

U.S.-China Economic and Security Review Commission

Staff Research Report



December 13, 2023

China's Global Police State: Background and U.S. Policy Implications

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Executive Summary

The Chinese Communist Party (CCP) is carrying out a global campaign to silence its critics. This campaign targets groups including China’s ethnic and religious minorities, dissidents and activists, journalists, students, and others. The victims of the CCP’s repression are not just Chinese citizens living abroad but also citizens and residents of the United States and other countries.¹ The CCP employs a broad toolkit to stalk, surveil, harass, intimidate, and assault these groups with the ultimate goal of controlling all forms of opposition. In doing so, the CCP eliminates what it perceives as threats to its own stability and survival. In addition to the direct pain and suffering Beijing inflicts on those it targets, its actions have three main implications for U.S. national security:

- **Beijing’s transnational law enforcement efforts frequently violate other countries’ sovereignty.** For example, according to a U.S. Department of Justice (DOJ) complaint unsealed in April 2023, Beijing established an “illegal overseas police station” in Manhattan, New York, in early 2022.² Canada, the Czech Republic, Germany, Ireland, and the Netherlands have also ordered the closure of similar undeclared Chinese “police stations” on the grounds that they violate national laws or were established without prior notification.³
- **Beijing’s extraterritorial application of Chinese law, surveillance, and harassment violates the rights of people living in foreign countries.** For example, Beijing uses Chinese Students and Scholars Associations (CSSAs) on university campuses to silence student activists and prevent discussion on topics that expose the CCP’s human rights abuses.⁴
- **China is also using extradition treaties and its membership in multilateral law enforcement platforms to carry out transnational repression.** For example, Beijing has leveraged its membership in the International Criminal Police Organization (INTERPOL) to attempt to repatriate political dissidents living abroad, a violation of INTERPOL’s constitution.⁵

Introduction

According to the U.S. Federal Bureau of Investigation (FBI), transnational repression occurs when foreign governments stalk, intimidate, or assault people abroad.⁶ The targets of transnational repression can range from a foreign government’s own citizens living abroad in the United States to U.S. citizens and residents who have family overseas or other foreign connections.⁷ Transnational repression may take the form of harassment, hacking, attempted kidnapping, online disinformation campaigns, freezes on financial assets, efforts to coerce victims who are foreign-born to return to their country of birth, or threats against family members living in the victim’s country of birth.⁸

The CCP’s repression of overseas Chinese dissidents and foreign critics is not new, but recent reporting has drawn attention to the evolution and expansion of its efforts.⁹ Following the Tiananmen Square massacre in 1989, the CCP implemented a domestic crackdown that targeted student dissidents, workers, ethnic minorities, religious groups, and others deemed a threat to the Party’s rule.¹⁰ As China’s overseas economic and political interests grew at the turn of the century, many of these suppressed groups established connections with or a presence in the Chinese diaspora.¹¹ For Beijing, managing potential threats within the Chinese diaspora—which it broadly defines as all ethnic Chinese, regardless of citizenship—is necessary to maintain the CCP’s domestic rule.¹² Moreover, Beijing took measures throughout the 1990s and early the 2000s to establish new extradition treaties and more frequently

use INTERPOL Red Notices* for the unlawful repatriation of its citizens on religious and political grounds.^{† 13} In the mid- to late-2000s, Beijing also deployed its security forces abroad to monitor and harass individuals and communities.^{‡ 14}

Since General Secretary of the CCP Xi Jinping came to power in 2013, China has expanded and, in some cases, elaborated on these tools of transnational repression. For example:

- The Chinese government launched Operation Fox Hunt in 2014 and a similar program called Sky Net in 2015 to force overseas Chinese citizens to return to the Mainland for prosecution. Both repatriation operations claim to target overseas “corrupt officials” but also target dissidents within Chinese diaspora communities.¹⁵
- China appears to have increased its use of INTERPOL’s Red Notice system following the launch of Operation Fox Hunt and Sky Net.¹⁶ Publicly available figures capturing the number of Red Notices China requests have declined in recent years, however, potentially reflecting a concerted effort by the Party-state to conceal this aspect of its transnational repression activities.¹⁷ The secrecy of the Red Notice system creates a hazard for dissidents and others who are potential targets for Red Notice abuse.¹⁸
- China continues to expand its network of extradition treaties and currently has 46 active extradition treaties with partner countries, with 17 entering into force between 2013 and 2022 alone.¹⁹
- In 2022, reports emerged that Beijing was operating “overseas police stations” to surveil, harass, and enforce Chinese law upon individuals and communities living outside of China.²⁰
- Chinese authorities pressure individuals living abroad by threatening to harm their family members still living within China, using an indirect transnational repression tactic known as “coercion-by-proxy.”^{§ 21}

* A “Red Notice” is one of seven color-coded notices used by INTERPOL that allows a requesting country “to seek the location and arrest of persons wanted for prosecution or to serve a sentence.” However, Red Notices are not formal arrest warrants, and thus they cannot be utilized to “compel the law enforcement authorities in any country to arrest someone.” For more, see INTERPOL, “About Red Notices.” <https://www.interpol.int/en/How-we-work/Notices/About-Red-Notices>; INTERPOL, “About Notices.” <https://www.interpol.int/en/How-we-work/Notices/About-Notices>.

† For example, in 1997 a Red Notice was placed on Dolkun Isa, president of the World Uyghur Congress, and was only removed by INTERPOL in 2018. Overseas Uyghurs are a major target of transnational repression. In 1999, Beijing placed an INTERPOL extradition request on Li Hongzhi, the founder and leader of the Falun Gong, who was living in New York. INTERPOL rejected the request because the case was deemed as political or religious in nature. The case was an early and prominent example of China’s misuse of INTERPOL to pursue individuals the CCP perceives as a threat. Bradley Jardine, Edward Lemon, and Natalie Hall, “No Space Left to Run: China’s Transnational Repression of Uyghurs,” *Oxus Society for Central Asian Affairs and Uyghur Human Rights Project*, June 9, 2021, 27, 30. https://oxussociety.org/wp-content/uploads/2021/06/transnational-repression_final_2021-06-24-1.pdf; World Uyghur Congress, “After 20 Years WUC President Dolkun Isa Has INTERPOL Red Notice Removed,” February 25, 2018. <https://www.uyghurcongress.org/en/after-20-years-wuc-president-dolkun-isa-has-interpol-red-notice-removed/>; Amnesty International, “China: The Crackdown on Falun Gong and Other So-Called ‘Heretical Organizations,’” March 23, 2000, 4. <https://www.refworld.org/docid/3b83b6e00.html>; BBC News, “World: Asia-Pacific Interpol Will Not Arrest Sect Leader,” August 3, 1999. <http://news.bbc.co.uk/1/hi/world/asia-pacific/410779.stm>.

‡ In one case from 2005, a Chinese officer working for China’s Ministry of Public Security’s “610 Office,” which is tasked with targeting unauthorized religious groups, collected intelligence on the Falun Gong and others in Australia, New Zealand, and the United States. *Sydney Morning Herald*, “Fresh from the Secret Force, a Spy Downloads on China,” June 9, 2005. <https://www.smh.com.au/national/fresh-from-the-secret-force-a-spy-downloads-on-china-20050609-gdlhdg.html>.

§ Coercion-by-proxy is carried out through a variety of methods. Chinese authorities use messaging apps such as WeChat or WhatsApp, text messages, and phone calls, and they even deliver threats in person to pressure and intimidate an individual residing abroad to stop his or her activism, or in some cases even to demand that the individual return to China. For more, see Lulu Yilun Chen, “WeChat Is China’s Most Beloved (and Feared) Surveillance Tool,” *Bloomberg*, July 11, 2022. <https://www.bloomberg.com/news/features/2022-07-12/wechat-is-china-s-beloved-surveillance-tool?sref=mxblZFb4>; Safeguard Defenders, “INVOLUNTARY RETURNS,” January 2022, 26. <https://safeguarddefenders.com/sites/default/files/pdf/INVOLUNTARY%20Returns.pdf>; Amnesty International, “Nowhere Feels Safe,” February 21, 2020. <https://www.amnesty.org/en/latest/research/2020/02/china-uyghurs-abroad-living-in-fear/>; Fiona B. Adamson and Gerasimos Tsurapas, “At Home and Abroad: Coercion-by-Proxy as a Tool of Transnational Repression,” *Freedom House*, 2020. <https://freedomhouse.org/report/special-report/2020/home-and-abroad-coercion-proxy-tool-transnational-repression>.

