sometimes only finding out upon arrest. People under an Interpol Red Notice may also face travel restrictions, employment limitations, or frozen assets.

The cases below exemplify how governments have abused Interpol and the Red Notice system.

⁹ For reference: The 2021 Annual Report stated that there were 69270 Red Notices. As of February 2024, are 6820 published on the website. Calculation is (6820/69270)*100 = circa. 10%

¹⁰ Correspondence from Interpol's General Secretariat to Human Rights Watch dated December 13, 2023

Bahrain

Hakeem al-Araibi is a Bahraini footballer who was a refugee in Australia after his participation in the Arab Spring protests. In November 2018, Thai authorities arrested al-Alraibi due to an Interpol Red Notice from Bahrain. The Bahrain authorities were seeking al-Alraibi because they said he vandalized a police station, although at the time of the crime he was playing in a televised football match. Al-Alraibi had fled Bahrain after being tortured by the authorities there in 2012 and was fearful for his life. The Red Notice issued by Bahrain violated Interpol's policy of prohibiting notices filed by governments against refugees who have fled persecution from the filing country. The Red Notice was subsequently invalidated, but not before al-Araibi spent 76 days detained in Thailand.

In February 2022, following the unlawful extradition of Ahmed Jaffer Muhammad to Bahrain¹¹, Human Rights Watch and other organizations wrote a <u>joint letter</u> to Interpol highlighting that Red Notices continued to be issued for Bahraini dissidents who faced risk of torture in Bahrain. The groups said that Interpol had not conducted adequate due diligence before issuing Red Notices requested by Bahrain, resulting in the misuse of its systems contrary to articles 2 and 3 of Interpol's constitution on human rights and political neutrality.

China

In 2017, Human Rights Watch expressed concern to the Interpol secretary general about instances in which China appears to have misused the Red Notice system. The case at issue was that of Uyghur activist Dolkun Isa, president of the human rights group The World Uyghur Congress, who had refugee status in Germany. He learned in 1999 that he was subject to an Interpol Red Notice on baseless terrorism charges, but was not able to confirm that this Red Notice existed until almost two decades later. Isa faced a number of challenges while traveling, which he believes were caused by the Red Notice. In 2009, South Korean authorities detained him for two days and refused him entry to South Korea; in 2016, India revoked his visa; and in 2017, Italian police detained him. In 2018, Interpol announced that it had deleted the Red Notice against him.

¹¹ See the section "Unlawful Removals," above.

Yidiresi Aishan, a Uyghur activist, was <u>arrested in Morocco</u> in 2022 on the basis of a Red Notice against him. Despite Interpol cancelling the Red Notice following Aishan's arrest in Morocco, he remains in detention facing extradition.

Saudi Arabia

In March 2021, Osama al-Hasani, a Saudi-Australian dual national, was <u>detained in Morocco</u> under a Red Notice and extradited back to Saudi Arabia. Human Rights Watch has not been able to learn of his whereabouts since his extradition. He was apparently wanted in Saudi Arabia for a 2015 car theft case even though Saudi court documents obtained by Human Rights Watch appear to show that Saudi authorities cleared him of wrongdoing in the case in 2018.

Tajikistan

<u>Shabnam Khudoydodova</u> is a Tajik political activist who was living in Russia when she criticized the Tajik government in 2015. Tajik authorities <u>accused</u> her of "extremism" and placed her on the Interpol Red Notice list. In June 2015, fearing arrest, Khudoydodova fled to Poland, where she was stopped at the border. After being threatened with extradition to Tajikistan and subsequently requesting asylum in Belarus, she was sent to a <u>temporary holding facility</u> and interrogated by Tajik law enforcement. Khudoydodova was detained for nearly nine months before her release.

Government Responses and Cautions

Government Responses

Some governments, such as Australia and the United States, have pursued policies to counter transnational repression. International organizations and concerned governments should take more measures to address the problem, while remaining cautious as to how such responses can raise serious human rights concerns themselves.

The Australian government has <u>responded</u> to foreign interference and espionage, including the harassment, surveillance, and intimidation of diaspora communities, by passing <u>legislation</u> in <u>2018</u>. This was largely in response to allegations of Chinese government interference in Australian domestic politics. Human Rights Watch <u>documented</u> the intimidation of the Chinese diaspora community in Australia, notably students and academics. In February 2023, the Australian Federal Police <u>launched</u> a new program that would advise Australian communities on what to do if they believe they are being threatened or intimidated by foreign governments. The program includes community liaisons to provide information and support to victims.

