



# DOMESTIC CAPACITY TO ADDRESS TRANSNATIONAL REPRESSION ITALY

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# Domestic Capacity to Address Transnational Repression: Italy

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# Introduction

This report aims to assess Italy's capacity to address transnational repression (TNR) perpetrated by the Russian Federation, focusing on its effectiveness in protecting dissidents and countering repressive tactics deployed across borders. Specifically, it evaluates Italy's legal and policy frameworks to identify key gaps that hinder the protection of individuals targeted by Russian authorities. Through interviews with victims and experts, the report presents real-life cases of TNR in Italy, offering a deeper understanding of the tactics (both official and covert) employed, how they manifest in practice, and the challenges faced by authorities, institutions, and civil society in addressing them. The report concludes with a series of actionable recommendations designed to enhance Italy's response to TNR, improve victim protection, and strengthen institutional and civil society coordination in line with international human rights standards.

# Legal and Policy Frameworks

## 1. Rights and Protections for TNR Victims

### 1.1 Immigration and asylum protections: main statutes and EU regulations: Constitutional and international principles:

Article 10(3) of the Constitution, which provides protection to foreigners unable to exercise democratic freedoms in their home countries (right of asylum); there is no specific implementing legislation, the judiciary has confirmed the direct applicability of this constitutional right.

Refugee status, on the other hand, is defined by the 1951 Geneva Convention (ratified by Law 722/1954) and its 1967 Protocol, which Italy has adopted. Refugee protection applies to individuals with a well-founded fear of persecution based on race, religion, nationality, membership in a specific social group, or political opinion. The constitutional right to asylum differs by addressing broader repression of democratic freedoms without requiring individual persecution.

Subsidiary protection, introduced under EU Directive 2004/83/EC (amended by Directive 2011/95/EU) and transposed into Italian law by D.Lgs. 251/2007, offers protection to individuals facing a real risk of serious harm upon return to their country of origin.

**National legislative framework:** The recognition and revocation of international protection are governed by Legislative Decree 25/2008, which incorporates Directive 2013/32/EU on asylum procedures. Legislative Decree 142/2015, implementing Directive 2013/33/EU, defines reception standards for asylum seekers. The principle of *non-refoulement* is enshrined in Article 19 of D.Lgs. 286/1998, prohibiting expulsion to states where individuals risk persecution or torture. Temporary protection, activated in cases of mass influx, is governed by Directive 2001/55/EC, as demonstrated during the case of Ukrainian refugees in 2022.

The Dublin III Regulation (EU Regulation No 604/2013) establishes criteria for determining the Member State responsible for examining an asylum application. EU Directive 2011/51/EU, transposed by D.Lgs. 12/2014, extends long-term residence permits to beneficiaries of international protection.

**EU policy framework:** The European Union (EU) adopts a common international protection policy, which includes asylum, subsidiary protection, and special protection, in line with the 1951 Geneva Convention. This policy, which adheres to the principle of *non-refoulement*, is enshrined in Article 78 of the Treaty on the Functioning of the European Union (TFEU). The EU has the competence to develop a common asylum policy, ensuring that all citizens from third countries in need of protection receive adequate safeguards. To harmonize national regulations, the Common European Asylum System (CEAS) was established to ensure that asylum seekers are treated fairly and that their applications are assessed uniformly throughout the EU. To ensure compliance with these standards, the European Asylum Support Office (EASO) was created, playing a crucial role in the practical development of the CEAS. EASO is responsible for training national decision-

making bodies in asylum matters, collaborating with academic institutions and other relevant organizations, and ensuring the independence of national judicial bodies. This cooperation between Member States is essential to meet European and international obligations, providing protection to those who are entitled to it.

#### **EU legislation on asylum:**

- **Dublin Regulation II (EC) No. 343/2003:** Defines the criteria for determining which member state is responsible for examining an asylum application submitted by a third-country national in one of the EU member states.
- **Dublin Regulation III (EU) No. 604/2013:** Amends the previous regulation, establishing criteria and mechanisms for determining the member state responsible for international protection applications.
- **Qualification Directive 2004/83/EC:** Establishes the minimum standards for granting refugee status or international protection status, and defines the minimum content of protection.
- **Qualification Directive (recast) 2011/95/EU:** Introduces a uniform status for refugees and beneficiaries of subsidiary protection, defining the content of recognized international protection.
- **Return Directive 2008/115/EC:** Regulates the return of irregular migrants, establishing common procedures for member states.
- **Procedures Directive 2013/32/EU:** Defines common procedures for examining asylum applications, ensuring they are treated fairly and efficiently, with rules for the withdrawal of international protection.
- **Reception Directive 2013/33/EU:** Establishes standards for the reception of asylum seekers, ensuring they have decent living conditions and access to essential services while their applications are being processed.
- **Temporary Protection Directive 2001/55/EC:** Regulates temporary protection in cases of mass displacement, promoting balanced efforts among member states.
- **Reception Conditions Directive 2003/9/EC:** Sets minimum standards for the reception of asylum seekers in member states.
- **EASO Regulation (EU) No. 439/2010:** Establishes the European Asylum Support Office (EASO), an agency that facilitates cooperation among member states within the CEAS and promotes the training of national decision-making bodies.
- **Eurodac Regulation (EC) No. 2725/2000:** Establishes the biometric Eurodac system to compare the fingerprints of asylum applicants, preventing “asylum shopping” and facilitating the application of Dublin rules.
- **Eurodac Regulation (EU) 2024/1358:** Modifies and updates the Eurodac system, extending the biometric data collection for comparison and management of asylum applications, improving the identification of third-country nationals and stateless persons.
- **Asylum and Migration Management Regulation (EU) 2024/1351:** Introduces a framework for integrated asylum and migration management, fostering solidarity and fair distribution of responsibilities among member states.

- **Common Procedure Regulation for International Protection (EU) 2024/1348:** Standardizes asylum procedures in the EU, ensuring greater consistency and efficiency in international protection decisions.

**Procedure of examining asylum application:** Asylum applications in Italy follow procedural stages outlined in Legislative Decree 25/2008 (Procedure Decree). After expressing their intention to seek asylum, applicants must formalize their request at the territorially competent police station (either in the area of their first entry into Italy or their place of residence) within specified, but non-mandatory, deadlines. There is no single uniform method for submitting an asylum request; procedures may vary depending on the location. Applicants may visit the Immigration Office in person or have an attorney submit the request on their behalf via certified email. The police station is always required to accept the application and carry out identification procedures, including biometric data collection (fingerprinting and photographing), as stipulated by Article 4 of the Procedure Decree.