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- Beijing also utilizes new digital tools, including social media, to create fake online personas that monitor and intimidate people abroad.²² China also perpetrates online hacking campaigns to disrupt the operations of human rights organizations that document the Chinese government’s abuses of its own people.²³

This report surveys China’s modern transnational repression “toolkit” and assesses the national security implications for the United States. It first focuses on seven methods Beijing uses to silence its critics abroad as well as the Chinese government actors that typically utilize them. It then discusses the risks these methods pose to the United States’ and other countries’ sovereignty, rights, and institutions and highlights key considerations for Congress.

The CCP’s Transnational Repression Toolkit

The CCP utilizes at least seven distinct methods to stalk, surveil, harass, intimidate, and assault its victims for the purpose of preemptively discouraging or actively disrupting dissent. Some of its methods—like “overseas police stations,” the deployment of intelligence officers, and coordination with Chinese student groups on U.S. university campuses—enable Beijing to directly repress people living in foreign countries. Others—such as digital harassment and coercion-by-proxy—conceal Beijing’s harmful actions, while still others—such as the issuance of politically motivated INTERPOL Red Notices and its exercise of bilateral extradition treaties—lend its actions a veneer of legitimacy.

China’s “Overseas Police Stations”

The FBI opened an investigation into what it identified as a Chinese “overseas police station” in late 2022, marking the first time charges have been brought in connection with such a station.²⁴ In April 2023, the FBI arrested two U.S. citizens residing in New York City for their involvement in helping open and operate the undeclared “overseas Chinese police station” in Lower Manhattan without notifying the U.S. government, charging them with failure to register as foreign agents and obstruction of justice.²⁵ According to DOJ, the two defendants opened and operated the station with the intention of covertly monitoring and intimidating individuals living in the United States who are dissidents and critics of the Chinese government.²⁶ The two defendants involved in the case, Lu Jianwang and Chen Jinping, were also charged with deleting communications between one another and with an official in a provincial branch of China’s Ministry of Public Security (MPS).²⁷ Lu and Chen were not public security officials but were “acting under the direction and control” of the MPS official.²⁸ Although the deletion of communications between the defendants and the MPS official obscured the full extent of their efforts, DOJ alleged the Chinese official sought information on a Chinese prodemocracy activist based in California.²⁹

The Chinese government vehemently denied DOJ’s characterization of the station in Manhattan. The Ministry of Foreign Affairs asserted that the station and others like it around the world are not “police stations,” stating that they have no police personnel and are run by “volunteers” who provide administrative assistance for overseas Chinese citizens with practical matters such as renewing driver’s licenses.³⁰ The *Global Times*, a Chinese state tabloid, claimed that “volunteer service platforms” such as the station in New York have been needed in overseas Chinese communities since the end of 2019 due to “reduced international flights, closed borders, and restricted mobility” caused by the COVID-19 pandemic.³¹

The opening of the station in New York involved not just Chinese law enforcement but also China’s United Front Work Department (UFWD). According to the complaint and affidavit filed with the Eastern District Court of New York, Mr. Lu, one of the two defendants, was approached by a representative of the Fuzhou All-China Federation of Returned Overseas Chinese, a UFWD organization.³² This representative invited Mr. Lu to China for a meeting with officials from the Fuzhou Public Security Bureau, which allegedly sought to establish an overseas “police

station” in the United States.³³ The Fuzhou Public Security Bureau established the station in the office building of the America Chang Le Association, a nonprofit organization that reportedly assisted local members of the Chinese diaspora.³⁴ Both defendants were leaders of the association, which reportedly was involved in the harassment of Chinese dissidents several years prior, including the violent 2019 attack on demonstrators in New York supporting Taiwan President Tsai Ing-wen’s visit to the United States.³⁵

U.S. officials have asserted that China’s station in New York violated the sovereignty and national laws of the United States.³⁶ DOJ described the Manhattan station as “clandestine” in nature because it was established and operated without notifying the U.S. government.³⁷ A U.S. attorney for the Eastern District of New York said the establishment of the station “reveals the Chinese government’s flagrant violation of our nation’s sovereignty.”³⁸ FBI Director Christopher Wray similarly described the establishment of the station as a violation of sovereignty that also “circumvent[ed] standard judicial and law enforcement cooperation processes.”³⁹

Various national governments have launched investigations into similar Chinese stations, and several countries have determined them to be illegal.⁴⁰ In addition to the United States, Canada, the Czech Republic, Germany, Ireland, and the Netherlands have also ordered the shutdown of the stations due to violations of national laws or lack of prior notification.⁴¹ Not all countries that have discovered these stations have made the same determination, however. Although British Security Minister Tom Tugendhat announced the closure of Chinese “police service stations” across the United Kingdom (UK) in June 2023, he stated, “I can confirm that they have not, to date, identified any evidence of illegal activity on behalf of the Chinese state across these sites.”⁴² Other countries, including South Korea, Japan, France, Italy, Sweden, Spain, Portugal, and Chile, have also launched investigations into stations in their territories to determine if China has conducted any illegal activity.⁴³

How Beijing Uses Its Intelligence Services to Surveil and Intimidate on U.S. Soil

China also relies on its civilian intelligence agency, the Ministry of State Security (MSS), to surveil and intimidate Uyghurs, Tibetans, Hong Kongers, and other political dissidents living in the United States and other countries.⁴⁴ The MSS utilizes human intelligence methods, including the deployment of case officers and use of recruited assets, in an effort to track the movements of these communities and harass them.⁴⁵ In March 2022, two criminal complaints were unsealed by DOJ that involved a direct connection to the MSS.⁴⁶

- In one case, a Chinese citizen named Lin Qiming was charged with conspiracy to commit interstate harassment and is alleged to work on behalf of the MSS.⁴⁷ The DOJ complaint accuses Lin of attempting

* For example, in October 2022, Dutch foreign ministry spokeswoman Maxime Hovenkamp stated that “the Dutch government wasn’t made aware of these operations through the diplomatic channels with the Chinese government. That is illegal.” Later, in December 2022, Dutch Foreign Minister Wopke Hoekstra said, “The establishment in the Netherlands of such ‘overseas police service stations’ is unacceptable. The cabinet has therefore taken immediate steps and the stations have now been closed.” In another example from May 2023, Canadian Public Security Minister Marco Mendicino said, “I am confident that the [Royal Canadian Mounted Police] have taken concrete action to disrupt any foreign interference in relationship to those so-called police stations, and that if new police stations are popping up and so on, that they will continue to take decisive action going forward.” *Reuters*, “There May Be More ‘Chinese Police Stations’ in Canada, Minister Says,” May 14, 2023. <https://www.reuters.com/world/americas/there-may-be-more-chinese-police-stations-canada-minister-says-2023-05-14/>; Sofia Stuart Leeson, “Dutch FM Says Secret Chinese Police Stations Have Shut Down,” *Euractiv*, December 21, 2022. <https://webcache.googleusercontent.com/search?q=cache:KMGKuDv5KLsJ:https://www.euractiv.com/section/politics/news/dutch-fm-says-secret-chinese-police-stations-have-shut-down/&hl=en&gl=us>; Anna Holligan, “China Accused of Illegal Police Stations in the Netherlands,” *BBC*, October 26, 2022. <https://www.bbc.com/news/world-europe-63395617>.

† In April 2023, the UK Parliament debated the extent of danger posed by the alleged overseas Chinese police stations. For more, see UK Parliament, *Chinese Police Stations in UK - Volume 731: debated on Wednesday 19 April 2023*, April 19, 2023. <https://hansard.parliament.uk/commons/2023-04-19/debates/6F2864C6-97AD-4613-B3DC-4D0C8A7FD245/ChinesePoliceStationsInUK>.

