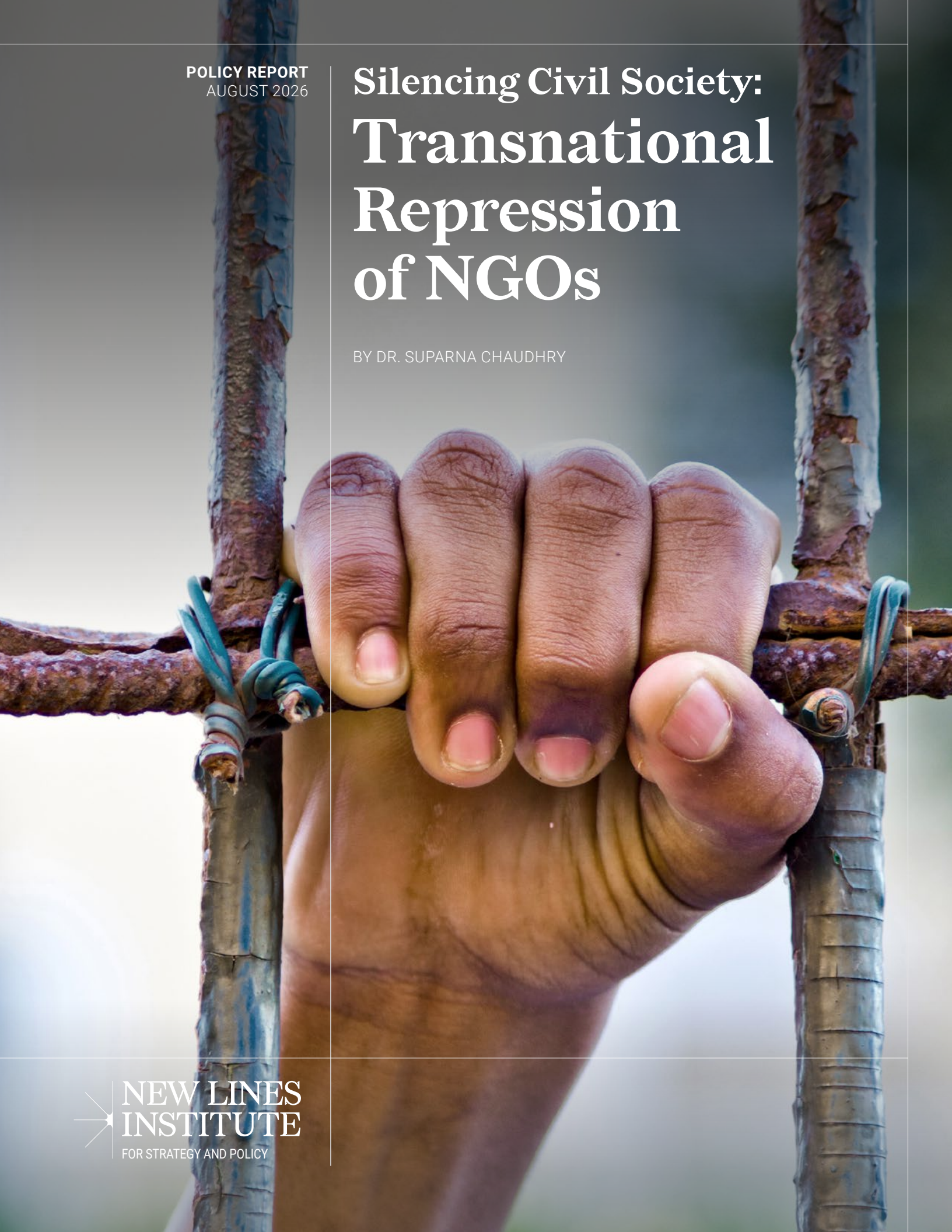




POLICY REPORT
AUGUST 2026

Silencing Civil Society: Transnational Repression of NGOs

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**NEW LINES INSTITUTE FOR
STRATEGY AND POLICY**

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EXECUTIVE SUMMARY

While violent forms of transnational repression receive significant attention, an increasing number of authoritarian and democratically backsliding states are deploying legal and administrative tools to repress activists in exile. These strategies include indicting diaspora organizations on charges of terrorism and extremism, revoking citizenship and travel permits, freezing assets, charging activists with crimes in absentia, and pressuring host countries to deport exiled activists. While international institutions and donors have attempted to document and respond to violent forms of transnational repression, host country governments have yet to take decisive action that holds perpetrators of legal or administrative repression to account and disincentivizes such forms of repression. International organizations and host governments must take more urgent action to develop comprehensive reporting mechanisms, utilize existing legal protections and targeted sanctions to hold perpetrator states accountable, prioritize preventive measures for diaspora activists and organizations, create emergency response services, and build sustainable funding models for diaspora organizations facing transnational threats.

Transnational Repression of NGOs and Activists

In the 1980s, nongovernmental organizations (NGOs) and activists emerged as key actors in global governance. Civil society mobilization against authoritarian regimes in Latin America enabled activists to rise to prominence. Following the dissolution of the Soviet Union and the wave of democratic transitions across Latin America, Asia, and Eastern Europe in the 1990s, NGOs emerged as key actors in democratization, protection and promotion of human rights, and humanitarianism. NGOs and activists worked on institutional development, helping to establish electoral processes, independent media, and civic advocacy groups, and reduce ethnic conflict. A coalition of NGOs, the International Campaign to Ban Landmines, played a key role in the adoption of the Anti-Personnel Mine Ban Convention in 1997. They were awarded the Nobel Prize for their efforts that same year. Two years later, Médecins Sans Frontières (Doctors Without Borders) was awarded the prize in recognition of its pioneering humanitarian work. In 1997, Jessica Mathews, then the president of the Carnegie Endowment for International Peace, described a “power shift,” in which NGOs became power brokers alongside governments in global politics.¹