Upon formalization, the police station confiscates the applicant's passport and issues a provisional residence permit. According to Article 22 of Legislative Decree 142/2015, asylum seekers can work 60 days after receiving the so-called "nominal certificate," a provisional document with a photograph issued after the formalization of their asylum request. The police station subsequently forwards all collected documentation to the territorially competent Territorial Commission for International Protection, responsible for conducting substantive interviews and issuing decisions within prescribed timeframes. During the interview, the applicant—either independently or with legal assistance—can explain their situation with the support of an interpreter. While standard procedures require decisions within 30 days, exceptions for complex cases may extend the process up to 18 months. Accelerated and border-specific procedures are also outlined in Article 28-bis of the Procedure Decree. Due to the high volume of applications filed in Italy, the final decision from the Territorial Commission can take one to two years. The Commission determines whether the applicant qualifies for one of the three types of protection recognized under Italian law: refugee status, subsidiary protection, or special protection. If the application is denied, the applicant may appeal the decision before the Specialized Immigration Section of the territorially competent Civil Court. Additionally, an asylum request can be submitted later as a "reiterated application."

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**It is important to note that an asylum application suspends any ongoing expulsion or extradition proceedings until the Territorial Commission makes a decision.**

## **1.2. Deportation and extradition procedures**

**How extradition is regulated in Italy:** Extradition is a specific form of judicial cooperation that allows the transfer of an individual, presumed to be responsible for a crime, to another requesting state that has submitted a request to prosecute or enforce a criminal conviction or other restrictive measure. This is an important tool of international cooperation governed by Italian procedural criminal law and international conventions, which ensure respect for human rights and constitutional safeguards. The



legal framework governing extradition is established by Articles 26 and 10<sup>1</sup> of the Italian Constitution, which permit the extradition of an Italian citizen only if expressly provided for by international conventions and never for political offenses—those punished on discriminatory or political persecution grounds. Further provisions are outlined in Articles 697–722 of the Code of Criminal Procedure and Article 13 of the Penal Code, which stipulate that extradition is inadmissible unless the act in question is recognized as a crime under both Italian and foreign law. The fundamental principles governing extradition include:

1. Double criminality: the conduct must constitute a criminal offense in both the requesting and requested states.
2. Specialty principle: the requesting state may only prosecute the extradited individual for the offense specified in the extradition request.
3. Ne bis in idem: a person cannot be extradited for an offense for which they have already been irrevocably judged in Italy (Article 705 of the Code of Criminal Procedure)<sup>2</sup>.

Extradition in Italy can be either active, when Italy requests extradition from another state, or passive, when a foreign state requests extradition from Italy. In both cases, extradition can be:

- Judicial (procedural): requested to bring an individual to trial.
- Executive: requested to enforce a conviction.

Italy provides both substantive and procedural safeguards to the person subject to extradition.

**Substantive limits include:**

- a) Requests related to political offenses (Articles 10(4)<sup>3</sup> and 26(2)<sup>4</sup> of the Constitution; Article 698 of the Code of Criminal Procedure<sup>5</sup>).
- b) Risks of persecution, discrimination, or inhuman or degrading treatment in the requesting state.
- c) The death penalty, where extradition is granted only if the requesting state provides assurances that the sentence will not be carried out.

**Procedural limits include:**

- a) A formal request from the foreign state.
- b) Compliance with the procedural requirements set forth in Articles 700 et seq. of the Code of Criminal Procedure.

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1. <https://www.altalex.com/documents/news/2013/11/11/diritti-e-doveri-dei-cittadini-rapporti-civili#art26>

2. <https://www.altalex.com/documents/news/2010/09/22/estradizione#art705>

3. <https://www.altalex.com/documents/codici-altalex/2013/12/19/costituzione-italiana#art10>

4. <https://www.altalex.com/documents/news/2013/11/11/diritti-e-doveri-dei-cittadini-rapporti-civili#art26>

5. <https://www.altalex.com/documents/news/2010/09/22/estradizione#art698>



For active extradition, the General Prosecutor at the competent Court of Appeal submits a request to the Ministry of Justice, which forwards it to the foreign authorities. In passive extradition, the foreign state submits a request to the Ministry of Justice, which decides whether to reject or forward it to the competent Court of Appeal for further proceedings.

The final decision on extradition, which may be granted or denied, ultimately rests with the Ministry of Justice, but only after a favourable opinion from the Court of Appeal. It is the responsibility of the Minister of Justice to decide whether to surrender the requested individual within a period of 45 days; if no decision is made within this timeframe, the individual regains their freedom, which may still be subject to preventive detention. The surrender process is preceded by a communication from the Ministry to the foreign authority regarding the acceptance of the request, specifying the location and date from which the surrender of the individual can take place. If the requesting state fails to take custody of the extradited person within 15 days, the measure ceases to have effect.

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**Extradition will not be granted if the Minister of Justice requests additional documentation based on the specific case and the requesting state fails to provide it within thirty days from the request.**

Extradition cases must take into account Article 33 of the 1951 Geneva Convention, which establishes the **principle of *non-refoulement***:

“1. No Contracting State shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group, or political opinion.

2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.”

This principle is a fundamental tenet of international law. It is important to highlight that, based on the jurisprudence of the European Court of Human Rights, **this principle applies regardless of whether the individual has been formally recognized as a refugee and/or has submitted an official application for protection.** The principle of *non-refoulement* is enshrined in the Italian legal system by virtue of Article 10 of the Constitution and Article 2 of Legislative Decree 286/1998 (Consolidated Immigration Act), which states: “foreigners present in the territory are recognized fundamental human rights, provided by internal and international law and by generally recognized principles of international law,” as well as Article 19 of the Consolidated Immigration Act. These provisions offer extensive protection of the principle of *non-refoulement*, including the concept of indirect *non-refoulement*, which prohibits the removal of an individual to a third country where they would not be protected from persecution.

It is evident that, where the conditions for obtaining international protection are met, the individual will be granted such status. However, in the absence of such conditions or in the presence of grounds for exclusion or revocation, the person is technically classified only

as non-expellable: the international obligation does not provide for a specific legal status but solely prohibits removal. The principle of *non-refoulement* in the Italian legal system can be considered a sort of “safety net,” applicable regardless of the specific procedural stage, to prevent any individual from being removed and exposed to serious risks due to their personal situation.

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**The aforementioned principle serves to protect against TNR concealed behind illegitimate extradition requests and/or abuse of Interpol red notices not supported by factual circumstances.**