‡ According to the U.S. Naval War College, human intelligence, or HUMINT, is “intelligence gathered by means of interpersonal contact, a category of intelligence derived from information collected and provided by human sources.” For more, see U.S. Naval War College, “Intelligence Studies: Human Intelligence (HUMINT),” January 23, 2023. <https://usnwc.libguides.com/c.php?g=494120&p=3381553>.

to undermine the candidacy of a candidate for a congressional seat in New York's Eastern district.⁴⁸ Mr. Lin hired a private investigator to uncover or manufacture damaging information on the candidate and remains at large.⁴⁹

- In another case, one U.S. citizen and four Chinese intelligence officers were indicted on charges related to a transnational repression scheme targeting critics of the Chinese government.⁵⁰ Wang Shujun, a 73-year-old naturalized U.S. citizen of Queens, New York, allegedly monitored and provided information to MSS handlers on Hong Kong prodemocracy activists, proponents of Taiwan independence, and Uyghur and Tibetan activists, communicating with the MSS via email or in person while on trips to China.*⁵¹ In September 2023, a federal judge set Mr. Wang's trial for July 15, 2024.⁵²

The CCP's Suppression of Free Speech in U.S. Universities

Beijing uses Chinese student groups, including Chinese Students and Scholars Associations (CSSAs), to monitor and curtail dissent at university campuses across the United States.⁵³ CSSAs present themselves as campus organizations that provide support services for overseas Chinese students, such as finding housing, but some also carry out work consistent with Beijing's united front strategy.[†]⁵⁴ According to the U.S. Department of State, CSSAs are supervised by the CCP's UFWD and receive guidance and funding from Chinese embassies and consulates, including directions for CSSA members to "disrupt lectures or events that question CCP ideology or views."⁵⁵

There have been a number of instances in which Chinese students at U.S. universities have disrupted events or harassed other members of the campus community for expressing views critical of China.⁵⁶ Some of these instances appear to have involved coordination with the Chinese Embassy or the campus CSSA branch.⁵⁷ According to an investigation by the nonprofit organization ProPublica, the victims of such harassment have in some cases received little support from the universities involved either due to a lack of awareness among faculty and administrators or

* According to DOJ's complaint, Mr. Wang's targets included "Chinese dissidents and members of the Chinese democracy movement in the United States and elsewhere." United States Attorney's Office, Eastern District of New York, "Complaint and Affidavit in Support of Arrest Warrants," 18 U.S.C §§ 951(a), 1001(a)(2), 1028(a)(7), 1028(b)(2)(B) and 1028(c)(3)(A)). <https://www.justice.gov/opa/press-release/file/1484301/download>.

† United front work involves rallying support for the CCP and neutralizing opposition to its policies and authority. The CCP conducts united front work against a variety of overseas populations (such as foreign government officials, businesspersons, human rights advocates, members of the Chinese diaspora, and members of China's ethnic and religious minorities living abroad) whom it views as having the clout to advance or impede its foreign policy goals. However, most of Beijing's united front work occurs within its own borders and targets constituencies within its domestic population, such as ethnic and religious minorities, intellectuals, and business people outside of the CCP. Aaron Glasserman, "Touting 'Ethnic Fusion,' China's New Top Official for Minority Affairs Envisions a Country Free of Cultural Difference," *China File*, February 24, 2023. <https://www.chinafile.com/reportingopinion/viewpoint/touting-ethnic-fusion-chinas-new-top-official-minority-affairs-envisions>; *People's Daily*, "CCP Central Committee Issues Regulations on CCP United Front Work," (中共中央印发中国共产党统一战线工作条例), January 6, 2021. Translation. <http://webcache.googleusercontent.com/search?q=cache:xNBViIFb-QYJ:politics.people.com.cn/n1/2021/0106/c1001-31990197.html&cd=2&hl=en&ct=clnk&gl=us>; Alex Joske, "The Party Speaks for You: Foreign Interference and the Chinese Communist Party's United Front System," *Australian Strategic Policy Institute*, 2020, 16. https://ad-aspi.s3.ap-southeast-2.amazonaws.com/2020-06/The%20party%20speaks%20for%20you_0.pdf?VersionId=gFHuXyYMR0XuDQOs.6JSmrdyk7MralcN; Alexander Bowe, "China's Overseas United Front Work: Background and Implications for the United States," *U.S.-China Economic and Security Review Commission*, August 24, 2018. https://www.uscc.gov/sites/default/files/Research/China%27s%20Overseas%20United%20Front%20Work%20-%20Background%20and%20Implications%20for%20US_final_0.pdf.

because of the schools' failure to properly protect academic freedoms.*⁵⁸ The following list is not comprehensive but illustrates how the CCP has utilized CSSAs to carry out transnational repression in recent years:

- In February 2022, after posters by Australian dissident artist Badiucuo criticizing the CCP's human rights abuses and Beijing's hosting of the 2022 Winter Olympics were posted on the George Washington University (GWU) campus, members of the school's CSSA chapter circulated a letter stating that the posters were "racist" and "insulted China."⁵⁹ The CSSA chapter called on the university administration to find the individuals who posted them on campus and "punish them severely!"⁶⁰ In his initial response, GWU President Mark S. Wrighton said he was "personally offended by the posters" and agreed to remove them as soon as possible.⁶¹ He later reversed this decision, saying, "I do not view these posters as racist; they are political statements" after being criticized by U.S. lawmakers, free speech groups, and other student organizations.[†]⁶²
- In May 2021, leaders of the Florida State University CSSA chapter reportedly insulted and threatened to report Chinese student Yang Wang to the Chinese Embassy for sharing a link to a U.S. congressional hearing on human rights abuses against Uyghurs in the chapter's WeChat group.⁶³ Twenty days after the incident, the police reportedly visited Mr. Wang's family in China.⁶⁴
- In November 2020, Rayhan Asat, a Uyghur human rights lawyer, was reportedly harassed by a group of CSSA members at Brandeis University during an online discussion focusing on human rights abuses in Xinjiang.⁶⁵ Prior to the event, the school's CSSA issued a statement saying the event was unfairly targeting China and making Chinese students feel "insecure," and the group sent a letter using a CSSA template to university administrators to request the event be canceled.⁶⁶
- In May 2017, Yang Shuping, a Chinese undergraduate student at the University of Maryland, criticized the CCP's oppression and praised American democracy during her commencement address.⁶⁷ Ms. Yang's remarks went viral on the Chinese internet, and she was attacked by nationalistic commentators online.⁶⁸ The University of Maryland CSSA posted a video criticizing her commencement address.⁶⁹ A Chinese Embassy official held meetings with CSSAs from 14 schools in the Washington, DC, area, including the University of Maryland CSSA.⁷⁰ In the meeting with the University of Maryland CSSA chapter, the Chinese Embassy official praised the group's response, using it as an example for other CSSA chapters.⁷¹ The official also recommended that when confronting student dissidents, CSSAs should contact the embassy as soon as possible, provide a detailed report, and issue a public statement immediately.⁷²

* ProPublica cites several cases in which university administrators seemed unwilling or unable to respond to transnational repression. A 2019 meeting between university and national security officials at a coastal resort in Maryland to discuss China-related threats illustrated administrators' obliviousness to transnational repression activities on campus. According to Sophie Richardson, the China director of Human Rights Watch, the meeting helped her realize "how poorly understood some mainland students' experiences are at U.S. universities." She added, "If the mainland students aren't enjoying academic freedom to the same extent as others, that means universities are failing them." For more, see Sebastian Rotella, "Even on U.S. Campuses, China Cracks Down on Students Who Speak Out," *ProPublica*, November 21, 2021. https://www.propublica.org/article/even-on-us-campuses-china-cracks-down-on-students-who-speak-out?utm_source=sailthru&utm_medium=email&utm_campaign=dailynewsletter&utm_content=feature; Human Rights Watch, "They Don't Understand the Fear We Have," June 30, 2021. <https://www.hrw.org/report/2021/06/30/they-dont-understand-fear-we-have/how-chinas-long-reach-repression-undermines>.

[†] In May 2023, Chinese international students at GWU established an independent student union named "Torch on the Potomac" to "provide Chinese students and scholars at George Washington University, as well as their peers in the diaspora, with a platform, social support and community independent from the Chinese Communist Party and its puppets." One of its 12 members said, "[We want to] let the school, including people outside, know that C.S.S.A. is not the only representative of our Chinese students." Members of the organization have also expressed disappointment in the GWU administration's support for Chinese students who criticize the CCP. For more, see Wenhao Ma and Mo Yu, "Chinese Students in DC Establish Safe Space for Dissent to Counter Beijing," *Voice of America*, May 8, 2023. <https://www.voanews.com/a/chinese-students-establish-safe-space-in-dc-for-dissent-to-counter-beijing/7084270.html>.