In the United States, several parts of the government are focused on transnational repression. This includes the Federal Bureau of Investigation (FBI), which adopted a definition of transnational repression and trained staff at the FBI's National Threat Operations Center on identifying cases. In 2021, the US Congress passed the National Defense Authorization Act for Fiscal Year 2022, which included a provision titled "Transnational Repression Accountability and Prevention" to counter governments' use of Interpol for political purposes. Several other pieces of legislation include the Stop Transnational Repression Act, which proposes criminalizing transnational repression in the United States, and the Transnational Repression Policy Act, which aims "to hold foreign governments and individuals accountable when they stalk, intimidate, or assault people across borders, including in the United States." Under existing US law, weapons cannot be transferred to any countries engaged in a consistent pattern of "acts of intimidation or harassment against individuals in the U.S.," which creates a way to hold those responsible for transnational repression against people in the United States accountable.

Governments, as well as regional and international institutions, have also begun working together to protect victims of government repression and their families. At the 2022 G7 Summit, a <u>statement</u> put forward by 12 countries and the European Union highlighted the need to build resilience against "malign foreign interference and acts of transnational repression." Also that year, during negotiations for a new cooperation agreement between the European Union and Interpol, the European Parliament <u>recommended</u> that the Commission explore ways in which the problem of politically motivated Red Notices could be addressed, for example by establishing a verification mechanism for EU member states to exchange information on the identification and removal of politically motivated Red Notices. The European Parliament also commissioned a <u>paper</u> titled "Ensuring the rights of EU citizens against politically motivated Red Notices."

In April 2023, the Declaration of Principles to Combat Transnational Repression was adopted at the Summit for Democracy by Australia, Chile, Estonia, Germany, Kosovo, Latvia, Lithuania, Slovakia, and the United States. The non-binding Declaration calls upon democratic governments to acknowledge and commit to addressing transnational repression.

Cautions

Governments responding to transnational repression should do so in a manner consistent with international human rights law and standards, and uphold the rights of affected individuals and communities. They need to ensure that their efforts do not infringe, even inadvertently, on basic rights. Governments should also ensure their foreign policy does not undermine efforts to deter and oppose transnational repression.

Governments that respond to transnational repression should consider the following:

- Consider that victims of transnational repression may have concerns about their immigration status when planning the implementation of reporting mechanisms (e.g., tip lines) or other outreach efforts, to ensure that people feel safe reporting incidents.
- Respond to transnational repression in a principled manner and do not take a
 political or selective approach. For instance, while the US government has
 prosecuted cases from several countries, the <u>FBI webpage</u> on transnational

- repression lists cases only from Iran and China despite other governments actively repressing their citizens on US soil.
- In foreign policy, take into consideration the human rights abuses of governments that engage in transnational repression. For example, the UK government continues to seek partnerships with the Rwandan government, despite its record of transnational repression, including assassinations, abductions, harassment, and the targeting of relatives back home. Some of the issues they are seeking to partner on, including a deal that would permit the UK to expel to Rwanda asylum seekers of other nationalities arriving irregularly in the UK, could implicate the UK government in these practices.
- Ensure foreign policy decisions do not facilitate or support transnational repression by other governments. For example, while outside the scope of this report, Human Rights Watch <u>documented</u> that in the early 2000's the US government supported Libyan leader Muammar Gaddafi's targeting of perceived political opponents as part of its "global war on terror." Afghanistan, Morocco, Thailand, Malaysia and other governments arrested these Libyan nationals, and then transferred them to US custody, where they were subjected to torture and ill-treatment before being forcibly returned to Libya.

Recommendations

To governments responsible for acts of transnational repression:

- End all actions aimed to intimidate, attack, or silence nationals abroad that amount to transnational repression.
- End the misuse of Interpol and other international bodies as a tool to unlawfully seek the return or extradition of nationals living abroad.
- End the use of surveillance technology to commit transnational repression against nationals abroad and their families back home.

To the United Nations and other multilateral organizations:

- Recognize transnational repression as a specific threat to human rights.
- Establish a special rapporteur on transnational repression to report on trends and
 efforts by governments to address it, including efforts that may violate human
 rights; and provide recommendations on how to uphold rights obligations when
 responding to transnational repression and ensure accountability.
- Review and revise the protections offered to human rights defenders and other
 activists who engage with the UN to better address the risk of reprisals, including
 for those living outside of their home country.