In particular, this framework focuses on the transnational repression conducted by Russia in recent years against its citizens considered dissidents and political opponents, with the aim of intimidating and repatriating individuals deemed “dangerous” to the regime. In Italy, extradition requests from Russia are scrutinized with particular attention and are often denied. In 2023, out of 114 total extradition refusals by European states, three were issued by Italy. These refusals reflect a cautious approach by Italian authorities, which carefully assess the risk of political persecution, inhumane treatment, or unfair trials faced by the requested individuals. Italian authorities have denied extradition in emblematic cases, such as that of **Alexander Rubtsov**, CEO of the Russian aerospace giant Ilyushin, accused of fraud related to company car management dating back to 2019. Alexander Rubtsov, 65, was arrested in Bolzano on December 27, 2023, following an international arrest warrant issued by the Babushkinskiy Court in Moscow. The charges alleged fraud linked to company car management in 2019, accusations that Rubtsov has consistently denied, attributing them to political motivations due to his open opposition to Vladimir Putin’s regime. The Bolzano branch of the Court of Appeal of Trento examined the extradition request and decided not to grant it, highlighting that Rubtsov would be at risk of inhumane or degrading treatment in Russia. The judges emphasized that, following the full scale invasion of Ukraine, **the Russian Federation ceased to be a member of the Council of Europe and is no longer a party to the European Convention on Human Rights, thereby increasing the risk of fundamental rights violations.** A further decisive factor was the recognition of Rubtsov’s status as a political refugee by Latvia, which provided him with a refugee travel document. This status strengthened the Italian Court’s decision not to proceed with the extradition, considering the potential political persecution Rubtsov might face in Russia. The decision of the Court of Appeal of Trento falls within a broader context of caution by Italian authorities in granting extraditions to Russia, particularly given geopolitical tensions and concerns about human rights in the requesting country. This demonstrates how the Italian legal system is based on fundamental principles such as *non-refoulement* and the right to a fair trial, opposing the instrumental abuses perpetrated by Russia within the context of TNR. In summary, Italy adopts a cautious and human rights-respecting approach to counter Russian transnational repression, ensuring protection for those at risk of political persecution.

In order to assess Italy’s conduct in extradition proceedings requested by Russia, it is essential to examine **three important rulings** that provide a clear representation of the often restrictive jurisprudential approach adopted by our judicial system:

### 1. Case judgement No. 8616 of 2020

The Italian Supreme Court annulled the decision of the Milan Court of Appeal, which had authorized the extradition of S.A. to the Russian Federation. The extradition was requested for prosecuting charges of fraudulent bankruptcy and fraud under Articles 196 and 159 of the Russian Penal Code. The Supreme Court ruled that in extradition cases, the appellate court must verify whether the sentence provided under the requesting state's legislation, irrespective of its formal designation, **effectively constitutes treatment that violates fundamental human rights**. Specifically, the Russian request included the possibility of the alternative penalty of "forced labour." The Supreme Court stated that the Milan Court of Appeal should have conducted specific checks on how this penalty was applied to determine if it violated fundamental human rights or contradicted the rehabilitative and reintegrative aims of punishment. Additionally, the court was required to examine whether forced labour as a penalty differed from the work typically required of detainees and whether it represented inhumane or degrading treatment.

### 2. Case judgment No. 10656 of 2022

The Italian Supreme Court accepted the appeal of a Russian citizen and denied extradition due to the risk of inhumane and degrading treatment. This decision considered the specific context of the war in Ukraine and emphasized the necessity of verifying whether the punishment in the requesting state's legislation effectively violated fundamental human rights. The court highlighted that political persecution disguised as a request for a common crime is a mandatory ground for rejecting an extradition request. The Supreme Court criticized the territorial appellate court for insufficient investigations into prison conditions and the nature of penalties provided for the extraditee. It was noted that the alternative penalty of "forced labor," as prescribed in the Russian Penal Code, could potentially constitute inhumane and degrading treatment. Furthermore, the Supreme Court found the appellate court's assessment of the health conditions of the extraditee, who suffered from multiple sclerosis, to be inadequate. The court underscored the importance of securing specific guarantees from the requesting state regarding access to necessary medical treatments. While the defense raised concerns about the political motives behind the extradition request, the court concluded there was insufficient evidence to establish an intent of political persecution. However, **the burden of proof was deemed to rest on the requesting State, which must provide detailed and individualized information to support its case.**

### 3. Case Judgment No. 18044 of 2022

The Italian Supreme Court annulled the decision of the Milan Court of Appeal dated January 14, 2022, which had approved the extradition of Greek citizen A.K. (also known as K.A.) to the Russian Federation. The extradition was requested following an arrest warrant issued by the Syktyvkar Court on March 15, 2012, for charges of participation in a criminal organization, membership in an armed group, armed assaults, and homicide, under Articles 210, 209, and 105 of the Russian Penal Code. The Supreme Court identified significant shortcomings in the analysis conducted by the appellate court, particularly concerning the identification of the extraditee, detention conditions in the requesting state, and the risk of inhumane or degrading treatment. Additionally, it noted the failure to inform Greek authorities, in accordance with EU principles of mutual cooperation. The Supreme Court stressed the obligation to consider objective, updated, and reliable evidence, such as reports from international organizations and judgments from the European Court of Human Rights, to assess compliance with international standards in extradition cases. The court found that while supplementary information was obtained, the appellate court had not examined documentation provided by the defense, which included recent ECHR judgments condemning systemic and prolonged handcuffing practices in Russian prisons, investigative reports on torture and violence in Russian penal institutions, and the findings of a Council of Europe committee inspection. The Supreme Court emphasized that the requesting state must offer concrete guarantees about the adequacy of detention conditions and treatment for the extraditee. Consequently, it ordered a new hearing before a different section of the Milan Court of Appeal, mandating an in-depth examination of the issues raised, in line with fundamental principles under the European Convention on Human Rights and EU law.

In light of the judgments examined, it is evident that the principle of *non-refoulement* is applied in Italy with significant diligence, ensuring that no individual is extradited to a state where they risk inhumane or degrading treatment or persecution. The analysed rulings demonstrate how judicial authorities rigorously assess prison conditions and respect for human rights in the requesting country, demanding credible assurances regarding the adequacy of treatment. Particular attention is given to requests from Russia, which are often linked to cases of transnational repression (TNR) disguised as charges of common crimes, with the real aim of targeting dissidents or political opponents. Italian courts carefully examine whether the request is politically motivated or accompanied by concrete risks of systematic violations of fundamental rights. This rights-based approach underscores Italy's genuine commitment to balancing international cooperation with the protection of fundamental rights, resisting legal abuses used for persecutory purposes.

However, while Italy demonstrates a rigorous commitment to the principle of *non-refoulement*, ensuring that no individual is extradited to a state where they risk inhumane treatment, persecution, or other fundamental rights violations, a significant procedural challenge remains. Even when Interpol withdraws a Red Notice due to its political nature, an extradition request already submitted to Italian authorities triggers a mandatory judicial process, which can result in prolonged detention until the legal proceedings are finalized, particularly for individuals without residency in Italy.



After the full-scale invasion of Ukraine, INTERPOL introduced specific restrictions on Russia but did not expel it from the organization. To prevent abuse of the system by Russian authorities, INTERPOL pledged to increase scrutiny of requests from Russia. Russian investigators continue to submit requests to INTERPOL, even without responses, because such steps are required for issuing sentences in absentia. In addition to INTERPOL, an international search can also be initiated through a request to the government of a specific country. After the start of the war in Ukraine, many countries began ignoring Russian requests. In 2023, Russian authorities received at least 114 refusals for extradition. The highest number of refusals came from Austria, Germany, the Czech Republic, Poland, Italy, and Cyprus. At the same time, in 2023, 151 Russian requests were granted. Countries most accommodating to Russia included Turkey and Brazil.