Beijing's Digital Harassment and Surveillance

Beijing uses digital tools such as cyberattacks and social media harassment to further its transnational repression efforts. For example, Beijing allegedly contracts cyberespionage groups to conduct cyberattacks against humanitarian and activist groups around the world.⁷³ According to cybersecurity intelligence firm Recorded Future, there is an “established trend” of Chinese intelligence services using private contractors to carry out the cyberattacks, with multiple Advanced Persistent Threat groups identified as working on behalf of the MSS.*⁷⁴ Recorded Future assesses that Chinese intelligence services likely also contracted the Advanced Persistent Threat group RedAlpha, which has aimed its cyberattacks against a number of China-focused humanitarian organizations and Taiwan's government and political entities, as well as cyberespionage campaigns against Tibetans in India.⁷⁵ RedAlpha's cyberespionage and surveillance campaigns against peoples and organizations China views as unfriendly may facilitate intelligence collection that aids its human rights abuses.⁷⁶ In 2021, Meta reported that it had discovered a group of China-based hackers utilizing its Facebook platform to target Uyghur activists and journalists with a cyberespionage campaign, attempting to infect their devices with surveillance malware.⁷⁷

Chinese government agencies also harass residents of foreign countries using social media platforms. In April 2023, DOJ charged 40 officers from China's MPS and two officials in the Cyberspace Administration of China (CAC) with creating fake social media accounts to harass Chinese dissidents living in the United States and suppress their free speech.⁷⁸ During the same month, the U.S. National Intelligence Council (NIC) released a declassified report from October 2022 about growing digital repression, stating that China “engages in extensive online harassment of real and perceived regime critics living abroad—particularly Tibetans, Uyghurs, and Hong Kong prodemocracy activists—on social media platforms.”⁷⁹ The NIC report cited a May 2022 example in which activists belonging to the aforementioned diaspora groups residing in France “reported receiving frequent threatening messages on their social media and WeChat accounts.”⁸⁰

Coercion-by-Proxy: Indirect Harassment through Intimidation of Family in China and Hong Kong

Beijing employs a tactic known as coercion-by-proxy to indirectly compel targets to either travel to the Mainland for prosecution or to silence their criticism of the CCP by threatening retaliation against their relatives in China.⁸¹ Chinese law enforcement has used various means to carry out coercion-by-proxy tactics against targeted groups, including utilizing messaging apps such as WeChat or WhatsApp,[†] text messages, phone calls, and trips to the victims' families' residences to deliver threats in person.⁸² According to FBI Director Wray, the CCP has pressured Chinese dissidents living in the United States—including some U.S. citizens and residents—to return to China by threatening or arresting family members in the Mainland.⁸³ The Chinese government has also placed exit bans on the relatives of individuals it is attempting to coerce into returning, including U.S. citizens.⁸⁴

The Chinese government frequently targets the family members of Uyghurs living overseas, even when the individual living abroad is not politically outspoken.⁸⁵ MPS officers have been known to call Uyghur individuals living abroad and make threats against their families in order to intimidate them into silence, coerce them into

* According to CrowdStrike, Advanced Persistent Threats (APTs) are “sophisticated, sustained cyberattack[s] in which an intruder establishes an undetected presence in a network in order to steal sensitive data over a prolonged period of time.” Bart Lanaerts-Bergmans, “What Is an Advanced Persistent Threat?” *CrowdStrike*, February 28, 2023. <https://www.crowdstrike.com/cybersecurity-101/advanced-persistent-threat-apt/>.

† WeChat is owned by Chinese company Tencent and is China's largest messaging app. Meta, formerly known as Facebook, Inc., has owned WhatsApp since October 2014. Cheryl Winokur Munk, “Why Mark Zuckerberg Is Talking So Much about Meta's WhatsApp for Business,” *CNBC*, August 8, 2022. <https://www.cnbc.com/2022/08/07/why-meta-and-mark-zuckerberg-are-betting-big-on-whatsapp-for-business-.html>; Arjun Kharpal, “China's Digital Currency Comes to Its Biggest Messaging App WeChat, Which Has Over a Billion Users,” *CNBC*, January 6, 2022. <https://www.cnbc.com/2022/01/06/chinas-digital-currency-comes-to-tencents-wechat-in-expansion-push.html>.

returning to China, or force them to spy on their communities.⁸⁶ Such threats have effectively made it impossible for many Uyghurs to remain in contact with their families in Xinjiang, China.⁸⁷

Hong Kong authorities have also employed coercion-by-proxy to punish overseas prodemocracy activists. In July 2023, the Hong Kong Police Force questioned the families of six activists who live overseas in the United States, UK, and Australia for alleged violations under the 2020 Hong Kong National Security Law (NSL) and placed bounties on them.⁸⁸ These activists include U.S.-based Anna Kwok, Dennis Kwok, and Elmer Yuen; UK-based Mung Siu-tat and Nathan Law; and Australia-based Ted Hui.⁸⁹ “It’s a mafia-style crackdown against family members of overseas Hong Kong activists,” said Patrick Poon, a visiting researcher at the University of Tokyo who argued that Hong Kong authorities are attempting to pressure the activists by treating their family members like “hostages.”⁹⁰ Anna Kwok has testified that the police interrogations of her family members “was an attempt to intimidate [her] into silence.”⁹¹ In August, the U.S. State Department issued a condemnation of the “ongoing harassment” of the families of Hong Kong activists living abroad.⁹²

Abuse of INTERPOL Red Notices

China continues to improperly request Red Notices in direct violation of INTERPOL’s rules.⁹³ According to INTERPOL’s website, member states use Red Notices “to seek the location and arrest of persons wanted for prosecution or to serve a sentence,” but there are screening processes for their issuance intended to protect against politically motivated usage.⁹⁴ By issuing Red Notices for individuals from groups like ethnic and religious minorities and dissidents, Beijing violates article 3 of INTERPOL’s constitution, which prohibits the organization from undertaking “any intervention or activities of a political, military, religious, or racial character.”⁹⁵ For example, China used INTERPOL to issue a Red Notice for Li Chuanliang, a former vice mayor of a city in Heilongjiang Province who fled to the United States in 2020 after his efforts to uncover official corruption led him to fear for his family’s safety.⁹⁶ He was subsequently charged in absentia by Chinese authorities with embezzlement and accepting bribes.⁹⁷ In February 2020, while residing in the United States, Mr. Li learned that INTERPOL had issued a Red Notice for him at Beijing’s behest.⁹⁸ Mr. Li worked with a U.S.-based attorney to submit to INTERPOL a “removal request” to cancel the Red Notice in May 2021, confirming that it had been rescinded in 2022.⁹⁹

China’s use of Red Notices has likely increased significantly after General Secretary Xi took office in 2013, even as Beijing has taken steps to obscure data relating to their usage.¹⁰⁰ Because only a limited number of Red Notices are made public and the Chinese government does not publish official data, estimates of the number of Red Notices placed on Chinese citizens rely on Chinese media reporting.¹⁰¹ The increasing number of public Red Notices does suggest an overall increase that coincided with the launch of Operation Fox Hunt in 2014.¹⁰² One 2015 media report stated that China had issued approximately 400 Red Notices since 1984.¹⁰³ By 2014, 503 active Red Notices for Chinese nationals were posted on the INTERPOL website, rising to 608 in 2015.¹⁰⁴ Chinese state media outlets provide varying figures for China’s Red Notice requests, with one report stating that 612 were submitted in 2016, and a senior MPS official stating that in 2017, China was working with INTERPOL to issue more than 200 Red Notices per year.¹⁰⁵ Beijing likely began removing most Red Notices from INTERPOL’s website starting in 2017; as of October 2023, only 29 Chinese requests appear in INTERPOL’s public database.¹⁰⁶ The apparent