To governments combatting transnational repression:

- Frame transnational repression as a specific threat to human rights and ensure a human rights framework for legal and policy responses.
- Publicly denounce cases of transnational repression when it is safe for the victims and their communities to do so.
- Ensure that issues of transnational repression are appropriately factored into human rights foreign policy decisions taken with respect to repressive governments.
- Do not facilitate transnational repression by other governments. Countries
 responding to extradition and similar requests need to ensure that they are not
 furthering an unlawful action by the requesting government. They should refuse to
 comply with Interpol Red Notices that are put forward by rights-abusing

- governments or establish a second layer of vetting to Interpol's internal vetting process for Notices.
- Investigate possible instances of transnational repression and prosecute those responsible. Enact specific legislation consistent with human rights norms if current laws are inadequate to address abuses.
- Establish a national system to track domestic cases of transnational repression with appropriate safeguards for individuals' privacy and to ensure the protection of asylum seekers and refugees, and with the ability for citizens to report experiences and concerns, anonymously if needed.
- Provide appropriate training to policymakers, diplomats, and bureaucrats about transnational repression, including ways in which they could unknowingly be enabling or even assisting allied governments to engage in transnational repression.
- Respect the prohibition on refoulement under international law. Reject the
 requests of foreign governments seeking the extradition or deportation of an
 individual with refugee status, or who is an asylum seeker awaiting a decision on
 their claim, or would otherwise face a risk of persecution, torture, or other serious
 harm if returned to their country.
- Instruct immigration judges and other officials to take into account transnational repression when assessing asylum claims.
- Give full consideration to the human rights record of a government, including detainee abuses and transnational repression when signing, amending, or refusing an extradition treaty.
- Work with other concerned governments to build a rights-respecting global consensus on the use of technology, such as spyware, that are used as tools of repression.
- Ensure diaspora members have adequate identification by issuing consular documents easily and in a timely manner. This will offer better protection and reduce the need to renew documents, which may entail contact with their homecountry embassies.
- Facilitate family reunification for asylum seekers and refugees, including from countries known to have engaged in transnational repression, taking into account the risk of reprisals that relatives may face.
- Protect individuals who have contacted the authorities to report credible cases of transnational repression from deportation and extradition, including by advising

- them to request asylum or seek other forms of subsidiary protection if they have not already done so.
- Individuals who report transnational repression should not have the information they report shared with immigration services if it could put these individuals at risk and lessen the chances others will come forward to report similar abuses.
- Ensure that measures to combat transnational repression are not applied disparately because of political considerations.

To Interpol:

- Set benchmarks on human rights that states must meet to issue Red Notices into the Interpol system. Designate governments with a documented poor human rights record as subject to further scrutiny when they submit Red Notices.
- Create an additional layer of vetting for Red Notices issued from countries in which an individual's return to those countries may constitute non-refoulment.
- Take all necessary steps to ensure that refugees and asylum seekers are not targeted for Red Notices, including by modifying the 2017 Interpol "policy on refugees" (GA-2017-86-RES-09) to not only reject or delete Notices or Diffusions in instances where an individual's refugee status is confirmed by a member country, but also in cases where an individual is confirmed to be an asylum seeker awaiting a decision on their asylum claim, or when credible sources (such as news reports or human rights organizations) confirm an individual's status as a refugee or asylum seeker.
- Improve transparency by publishing annually the numbers of Red Notices or diffusions each government is submitting (to be able to highlight when governments are flooding the system) as well as the numbers of Red Notices per country that are rejected through the vetting process (to provide information on states' rejection rate), the criminal offense category, and the reasons for denial.
- Provide further public information on the elections process for Interpol's president, such as the name and positions of candidates. Ensure proper vetting of candidates and do not accept the candidacy of individuals who have committed human rights violations or who are implicated in human rights violations (such as serving in the leadership of an abusive police agency).

 Investigate previous abuses of the Red Notice system, publish the results, and compensate people who suffered harm as a result of those abuses, including for legal fees they've paid to clear their names.

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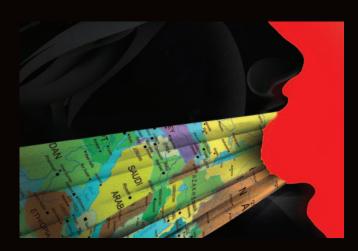
"We Will Find You"

A Global Look at How Governments Repress Nationals Abroad

The term "transnational repression" describes efforts by governments to silence or deter dissent by reaching beyond their borders and committing human rights abuses against their own nationals or former nationals. These abuses leave individuals unable to find safety for themselves or their families, even on foreign soil. They have a serious chilling effect on the right to freedom of expression, as people who are targeted, or fear being targeted, are too afraid to speak out.

"We Will Find You" takes a global, rights-centered look at transnational repression and outlines over 75 cases drawn from over 20 countries across four regions. These cases, previously documented by Human Rights Watch, show transnational repression in many forms, including killings, unlawful removals and abductions. Other methods include the abusive use of consular services, the targeting of relatives back home, and the use of technology to surveil and harass. The report also describes cases of government abuse of Interpol's "Red Notice" arrest system.

Human Rights Watch calls on states to recognize transnational repression as a threat to human rights. The recommendations urge governments and international institutions to take tangible steps to combat these practices, while ensuring that any government response respects the rights of affected communities.



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