### 1.3. Role of Italian law enforcement and security measures

Italian authorities are aware of the potential misuse of international legal instruments, such as extradition requests and Interpol Red Notices, by authoritarian regimes. In response, Italy has established legal and procedural frameworks to evaluate these instruments with the utmost scrutiny, ensuring compliance with human rights standards.

Italian law enforcement agencies, including the police and intelligence services, collaborate with the judiciary in addressing extradition requests and assessing their validity. This collaboration is framed by the following processes:

1. **Verification of allegations:** Italian authorities assess whether extradition requests are based on legitimate criminal offenses or whether they serve as a pretext for political persecution. This assessment includes evaluating the risk that the requested individual might face politically motivated charges.
2. **Assessment of human rights conditions:** Italian authorities evaluate the human rights situation in the requesting state, determining whether the individual risks torture, inhumane, or degrading treatment if extradited. This process aligns with Italy's obligations under international human rights law, including the European Convention on Human Rights (ECHR) and the United Nations Convention Against Torture (CAT).
3. **Compliance with international norms:** The extradition process follows international treaties and conventions, such as the European Convention on Extradition and the EU Framework Decision on the European Arrest Warrant. All decisions must align with Italy's human rights obligations, and extradition requests are subject to the principle of *non-refoulement*, which prohibits the expulsion or extradition of individuals to countries where they face a real risk of persecution.

This framework ensures that all extradition requests and international cooperation mechanisms are thoroughly evaluated, with particular attention to the potential political motivations behind them and the associated human rights risks.

**Procedural approaches in handling extradition requests:** Italian law enforcement agencies conduct due diligence when assessing the validity of Red Notices and other international legal requests. However, the final decision on extradition is made by the judiciary, in accordance with Italian law and international conventions. Judicial authorities

review each case thoroughly to ensure that the request does not serve political purposes and that the individual's rights are protected throughout the process.

Key procedural elements include:

- **Verification of double criminality:** Extradition is permissible only if the alleged offense is recognized as a crime under both Italian and foreign law, ensuring that individuals are not extradited for acts that do not meet the criteria of criminality in both jurisdictions.
- **Human rights safeguards:** Italian law prohibits the extradition of individuals if they face the death penalty, torture, or inhumane treatment in the requesting country, as stipulated in Article 3 of the ECHR.
- **Speciality principle:** If extradition is granted, the individual can only be prosecuted for the specific offense for which extradition was approved. Any change in the charges would require a new extradition request.

### **Preventing the misuse of Interpol Red Notices:**

The misuse of Interpol Red Notices, particularly by authoritarian regimes seeking to target dissidents abroad, is a significant concern in Italy. The measures currently in place to address this issue include:

1. **Review of Red Notices:** Italian authorities conduct a stringent review process to ensure that Red Notices are not used for political persecution. This involves verifying that the request is based on legitimate criminal activity rather than political motives. Interpol's Constitution prohibits the use of Red Notices for political offenses, and Italian authorities adhere to this principle.
2. **Cooperation with international partners:** Italy works closely with Interpol and other member states to ensure that Red Notices are issued in compliance with international standards. This collaboration helps identify potential abuses and prevents the misuse of extradition mechanisms for political purposes.
3. **Assessment of abuse risks:** Special care is taken when the requesting country is known for politically motivated persecution, particularly in the case of requests from countries with poor human rights records, such as Russia.
4. **Protection of individual rights:** No individual is detained or extradited solely based on a Red Notice without a thorough examination of the case. Authorities verify that the individual's rights, including the right to a fair trial and protection from torture or inhumane treatment, will be respected in the requesting state.

## Case Studies of TNR in Italy

Russia has developed sophisticated strategies for repressing dissidents beyond their borders. These methods include both **official means** to perpetrate TNR (e.g. through the use and abuse of judicial cooperation, such as extradition requests and INTERPOL Red Notices) and **covert means** (including, but not limited to, illicit surveillance, community control and tracking, intimidation, harassment, physical and psychological threats, use of family members to intimidate). Additionally, Russian authorities frequently weaponise financial systems to restrict the economic activity of opposition figures. These actions align with broader efforts to extend state repression beyond national borders, treating opposition figures as security threats regardless of their legal status abroad. However, it is important to note that, based on the research conducted in this study, no specific threats related to finances or assets were identified. That said, although not always directly linked to transnational repression (TNR), certain tactics employed by the Russian government have significant repercussions for Russian citizens living abroad. One such method is the designation of individuals as “foreign agents.” This classification effectively reduces a person to a second-class citizen, stripping them of fundamental rights such as the ability to work or sell property. The European Court of Human Rights has recently ruled that this legislation violates international law and fundamental human rights. Yet, for those designated, the impact is profound, as they continue to face persecution despite no longer residing in Russia. Another form of coercion involves labelling Russian organizations or initiatives abroad as “foreign agents” or “undesirable organizations.” Individuals who collaborate with these entities risk prosecution in Russia, including criminal charges if the organization is classified as undesirable. In practical terms, anyone listed as a “foreign agent” or working for an “undesirable” organization becomes a victim of repression due to his/her political stance. This affects a wide range of individuals, including journalists from independent media outlets, who face severe restrictions and ongoing persecution.

Analysing real-life cases of TNR in Italy is crucial to understanding both the effectiveness and shortcomings of existing legal and institutional responses. While Italy has demonstrated strong protections against politically motivated extraditions and abuses of Interpol from Russia, there remain gaps in the system that allow prolonged detentions, intimidations, and other ongoing threats against dissidents.

To ensure a comprehensive and evidence-based analysis, **10 individuals** across the entire Italian territory were interviewed during the course of this study, including direct and indirect witnesses to Russian TNR crimes<sup>6</sup>, legal practitioners, forensic specialists, and representatives from relevant institutions and civil society organizations. Their insights provide firsthand accounts of the threats faced by Russian dissidents in Italy and contribute to a deeper understanding of both successful interventions and existing challenges. Besides the abuse of Interpol Red Notices, the following means have been observed:

- Illicit physical surveillance
- Doxing

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6. The witnesses to Russian TNR crimes interviewed are Russian citizens, with the exception of one Belarusian and one Ukrainian. Some are members of Memorial and the Free Russians Community in Italy, some hold refugee status while others have dual citizenship.

- Use of community members to track individuals
- Online intimidation and threats
- Psychological pressure
- Interference in personal relations
- Surveillance and questioning of family members in Russia

This section presents **documented cases of TNR in Italy**, categorised according to the different types of threats gathered during the interviews:

## 1. Direct attacks and long-distance threats

Based on the interviews conducted, no direct physical attacks were reported, but several cases of intimidation, surveillance, and psychological pressure emerged. For example, one interviewee described an event organized in Rimini following the assassination of Alexei Navalny, which saw an increase in attendance from people who had never participated in similar demonstrations. Despite this, many attendees expressed fear, requesting that their identities be concealed in photos and videos shared on social media. This reflects the pervasive anxiety within dissident communities, where even small acts of protest carry significant risks. Concerns about infiltration and surveillance were also commonly mentioned, with participants fearing the presence of individuals taking photos and collecting information during protests and gatherings. These concerns extended beyond public events to more intimate settings, such as meetings on political prisoners or interactions with well-known media figures in Italy. Some interviewees described provocateurs infiltrating online groups and conferences, intentionally provoking discussions on sensitive political topics to collect information. Russian nationals living abroad are particularly aware of these risks, understanding that even casual conversations could have serious consequences. This climate of self-censorship extends to private life, with one interviewee noting that their family members in Russia were afraid to discuss about politics during phone calls, fearing potential repercussions.

