

Transnational Repression and Academic Freedom
October 2024

Inspireurope+ is an EU funded project that works to strengthen and coordinate support in Europe for researchers at risk. Researchers at risk include researchers, scholars and scientists at all stages of their careers who are experiencing threats to their life, liberty or research career, and those who are forced to flee or have been displaced because of such threats. Building on the work undertaken by Inspireurope (launched under MSCA in 2019), Inspireurope+ proceeds from the view that excellence in research depends upon free and open scientific debate and requires a diversity of perspectives and methodologies to flourish. The need to expand support for researchers at risk is urgent, and the value of a coordinated effort across countries and institutions that is dedicated to providing support for researchers at risk has never been clearer.

Who are researchers at risk?

Researchers at risk include researchers, scholars and scientists at all stages of their careers who are experiencing threats to their life, liberty or research career, and those who are forced to flee or have been displaced because of such threats. Some researchers at risk have recognised refugee status, asylum status, or similar protection status. But many researchers seeking the assistance of NGOs specialising in the field of scholar protection are outside the refugee process. These researchers are seeking or holding temporary visas/work permits through visiting research/scholar positions at host universities in Europe or elsewhere, outside their home countries.

Why are researchers at risk?

The global Scholars at Risk Network (SAR) identifies three broad categories of risk that face researchers.¹

- (i) Risk due to the content of a scholar's work, research, or teaching being perceived as threatening by authorities or other groups. When the development of ideas, exchange of information, and expression of new opinions are considered threatening, individual scholars/researchers are particularly vulnerable.
- (ii) Risk because of the individual's status as an academic or researcher. Because of the often public-facing, international nature of their work scholars and researchers can become attractive targets for authoritarians seeking to send a message meant to silence others, inside as well as outside the academic community.
- (iii) Risk as a result of their peaceful exercise of basic human rights, in particular, the right to freedom of expression or freedom of association.

There is mounting evidence that authoritarian regimes are extending their repressive activities beyond their borders, with academic communities (including researchers) around the world rendered increasingly vulnerable. Due to transnational repression researchers at risk may be subject to political persecution even once they arrived in Europe.²

¹ <https://www.scholarsatrisk.org/>. SAR reports that although each individual researcher's situation is unique, clear patterns have emerged over 20 years' experience and within the 5,000+ applications for assistance the Network has received since its founding.

² Unless indicated otherwise, the defined geographical coverage of Europe used in this briefing paper is that of the European Higher Education Area (EHEA), that is to say the 49 signatory countries of the European Cultural Convention of the Council of Europe. List available here: <https://ehea.info/page-members>

Targeting researchers abroad: A new manifestation of risk

There are documented accounts of authoritarian regimes exerting pressure on students and researchers beyond their borders (predominantly but not exclusively against their own nationals), as well as against the academic institutions hosting them. The purpose of these actions is to silence and suppress dissenting views, stifle criticism, and to influence the image of their country abroad.

However, excellence in research depends upon free and open scientific debate and requires a diversity of perspectives and methodologies to flourish. Academic engagement, including the sharing and exchange of ideas both within and across borders, is a core aspect of academic life, and crucial for social and democratic advancement. Acts of transnational repression represent a significant threat to the free exchange of ideas, and directly impact academic freedom.

What is transnational repression?

The term transnational repression, sometimes referred to as extraterritorial repression, or extraterritorial censorship, is increasingly used to describe the efforts of governments to extend their reach beyond their borders in order to target individuals and/or particular communities, living in other countries as well as external institutions and organisations.³ The concept can be understood as being part of the broader phenomenon of foreign interference which encompasses a wider and more diverse set of actions designed to influence, manipulate or undermine the domestic affairs, politics, or processes of another sovereign country such as disinformation campaigns, electoral interference, or exertion of diplomatic or economic pressure⁴. Transnational repression is primarily manifested through a variety of intimidation tactics, ranging from violence, harassment, and surveillance of specific individuals, to the adoption of extraterritorial laws of arbitrary application, designed to capture whole communities.⁵ The intention is to suppress dissent and criticism of the government, usually amongst its own nationals abroad but not exclusively.⁶ Targets of these actions have long tended to be focused on human rights defenders and political dissidents in exile. However, regimes have expanded their target base to capture large diaspora communities abroad, including researchers.