Today, however, the picture looks remarkably different. Global democratic recession and authoritarian resurgence have created a troubling environment for civil society organizations. With fewer democratic constraints, many governments have repressed NGOs and activists, not just within their borders, but also across their borders, placing limitations on these groups’ capacity to maintain and pursue new activities in a phenomenon known as shrinking or closing civic space.²

For instance, in 2015, Russia passed the Federal Law on Undesirable Activities of Foreign and International Non-Governmental Organisations (Federal Law No. 129-FZ).³ Since its introduction, the Russian government has designated hundreds of organizations as “undesirable.”⁴ Starting in 2022, this list expanded dramatically to include all major independent media outlets operating in exile as well as dozens of antiwar activists (both individuals and groups) based abroad. The law interprets engagement with “undesirable” organizations broadly, effectively criminalizing any form of cooperation and putting NGOs

1 Mathews, Jessica T. 1997. “Power Shift.” *Foreign Affairs* 76:50.

2 Carothers, Thomas, and Saskia Brechenmacher. 2014. *Closing Space: Democracy and Human Rights Support Under Fire*. Washington D.C.: Carnegie Endowment for International Peace.

3 Amnesty International. 2025. “Russia: Amnesty International Declared “Undesirable Organization” Amid Escalating Crackdown on Dissent.” 5 May, <https://www.amnesty.org/en/latest/news/2025/05/russia-amnesty-international-declared-undesirable-organization-amid-escalating-crackdown-on-dissent/>.

4 Human Rights Watch. 2022. “Russia: Criminalizes Independent War Reporting, Anti-War Protests” 7 March, <https://www.hrw.org/news/2022/03/07/russia-criminalizes-independent-war-reporting-anti-war-protests>.

DEFINITION

Transnational repression of nongovernmental organizations (NGOs) and activists refers to governments' attempts to punish, deter, undermine, and silence diaspora activists and organizations operating outside of their borders.

and supporters both inside and outside Russia at risk of prosecution.⁵ Prompted by actions like Russia's across the globe, in 2016, Human Rights Watch Executive Director Kenneth Roth declared that civil society was under more aggressive attack than at any time in recent memory.⁶

Repression, as a state-led endeavor, occurs when government authorities aim to prevent dissident beliefs and/or activities from threatening the political order.⁷ In this context, transnational repression constitutes attempts to punish, deter, undermine, and silence diaspora activists and organizations.⁸ Recent data-gathering efforts on the phenomenon — including the Transnational Repression Database by Freedom House⁹ and the Authoritarian Actions Abroad Database — document hundreds of instances of such repression.¹⁰ They capture a range of cases in which countries of origin target activists with direct, physical coercion: assassinations (including attempted), assaults, detention, and disappearances. Governments also target exiled activists and their families in host countries with physical surveillance and spyware. While countries of origin have used those tactics against a range of citizens abroad, activists are targeted most frequently. The Authoritarian Actions Abroad Database dataset extending from 1991 to 2019 documents 390 cases of transnational repression of activists in exile, making up a third of all cases listed,¹¹ with the top five sources of repression being Uzbekistan, China, North Korea, Türkiye, and Russia.¹²

Many governments have increasingly used legal or bureaucratic means to crack down on diaspora activists and organizations. While governments typically use administrative tools to target domestic activists, some have recently begun using the same methods to target activists abroad, too. An administrative crackdown itself can displace activists from their home country, enabling transnational surveillance and extending regimes' reach into diaspora communities. Environmental activists in Russia, for example, faced intensified repression after the expansion of the foreign agents law in 2022.¹³ Many prominent environmental organizations closed in response, with some relocating their operations abroad.¹⁴ Activists who fled to Ukraine, Belarus, Germany, and Estonia continued their environmental work while also becoming vocal antiwar advocates. In retaliation, some were added to Russia's list of terrorists and extremists, others were stripped of their citizenship, and still others were criminally charged with spreading false information about the Russian military.¹⁵

While conventional understandings of transnational repression focus on governments' use of violent strategies to crack down on activists and dissidents, an administrative crackdown can both act as a form of transnational repression and displace NGOs and activists outside a country's borders and place them at a greater risk of transnational repression.

5 Human Rights Watch. 2024. "Russia's Legislative Minefield: Tripwires for Civil Society in 2020", 7 August, <https://www.hrw.org/report/2024/08/07/russias-legislative-minefield/tripwires-civil-society-2020>.

6 Roth, Kenneth. 2016. "The Great Civil Society Choke-Out." *Foreign Policy* 27. <https://foreignpolicy.com/2016/01/27/the-great-civil-society-choke-out-human-rights-democracy-india-russia-china-kenya/>.

7 Goldstein, Robert Justin. *Political repression in modern America from 1870 to 1976*. University of Illinois Press, 2001.

8 Moss, Dana M. 2022. *The Arab Spring Abroad: Diaspora Activism Against Authoritarian Regimes*. Cambridge University Press.

9 Freedom House. 2025. *Freedom in the World 2025*. <https://freedomhouse.org/explore-the-map?type=all&year=2025>.

10 Dukalskis, Alexander. 2021. *Making the World Safe for Dictatorship*. New York: Oxford University Press.

11 This database uses the term "activist" to denote an individual or a group that criticizes the government or opposes it nonviolently. Other actors targeted by governments include journalists, former government officials, and members of the political opposition.

12 Dukalskis, Alexander. 2021. *Making the World Safe for Dictatorship*. New York: Oxford University Press.

13 Plantan, Elizabeth. "Environmental Activism in Russia since the 2022 Full-Scale Invasion of Ukraine." *Russian Analytical Digest* 324 (2025): 7-12. <https://www.research-collection.ethz.ch/server/api/core/bitstreams/5c4f9390-ef09-48bb-8eed-8dab919ee4b4/content>

14 Ibid.

15 OVD-Info. 2024. "Repressions Report. January 2024." OVD-Info, May 14, 2024. <https://ovd.info/en/repressions-report-january-2024#1>.