The use of state-affiliated media figures as instruments of repression was also highlighted. One interviewee reported the presence of a journalist linked to Russia 1, who uses to attend political events, using her media platform to pressure and discredit Ukrainian or Russian dissidents. This tactic shows how media figures serve not just as propaganda agents but also as tools for intimidation. In addition to direct surveillance, almost all the interviewees reported indirect intimidation through threats to their families in Russia. One individual's elderly grandmother received a call from unknown officials claiming to be law enforcement, asking about her grandchild's activities abroad. In another case, FSB agents interrogated family members in Russia about their daughter living in Italy to persuade her to "speak less" while abroad. While no explicit threats were made, such actions created a deep sense of unease, with victims often withdrawing from political activities for fear of endangering their loved ones.

One interviewee described receiving threatening packages at their home, including anonymous notes, and acts of vandalism targeting their property, particularly their mailbox. Offensive stickers labelling her as a "foreign agent" were also placed in public spaces around her city of residence, Venice. These incidents, which can be defined as



stalking, contributed to a climate of fear and vulnerability that impacted both her private and public life. The repeated nature of these threats left her uncertain whether they were mere harassment or part of a more serious threat. Despite reporting the incidents to the Venice police, who increased patrols in the area and supported the investigation, the judge ultimately dismissed the case. This left the victim feeling exposed and without recourse.

These acts of intimidation are not limited to physical proximity but also extend into the digital realm. Several interviewees described being targeted through stalking on social networks and cyberattacks. These included phone-based trolling, where their personal data, including phone numbers, were maliciously registered on hundreds of websites featuring fake classified ads, such as escort services, real estate listings, and catering businesses. As a result, victims received an overwhelming number of unwanted calls and messages, significantly disrupting their daily lives. This type of digital attack is designed not only to harass but also to exert psychological pressure, making victims feel constantly monitored and vulnerable, even in their private communications. These cyber-harassment tactics, along with the use of social media platforms to target dissidents, illustrate the far-reaching influence of transnational repression. Authoritarian regimes leverage both digital tools and proxy actors to silence individuals living abroad, reinforcing their control beyond national borders.

## 2. Mobility controls

Regarding the cases of abuse of INTERPOL and extradition measures, the victims often experience prolonged periods of legal and personal uncertainty due to detention and the threat of extradition. While the cases after the large-scale invasion of Ukraine always concluded favourably, concerns remained:

- In some cases, while awaiting resolution of their case, even if it ultimately ends with a refusal of extradition, the victim is held in prison. These prolonged detentions cause significant harm to the targeted individuals, exacerbating their suffering and undermining their rights.
- Concerns regarding potential future repercussions or new extradition requests from Russia.
- The international media attention surrounding the case may play a dual role: on one hand, it highlights concerns about the abuse of INTERPOL mechanisms; on the other, it subjects the client to unwanted public scrutiny, adding to the overall stress of the situation.

To better understand the situation endured by the victims of this mechanism and the reactions of the Italian institutions, we report the case of **Eugene Lavrenchuk**, a Ukrainian citizen arrested in Italy in December 2021 due to an Interpol Red Notice issued at Russia's request. The case gained public attention after an interview given by the detainee's mother on January 4. Upon taking the case, the legal team immediately informed the Ukrainian Consulate and the detainee's family. The individual was the Director and Founder of the Polish Theatre in Moscow and had previously faced pressure from Russian authorities to publicly support high-profile Kremlin figures due to their Ukrainian background and influence. Their refusal led to increasing harassment and ultimately their arrest. The Russian government subsequently issued an extradition request through Interpol,

formally accusing the individual of common crimes, despite their well-documented history as a political dissident. The case strongly suggested political motivations behind the charges rather than a genuine effort to prosecute criminal activity, as the individual had been openly critical of the Russian government.

### **Arrest and extradition proceedings**

The arrest took place in Naples, where the individual was in transit. The procedure was initiated through Italy's *Sistema Alloggiati*, a registration system used by hotels that automatically reports guest details to law enforcement. When the individual's identity matched an active Red Notice, Italian authorities proceeded with the arrest. The case then followed the standard extradition procedure, with Russian authorities submitting a formal extradition request through official diplomatic channels. Although the Red Notice was issued via Interpol, significant concerns arose regarding the legitimacy of the extradition request due to the political context and the risk of persecution. Under Interpol mechanisms, a Red Notice is treated as an arrest request, leading to immediate enforcement in member states. Consequently, the detainee was held in custody pending Russia's submission of a formal extradition request, which was required within 40 days under the European Extradition Treaty. The validation of the arrest took place on December 18, and by December 22, the Italian Ministry of Justice had forwarded a request to the Naples Court of Appeal to confirm pre-trial detention. This step followed an initial hearing where the detainee declared himself a political target. At the same time, the Ukrainian government formally alerted Italian authorities about the political nature of the case. Despite Interpol withdrawing the Red Notice due to its politically motivated nature, the legal requirement to process the extradition request meant that detention continued. A motion for release from precautionary detention was initially rejected and only granted in March, prolonging the detainee's imprisonment despite clear evidence of political targeting. The detainee was held in Poggioreale Prison, where conditions were harsh and overcrowded, despite diplomatic intervention ensuring placement in a protected section. After a month of incarceration, the individual was placed under house arrest near Avellino, with strict judicial oversight.

### **Interpol Red Notice and legal issues**

In this case, the Interpol Red Notice was issued based on an aggravated fraud charge, a common pretext used by authoritarian regimes to pursue dissidents abroad. This tactic allows requesting states to circumvent the principle of double criminality, which requires that an offense be recognised as a crime in both the requesting and requested countries. Initially, Interpol removed the Red Notice after reviewing the case and determining that it violated Article 5 of Interpol's Constitution, which prohibits the organization from intervening in political matters. The cancellation order was transmitted to the Italian Ministry of the Interior, which then relayed it to the Ministry of Justice. Despite this, the extradition request proceeded through the legal system, highlighting systemic vulnerabilities in the process. The defense raised serious concerns about Interpol's procedural weaknesses, emphasizing the need for greater scrutiny and preliminary verification before Red Notices are enforced. The defense team argued that politically motivated Red Notices often lead to automatic arrests, causing significant harm before their legitimacy is even assessed. The case further demonstrated how Red Notices could be weaponised to violate human rights, as the request lacked credible assurances from the Russian government regarding the detainee's safety and fair trial rights.