* INTERPOL is an intergovernmental law enforcement cooperation entity with 195 member countries. INTERPOL utilizes a system of seven different color-coded “notices” that allow member countries to share requests for cooperation and alerts regarding a wanted person. After a member country has made a request through its own National Central Bureau, INTERPOL’s Notices and Diffusions Task Force then reviews the request to ensure compliance with the organization’s constitution, which is followed by the official issuance of the notice to all member countries through the INTERPOL General Secretariat. INTERPOL says Red Notices are not formal arrest warrants, and thus the notices cannot be utilized to “compel the law enforcement authorities in any country to arrest someone.” For more, see INTERPOL, “What Is INTERPOL?” <https://www.interpol.int/en/Who-we-are/What-is-INTERPOL>; INTERPOL, “About Notices.” <https://www.interpol.int/en/How-we-work/Notices/About-Notices>; INTERPOL, “About Red Notices.” <https://www.interpol.int/en/How-we-work/Notices/About-Red-Notices>.

disappearance of Red Notices from the database likely reflects a concerted government effort to obscure requests from public view, rather than a trend toward canceling outstanding Red Notices or issuing fewer requests.¹⁰⁷

INTERPOL's lack of transparency compounds the difficulty of tracking China's use of Red Notices.¹⁰⁸ For instance, a report by the European Parliament's Committee on Civil Liberties, Justice, and Home Affairs assessed in June 2022 that "despite recent reforms, transparency and accountability remain a challenge both at the individual and the organizational level in INTERPOL, as does a lack of available statistical information on the operation of its notices and diffusions system."¹⁰⁹ According to a 2021 report by law firm Arnold & Porter, INTERPOL undertook several reforms between 2015 and 2019 in order to address issues of transparency and the misuse of Red Notices.¹¹⁰ However, the majority of Red Notices are not public, making it difficult to determine the scale at which China is using this tool.¹¹¹

China's Growing Influence in INTERPOL

The presence of Chinese officials within INTERPOL's leadership likely ensures the CCP can leverage its influence to drive decision-making in the organization. In 2021, INTERPOL elected China-nominated Hu Binchen, the deputy director general of the MPS's International Coordination Department, to represent Asia in INTERPOL's Executive Committee.^{*}¹¹² As a delegate of the Executive Committee, Mr. Hu is responsible for helping shape the agenda and decision-making of INTERPOL's General Assembly, the organization's top governing body.¹¹³ The Executive Committee is able to submit projects and programs to the General Assembly and supervise the administration and work of the secretary-general, among other tasks.¹¹⁴ An international group of lawmakers, the Inter-Parliamentary Alliance on China,[†] expressed concerns at the time that Mr. Hu would use his position to "continue using INTERPOL as a vehicle for [China's] repressive policies globally."¹¹⁵

China's forced disappearance of one its nationals serving as the president of INTERPOL also reflects its disregard for the integrity of international institutions. Mr. Hu's election followed the disappearance of Meng Hongwei, the former president of INTERPOL and former vice minister of the MPS.¹¹⁶ Mr. Meng disappeared in 2018 after returning to China, and INTERPOL reportedly had to request information regarding his whereabouts.¹¹⁷ China announced Mr. Meng was being investigated immediately after his wife met with reporters to raise his case; INTERPOL announced that he had resigned his position effective immediately.¹¹⁸ Mr. Meng was sentenced to 13 and a half years for bribery in 2020.¹¹⁹

China's law enforcement leaders also have the opportunity to utilize their relationships with INTERPOL to push the CCP's global security agenda. For example, in April 2023, Chinese Minister of Public Security Wang Xiaohong hosted Jurgen Stock, the Secretary-General of INTERPOL, in Beijing.¹²⁰ Xinhua, a Chinese state media outlet, reported that "China [was] willing to work with INTERPOL to promote the implementation of the Global Security Initiative," an initiative promoted by General Secretary Xi that envisions Chinese leadership of global security governance and puts national sovereignty over individual liberty.¹²¹ Xinhua also said that China "highly appreciates

^{*} According to article 19 of the INTERPOL constitution, the General Assembly elects the nine delegates of the Executive Committee "from among nominations put forward by the competent governmental authorities." Article 15 of the INTERPOL constitution asserts that all members of the Executive Committee, including the president, three vice-presidents, and nine delegates, are selected from different countries to capture the geographic diversity of the organization. For more, see INTERPOL, "Constitution of the ICPO-INTERPOL," 4-5. <https://www.interpol.int/content/download/590/file/01%20E%20CONSTITUTION%2011%202021.pdf>.

[†] The Inter-Parliamentary Alliance on China describes itself as an "international cross-party group of legislators working toward reform on how democratic countries approach China." It includes legislators from Albania, Australia, Belgium, Canada, Croatia, Czechia, Denmark, the EU, France, Germany, India, Italy, Ireland, Japan, Kenya, Kosovo, Lithuania, Montenegro, North Macedonia, the Netherlands, New Zealand, Norway, Paraguay, the Philippines, Romania, South Korea, Sweden, Switzerland, Uganda, Ukraine, the United Kingdom and the United States. For more on the Inter-Parliamentary Alliance on China, see IPAC Global, "Inter-Parliamentary Alliance on China." <https://ipac.global/>; IPAC Global, "Team." <https://ipac.global/team/>.

INTERPOL's firm support for the one-China principle," a term referring to Beijing's claim of sovereignty over Taiwan.¹²²

Moreover, China's substantial financing of INTERPOL illustrates Beijing's desires to paint itself as a responsible contributor to international security and to increase its influence in the organization. China rose from the seventh-highest contributor to INTERPOL's regular budget in 2019, providing 3.7 percent of the total (approximately \$2.4 million, or 2.1 million euros),* to the second-highest contributor in 2023, contributing 15.3 percent of the total (approximately \$12.1 million, or 11.1 million euros).†¹²³ During the same period, the United States remained the top contributor to INTERPOL's regular budget, increasing its contributions from 19.4 percent (approximately \$12.5 million, or 11.1 million euros)‡ to 22 percent (approximately \$17.4 million, or 15.9 million euros).§¹²⁴

Aside from its regular membership contribution, China also helps fund specific projects that may align with China's transnational repression activities.¹²⁵ For example, China funds projects on issues such as cybercrime and counterterrorism, which likely facilitate China's targeting of Uyghurs on the pretext of combatting "terrorism."¹²⁶ In 2019, China's National Central Bureau (NCB) donated approximately \$470,272 (420,000 euros)** to several specialized projects ranging from counterterrorism programs to organizational support for INTERPOL.¹²⁷ In 2021, China's NCB donated approximately \$329,865 (279,000 euros)†† to projects focused on counterterrorism, financial crime, and fraud.¹²⁸

Extradition Treaties

China has expanded its extradition treaties with countries around the world over the past 30 years and uses these treaties as a tool of transnational repression.‡‡ Since the 1990s, China has ratified 46 extradition treaties (see

* 2019 figures were calculated using the original euro value (2,140,778 euros) and the average U.S. dollar to euro spot exchange rate for 2019 (0.8931 euros). Exchange Rates UK, "US Dollar to Euro Spot Exchange Rates for 2019," 2023. <https://www.exchangerates.org.uk/USD-EUR-spot-exchange-rates-history-2019.html>; INTERPOL, "INTERPOL Member Country Statutory Contributions 2019," 1. <https://www.interpol.int/content/download/11394/file/INTERPOL%20member%20country%20statutory%20contributions%202019.pdf>.

† 2023 figures were calculated using the original euro value (11,053,750 euros) and U.S. dollar to euro spot exchange rate as of June 30, 2023 (0.9161 euros). Exchange Rates UK, "US Dollar to Euro Spot Exchange Rates for 2023," 2023. <https://www.exchangerates.org.uk/USD-EUR-spot-exchange-rates-history-2023.html>; INTERPOL, "INTERPOL Member Countries Statutory Contributions 2023," 1. <https://www.interpol.int/en/content/download/19208/file/INTERPOL%20MEMBER%20COUNTRY%20STATUTORY%20CONTRIBUTIONS%202023.pdf>.