Philippe Bouyssou, mayor of Ivry, France, holds a photo of Naâma Asfari during a demonstration on March 30, 2025, calling for the release of Sahrawi political prisoners in Morocco. (Thierry Nectoux/Gamma-Rapho via Getty Images)

Why Governments Adopt Administrative Repression Strategies

Administrative crackdowns use legal or bureaucratic measures to create barriers to entry, exit, funding, and advocacy by NGOs and activists.¹⁶ Governments often begin using these tactics domestically to target NGOs, civil society organizations, and activists since administrative laws often seem mundane and apolitical. In this context, since the effort to subvert the freedom of association and expression is undertaken under a structure approved by the legislature or accepted by the courts, these steps may not arouse public disapproval and are less likely to be protested.¹⁷ The use of these laws for repression also rarely elicits international condemnation or threats of aid withdrawal. Over time, however, administrative crackdowns have been used as a form of transnational repression.

This form of transnational repression can manifest in a variety of ways, including entry and exit restrictions using denial or delay in the renewal or issuance of documents and the revocation of passports.¹⁸ Governments may also criminalize cooperation with exiled NGOs by groups or individuals located within the country through the use of laws on terrorism and extremism. Such transnational repression is not a substitute for domestic repression but rather a complement to it.¹⁹

Repressive governments, especially autocratic ones, often use entry and exit barriers or mobility controls against diaspora NGOs and activists that threaten their interests. Travel bans and border screening processes are common tools used to target activists posing threats to the regime. Origin countries can leverage their power by revoking passports to restrict activists' mobility. In other instances, governments might deny diaspora activists and their families access to consular services. This can place activists in a bind — return to their home country and risk imprisonment or prosecution or lose documentation that can impede travel and restrict residency in a new country.²⁰

Governments may also impose such mobility controls on the families of activists. For instance, Moroccan authorities sentenced Naâma Asfari, a human rights defender who campaigned for the self-determination of Western Sahara, to 30 years in prison after a heavily criticized trial. Asfari's wife, French citizen Claude Mangin-Asfari, has faced repeated bans on her entry to Morocco.²¹ Countries of origin can also control activists' mobility by filing Red Notices, Diffusion Requests, or Extradition Requests through Interpol.^{22,23}

Even when administrative crackdowns are not used as a form of transnational repression, they can eventually lead domestic activists to emigrate, placing them at a greater risk of transnational repression. Even after activists exit hostile domestic political systems and migrate to new countries, governments may still view them as a threat. First, this movement can make linkages between domestic activists and those in exile more salient, creating a broader pool of those facing potential repression. Second, exiled or diaspora NGOs or activists often publicize human rights abuses internationally and they also

16 Chaudhry, Suparna. 2022. "The Assault on Civil Society: Explaining State Crackdown on NGOs."

17 Ibid.

18 Furstenberg, Saipira, and Dana Moss, eds. 2024. *Transnational Repression in the Age of Globalisation*. Edinburgh University Press.

19 Dukalskis, Alex, Furstenberg S., Hellmeier S., Scales R.. 2023. "The Long Arm and the Iron Fist: Authoritarian Crackdowns and Transnational Repression." *Journal of Conflict Resolution*. 68: 1051–79.

20 Schenkan, Nate and Isabel Linzer. 2021. *Out of Sight, Not Out of Reach: The Global Scale and Scope of Transnational Repression*. Freedom House

21 International Service for Human Rights. End Reprisals Database. <https://endreprisals.ishr.ch/en/entity/c3nqd3s0pss>.

22 Bromund, Ted. July 2025. *How the Abuse of Interpol Contributes to Transnational Repression*. New Lines Institute for Strategy and Policy. https://newlinesinstitute.org/wp-content/uploads/20250715-Interpol-Abuse_policy-report-nlisap_.pdf

23 Walsh, Charles. June 2026. *Kenya as a Node for Transnational Repression in East Africa*. New Lines Institute for Strategy and Policy. <https://newlinesinstitute.org/intl-law-peace/kenya-as-a-node-for-transnational-repression-in-east-africa/>

Iranian protesters gather in Madrid, Spain, on April 4, 2026 calling for an end to abuses by the Iranian government. (David Canales/NurPhoto via Getty Images)



assist activists at home with resources, connections, and training.²⁴ This diaspora mobilization can prompt countries of origin to pursue transnational repression against activists even after they have left their home country.

Diaspora NGOs and activists, specifically those living outside of their countries of origin, commonly publicize human rights violations in their home countries in the hope of mitigating the severity of these violations, achieving accountability, and reforming institutions. These tactics can have a variety of adverse consequences for governments. They can provide a focal point for citizens to organize around²⁵ while reducing the number of citizens who believe their government respects human rights.²⁶ Shaming can also damage the reputation of rights-violating governments and decrease a country's sovereign credit rating.²⁷ People may engage in boycotts or lobby their governments to reconsider trade agreements with abusive states.²⁸ Multinational corporations are less likely to invest in countries when activists publicize abuses.²⁹

Diaspora activists and NGOs often play a key role in such shaming — they have language skills and connections to domestic activists and can testify firsthand to experience of repression. This alternative flow of information provides an account of events that can be used to mobilize dissent internally and apply international pressure on the regime.³⁰ They can also assist activists at home with resources, connections, and advice.

From a home government's perspective, transnational administrative repression can serve as an obstructive form of external authoritarian image management to eliminate narratives that undermine the host country's legitimacy from the public sphere while also preventing domestic and

24 Dukalskis, Alexander. 2021. *Making the World Safe for Dictatorship*. New York: Oxford University Press, 75.

25 Conrad, Courtenay, and Emily Ritter. 2019. *Contentious Compliance: Dissent and Repression Under International Human Rights Law*. Oxford University Press.

