



***WITHOUT BORDERS: A LOOK INTO
TRANSNATIONAL REPRESSION***

BY LAURA JARAMILLO

Laura Jaramillo (laurajillom@gmail.com) is a research intern at Pacific Forum and a senior at Pomona College dual majoring in International Relations and Environmental Analysis. Her political interests include international law and security, humanitarian aid, diaspora politics, and environmental policy in the Latin American and East Asian region.

In our increasingly interconnected world, the expansion of state power beyond national borders has evolved into a pervasive threat, not just to the targeted individuals, but to the very fabric of international security and human rights. [Transnational repression](#) manifests as governments reaching across borders to intimidate, control, and silence their diaspora. This can take a variety of forms, ranging from online harassment to even assassinations, undermining the sovereignty of host nations, intimidating journalists, and disregarding international law. According to a report by Freedom House, between 2014 and 2022, there were at least [854 documented cases](#) of direct physical transnational repression committed by 38 governments across 91 countries, with many more individuals facing imprisonment, forced disappearances, or even death. These acts represent a daily assault on individual rights and democratic principles, creating a climate of fear that undermines safety and freedom across borders.

In the Indo-Pacific region, transnational repression is prevalent. Abroad, Chinese nationals are constantly surveilled and have a common fear of participating in political events or posting anything critical of the People's Republic of China (PRC). The situation becomes even more tense due to stringent regulations

on social media platforms such as [WeChat](#), a vital tool for staying connected with mainland China, and the most popular platform among Chinese nationals. Many users express that "[leaving WeChat means leaving social life in China](#)." As a result, foreign nationals are extremely cautious about their online interactions, leading to anxiety over the potential consequences they and their loved ones might face if they cross any lines. This is only a small reflection of the [extensive reach](#) of the Chinese government's surveillance and control mechanisms. For Hongkongers, hinting at a pro-democracy position risks arrest, even for those [not in Hong Kong](#). Following the implementation of the [National Security Law](#), which grants the Chinese government sweeping powers to target dissidents worldwide, Hongkongers living abroad have faced increased risks of arrest and [extradition](#).

Similarly, defectors who have successfully escaped North Korea continue to fear the regime even after leaving their territory. The brutal North Korean state apparatus ensures that even those who have managed to escape remain under constant threat, as evidenced by [reports](#) of kidnappings and assassinations internationally, including a high-level defector who faced assassination threats, leading to the [arrest of two North Koreans](#). Although the [high media attention](#) of some defectors garnered more security from the South Korean and the United States governments who refuge them, [cases persist](#).

[Article 112](#) of the Thai Criminal Code, known as the lese-majesté law, criminalizes defamatory, insulting, or threatening remarks about the monarchy, imposing severe penalties and has expanded its reach to online activities, with severe consequences for seemingly innocuous actions such as liking, uploading, or sharing posts critical of the monarchy. In 2023, [Mongkhon Thirakhot](#), an online vendor in Chiang Rai, was sentenced to 50 years in prison for posts deemed harmful to the king, illustrating the severe and often arbitrary enforcement of the lese-majesté law. Abroad, the Thai government extends its reach to exiles through [international legal mechanisms](#), reflecting a shift from domestic to transnational enforcement. This expansion of jurisdiction can lead to self-censorship among exiles.

Notably, in 2019, the bodies of two Thai activists, [Chatcharn and Kraidej](#), were found dismembered and stuffed with concrete in the Mekong River. These activists had fled to Laos seeking refuge; although it remains unclear if the Thai government was directly involved, the case exemplifies the broader climate of intimidation. Another case is the arrest of [Wanchalearm Satsaksit](#), a prominent Thai activist in Cambodia, which highlights the extreme measures the Thai government is willing to take to enforce its draconian laws on foreign soil. This pervasive reach and the associated fear underscore the lengths to which repressive regimes will go, even when their actions are not directly visible.

While Thailand's situation often garners attention, it underscores a broader issue of transnational repression that affects numerous countries throughout Southeast Asia. Human rights and environmental activists from Laos and Cambodia have also been targeted and assassinated abroad for their work. The assassination of Cambodian activist [Kem Ley](#) in 2016, widely believed to be politically motivated, is a stark reminder of the dangers faced by activists even beyond their national borders. In Laos, the mysterious disappearance of [Sombath Somphone](#), a prominent civil society leader, in 2012 remains unsolved, with [many believing](#) that state actors were involved.

When acts of repression cross international borders, legal complexities multiply. Different countries have different laws, and proving that a government has acted illegally on foreign soil can be challenging without inter-state cooperation. The principle of [state sovereignty](#) further complicates international intervention, as states may resist external interference in what they perceive as internal matters, even when those actions transcend borders. Some governments justify their actions on the grounds of national security, particularly when targeting individuals they label as terrorists or threats to state stability. For example, a government might claim that [monitoring or even silencing](#) activists abroad is necessary to protect its citizens from potential terrorist attacks. This is compounded by the fact that transnational repression is often covert, making it difficult to prove. Governments involved in such

activities obscure their involvement with repression being carried out by [third parties](#) or under the guise of legal actions, making direct attribution challenging. Often, cases of transnational repression only come to light when victims speak out or when states declassify documents long after the fact. The complexity of gathering definitive evidence underscores the need for thorough and impartial investigations. Understanding the full context and ensuring that responses are based on verified information is crucial to addressing transnational repression. Nevertheless, these instances reflect a broader pattern of intimidation and violence against foreign nationals, creating a climate of fear that undermines the safety of [potential havens](#) and deters opposition.

The first step in preventing and cracking down on transnational repression is recognizing it. Even with many cases becoming [mainstream](#), the international community's response to transnational repression remains inadequate, with many countries prioritizing diplomatic and economic interests over robust human rights protections. This was evident when several Western nations, despite [condemning](#) human rights abuses in China, continued to engage in [significant trade](#) relationships with Beijing, effectively diluting their stance on transnational repression. Establishing accountability will raise the cost of these tactics, making it more difficult for these abuses to remain hidden. However, when considering measures to counteract transnational repression, it is crucial to avoid exacerbating the issue through extraterritorial responses. States that extend their reach beyond their borders in attempts to combat repression may inadvertently mirror the same tactics they seek to prevent. For instance, the Prevention of Terrorism Act (POTA) in Sri Lanka has been [widely criticized](#) for its counter-terrorism measures and potentially infringing on the rights of individuals abroad, creating tensions and fears for those who worry about becoming targets of similar tactics. Instead of replicating the aggressive behaviors of repressive regimes, the international community should focus on collaborative and transparent approaches that emphasize the protection and support of victims. It is crucial to avoid punitive or confrontational measures that could escalate

tensions or lead to becoming the very oppressors they seek to punish.

Cracking down on transnational repression starts with education and visibility, with programs and protections constraining the ability of external actors. Further cooperation should focus on journalists and refugees, who are particularly vulnerable to ongoing threats and harassment from their home governments. A concerted international effort is necessary to address the challenge of transnational repression, involving stronger diplomatic measures, enhanced support for at-risk individuals, and a commitment to upholding global human rights norms. If left unchecked, the normalization of transnational repression could normalize this type of crime, thereby undermining international human rights standards and global stability.

PacNet commentaries and responses represent the views of the respective authors. Alternative viewpoints are always welcomed and encouraged.