‡ 2019 figures were calculated using the original euro value (11,136,398 euros) and the average U.S. dollar to euro spot exchange rate for 2019 (0.8931 euros). Exchange Rates UK, "US Dollar to Euro Spot Exchange Rates for 2019," 2023. <https://www.exchangerates.org.uk/USD-EUR-spot-exchange-rates-history-2019.html>; INTERPOL, "INTERPOL Member Country Statutory Contributions 2019," 1. <https://www.interpol.int/content/download/11394/file/INTERPOL%20member%20country%20statutory%20contributions%202019.pdf>.

§ 2023 figures were calculated using the original euro value (15,931,297 euros) and U.S. dollar to euro spot exchange rate as of June 30, 2023 (0.9161 euros). Exchange Rates UK, "US Dollar to Euro Spot Exchange Rates for 2023," 2023. <https://www.exchangerates.org.uk/USD-EUR-spot-exchange-rates-history-2023.html>; INTERPOL, "INTERPOL Member Countries Statutory Contributions 2023," 1. <https://www.interpol.int/en/content/download/19208/file/INTERPOL%20MEMBER%20COUNTRY%20STATUTORY%20CONTRIBUTIONS%202023.pdf>.

** Approximate U.S. dollar value was calculated using the original euro value (420,000 euros) and the average U.S. dollar to euro spot exchange rate for 2019 (0.8931 euros). Exchange Rates UK, "US Dollar to Euro Spot Exchange Rates for 2019," 2023. <https://www.exchangerates.org.uk/USD-EUR-spot-exchange-rates-history-2019.html>; INTERPOL, "2019 Annual Financial Report and Financial Statements," 2019, 81. <https://www.interpol.int/en/content/download/16952/file/Financial%20Statements%202019.pdf>.

†† Approximate U.S. dollar value was calculated using the original euro value (279,000 euros) and the average U.S. dollar to euro spot exchange rate for 2021 (0.8458 euros). Exchange Rates UK, "US Dollar to Euro Spot Exchange Rates for 2021," 2023. <https://www.exchangerates.org.uk/USD-EUR-spot-exchange-rates-history-2021.html>; INTERPOL, "Additional Contributions," January 1 to December 31, 2021, 1–3. <https://www.interpol.int/content/download/17763/file/Additional>.

‡‡ According to the Council on Foreign Relations, an extradition is "the formal process of one state surrendering an individual to another state for prosecution or punishment for crimes committed in the requesting country's jurisdiction." CFR explains that while in the past extradition treaties often explicitly listed covered offenses, those signed in recent decades simply define extraditable crimes as those that are punishable in the jurisdictions of the two countries that ratified the treaty. Furthermore, extradition treaties can conversely "define instances when extradition is to be denied." For more, see Jonathan Masters, "What Is Extradition?" *Council on Foreign Relations*, January 8, 2020. <https://www.cfr.org/background/what-extradition#chapter-title-0-2>.

Appendix 2).¹²⁹ Academic analysis suggests that countries with stronger commitments to the rule of law are less likely to work with China on creating an extradition agreement.¹³⁰ Chinese officials have emphasized the importance of extradition treaties in efforts to repatriate overseas fugitives for General Secretary Xi's anticorruption campaign.¹³¹ For example, in 2018, Director of the Central Commission for Discipline Inspection's (CCDI) Bureau for International Cooperation La Yifan publicly exhorted CCDI officials to "accelerate the negotiations of extradition treaties" and to "sign more bilateral extradition treaties."¹³²

China fails to meet international standards that are a prerequisite for extraditions to take place, and as such, the expansion of its extradition treaties opens the door for further violations of international norms and standards. This is primarily the case regarding the principle of nonrefoulement, which states that no individual should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment, or other irreparable harm under international human rights law in the UN.¹³³ Beijing's track record of violating human rights—ranging from preventing access to a fair trial to the torture and abuse of detained individuals—has made numerous countries reluctant to extradite suspects to China.¹³⁴ In October 2022, the extradition of a Taiwan national to China from Poland was blocked by the European Court of Human Rights on the basis of articles 3 and 6 of the European Convention on Human Rights concerning torture and right to a fair trial.¹³⁵ This followed two cases in which the governments of Cyprus and Italy denied the extraditions of two different Chinese nationals accused of "economic crimes" to China.¹³⁶ In the Cyprus case, the judge ruled that the extradition would be in violation of both article 3 of the European Convention on Human Rights, which seeks to protect suspects who would be subject to torture or ill treatment upon arrival to the country requesting the extradition, and article 6, which guarantees the right to a fair trial.¹³⁷ Although the details of the final verdict in the Italian Supreme Court case were not made public, the defendant's lawyers reportedly referenced recent precedent from the European Court of Human Rights, which had similarly established that extradition to China constituted a violation of article 3.¹³⁸

Some countries may extradite people to the Mainland despite the fact that Beijing's diplomatic assurances are not credible. Extradition can be based upon diplomatic assurances or guarantees that an extradited individual will be treated in accordance with the conditions both parties agreed upon, such as no torture.¹³⁹ For example, the 2021 decision by New Zealand's Supreme Court on Kyung Yup Kim, a South Korean citizen who was accused of murder by the Chinese government, marked the first time New Zealand determined it was appropriate to extradite an individual based on diplomatic assurances offered by Beijing, despite the lack of an extradition treaty between the two countries.¹⁴⁰ This also appears to be a rare case where an individual who was not and never had been a citizen of China or Taiwan was extradited to China.¹⁴¹ In an analysis of the case, China law expert Donald Clarke said, "The record shows that China is willing to violate its international commitments in criminal justice matters when it finds it convenient, and granting extradition in this [New Zealand] case risks opening the door to future extraditions on the basis of unreliable guarantees."¹⁴²

The CCP has faced some obstacles in its efforts to leverage bilateral extradition treaties for transnational repression. Beijing does not have extradition treaties with democratic countries such as the United States, Canada, and the UK, effectively cutting off a legal pathway to a majority of the "fugitives" it seeks to repatriate.*¹⁴³ Even in cases where China has managed to ratify extradition treaties with a cooperating country, extraditions may be difficult, costly, and slow.¹⁴⁴ Where it lacks the ability to repatriate individuals through extradition treaties, however, the Chinese government unilaterally conducts repatriation operations under authorities given to its own National Supervisory Commission.¹⁴⁵

* For data illustrating the increase of Chinese asylum seekers globally, see Safeguard Defenders, "INVoluntary Returns," January 2022, 15-17. <https://safeguarddefenders.com/sites/default/files/pdf/INvoluntary%20Returns.pdf>.

Extraditions of Taiwan Citizens

Beijing seeks the extradition and repatriation of citizens of Taiwan in addition to Chinese citizens. Between 2016 and 2019, more than 600 Taiwan nationals were extradited or deported to China from at least eight countries, including Armenia, Cambodia, Indonesia, Kenya, Malaysia, the Philippines, Spain, and Vietnam, presumably under pressure from China's government and after denying the Taiwan government access its own citizens.¹⁴⁶ Of the countries that have extradited or deported citizens of Taiwan to China, none have formal relations with Taiwan and all but Malaysia and Armenia have extradition treaties in force with China (Malaysia and Armenia have signed but not ratified extradition treaties with China).¹⁴⁷ In 2022, the extradition of a Taiwan citizen from Poland to the China was halted by the European Court of Human Rights on the basis of risk of torture, setting a precedent that effectively bars extraditions from the EU to China.^{*148} However, if the number of countries maintaining extradition treaties with China expands, citizens of Taiwan will be at increased risk of being deported to China, where they will not enjoy the rights to a fair trial and humane treatment.¹⁴⁹

Travelers visiting countries that still maintain Fugitive Offenders Orders with Hong Kong, which are equivalent to an extradition treaty, face additional risks.¹⁵⁰ In 2019, the Hong Kong government proposed an extradition bill that would amend two laws, including the Fugitive Offenders Ordinance and the Mutual Assistance in Criminal Matters Ordinance.¹⁵¹ According to the *New York Times*, the controversial extradition bill would have allowed the Hong Kong government to “detain and transfer people wanted in countries and territories with which it has no formal extradition agreements, including Taiwan and the Chinese mainland.”¹⁵² The bill was suspended indefinitely in June 2019 due to mass protests, but while the extradition bill ultimately failed to pass, in June 2020, China passed the sweeping National Security Law, cementing its control over the city.¹⁵³ Nine countries subsequently suspended their Fugitive Offenders Orders with Hong Kong, but ten countries still retain those orders.^{† 154}

Potential Risks to U.S. Domestic and Global Interests

China's transnational repression violates the sovereignty of countries around the world, threatens the rights of their citizens and residents, and undermines the credibility and effectiveness of international law enforcement organizations and agreements. Below are some of the risks associated with China's transnational repression for the United States.