26 Davis, David R, Amanda Murdie, and Coty Garnett Steinmetz. 2012. "Makers and Shapers: Human Rights INGOs and Public Opinion." *Human Rights Quarterly* 34:199.

27 Bagwell, Stephen, and Shelby L Hall. 2020. "Publicity and Perceptions of Risk: The Effects of HRO Naming and Shaming on Sovereign Credit Rating." *Journal of Human Rights* 19 (3): 379–91.

28 Peterson, Timothy M, Amanda Murdie, and Victor Asal. 2018. "Human Rights, NGO Shaming and the Exports of Abusive States." *British Journal of Political Science* 48 (3): 767–86.

29 Barry, Colin M, K Chad Clay, and Michael E Flynn. 2013. "Avoiding the Spotlight: Human Rights Shaming and Foreign Direct Investment." *International Studies Quarterly* 57 (3): 532–44.

30 Dukalskis, Alexander. 2021. *Making the World Safe for Dictatorship*. New York: Oxford University Press

international dissidents from communicating with each other.³¹ This dynamic is visible in the cases of Armel Niyongere, Dieudonné Bashirahishize, Vital Nshimirimana, and Lambert Nigarura. In 2016, these lawyers and activists from Burundi provided information regarding human rights violations perpetrated by their government to the U.N. Committee Against Torture (CAT). They subsequently faced reprisal from state authorities and left the country.

In 2021, three of them were sentenced in absentia to life imprisonment on charges of “insurrection and organizing a coup.”³² The court also ordered the seizure of their families’ financial assets; the four remain disbarred and in exile. This example highlights how governments use legal strategies as a form of transnational repression to crack down on activists who paint an unfavorable image of the country.

Administrative transnational repression often requires cooperation from countries where expatriate activists live, including legal cooperation to extradite or unlawfully deport individuals and information-sharing through the intelligence apparatus. This raises the question of why some governments assist repressive regimes while others refuse. Research finds that autocracies can more effectively enforce legal repression over diaspora and exiled organizations in host countries that are allies, share economic interests, or have weak human rights protections.³³ Governments less concerned about violating rule-of-law commitments generally require less persuasion to cooperate, particularly when they are economically dependent on the country of origin.

The Global Diffusion of Repressive Laws and Their Consequences

Governments use transnational repression to neutralize activists and their activities abroad. Administrative crackdowns allow autocrats to treat emigrants as if they were still under their jurisdiction and punish dissent without drawing significant international scrutiny. Additionally, the growing web of bureaucratic practices that diaspora activists and NGOs must navigate often renders much of their activities visible to their host state and their state of origin.

Due to the advantages of administrative crackdowns over more violent means of repression, such strategies have diffused worldwide. Hungary, Kazakhstan, and Tajikistan have all passed anti-NGO laws mirroring Russia’s foreign agent law.³⁴ Collaborations between these governments have also facilitated transnational repression. For instance, in 2023, Russian authorities sent a Tajik activist working on migrant rights who had protested outside his country’s embassy in Moscow back to Tajikistan, where he was sentenced to 18 years in prison.³⁵ A comparison of the text of anti-NGO laws in the Middle East and sub-Saharan Africa finds evidence that NGO legal provisions are being drawn almost verbatim from those of other countries, especially between countries that either share a border or are in proximity.³⁶

In addition to entry and exit barriers, governments use counterterrorism laws to repress, criminalize, and stigmatize diaspora activists. Countries of origin can apply labels of “terrorism” or “extremism” to file an Interpol Red Notice

31 Dukalskis, Alexander. 2021. *Making the World Safe for Dictatorship*. New York: Oxford University Press, 40.

32 International Service for Human Rights. End Reprisals Database. <https://endreprisals.ishr.ch/en/entity/ek0frck66hr>.

33 Cordell, Rebecca, and Kashmiri Medhi. 2024. “Transnational Repression: International Cooperation in Silencing Dissent.” *International Studies Quarterly* 68.3.

34 Commission on Security and Cooperation in Europe. 2024. The Proliferation of Russian-Style Foreign Agent Laws. <https://www.csce.gov/briefings/the-proliferation-of-russian-style-foreign-agents-laws/>.

35 Gorokhovskaia, Yan, Nate Schenkkan and Grady Vaughan. 2023. *Still Not Safe: Transnational Repression in 2022*. Freedom House.

36 Glasius, Marlies, Schalk, Jelmer, and Meta De Lange. 2020. “Illiberal Norm Diffusion: How Do Governments Learn to Restrict Nongovernmental Organizations?” *International Studies Quarterly*. 64: 453–68.

requesting law enforcement in other countries to arrest a person pending extradition, surrender, or similar legal action. These notices, along with Diffusion or Extradition Requests can result in the host country either detaining an activist or unlawfully deporting them to his or her country of origin to face the risk of persecution.³⁷ The use of Interpol may be even more likely to secure cooperation from democracies, which otherwise may be more reluctant to transfer activists back to the country of origin without evidence that the individual is guilty of accused crimes.³⁸ However, using Interpol for political purposes or in violation of broader human rights requirements constitutes Interpol abuse.³⁹

Such attempts are visible in the U.S. Congress as well: in November 2024, the House of Representatives passed HR 9495, which empowered the Treasury secretary to designate any nonprofit as a “terrorist-supporting organization”; the group would have 90 days to show evidence the designation was untrue. If its appeal were unsuccessful, the group would be stripped of its 501(c)(3) tax-exempt status.⁴⁰ Importantly, the provisions did not require the Treasury secretary to share evidence of impropriety with the accused nonprofits. While this bill, dubbed the “nonprofit killer” bill by many activists and civil society organizations, did not pass the Senate, its provisions were at one point a part of a Republican tax package that was up for discussion in the House in May 2025.⁴¹ While proponents of the measure championed it as a strategy to strengthen the government’s fight against financing terrorism, critics point out that the United States already has some of the strictest counterterrorism regulations in the world and that this law would instead give authorities pretext to harass and potentially silence a wide range of nonprofits.^{42,43}