What is the scale of transnational repression in the academic community?

Cross-border, state-led persecution of international students, visiting scholars, researchers, and faculty, is an emerging and rapidly evolving issue of major concern, the exact scale of which is yet unknown. In 2024, *Freedom House* and *Amnesty International* released reports documenting this phenomenon and its effect on the academic community. *Freedom House* focused its examination on university and college campuses in the United States, and, astoundingly, concluded it to be an “everyday threat”.⁷ The report identified China as a major perpetrator, but it also found that other countries, including Egypt, India, Rwanda, and Saudi Arabia have engaged in repressive measures against students and scholars abroad. Similarly, *Amnesty International* found that transnational repression by the Chinese government had a “profound

³ For a general discussion on transnational repression see Human Rights Watch, “*We Will Find You*” *A Global Look at How Governments Repress Nationals Abroad*, (2024). The report is available here: <http://surl.li/bvmhbw>

⁴ For a consideration of foreign interference in higher education and research, see European Commission: Directorate-General for Research and Innovation, “*Tackling R&I foreign interference – Staff working document*”, Publications Office of the European Union, 2022, <https://data.europa.eu/doi/10.2777/513746>

⁵ For example, Russia’s designation of universities as ‘undesirable organizations’. Passed in May 2015, the “undesirable organization” law (Article 20.33 of Russia’s Code of Administrative Offences) provides Russia’s Prosecutor General and Foreign Ministry with the power to designate foreign or international institutions as undesirable organizations if they present a “threat to the defensive capabilities or security of the state, to the public order, or to the health of the population.” On June 18, 2024, the European Court of Human Rights ruled that this law was incompatible with the provisions of the European Convention on Human Rights, which Russia was a signatory to until 2022. See JURISTnews, 18 June 2024, *ECtHR rules Russia ‘undesirable organization’ law breaches European Convention on Human Rights*, available at <https://shorturl.at/cegir>

⁶ See SAR Statement, “China: Revoke sanctions on international scholars and respect free and open scholarly inquiry.”, (May 4, 2021), available here: <https://shorturl.at/LxPBD>

⁷ *Freedom House’s* 2024 report, “*Addressing Transnational Repression on Campuses in the United States*” at 3.



chilling effect” in six European countries – Belgium, France, Germany, the Netherlands, Switzerland, and the UK – as well as Canada and the USA.⁸

How does transnational repression manifest?

Reports by Scholars at Risk, Amnesty International, Freedom House, and Human Rights Watch, and various media illustrate the wide variety of means through which transnational repression can be manifested. Examples include:

- A researcher is subject to surveillance and monitoring, with their online and offline activities and communications tracked.
- Researchers’ family members, in the researchers’ countries of origin, are contacted by the police and threatened or even arrested, in an attempt to pressure the researchers to stop their work.
- An embassy or consular official attends an event where a researcher is presenting their work, signalling their state’s awareness of the researcher’s controversial work.
- A researcher is subjected to a coordinated campaign of threats, harassment, and smears, both online and in-person, in an attempt to silence or discredit them and their work.
- A researcher makes public remarks criticizing the government in their country of origin, and national authorities respond by accusing the researcher of criminal acts and trying to have them deported home, or they cancel travel documents to force them to return home.
- An early career researcher is forced to sign a loyalty pledge to the government of their country of origin in order to receive a scholarship to fund their study abroad.
- A researcher is subjected to a travel ban, a freeze on assets, or declared a “foreign agent”.⁹
- A researcher is affiliated with an institution abroad that their home country has designated an “undesirable organization” and upon returning home, the researcher could face fines, restrictions on activities, travel bans, or imprisonment.¹⁰

What is the impact of transnational repression on research and scholarship?

Persecution of this nature can undermine a researcher’s sense of safety and security, affecting their ability to freely generate and share new ideas. This may lead to the distortion of research agendas, as researchers may avoid certain topics, refrain from publication, avoid participating in public events, or even abandon their field of expertise entirely. The mere knowledge that they are being monitored by regime representatives from their country of origin can lead to self-censorship on the part of those affected.

