

Confronting Transnational Repression: A New Framework for U.S. Leadership

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KEY TAKEAWAYS

Transnational repression (TNR) not only violates the human rights of its victims; it also disregards the sovereignty of the countries in which it takes place.

The U.S. and the international community have been fighting a losing battle against TNR; a new strategy is needed.

To be effective, the strategy should be grounded in public information, legislation, and international collaboration.

In April, Serbian police arrested two foreign nationals—one from China and one from the United Kingdom—at the request of the U.S. government. The two suspects are accused of hiring people to harass and intimidate a U.S. resident on behalf of the Chinese government. U.S. authorities plan to seek their extradition.¹

This international operation represented a rare but encouraging sign of progress in the fight against transnational repression (TNR). At this year's Group of Seven (G7) summit in Canada, for the first time world leaders formally recognized TNR as a global threat and issued a joint statement pledging to confront it.² Yet, the signatories face an uphill battle. Addressing this growing challenge will require a more urgent and coordinated strategy than has been attempted to date.

This paper, in its entirety, can be found at <https://report.heritage.org/ib5385>

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This *Issue Brief* explains the threat that TNR poses to the United States and like-minded countries. It also shows why existing measures to combat the practice are insufficient and proposes a more effective strategy for tackling this threat. To be effective, the strategy should be grounded in public information, legislation, and international collaboration.

Transnational Repression

The U.S. Department of Justice defines TNR as actions by foreign governments that “reach beyond their borders to harm, intimidate, threaten, harass, or coerce” political opponents, dissidents, activists, and members of diaspora communities.³ The illicit practice not only violates the human rights of its victims; it also disregards the sovereignty of the countries in which it takes place.⁴

TNR manifests itself in various forms, depending on the governments involved and the circumstances of a given case. While the regimes in Russia and Iran are notorious for assassinating and poisoning dissidents abroad, the Chinese Communist Party (CCP) more commonly relies on psychological tactics.⁵ These include hiring local thugs or private detectives to stalk and intimidate targets, pressuring their relatives and associates in China, and occasionally dispatching Chinese police officers to foreign countries on tourist visas to coerce victims. In some countries, Chinese agents have gone so far as to kidnap victims and smuggle them back to China.⁶

In 2014, Beijing launched Operation Fox Hunt, a campaign to repatriate individuals wanted by the state through any means necessary. (In 2015, Operation Fox Hunt became part of a broader program called Operation Sky Net.) While many of those targeted under this scheme are suspected of criminal activity in China—mainly corruption and financial crimes—that is no license for Chinese agents to operate at will on foreign soil.⁷ Furthermore, the campaign is also used to silence dissidents and perceived political threats, making it a powerful tool in Beijing’s TNR toolkit.⁸

In March 2025, China bragged that these initiatives had resulted in the return of more than 14,000 individuals from more than 120 countries in their first decade.⁹ This staggering figure does not include those who were targeted and did not succumb to the pressure. Nor does it factor in the dissidents, students, ethnic minorities, and other groups that Beijing routinely surveils and intimidates independent of this scheme.¹⁰

Regardless of the method, transnational repression violates the rights of diaspora communities. It also disregards the norms of national sovereignty and noninterference in other countries’ internal affairs—principles that Beijing claims to champion on the world stage.

A Losing Battle

The United States—and the international community more broadly—is fighting a losing battle against transnational repression. The recent case that resulted in the arrests in Serbia helps to illustrate why.

First, TNR, by definition, does not respect national boundaries. Perpetrators often operate remotely, hiring local thugs in the victim's country of residence to carry out their acts of harassment or intimidation. These local hires are expendable if caught, and they usually know so little about the broader operation and chain of command that the crime can rarely be traced back to its source. Some are even misled into believing they are conducting legitimate investigative work on behalf of corporate clients.¹¹

In this case, the suspect in China instructed his accomplice in the U.K. to hire someone to stalk and harass a victim in Los Angeles. The objective was to prevent the victim from traveling to San Francisco to participate in a protest against Chinese leader Xi Jinping's 2023 visit to the city.¹² The pair's handlers in Beijing also ordered them to obtain and destroy two statues created by the victim that mocked Xi and his wife, Peng Liyuan.¹³ According to conversations reported in the affidavit, the two suspects were fully aware they were working for the Chinese government.¹⁴

This time, the victim was fortunate—the hired “thugs” turned out to be an undercover FBI agent and a confidential informant. The agent warned the victim of the plot and helped to ensure his safety. Most targets of TNR are not so lucky.

Second, even when the perpetrators are known, the opaque and transnational nature of these operations makes it difficult to attribute them to a foreign government. Without clear evidence that a state ordered the actions, prosecutors struggle to make a sufficiently compelling case to prosecute them as TNR.

Finally, no country's legal framework currently appears sufficient to combat this kind of criminal behavior by foreign governments. In TNR cases perpetrated by China, for example, victims are often targeted through a long string of psychologically threatening actions that, on their own, may be minor crimes—or not crimes at all based on existing laws. Simple acts like sending people to conspicuously photograph a target or having a group follow someone in a menacing way can make a victim feel so unsafe that he bows to Beijing's pressure without any explicit threat.

More aggressive tactics include breaking windows at a target's home or business establishment, doxxing the target online, leaving threatening notes at the target's residence, and at times physically assaulting people.

These actions are rarely prosecuted, in part because, on their own, they are not considered serious enough to be prioritized by law enforcement agencies often preoccupied with more immediate threats to public safety and national security. In short, Chinese agents have nearly perfected the art of staying just below the threshold where prosecution becomes likely.