The U.N. Special Rapporteur on counterterrorism and human rights has highlighted how such overly broad laws have been used to target a range of civil society actors and “criminalize peaceful activity in defense of minority, religious, labor, and political rights.”⁴⁴ For instance, in Türkiye, a law on the financing of terrorism allows the state to seize a nonprofit’s property without a judge’s ruling if it is deemed as having “terror assets.”⁴⁵ Host states have also expelled, deported, or revoked exiled activists’ permanent residency — with such actions being initiated by the activists’ country on grounds of counterterrorism.⁴⁶

Such restrictive NGO laws have devastating consequences for humanitarian aid, media, or anti-corruption organizations that have to work in environments where even the smallest circumstantial evidence could be grounds for designation. While HR 9495 did not become law, critics remain concerned that similar legislation could potentially paralyze aid operations in conflict settings where actors deemed “terrorists” control large swathes of territory, forcing humanitarian and peacebuilding organizations to pay fees for permits or have their operations taxed. HR 6800, introduced in the House in December 2025, includes similar

37 Freedom House. 2021. “Out of Sight, Not Out of Reach: The Global Scale and Scope of Transnational Repression.” Available at: https://freedomhouse.org/sites/default/files/2021-01/FH_TransnationalRepressionReport2021_rev012521_web.pdf

38 Cordell, Rebecca, and Kashmiri Medhi. 2024. “Transnational Repression: International Cooperation in Silencing Dissent.” *International Studies Quarterly* 68.3.

39 Bromund, Ted. July 2025. *How the Abuse of Interpol Contributes to Transnational Repression*. New Lines Institute for Strategy and Policy. https://newlinesinstitute.org/wp-content/uploads/20250715-Interpol-Abuse_policy-report-nlisap.pdf

40 H.R.9495 - Stop Terror-Financing and Tax Penalties on American Hostages Act. 118th Congress: 2023-2024. <https://www.congress.gov/bills/118th-congress/house-bill/9495>

41 Thompson, Isaiah. May 20, 2025. “Advocacy Works’: Nonprofit Status-Stripping Measure Dropped from Republican Budget.” Nonprofit Quarterly Blog. <https://nonprofitquarterly.org/advocacy-works-nonprofit-status-stripping-measure-dropped-from-republican-budget/>

42 Hayes, Ben. 2012. “Counter-Terrorism, “Policy Laundering,” and the FATF: Legalizing Surveillance, Regulating Civil Society.” *The International Journal for Not-for-Profit Law*. 14 (1). <https://www.icnl.org/resources/research/ijnl/1-introduction-2>

43 American Civil Liberties Union. 2024. Civil Society Letter to House Opposing H.R. 9495. <https://www.aclu.org/documents/civil-society-letter-to-congress-opposing-hr-9495>

44 Chabrod, Anna and Fionnuala Ni Aolain. 2018. *The Role of Measures to Address Terrorism and Violent Extremism on Closing Civic Space*. Report prepared under the aegis of the Mandate of the United Nations Special Rapporteur on the Protection and Promotion of Human Rights while Countering Terrorism.

45 Coskun, Orhan. 2013. “Turkish parliament approves anti-terrorism financing law.” *Reuters*. <https://www.reuters.com/article/2013/02/07/us-turkey-financing-law-idUSBRE91614K20130207/>

46 Stauffer, Brian. 2024. “We Will Find You” A Global Look at How Governments Repress Nationals Abroad. Human Rights Watch. <https://www.hrw.org/report/2024/02/22/we-will-find-you/global-look-how-governments-repress-nationals-abroad>



Protesters march on the Russian Embassy in London on March 1, 2025.. (Matthew Chattle/Future Publishing via Getty Images)

clauses.⁴⁷ Similarly, Russia has used its 2015 “undesirable organizations” law (officially Federal Law of 23 May 2015 N 129-FZ “On amendments of some legislative acts of the Russian Federation”) to target a range of diaspora activists and journalists. For instance, Russian citizen Alexey Malyarevsky was sentenced to seven years in prison for “financing terrorism” after he donated to Alexei Navalny’s Anti-Corruption Foundation while living in Czech Republic.⁴⁸

These laws also have a chilling effect as nonprofits may engage in self-censorship while international activists may move overseas. In Egypt, a law criminalizing nonprofit activities led to the retreat of international rights organizations like Human Rights Watch from the country, and local rights organizations outside Cairo shut down their offices.⁴⁹

Other activists take multiple measures to avoid detection. For Russian human rights activists monitoring grave abuses in Chechnya and providing legal aid to victims, a small, rotating group of activists would travel to Chechnya together for short periods of time to assist victims with their recent court claims. Their visits would be monitored by their peers, with access to emergency resources in hand.⁵⁰ And after the passage of Russia’s 2012 foreign agent law, those working with international groups migrated abroad — for example, the National Democratic Institute moved its program to Lithuania.⁵¹

Existing Protection for Diaspora Activists and their Effectiveness

I. International Institutions

In 2000, the now-defunct Commission on Human Rights (CHR) established the mandate of the U.N. special rapporteur on the situation of human rights

⁴⁷ For text of the bill, see: <https://www.congress.gov/bill/119th-congress/house-bill/6800/text?s=1&r=41>

⁴⁸ Novaya Gazeta Europe. April 5, 2024. “Russian programmer sentenced to seven years for donating to Navalny’s organisation.” <https://novayagazeta.eu/en/articles/2024/04/05/russian-programmer-sentenced-to-seven-years-for-donating-to-navalnys-organisation-en-news>

⁴⁹ Chick, Kristen. 2017. “Egypt’s Civil Society is on Life Support.” *Foreign Policy*.