## **Legal defense strategy**

The legal defense focused on establishing the political nature of the case and highlighting international concerns over the individual's potential extradition to Russia. The case attracted significant international attention, with the defense underscoring:

- The prison conditions and the risk of inhumane or degrading treatment in Russia.
- The potential discriminatory treatment the detainee would face if extradited.
- The lack of verifiable responses from Russian authorities regarding detention conditions.
- Reports from independent human rights organizations, including NGOs and advocacy groups, that corroborated concerns about politically motivated prosecutions.

Despite strong legal arguments, the case demonstrated challenges in obtaining reliable information from the requesting state, as Russian authorities provided only formal, unverifiable assurances regarding detention conditions and legal guarantees.

## **Collaboration with Italian authorities**

The shifting political and legal landscape following Russia's invasion of Ukraine played a crucial role in the judicial outcome. The Italian judiciary, recognising the serious human rights concerns, took an active role in evaluating the legitimacy of extradition requests from Russia. Given that Russia is no longer a member of the Council of Europe and is no longer subject to the European Court of Human Rights, Italian authorities faced increased responsibility in ensuring compliance with international human rights standards. While Italian authorities demonstrated increased diligence in assessing extradition requests from Russia, gaps in the system remained. In many cases, there is no automatic review process for politically motivated Red Notices, and individuals can remain in detention for extended periods despite clear evidence of political targeting. Although the Naples Court of Appeal ultimately rejected the extradition, the lengthy review process exposed the detainee to unnecessary hardship.

## **International mechanisms and human rights protections**

No direct legal actions were initiated before international human rights bodies, such as the European Court of Human Rights (ECtHR). However, the defense relied on international human rights principles and evidence from advocacy organizations to strengthen the case before Italian courts. These mechanisms were instrumental in demonstrating that the extradition request lacked legitimacy and violated international legal standards.

## **Case outcome**

The detainee was ultimately protected from extradition after the Italian Court recognised the high risk of discriminatory and inhumane treatment in Russia. There is no information on whether the individual obtained long-term legal residency in Italy, but they were released from detention following the Court's ruling. This case set an important precedent in Italy, particularly given the documented misuse of Interpol mechanisms for politically motivated repression.

## **Legal challenges and systemic weaknesses**

The case underscored several legal and procedural challenges in Italy's handling of politically motivated extradition cases:

- Automatic reliance on documentation from requesting states, even when they are known for authoritarian practices.
- Difficulties in obtaining independent information to support the defense, especially when language barriers or lack of client cooperation are present.
- Delays in judicial proceedings, resulting in prolonged detention even after Interpol cancels the Red Notice.
- Challenges in securing qualified interpreters, which can further complicate the legal defense process.

## **Personal and professional impact on the detainee**

The three-month detention had a lasting impact on the detainee's personal and professional life. They suffered financial losses due to canceled theater projects, and their family endured severe emotional distress, fearing extradition to Russia. While the high-profile nature of the case brought public support from Italian and Ukrainian communities, the media attention also exposed the detainee to further scrutiny. The uncertainty of potential future legal actions remains a concern.

## **Final considerations**

This case illustrates how Interpol Red Notices can be exploited for political persecution and the systemic delays in addressing such abuses. While Italian authorities ultimately upheld human rights protections, the detainee endured unnecessary detention and legal uncertainty. The case highlights the urgent need for procedural reforms, including stricter screening of extradition requests and greater oversight of Red Notice enforcement to prevent future politically motivated prosecutions.



## Gaps and Challenges

Despite Italy's efforts in providing protection to dissidents, significant gaps remain in its legal, institutional, and procedural frameworks. These gaps expose victims to legal uncertainties, prolonged detention, and ongoing threats, while also limiting the ability of law enforcement and judicial authorities to respond effectively to TNR cases. The key challenges identified through research and expert interviews include:

- **Lack of comprehensive and available resources for the victims**

Italy lacks a structured and publicly defined approach to identifying and assisting individuals at risk of transnational repression. Unlike in allied countries and despite [Italy's commitments under the G7](#), there are no clear government statements or public resources outlining the illegality of TNR practices, nor is there official guidance for victims on where to report incidents or seek assistance. This lack of formal recognition leaves victims isolated and vulnerable, making it harder for authorities to proactively address the issue. Additionally, there is no public information on which Italian institutions coordinate with international partners, such as the G7 Rapid Response Mechanism (RRM), to counter transnational repression. Civil society actors that have independently identified reporting pathways for victims have been discouraged from publicizing them, further contributing to the opacity and arbitrariness of the response. This lack of transparency weakens trust between at-risk communities and law enforcement, ultimately hindering Italy's ability to track, map, and counter transnational repression effectively.

- ***Non-refoulement* and extradition protections**

While Italy has demonstrated a cautious approach in denying politically motivated extraditions, systemic issues persist. In several cases, victims remained in detention for prolonged periods, even after Interpol had rescinded politically motivated Red Notices. This raises concerns about how international legal instruments are applied in practice and whether procedural safeguards are sufficiently robust to prevent the wrongful detention of individuals targeted by authoritarian regimes. Moreover, during the initial judicial phase, there is a concerning tendency to place near-automatic trust in documentation provided by requesting states, even when such documentation originates from authoritarian regimes with well-documented human rights violations. Although after February 2022, this approach is no longer applied for Russia-issued requests, the general reliance can create unnecessary legal obstacles for victims, shifting the burden onto their defense teams to disprove the legitimacy of the extradition request. The difficulty in obtaining relevant information for the defense is another major concern. In cases where victims are not well-known activists, acquiring supporting documentation can be particularly challenging. This problem is further exacerbated when victims are uncooperative due to fear, lack of legal awareness, or language barriers. The language factor becomes even more critical during the pure defensive phase, as securing qualified interpreters who can meaningfully assist in building a case is not always straightforward.

- **Limited legal definition and law enforcement response to TNR patterns**

One of the structural limitations that significantly undermine Italy's capacity to address TNR at the operational level lies in the absence of a specific and coherent legal framework criminalizing or even formally recognizing TNR-related behaviours. While Italian law enforcement agencies have general tools at their disposal to act against threats, harassment, or surveillance, these are regulated through ordinary penal provisions (such as threats, stalking, or privacy violations), which are not tailored to capture the systemic and coordinated nature of TNR operations. As a result, individual incidents, such as receiving anonymous emails, threatening messages, or experiencing mild forms of online harassment, are often treated in isolation and assessed solely based on their immediate legal relevance. Many of these acts are committed by different actors, in different moments, and across different channels, making it difficult for police officers or public prosecutors to recognize them as part of a broader campaign of repression. Their low individual gravity often leads to underestimation or premature dismissal, especially in the absence of clear legal definitions or protocols to contextualize them within a TNR pattern. This legal and conceptual gap creates a major blind spot in institutional responses: what may appear to law enforcement as a series of unrelated minor infractions may, in reality, constitute an orchestrated effort by foreign actors to persecute dissidents. Without a dedicated legal category or operational guidance, law enforcement lacks both the mandate and the methodology to recognize and respond to these patterns proactively. Victims, in turn, are left without effective recourse or protection, while authorities risk overlooking activities that, taken as a whole, pose serious threats to democratic participation, freedom of expression, and national security.