Potential Risks within the United States

Various forms of China's transnational repression threaten to undermine national sovereignty and the rights to which U.S. citizens, residents, and others living in the country are entitled. The operations of Chinese security services to target critics of the CCP or carry out “law enforcement” activities on U.S. soil may violate U.S. laws

* The European Court of Human Rights found that consistent, credible reports of torture and other mistreatment within China's detention facilities and penitentiaries amounted to “a general situation of violence” and thus provided sufficient grounds to establish that the applicant “would face a real risk of ill-treatment if extradited” to China. European Court of Human Rights, *Case of Liu v. Poland*, October 6, 2022, 23. <https://www.refworld.org/cases,ECHR,634567c14.html>.

† Countries that suspended the agreement are: Australia, Canada, Finland, Germany, Ireland, the Netherlands, New Zealand, the UK, and the United States. Countries that retain it include: Czechia, India, Indonesia, South Korea, Malaysia, the Philippines, Portugal, Singapore, South Africa, and Sri Lanka. France responded to the passing of the National Security Law by halting any ratification of the agreement it had signed in 2017 that had not yet entered into force. France's Ministry for Europe and Foreign Affairs, *Hong Kong – National Security Law in Hong Kong – Reply by the Ministry for Europe and Foreign Affairs to a Written Question in the National Assembly* (Paris, 26 January 2021), January 26, 2023. [https://www.diplomatie.gouv.fr/en/country-files/china/news/article/hong-kong-national-security-law-in-hong-kong-reply-by-the-ministry-for-europe#:~:text=In%20this%20framework%2C%20the%20decision,Hong%20Kong%20Special%20Administrative%20Region;Government%20of%20the%20Hong%20Kong%20Special%20Administrative%20Region,Department%20of%20Justice,List%20of%20Surrender%20of%20Fugitive%20Offenders%20Agreements%20\(Legislative%20References\),November%209%2C2020.https://www.doj.gov.hk/en/external/table4ti.html](https://www.diplomatie.gouv.fr/en/country-files/china/news/article/hong-kong-national-security-law-in-hong-kong-reply-by-the-ministry-for-europe#:~:text=In%20this%20framework%2C%20the%20decision,Hong%20Kong%20Special%20Administrative%20Region;Government%20of%20the%20Hong%20Kong%20Special%20Administrative%20Region,Department%20of%20Justice,List%20of%20Surrender%20of%20Fugitive%20Offenders%20Agreements%20(Legislative%20References),November%209%2C2020.https://www.doj.gov.hk/en/external/table4ti.html).

prohibiting stalking and requiring the registration of foreign agents.¹⁵⁵ Beijing's intimidation and harassment of people living in the United States could undermine First Amendment rights to free speech and peaceful assembly by forcing these individuals to balance self-censorship against risks of retaliation from Beijing, including threats against family members.¹⁵⁶ The suppression of dissent carried out by some CSSA chapters on campus may limit freedom of speech and academic freedom at U.S. colleges and universities.¹⁵⁷ Additionally, the Chinese government's illegal surveillance of people living in the United States via cyberespionage also violates individual privacy rights.¹⁵⁸

Potential Risks to U.S. Interests Abroad

The United States is the top financial contributor to INTERPOL and leans on the organization to help protect U.S. citizens abroad from transnational crime through collaboration with law enforcement partners around the world.¹⁵⁹ However, Beijing's misuse of Red Notices and its growing influence in the organization pose risks to INTERPOL's ability to serve as an ethical and accountable law enforcement cooperation platform.¹⁶⁰ For example, China erodes the integrity of the organization by continuing to target ethnic and religious minorities, dissidents, and other groups through Red Notices in violation of the INTERPOL constitution.¹⁶¹ Furthermore, China's efforts to expand its influence within INTERPOL through increasing financial contributions and the promotion of its own public security officials to leadership positions could enable Beijing to influence INTERPOL's agenda and norms.¹⁶² Issues of transparency within INTERPOL still exist despite reforms, creating additional challenges in combating China's use of Red Notices for political purposes.¹⁶³ Despite a 2017 INTERPOL reform intended to boost transparency of the Commission for the Control of INTERPOL's Files, INTERPOL is still not required to provide data on the number of member states' Red Notice requests it has denied.¹⁶⁴ Reforms did not address the fact that individuals cannot request information on whether they have had a Red Notice placed or lifted on them if the requesting country does not agree to share the information.¹⁶⁵

China's growing list of extradition treaties and other coordination with foreign police also creates risks for U.S. persons visiting countries that cooperate with Chinese law enforcement.¹⁶⁶ Governments that sign extradition treaties with China are willing to cooperate closely in judicial matters with China and themselves may not recognize or be concerned by the fact that extraditing people to China puts them in an environment where neither the rule of law nor human rights are respected.¹⁶⁷ Given China's increasing use of extraterritorial provisions in recent legislation, particularly regarding vaguely defined national security matters, U.S. persons critical of China and traveling to other countries may face risks of being surveilled, harassed, or even detained or extradited to China for purported violations of Chinese law.¹⁶⁸

Additional Considerations for the United States

The United States does not have a comprehensive strategy to counter Beijing's continued violations of sovereignty, national laws, and democratic norms. For an overview of current U.S. government efforts to combat China's transnational repression, see Appendix 1. The following are challenges that hinder an effective U.S. government response to China's transnational repression activities on U.S. soil:

- **Challenges for Detecting Beijing's Covert Forms of Transnational Repression on U.S. Soil:** U.S. law enforcement and intelligence agencies likely lack sufficient mechanisms and sources to identify covert Chinese law enforcement activities and other forms of transnational repression occurring on U.S. soil. For example, China's "overseas police stations," which may be concealed as legitimate businesses with a low profile, are difficult to detect and may require considerable resources to identify.¹⁶⁹ As of October 2023, the FBI has not responded publicly to congressional inquiries on whether federal law enforcement agencies were aware of the New York station prior to nongovernmental organization reporting in September 2022,

and it has yet to explain publicly any legal tools and other resources needed to track other entities connected to China's security services overseas.¹⁷⁰ Other forms of covert transnational repression, such as cyberattacks, are also often difficult to detect; even when they are detected, techniques employed by attackers may disguise the location of the attack's origin, and often Chinese agents contract private organizations to conduct such operations.¹⁷¹ Notably, the Department of Homeland Security's (DHS) Cybersecurity and Infrastructure Security Agency (CISA) shares free cybersecurity tools for Uyghur community members in the United States, though CISA's website does not indicate whether these tools include intrusion detection software or if the tools have been offered to other vulnerable groups.¹⁷²

- **Lack of Legal Recourse for Victims:** U.S. residents who are victims of China's transnational repression have limited legal recourse for actions that take place outside of U.S. borders. For instance, U.S. courts are largely unable to offer civil remedies or criminal justice in instances where the Chinese government harasses a U.S. resident's family member living in a different country or tries to intimidate a U.S. resident while they are traveling abroad.¹⁷³ U.S. courts do not have jurisdiction over criminal cases in foreign countries, except in certain limited circumstances.¹⁷⁴ Moreover, U.S. courts cannot offer civil remedies because the Foreign Sovereign Immunities Act precludes suits being brought against foreign governments in U.S. courts.¹⁷⁵
- **Challenges in Preventing CCP-Sponsored Harassment and Intimidation on U.S. Campuses:** The CCP provides guidance to CSSA chapters that results in the harassment and intimidation of students and faculty on U.S. campuses.¹⁷⁶ Chinese students may be particularly vulnerable to such actions by the CSSA because they may rely on the student organization to meet their day-to-day needs while studying abroad, since CSSAs provide resources and contacts to assist Chinese students in the United States that universities themselves do not.¹⁷⁷ In short, the U.S. government and U.S. universities are ill-equipped to detect and prevent CSSAs from surveilling Chinese students or suppressing their free speech on U.S. soil.