However, the impact of these threats extends far beyond any one individual researcher as these acts are intended to inspire fear and mistrust within entire research communities abroad. Researchers witnessing

⁸ Amnesty International’s 2024 report, “[On my campus, I am afraid](#)”: China’s Targeting of Overseas Students Stifles Rights”, examines both individual experiences with, and the impacts of, the Chinese government’s use of transnational repression against international students from mainland China and Hong Kong.

⁹ Russia’s Foreign Agents law, which was signed by President Putin in July 2022 and went into effect later that year, profoundly impacts higher education. The law defines “foreign agents” to include any person or entity that has fallen under foreign influence of any kind (not simply those receiving foreign funding). The law imposes major administrative burdens on anyone designated a foreign agent, and mandates that their names, birthdates, and other identifying information be placed on a government website. In addition, the law bars individuals deemed foreign agents from teaching at state universities. To learn more, see Scholars at Risk’s Submission to the Fourth Cycle of the Universal Periodic Review of Russia 44th Session of the United Nations Human Rights Council Submitted April 5, 2023, available here: <https://shorturl.at/LMmpa>

¹⁰ In 2023, Central European University was officially designated by Russia’s Prosecutor General’s Office as an ‘undesirable’ organization under the country’s undesirable organizations law. See <https://www.ceu.edu/article/2023-10-27/statement-response-russias-designation-ceu-undesirable-organization>

the harassment of a colleague may choose to disassociate from both the colleague and the research topic, potentially leading to professional isolation of both parties, affecting future collaborations and career progression. Having already fled their country of origin due to threats to their life, liberty or research career, these difficulties are compounded for researchers at risk.

Host institutions may also be affected as they determine how best to protect their researchers and students while balancing international collaborations and partnerships with institutions and organisations from countries known to engage in transnational repression. In the absence of specific and robust guidance for higher education institutions on how to effectively tackle transnational repression, measures taken to address the threats posed on campuses may be limited. There is a risk that higher education community responses to the threats posed become overly focused on viewing transnational repression as a national security issue.¹¹

Research security is essential but the measures enacted to safeguard it should not function as barriers to cross border academic collaboration, and to undermine researchers' and students' own human rights and academic freedom, particularly the sense of safety and security that they feel to generate new ideas and technologies and contribute to the most pressing social debates.

Recommendations

The Inspireurope consortium calls on the European Union and its Member States, and the countries of the European Higher Education Area to address the growing threat that transnational repression poses to researchers at risk, and the higher education community in Europe in a manner which ensures respect for human rights and the academic freedom of students and researchers.

- Transnational repression in higher education settings is a grave threat to academic freedom, and as such, a pressing human rights issue. In any measures taken to address transnational repression, governments and international bodies should also consider the threat posed to researchers, scholarship, and institutional autonomy.
- The scale and scope of transnational repression should be monitored and measured at European and national levels. This can be achieved through the establishment of safe, confidential and trauma-informed reporting mechanisms. In any efforts designed to specifically monitor academic freedom, acts of transnational repression should be specifically labelled.
- Public statements of support by European and national governments for those affected by transnational repression, including researchers at risk, are an important element of a robust response to the threat posed. A public display of solidarity can be a powerful signal of a strong commitment to upholding human rights and academic freedom.
- More broadly, building an affirmative culture of academic freedom would significantly assist in mitigating the threats posed by transnational repression to the higher education community. This can be achieved through implementation of the Principles for Implementing the Right to Academic Freedom, which articulate nine essential aspects of the right. Drafted by a working group of United Nations experts, scholars, and civil society actors, the Principles were recently endorsed by the Special Rapporteur on the right to education, Farida Shaheed in her 2024 Report on Academic Freedom.¹²

¹¹ A recent survey by the International Association of Universities of more than 700 universities worldwide found that cutting international research collaborations is primarily a trend in the United States and Europe. More than half of universities in Europe or North America said they have restricted partnerships either because of new government rules, or on their own initiative. See Science Business, "Restricting international research is largely a European and North American trend, global survey finds", (April 9, 2024), available here: <https://shorturl.at/9nihP>

¹² See "The right to academic freedom - Report of the Special Rapporteur on the right to education, Farida Shaheed, A/HRC/56/58: (April 25, 2024), available here: <https://www.ohchr.org/en/documents/thematic-reports/ahrc5658-right-academic-freedom-report-special-rapporteur-right>

The endorsement and implementation of the Principles, would allow a better state of academic freedom to flourish.