⁵⁰ Van der Vet, Freek, and Laura Lytikäinen. “Violence and human rights in Russia: how human rights defenders develop their tactics in the face of danger, 2005–2013.” In *Critical Perspectives on the Security and Protection of Human Rights Defenders*, pp. 97–116. Routledge, 2018.

⁵¹ Earle, Jonathan. 2012. “Amid Crackdown on NGOs, US Group Moves Staff Out of Russia.” *The Moscow Times*, 22 November. <https://www.themoscowtimes.com/2012/11/22/amid-crackdown-on-ngos-us-group-moves-staff-out-of-russia-a19609>.

defenders, defined by the U.N. Office of the High Commissioner for Human Rights (OHCHR) defines as “people who, individually or with others, act to promote or protect human rights.”⁵² The special rapporteur’s mandate has been extended several times by the CHR’s successor, the U.N. Human Rights Council (UNHRC), which now oversees the Universal Periodic Review (UPR), a process in which governments’ human rights records are scrutinized by their peers, who then follow up with specific recommendations. Each country’s review is facilitated by the UPR Working Group consisting of 47 UNHRC member states. Importantly, when a country is under review, NGOs and activists can submit information. These submissions help to inform the overall UPR report, as well as the recommendations that other states make to the country under examination.

NGO and activist contributions to the UPR are an important aspect of these human rights reviews, especially for diaspora groups. However, in recent years, fearing retribution, many activists and NGOs are no longer willing to risk addressing the council. For instance, in 2013, when China’s human rights record was being discussed as part of the UPR, a prominent Chinese human rights activist was disappeared just as she was about to board a plane to Geneva; several other activists were interrogated and warned not to attend.⁵³ After a 2020 law in Hong Kong that criminalized “colluding with foreign forces,” an activist commented, “The situation is that many of us don’t want to go inside the Palais [the U.N. office in Geneva] ... We have to be careful.”⁵⁴ A decade later, the number of Chinese human rights defenders participating in U.N. institutions dropped to a record low. Other Tibetan and Uyghur activists reported being intimidated while at the U.N. in Geneva.⁵⁵

As a result of such retaliation, starting in 2015, the OHCHR, designated the assistant secretary-general for human rights to lead the efforts within the U.N. system to address the issue. A key aspect of the OHCHR reports includes information on the reported number and severity of reprisals and intimidation against NGOs engaging with the U.N. system. Between 2010 and 2020, the U.N. documented 709 cases of intimidation of human rights defenders or reprisals against them for cooperating with the U.N.⁵⁶ Despite numerous recommendations made by the UNHRC, many states have rejected the call to reform laws that undermine activists and end criminalization, harassment, and intimidation of human rights activists who cooperate with the U.N. system.^{57,58,59,60}

More concerning, as of 2021, many cases of transnational administrative crackdowns against activists were by members of the UNHRC, whose criteria explicitly states that member countries should uphold the highest standards in the promotion and protection of human rights.⁶¹ Multiple activists faced reprisals while participating in the UPR of China’s human rights record in January 2024. Much of this intimidation and surveillance was conducted by a number of Chinese government-organized NGOs. These organizations created a hostile environment for independent NGOs, videotaped or photographed

52 United Nations Special Rapporteur on human rights defenders. <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/about-human-rights-defenders>

53 Lee-Smith, Tamsin, and Jelena Cosic. 2025. “At the U.N., China Is Deploying a Growing Army of Puppet Organizations to Monitor and Intimidate Human Rights Activists - ICIJ.” *International Consortium of Investigative Journalists*, April 28. <https://www.icij.org/investigations/china-targets/united-nations-ngo-gongo-intimidate-human-rights/>

54 Ibid.

55 Ibid.

56 Spannagel, Janika. 2021. *UN Action on Reprisals: towards Greater Impact*. International Service for Human Rights. https://ishr.ch/wp-content/uploads/2021/05/ISHR_Reprisals-Report_Web_20210503.pdf

57 Human Rights Council, ‘Report of the Working Group on the Universal Periodic Review: Sri Lanka’, UN doc. A/HRC/22/16, 18 December 2012, §128.89

58 Human Rights Council, ‘Report of the Working Group on the Universal Periodic Review: China’, UN doc. A/HRC/11/25, 5 October 2009, §117

59 Human Rights Council, ‘Report of the Working Group on the Universal Periodic Review: Indonesia’, UN doc. A/HRC/21/7, 5 July 2012, §§109.33, 109.34

60 Report of the Working Group on the Universal Periodic Review: Islamic Republic of Iran’, UN doc. A/HRC/14/12, 15 March 2010, §92.43

61 Ibid, pg. 8.

“Activists in remote areas, especially in a country new to them, may be more vulnerable to targeting because they have fewer connections with nearby activists or journalists who may be able to successfully publicize and deter such actions.”

them, and requested U.N. authorities deny access by “anti-China separatists” to the UPR session.⁶² Importantly, these cases include government attacks against NGOs and activists both within and outside their borders — thus, this data does not exclusively pertain to transnational repression. As such, reports produced by U.N. treaty bodies and special procedures do not attempt to disaggregate between domestic and transnational forms of reprisals for engaging with the U.N. system.

However, even if policymakers examine this data for patterns of transnational repression, is it vital to know that these numbers are likely to be an underestimate of instances of retaliation — NGOs must be aware of this U.N. mechanism to report such attacks, or consent to their reports be publicly available. Some may refrain from reporting incidents for fear of further retaliation.⁶³ Furthermore, cases from remote areas are less likely to be reported than cases in cities or countries that have more dense networks of NGOs. Finally, egregious violations of physical integrity rights — such as imprisonment — attract more international attention than less violent or administrative forms of repression, such as asset freezes or travel paper refusal.⁶⁴ This implies that incidents of transnational administrative repression likely may be less reported.