- **Limited coordination among law enforcement, judiciary, and civil society**

There is no structured coordination mechanism among law enforcement agencies, judicial bodies, and civil society actors to systematically identify and address TNR cases. While awareness of transnational repression has grown among Italian authorities (however, awareness varies by region) in recent years, it remains limited and fragmented, particularly regarding the methodologies employed by specific threat actors. The absence of clear protocols leaves law enforcement without standardized procedures to detect and respond to TNR cases effectively. Additionally, no official guidelines exist on how law enforcement should engage with community groups to build trust, gather intelligence, and protect those at risk. The lack of proactive outreach results in victims feeling isolated, unsure of whether they can rely on Italian institutions for protection. A more structured approach is needed to bridge this gap and create an environment where victims feel safe reporting threats.

- **Operational challenges and critical issues:**

Despite the existing legal and procedural safeguards, Italy faces several challenges in addressing TNR cases effectively:

1. **Lack of proactive monitoring:** Italy currently lacks a proactive monitoring system to identify individuals or organizations at risk of transnational repression before formal extradition requests are received. Law enforcement activities are primarily reactive, initiated upon the submission of extradition requests or Interpol Red

Notices, rather than through anticipatory measures to identify potential cases of political persecution. This gap limits the authorities' ability to intervene before requests are formalized, leaving individuals vulnerable to arrest and detention while legal proceedings are underway.

2. **Judicial discretion and diverging outcomes:** While Italian law enforcement agencies carefully assess the validity of extradition requests and the associated human rights risks, the final decision rests with the judiciary. Judges may reach different conclusions based on the available evidence and legal standards, even when law enforcement has thoroughly prepared the case. This discretion introduces an element of unpredictability, where individuals may face prolonged detention despite law enforcement assessments that question the legitimacy of the request.

- **Obstacles to effective law enforcement response**

Several structural and operational challenges hinder the ability of Italian authorities to counter transnational repression:

1. **Limited resources for law enforcement and immigration agencies** – Despite the increasing relevance of TNR cases, law enforcement agencies do not have dedicated resources or specialised units to handle these threats systematically. This limitation affects both investigative capacity and victim protection efforts.
2. **Challenges in victims reporting attacks** – Many victims hesitate to report incidents to law enforcement due to fear of retaliation, mistrust in authorities, or lack of awareness about their rights and available protections. In some cases, victims avoid engagement altogether, believing that Italian institutions are ill-equipped to address politically motivated threats from foreign actors.
3. **Lack of clear thresholds for law enforcement intervention** – The absence of publicly defined criteria for what constitutes TNR leads to inconsistencies in case handling. As a result, law enforcement responses vary, creating uncertainty for victims and civil society actors seeking institutional support.
4. **Deficiencies in intelligence sharing and threat mapping** – Counter-operations against TNR actors should incorporate intelligence insights and systematically map threat actors across the territory, particularly given that several victims have identified proxies linked to Russian embassies and local cultural associations. However, these measures remain underdeveloped, leaving Italian institutions reactive rather than proactive in addressing transnational repression.
5. **Barriers in judicial proceedings** – The procedural reliance on evidence provided by requesting states, coupled with language barriers and the difficulty in obtaining external documentation, creates legal disadvantages for victims. These challenges delay the recognition of politically motivated cases and prolong detention periods, even when extradition requests are ultimately denied.

## Recommendations

The gaps identified in Italy's response to transnational repression underscore the urgent need for clearer legal definitions, structured institutional coordination, and stronger victim protections. The absence of an official framework recognizing TNR as a distinct and serious threat results in inconsistent responses and leaves victims without clear pathways for protection. A more proactive, intelligence-driven, and resource-supported approach is crucial to counter the evolving strategies of authoritarian regimes and to ensure Italy upholds its international human rights commitments. While awareness of TNR has grown over the past years, thanks to the efforts of civil society, it remains very partial and appears particularly limited with regard to both the nature and methodologies of specific threat actors. Effective known law enforcement engagement on the issue in Italy is too limited to draw any definitive conclusions. However, alongside the need for clear legal definitions and guiding protocols, specialised training of law enforcement officials across the country is crucial. Such training should incorporate intelligence insights, systematic mapping of threat actors across the territory, and a re-evaluation of engagement procedures with community groups. A coordinated inter-ministerial approach is also necessary to ensure a comprehensive response to TNR. The Ministries of Justice, Interior, and Foreign Affairs must work together to create cohesive policies that address transnational repression across different sectors, from law enforcement to international cooperation and asylum protections. Without such coordination, efforts to counter TNR risk remaining fragmented and ineffective. The following recommendations outline concrete steps that Italy should take to strengthen its response to TNR, improve victim protections, and ensure compliance with international human rights commitments.

### I. Law enforcement and institutional response to transnational repression

- **Establish a legal victim-centred definition of TNR** aligned with international best practices to facilitate structured countermeasures, enhance legal accountability, and enable more effective legal initiatives. Italian legislation should formally recognize transnational repression as a distinct and punishable offense, or at the very least introduce a coherent legal comprehensive framework capable of encompassing the various forms of interference typically employed by foreign authoritarian regimes (this should include the explicit criminalisation of the full range of TNR-related conduct, such as digital surveillance, online harassment, reprisals against family members, and coordination with third-country actors). Without such a framework, law enforcement and judicial authorities are forced to rely on fragmented penal provisions that often fail to capture the organized and systemic nature of TNR. This legal recognition should be accompanied by operational guidelines that instruct police and prosecutors on how to assess cumulative threats and treat them as manifestations of broader repression patterns.
- **Provide official guidelines and reporting mechanisms for victims**, ensuring that law enforcement agencies have clear directives on how to handle TNR cases. This should be accompanied by a public statement – based on the G7 Declaration – from the Italian government formally recognising TNR as a serious threat.
- **A national focal point, agency and/or task force** should be established as an accessible reporting hub that would serve as a central, accessible point for reporting TNR conduct, providing support and advice to actual and potential targets of TNR,



monitoring incidents, advising the government and law enforcement agencies, overseeing inter-agency cooperation/coordination, developing policy proposals and coordinating/cooperating with international partners.