Higher Education Institutions

- Acknowledge and recognize the threat transnational repression represents to their staff, researchers and students. In addition to affirming the importance of academic freedom in institutional statements and strategies, higher education institutions should adopt policies and procedures specifically aimed at addressing transnational repression within their campus communities. It is especially important to involve those who have experienced transnational repression and/or civil society organisations with such experience in the development of best practices.
- Support the development of a greater understanding of transnational repression by monitoring and documenting repressive incidents on campus. Universities have a unique insight into the impact of transnational repression on research and scholarship and can use this experience to contribute to the development of practical and policy solutions. Furthermore, universities can harness their research capacities to shed further light on the complex nature of transnational repression.
- Ensure that university representatives are equipped to accurately assess the risks and likelihood of espionage or transnational repression in given research partnership and develop a risk management system to support partnerships with institutions and individuals in authoritarian and repressive countries.
- Develop schemes of support for international students and visiting researchers from countries known to engage in transnational repression. Schemes should be extended to include faculty members working on sensitive topics that may attract external interference. Matters to be covered include for example training on how to mitigate the risk of digital surveillance. Researchers at risk may have heightened security concerns stemming from the risks experienced in their home country. If a researcher has expressed such concerns, support them through the development of a security plan to mitigate the risk.¹³
- Institutions should also show solidarity and provide concrete support to researchers who face serious risks to their lives and their work. If threats are experienced, the host institution should clearly and unequivocally show their support for the researcher, even publicly (with the researcher's consent), through the issuance of statements.

A series of resources and examples of good practice on transnational repression, foreign interference, and academic freedom

- Freedom House's 2024 report, "Addressing Transnational Repression on Campuses in the United States".
- Amnesty International's 2024 report, "On my campus, I am afraid": China's Targeting of Overseas Students Stifles Rights, examines both individual experiences with, and the impacts of, the Chinese government's use of transnational repression against international students from mainland China and Hong Kong.
- Human Rights Watch developed a 12-point code of conduct in 2019.

¹³ SAR's how to host guide offers support in developing such a plan. <https://www.scholarsatrisk.org/wp-content/uploads/2019/08/SAR-How-to-Host-Handbook.pdf>

- Australia's [Guidelines to Counter Foreign Interference in the Australian University Sector](#).
- [Tackling R&I foreign interference](#) – a toolkit from the European Commission that provides guidance to higher education and research institutions.
- European University Association (EUA), [A global approach to research, innovation, education and youth: EUA input to the European Commission Communication](#), 2021.
- International Safety and Security Office at the University of Wisconsin at Madison created an [information guide](#) outlining the purpose and tactics of transnational repression and offering resources.
- A group of academics in the UK formed the *Academic Freedom and Internationalisation Working Group* and produced a *Model Code of Conduct for the Protection of Academic Freedom and the Academic Community in the Context of the Internationalisation of the UK Higher Education Sector*.
- The *Principles for Implementing the right to Academic Freedom* which articulate nine essential aspects of the right to academic freedom.
- [Open Letter: EU co-legislators must block the covert foreign interference law](#) by Civil Society Europe and EUA (January 2024) which highlights academic freedom and civil rights concerns regarding the European Commission's Defence of Democracy Package.
- SAR's [Promoting Higher Education Values](#) guidebook offers frameworks for responding to incidents.

Related Resources

- [Frequently Asked Questions](#) about researchers at risk.
- [Compendium of resources](#) for researchers at risk and their supporters

Contact Us

To join the Inspireurope+ mailing list and receive quarterly newsletters, sign up [here](#).

If your organisation is interested in establishing new support measures for researchers at risk and seek advice from the Inspireurope+ consortium, please contact us at Inspireurope@mu.ie