In addition to the U.N., regional institutions have undertaken steps to protect activists at risk of transnational repression. The European Union’s Guidelines on Human Rights Defenders urges member states to take proactive action and practical steps to protect human rights defenders in third countries.⁶⁵

Despite these guidelines, there exists no specific support for visa procedures for threatened activists, or those who engage in high-risk work.⁶⁶ This means that activists who face situations of immediate risk still must follow normal visa procedures. In the face of a repressive or insecure context, this poses barriers to threatened individuals who may end up migrating to a neighboring country, where they may still inevitably face similar kinds of threats. Further, research finds that less-prominent activists working in remote areas have access to lesser protection.⁶⁷ Activists in remote areas, especially in a country new to them, may be more vulnerable to targeting because they have fewer connections with nearby activists or journalists who may be able to successfully publicize and deter such actions.⁶⁸ More prominent activists or those working for larger, known NGOs, often present in cities, are more likely to benefit from legal and digital protection training and funding offered by international NGOs. While a substantial portion of Organisation for Economic Co-operation and Development (OECD) funding that is dedicated to protection of human rights activists has historically been spent on emergency protection measures such as temporary shelters, relocation assistance, legal support, and trauma counseling, limited finances go to preventive measures, such as risk and security assessments, self-defense training, and broader community protection measures — initiatives that would be especially beneficial to activists in remote or less urban areas.⁶⁹

62 International Service for Human Rights. April 2025. Ending Intimidation and Reprisals Against Those Who Cooperate with the UN in the Field of Human Rights. Pgs 68-69.

63 Ibid.

64 Weidmann, Nils B. 2016. “A Closer Look at Reporting Bias in Conflict Event Data.” *American Journal of Political Science* 60 (1): 206-218. doi: 10.1111/ajps.12196.

65 These guidelines can be accessed at: https://www.eeas.europa.eu/sites/default/files/eu_guidelines_hrd_en.pdf

66 Guild, Elspeth, Niovi Vavoula and Vasiliki Apatzidou. 2024. Enhancing the protection of human rights defenders (HRDs): Facilitating access to the EU and supporting HRDs from third countries. Policy Department for External Relations, European Parliament. [https://www.europarl.europa.eu/RegData/etudes/STUD/2024/754445/EXPO_STU\(2024\)754445_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2024/754445/EXPO_STU(2024)754445_EN.pdf)

67 Bennett, Karen L. Assessing the implementation of the European Union Guidelines on Human Rights Defenders: The cases of Kyrgyzstan, Thailand and Tunisia. EU Policy Department DG External Policies, 2013.

68 See Surma, Katie 2025. “Rural Human Rights Defenders Face Serious and Growing Risks, UN Report Reveals.” Inside Climate News. <https://insideclimatenews.org/news/07042025/human-rights-defenders-face-serious-risks/>

69 Oliveira, Andreia and Hélène de Rengervé. 2024. The Landscape of Public International Funding for Human Rights Defenders. ProtectDefenders.eu. https://protectdefenders.eu/wp-content/uploads/2024/04/The-Landscape-of-Public-International-Funding-for-Human-Rights-Defenders-ProtectDefenders.eu_web.pdf

Similar to the U.N., regional rapporteurs for human rights defenders have also been established for Africa and Latin America. In 2004, the African Commission on Human and Peoples' Rights established the mandate of the Special Rapporteur on Human Rights Defenders in Africa, while the Inter-American Commission on Human Rights established the Office of the Rapporteur on the Situation of Human Rights Defenders in 2011. But the threat of transnational repression — through both violent means and digital technologies for exerting political control and coercion over exiles and diaspora⁷⁰ — continues unabated in these regions. Activists often do not have the capacity to identify and comprehend surveillance campaigns and intrusions. The threat of digital surveillance can also curtail collaboration and contact between activists in exile and at home.⁷¹

II. Civil Society Institutions

Civil society institutions and actors have also formed organizations and alliances to protect NGOs and activists from transnational repression. Organizations such as Defend Defenders, Frontline Defenders, Peace Brigades International, Civil Rights Defenders, Justice and Peace Netherlands, World Organization Against Torture, and Protection International provide physical security training, legal and digital support, and mental health resources to activists at risk. Regional initiatives such as the Mesoamerican Women Human Rights Defenders Initiative, Forum Asia, and the Euro-Mediterranean Foundation of Support for Human Rights Defenders also help provide formal protection mechanisms for activists.

Gaps remain in such protection mechanisms. The U.N. declaration on the situation of human rights defenders bestows recognition and legitimacy on human rights defenders and applies to a wide spectrum of organizations and activists who advocate for human rights. However, it does not distinguish between those who undertake high-risk activities and thus need greater protection and those who engage in lower-risk activities.⁷² Human rights activists frequently work in violent, life-threatening circumstances, often becoming targets of persecution themselves. In addition to state authorities, activists working to protect women's, LGBTQ+, and minority rights may also feel pressure from societal resistance. As a result, these activists, especially in autocracies or in regimes experiencing democratic erosion, need greater resources and protection than ones working in more open countries, or focusing on less contentious causes.

Activists in exile from regimes that face sanctions by the international community also often lack resources to organize and protect themselves. For instance, activists and diaspora NGOs in Belarus were not able to access EU granting funds because of sanctions placed on the country. Without these funds, they were unable to meet their digital safety requirements.⁷³ Thus, civil society institutions may be better equipped to offer training and expertise to such groups than international institutions bound by sanctions.

Laws regulating nonprofits and activists should be grounded in international and domestic legal principles that give civil society groups the right to freedom of association and the ability to access necessary human, material, and financial resources. However, in the face of both legal and violent threats of transnational repression, a variety of steps can be taken.