TNR cases fall under the jurisdiction of the FBI, which is notoriously stretched thin due to the sheer volume of China-related cases.¹⁵ In 2021, then-Director Christopher Wray reported that the FBI opens a China-related counterintelligence case every 10 hours.¹⁶ Nor are these typically the kinds of serious crimes that foreign governments are likely to believe warrant a major multinational operation followed by a politically sensitive extradition process.

The pair arrested in Serbia are being charged with stalking and conspiracy to stalk, charges that could each result in up to five-year prison sentences.¹⁷ Yet, according to the affidavit, they were conspiring to do much more than stalk their victim. The U.K. suspect instructed the FBI informant to shoot the victim in the knees and steal the two statues, which were worth thousands of dollars.¹⁸ Ultimately, their handlers in Beijing dissuaded them from using violence and instead ordered them to slash the tires on the victim's car and to purchase the statues so they could be destroyed.¹⁹ That "stalking" is the most serious charge U.S. prosecutors could bring against suspects plotting to cripple a U.S. resident on behalf of an adversarial foreign government underscores how unprepared the U.S. legal system is for such threats.

In another case, a Massachusetts jury in February acquitted a man arrested in 2023 for spying on U.S.-based Hong Kong democracy activists and passing their personal information to Chinese officials.²⁰ He was charged only with acting as an unregistered foreign agent—a relatively minor offense given the damage he caused his victims and their families. The jury acquitted him not because they doubted that he committed the acts he was accused of, but because they were not convinced that he knowingly acted on behalf of Chinese officials.

A New Approach

To reclaim America's sovereignty—and the constitutional rights of diaspora communities—from the long-arm oppression of authoritarian regimes is no easy task. Transnational repression may never be fully eradicated, but much can be done to make it riskier and more difficult for perpetrators to operate on U.S. soil. Much can also be done to galvanize the international community to take greater action. A proactive strategy rooted in public information, legislation, and international collaboration is essential to doing so.

Public Information. One of the biggest challenges in combatting TNR is the widespread lack of public awareness. When it occurs, even in plain sight, it often goes unrecognized. This could be mitigated through a national information campaign that explains TNR, the threats it poses, and how victims and witnesses can effectively respond.

Such a campaign should prioritize outreach to the communities most at risk of being targeted by foreign governments—particularly diaspora populations and international students—as well as those responsible for protecting their rights, from lawyers and police officers to teachers and university administrators. The campaign should also inform the broader population, increasing the likelihood that others will recognize and report TNR when it affects their neighbors or colleagues.

Equally important is building trust between immigrant communities and U.S. authorities. Many individuals from authoritarian countries have been conditioned to fear police and government officials. As a result, victims of TNR are often reluctant to report incidents. The FBI's Philadelphia field office has made some public overtures to inform immigrant communities on how to recognize and report transnational repression,²¹ but to be effective, a nationwide, large-scale initiative is needed to build competence and encourage reporting.

Legislation. To more effectively deter and prosecute TNR, the U.S. Congress should enact legislation that explicitly defines and criminalizes it. On the surface, such legislation might appear redundant, as existing laws already prohibit assault, stalking, and acting as an unregistered foreign agent. As shown above, however, many acts of TNR either fall below the threshold of current criminal statutes or carry penalties too lenient to serve as effective deterrents.

A dedicated TNR statute would provide prosecutors with a clearer legal framework, enabling more consistent convictions and appropriately severe penalties. To be effective, the law should be narrowly focused on TNR, avoiding the inclusion of unrelated provisions that could dilute its focus or politicize its passage.

International Collaboration. TNR is a global problem that demands a global response. As demonstrated, the U.S. is not alone in facing this threat—many countries face it even more acutely. Moreover, a resident of the U.S. can be targeted by an individual working on behalf of China or Russia while operating in a third country. Indeed, this model is common, as exemplified by the U.K. resident who was arrested in Serbia.

Thus, international cooperation and coordination are essential for combatting TNR. This includes not only strengthening law enforcement

cooperation to facilitate arrests and extraditions. It also requires encouraging other governments to pass and actively enforce their own anti-TNR laws.

Washington, together with its allies and partners, should consider establishing a multilateral task force focused exclusively on TNR. Such a body could promote global anti-TNR norms, coordinate investigations, and serve as a platform for information sharing and joint action.

Finally, as part of its international outreach, Congress should consider mandating that the State Department produce annual reports rating countries on their effectiveness in fighting TNR. The department's annual *Trafficking in Persons Report* could serve as a model.²²

That report classifies countries as source, transit, and destination countries for human trafficking and rates how well their governments do at combatting the practice. Though the report has not come close to eradicating human trafficking, it has played an invaluable role in spreading public awareness of this heinous industry. It also names and shames countries that are lacking in their response and incentivizes governments throughout the world to prioritize this issue.

A report on TNR could have a similar effect by specifying which countries' governments are known to engage in the practice and in which countries the victims are often located, as well as rating every country based on its efforts to fight this transnational crime and the effectiveness of its efforts.

Conclusion

Transnational repression threatens not only human rights but also the sovereignty of the United States and countries throughout the world. While there are signs that the U.S. and its allies are starting to take this threat seriously, current efforts remain insufficient. American leadership is essential for developing a coordinated global strategy to combat TNR. Such a response would not only help to provide other countries with the tools they need to defend their sovereignty; it is essential for doing so in the U.S. as well.

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Endnotes

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