In conclusion, China is utilizing a variety of methods to implement an increasingly aggressive campaign of transnational repression. China's global efforts to suppress dissent, forcibly repatriate people, and engage in extraterritorial law enforcement actions violate the sovereignty of countries around the world, threaten the rights of their citizens and residents, and undermine international law enforcement organizations and agreements. The United States currently lacks a comprehensive strategy to counter Beijing's transnational repression. Congressional members and committees have already begun to call attention to China's transnational repression practices by holding hearings, held rallies and public events, writing letters to government agencies, and introducing legislation.¹⁷⁸ In addition, Congress should consider leveraging both existing and new policy tools to address this challenge.

Appendix 1: U.S. Government Responses to China's Transnational Repression Campaign

U.S. Government Entity	Roles, Policies, and Other Responses
Federal Bureau of Investigation and the Department of Justice	<ul style="list-style-type: none"> • Prosecute agents carrying out Chinese state-sponsored acts of transnational repression. • Categorize crimes related to transnational repression as part of its National Threat Operations Center. • Train FBI staff in order to help call takers identify incidents related to transnational repression. • Conduct online awareness campaigns and hold public speaking events about China's transnational repression activities in the United States. • Issue Mandarin-language advertisements on Facebook to identify individuals who have been victims of China's transnational repression.
Department of State	<ul style="list-style-type: none"> • Implements visa restrictions on perpetrators of transnational repression, coordinates with the U.S. Department of the Treasury to create investment restrictions, and works with the U.S. Department of Commerce to craft export controls targeting technology that can be used for transnational repression. • Creates digital security tools and makes available financial assistance for activists and private sector entities vulnerable to China's transnational repression activities. • Engages third countries that may be involved in China's transnational repression efforts by facilitating diplomacy for individuals at risk of refoulement. • Pushes for INTERPOL reform. For instance, the State Department has stated that U.S. officials serve on a number of INTERPOL working groups such as the Governance Working Group, which was "successful in making amendments to the constitution and related INTERPOL rules enhancing the accountability and transparency of the Executive Committee, and the Committee for Processing Data (CPD), a standing committee responsible for the review and amendment of INTERPOL's rules."¹⁷⁹ • Condemns China's transnational repression in statements and resolutions in the UN General Assembly and other UN bodies. • Assesses transnational repression as part of its annual <i>Country Reports on Human Rights Practices</i> and the <i>Trafficking in Persons Report</i>.
Department of Homeland Security (DHS)	<ul style="list-style-type: none"> • Works to thwart Operation Fox Hunt by utilizing a variety of methods. Homeland Security Investigations (HSI), the principal investigative arm of DHS, is responsible for handling transnational repression issues across the interagency. HSI has tracked assets used to facilitate Operation Fox Hunt and shared this information with other actors within the U.S. government that ultimately disrupted China's operations. DHS also conducts due diligence when approached by Chinese officials who inquire about alleged fugitive case files, and it informs DHS partners across the U.S. government

	<p>about China’s efforts to manipulate of U.S. law enforcement into unwittingly assisting China’s operations.</p> <ul style="list-style-type: none"> • Advocates for INTERPOL reform. Some of these measures include but are not limited to cooperating with partners and allies through fora such as the G7 to promote INTERPOL reform, nominating qualified officials for INTERPOL Executive Committee and the Commission for Control of INTERPOL’s Files (CCF), and providing financial support and assigned experienced personnel to work within the Secretariat General. DHS also communicates directly with INTERPOL to encourage additional implementation of corrective measures in response to abusers of the system. • Provides improved training for DHS enforcement officers. In 2022, Serena Hoy, assistant secretary for international affairs at DHS, testified before the Congressional-Executive Commission on China (CECC) that DHS had trained its officers to recognize and prevent the misuse of INTERPOL notices and diffusions over the previous year. • Conducts outreach with impacted communities such as Uyghurs, Tibetans, Hong Kongers, and others living in the United States through the Office for Civil Rights and Civil Liberties (CRCL). For example, CRCL connects Uyghur diaspora community leaders and members with DHS components like CISA and U.S. Citizenship and Immigration Services to address issues including online harassment and asylum processes, respectively.
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Source: Various.¹⁸⁰

Appendix 2: Extradition Treaties Ratified or in Development with China

Region	Country	Signed	Ratified with Partner Country	Status
Indo-Pacific	Thailand	August 26, 1993	March 7, 1999	In Force
	Mongolia	August 19, 1997	January 10, 1999	In Force
	Cambodia	February 9, 1999	December 13, 2000	In Force
	South Korea	October 18, 2000	April 12, 2002	In Force
	Philippines	October 30, 2001	March 12, 2006	In Force
	Laos	February 4, 2002	August 13, 2003	In Force
	Indonesia	July 1, 2009	January 19, 2018	In Force
	Vietnam	April 7, 2015	December, 12, 2019	In Force
	Australia	September 6, 2007	Not Ratified	In 2017, Australia canceled a vote to ratify an extradition treaty with China. ¹⁸¹
	Sri Lanka	April 7, 2016	Not Ratified	
Europe	Belarus	June 22, 1995	May 7, 1998	In Force
	Russia	June 26, 1995	January 10, 1997	In Force
	Bulgaria	May 20, 1996	July 3, 1997	In Force
	Romania	July 1, 1996	January 16, 1999	In Force
	Ukraine	December 10, 1998	July 13, 2000	In Force
	Lithuania	June 17, 2002	June 21, 2003	In Force
	Spain	November 14, 2005	April 4, 2007	In Force
	Portugal	January 31, 2007	July 25, 2009	In Force
	France	March 20, 2007	July 17, 2015	In Force
	Italy	October 7, 2010	December 13, 2015	In Force
	Bosnia and Herzegovina	December 20, 2012	October 12, 2014	In Force
	Turkey	May 13, 2017	Not Ratified	
	Greece	November 11, 2019	Not Ratified	
	Belgium	October 31, 2016	December 26, 2020	In Force
	Cyprus	June 29, 2018	December 26, 2020	In Force
	Austria	April 8, 2018	Not Ratified	
Africa	Tunisia	November 19, 2001	December 29, 2005	In Force
	South Africa	December 10, 2001	November 17, 2004	In Force
	Lesotho	November 6, 2003	October 30, 2005	In Force
	Namibia	December 19, 2005	September 19, 2009	In Force
	Angola	June 20, 2006	October 17, 2013	In Force
	Algeria	November 6, 2006	September 22, 2009	In Force
	Ethiopia	May 4, 2014	December 2, 2017	In Force
	Kenya	May 15, 2017	Not Ratified	
	Senegal	July 21, 2018	Not Ratified	
	Zimbabwe	September 5, 2018	Not Ratified	
	Mauritius	September 2, 2018	Not Ratified	

	Republic of Congo	July 5, 2016	December 30, 2022	In Force
	Morocco	May 11, 2016	April 16, 2021	In Force
Latin and South America	Peru	November 5, 2001	April 5, 2003	In Force
	Brazil	November 12, 2004	August 16, 2014	In Force
	Mexico	July 11, 2008	July 7, 2012	In Force
	Argentina	May 10, 2013	Not Ratified	
	Chile	May 25, 2015	February 26, 2022	In Force
	Ecuador	November 17, 2016	Not Ratified	
	Panama	December 3, 2018	Not Ratified	
	Uruguay	April 29, 2019	December 30, 2022	In Force
	Barbados	March 23, 2016	November 7, 2018	In Force
	Grenada	March, 24, 2016	January 10, 2019	In Force
Middle East and Central Asia	Kazakhstan	July 5, 1996	February 10, 1998	In Force
	Kyrgyzstan	April 27, 1998	April 27, 2004	In Force
	United Arab Emirates	May 13, 2002	May 24, 2004	In Force
	Uzbekistan	November 8, 1999	September 29, 2000	In Force
	Pakistan	November 3, 2003	January 10, 2008	In Force
	Azerbaijan	March 17, 2005	December 1, 2010	In Force
	Iran	September 10, 2012	January 14, 2017	In Force
	Afghanistan	September 27, 2013	May 23, 2017	In Force
	Tajikistan	September 13, 2014	January 18, 2017	In Force
	Armenia	May 26, 2019	Not ratified	

Source: Various.¹⁸²

Endnotes

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