70 Michaelson, Marcus. "Nowhere to Hide: Digital Transnational Repression Against Exiled Activists From the Middle East." Furstenberg, Saipira, and Dana Moss, eds. 2024. *Transnational Repression in the Age of Globalisation*. Edinburgh University Press.

71 Ibid.

72 Nah, Alice. ed., 2020. *Protecting human rights defenders at risk*. Routledge.

73 Navumau, Vasil, Olga Matveieva, and Tetiana Gorokhova. 2024. "Resistance across borders: Belarusian civic activism in exile under (Trans-) national repression." *Cosmopolitan Civil Societies: An Interdisciplinary Journal* 16.2: 27-42.

Recommendations

I. For the U.N. and Member States

Prioritize emergency funding for activists in exile that includes money for digital security training, legal and immigration assistance, and social and psychological support

Along with international institutions and U.N. special rapporteurs, member states should ensure an enabling environment to protect displaced activists, properly resource existing protection mechanisms, and provide mainstream support for displaced activists from vulnerable groups, especially LGBTIQ+ ones. They should also ensure that exiled activists at risk of both physical and digital forms of transnational repression get sustainable funding.

Establish an official definition of transnational repression

This definition can then be incorporated into the work of domestic law enforcement agencies, allowing intelligence services to better mitigate and respond to threats faced by activists in exile.

Develop specific schemes facilitating access to visas for exiled activists facing the threat of transnational repression whose families may still be in countries of origin

Governments and international organizations should:

- Regularly engage with activists on mobility and visas, especially in countries with closed or shrinking civic space
- Streamline refugee resettlement procedures for activists and their families at risk of transnational repression
- Train and instruct immigration officials and judges to take threats of transnational repression into account when assessing asylum applications. In addition, facilitate family reunification for activists seeking asylum, considering the risk of reprisals that relatives may face

Establish a Special Rapporteur for Transnational Repression

Existing rapporteurs on human rights defenders and within the OHCHR lack the mandate and resources to distinguish between domestic and transnational repression. With comprehensive data on the scope of the issue, governments can more knowledgeably devote adequate resources to addressing this problem.

II. For Private Donors

Prioritize flexible funding models

Many diaspora NGOs and activists receive grants for projects that have easily measurable, quantifiable outputs. But many diaspora activists who are also facing government need flexible funding that does not bring immediate results or does not have easily measurable goals.

III. For Congress and the State Department

Use evidence and recommendations prepared by human rights treaty bodies and Special Procedures mechanisms

Before enacting legislation that restricts material support for terrorism (especially when such laws already exist)⁷⁴, U.S. officials should seek input

⁷⁴ For a list of these laws, see Hayes, Ben. April 2012. "Counter-Terrorism, "Policy Laundering," and the FATF: Legalizing Surveillance, Regulating Civil Society." *The International Journal for Not-for-Profit Law*. 14:1.

“Highlighting administrative strategies of repression is especially important because they often do not garner the same attention as physical attacks such as detentions, arrests, and unlawful deportations.”

from international human rights bodies, which have greater expertise in evaluating the human rights implications of counterterrorism legislation.

Reinstate refugee resettlement programs back to prior levels with an aim to protect activists at risk of transnational repression

With the indefinite halt to entry through the U.S. Refugee Admissions Program (USRAP), activists may be at increased risk of transnational repression. By reinstating annual caps on the number of allowable refugee admissions per year, fewer activists may be at risk in repressive countries.

Use targeted sanctions against perpetrators of transnational repression

Legislation like the Global Magnitsky Human Rights Accountability Act and the Transnational Repression Accountability and Prevention Act provides mechanisms for imposing travel bans and asset freezes against perpetrators of serious human rights abuses, as addressing politically motivated abuse of Interpol by autocracies. Enforcing them against perpetrators of transnational repression, including through administrative means, will also prompt other countries with similar laws to enforce them.

Ensure consistent reporting in the State Department’s Human Rights Reports

There have been vast differences across recent administrations in the State Department’s Country Reports on Human Rights Practices.⁷⁵ The most recent 2025 Human Rights Reports no longer feature sections on freedom of peaceful assembly and association, freedom of movement, and, most importantly, government posture toward international and nongovernmental monitoring and investigation of alleged abuses of human rights, including retribution against human rights defenders.⁷⁶ Without this consistent reporting on reprisals and retaliation against activists, transnational repression of activists may receive even less scrutiny and impede creation of a robust response. Comprehensive reports are needed to raise awareness of this issue and also serve as important resources for immigration judges.

IV. Recommendations for NGOs and Activists

Continue to document instances of transnational repression to identify gaps in policy responses

Gathering reliable data on transnational repression of NGOs and diaspora activists is difficult. Such repression is designed to be hidden; repressive states may also benefit from friendly relationships with host states. Highlighting administrative strategies of repression is especially important because they often do not garner the same attention as physical attacks such as detentions, arrests, and unlawful deportations.

Make resources on digital and physical safety widely accessible to at-risk activists, reaching those beyond living in cities or working for prominent organizations

Resources for digital security and physical safety are concentrated among urban-based and well-resourced groups. To reduce this access gap, larger NGOs or foundations should provide training that explicitly prioritizes grassroots, rural, and smaller organizations, tailors resources to specific threat profiles, and is accessible in terms of cost, language, and hybrid delivery approaches (via offline resources or low-bandwidth versions).

⁷⁵ Berry, Marie, and Cullen Hendrix. November 2018. *Sins of Omission: Women’s and LGBTI rights reporting under the Trump administration*. Oxfam America.

⁷⁶ Smith, Graham, Michele Kelemen, Nick McMillan and. Alyson Hurt. August 12, 2025. “State Department slashes its annual reports on human rights.” NPR. https://www.npr.org/2025/08/12/nx-s1-5495621/state-department-human-rights-reports-slashed?utm_source=bsky.app&utm_term=nprnews&utm_campaign=npr&utm_medium=social



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