- **Strengthen inter-agency coordination** between police, intelligence services, and the judiciary to ensure a coherent and efficient response to TNR cases. This should include the development of a centralised database to monitor cases and track emerging patterns of repression.
- **Establish a central coordination body to oversee TNR-related policies and responses**, ensuring a cross-ministerial approach that integrates the efforts of the Ministries of Justice, Interior, and Foreign Affairs. This office should also address Foreign Interference and Malign Influence (FIMI), recognising the interconnected nature of transnational repression and broader foreign influence operations. By placing this entity above individual ministries, Italy can ensure a more consistent and strategic national response to these threats.
- **Enhance cooperation with civil society organizations and experts in the field** to leverage their knowledge in identifying repression tactics, supporting victims, and strengthening institutional responses. Structured collaboration channels between authorities and civil society actors can improve monitoring, reporting, and preventative measures.
- **Enhance awareness among law enforcement, intelligence agencies, and judicial bodies** through dedicated training programs on TNR methodologies, patterns of repression, and their impact on victims. Training should include operational protocols for victim protection, relocation, and the handling of retaliatory threats against victims' families.
- **Develop specific protocols for handling TNR cases** by establishing clear guidelines for identifying and responding to covert harassment, surveillance, intimidation, and politically motivated extradition requests. A standardized process for risk assessment and victim protection measures should be integrated into law enforcement procedures.
- **Improve threat mapping and intelligence sharing** by incorporating intelligence insights and systematically mapping threat actors operating across Italian territory to enable proactive countermeasures against TNR networks. Law enforcement should be empowered with legal tools to impose geographic, personal, or activity-based restrictions on suspected perpetrators.
- **Protect sensitive victim data** to ensure the safety of victims and their families by implementing strict safeguards against unauthorized access, particularly in politically motivated extradition cases.
- **Increase oversight of extradition requests** by requiring the Ministry of Justice to apply greater scrutiny to politically motivated extradition cases. Judicial oversight should be reinforced with a rigorous human rights assessment to prevent the misuse of legal mechanisms for transnational repression.
- **Establish a proactive monitoring system:** Develop a proactive monitoring system within law enforcement and intelligence agencies to identify individuals and groups at risk of transnational repression before formal extradition requests or Red Notices are issued. This system should include regular threat assessments, surveillance of

known TNR actors, and collaboration with civil society organizations to receive and verify reports of intimidation and harassment. Screening mechanisms should be introduced to detect and prevent abuse of INTERPOL Red Notices and mutual legal assistance procedures by repressive states.

## II. Migration and victim protections

- **Expand protections for asylum seekers and refugees targeted by TNR** by reinforcing Italy's asylum policies to ensure that individuals fleeing politically motivated persecution have clear, accessible, and expedited pathways to protection.
- **Strengthen *non-refoulement* protections** by rigorously applying the principle of *non-refoulement* in all deportation and extradition cases to prevent individuals from being returned to countries where they risk political persecution, torture, or inhumane treatment. Additional safeguards should be put in place to ensure that legal assessments on refoulement risks are conducted with expert input.
- **Improve access to specialised legal support for victims** by ensuring that individuals facing politically motivated extradition requests have access to experienced legal counsel, interpreters, and expert assessments that can effectively counter misinformation provided by authoritarian regimes. Legal aid programs should be expanded to assist those lacking the financial means to defend themselves against politically motivated charges.
- **Ensure proper victim screening procedures in asylum and immigration processes** to identify and protect individuals targeted by TNR at an early stage. Law enforcement, border control, and asylum officers should receive dedicated training to recognize TNR patterns and assess associated risks when reviewing cases. TNR-related country-of-origin information should be integrated into asylum guidelines and risk assessments.
- **Address smaller-scale cases of transnational repression** by ensuring that less high-profile victims of TNR receive the same level of protection and scrutiny as prominent dissidents. Many individuals targeted by authoritarian regimes lack international visibility, making them particularly vulnerable to wrongful extradition or deportation.
- **Improve coordination between migration authorities and law enforcement** to ensure that politically motivated requests for extradition or deportation are immediately flagged and assessed with the involvement of human rights experts. Mechanisms should be established to allow asylum officers to consult intelligence and judicial bodies when processing cases involving potential transnational repression.
- **Ensure that victims of TNR receive temporary legal protection while their cases are reviewed** by implementing clear policies that prevent unjustified detentions and prolonged legal uncertainty. Individuals facing politically motivated charges should not remain in legal limbo due to gaps in existing procedures.

### III. Foreign policy and international cooperation

- **Advocate for stronger EU-wide policies against TNR** by taking a leading role in advancing coordinated EU measures to counter transnational repression. This should include diplomatic pressure, harmonised legal frameworks, and targeted sanctions against individuals and entities complicit in TNR practices. Italy should lead efforts to develop and adopt sanctions and export controls on surveillance tools and software used in TNR.
- **Reassess extradition agreements with Russia** in light of Russia's withdrawal from the Council of Europe and its non-compliance with European human rights protections.
- **Promote multilateral coordination on TNR** by actively engaging with G7 partners, EU allies, and other democratic states to develop a unified and strategic response to transnational repression.
- **Increase transparency on institutional responses to TNR** by ensuring that information on which authorities handle transnational repression cases is publicly available. This includes clear reporting pathways for victims and the establishment of a dedicated governmental contact point for individuals targeted by TNR. The lack of transparency and definitional clarity currently creates inconsistencies in case handling and leaves potential victims without proper guidance on where to seek assistance.
- **Support international efforts to counter TNR through diplomatic pressure and legal action** by encouraging investigations into transnational repression cases at the European and international levels. Italy should work within multilateral institutions to push for greater accountability and to establish clearer mechanisms for holding perpetrators of TNR accountable.
- **Strengthen partnerships with civil society and international human rights organizations** to ensure that Italy's response to transnational repression incorporates insights from experts working directly with victims. This includes support and protection for journalists, whistleblowers, and civil society actors targeted by repressive regimes, recognizing their crucial role in exposing authoritarian practices. Engaging with civil society will help refine policy approaches, improve victim support systems, and enhance Italy's ability to track and counter TNR tactics effectively.

## Conclusion

This report highlights several significant gaps in Italy's ability to counter transnational repression (TNR) perpetrated by the Russian Federation. While Italy has made efforts to provide protection for dissidents, its legal, institutional, and procedural frameworks remain insufficient in addressing the full scope of the threat posed by TNR. A central issue is the lack of a clear, legally recognized definition of TNR, which leads to inconsistent responses across different institutions. Without a formalized framework, victims of TNR are left without structured avenues for seeking protection or legal recourse. The absence of official guidance or public resources on the illegality of TNR practices further isolates victims, preventing them from knowing where to turn for assistance, and impeding authorities from acting proactively.

Moreover, despite Italy's cautious approach to extradition requests, as well as its de facto non-cooperation with the Russian Federation on judicial matters since the large-scale invasion of Ukraine, systemic challenges persist, particularly concerning the protection of TNR victims from other tactics like intimidation, harassment, and illegal surveillance.

The report also identifies a critical gap in the coordination between Italian law enforcement, the judiciary, and civil society actors. While awareness of TNR has grown in recent years, it remains fragmented and inconsistent, particularly when it comes to the specific tactics used by authoritarian regimes. The absence of clear protocols and dedicated resources for handling TNR cases creates uncertainty for both victims and law enforcement agencies, leaving Italy's response largely reactive. The lack of transparency and structured collaboration between authorities and civil society actors further weakens trust and makes it difficult to effectively track and address TNR incidents across the country.

The challenges victims face in reporting TNR-related attacks, driven by fear of retaliation, mistrust of institutions, and a lack of knowledge about available protections, highlight the need for a victim-centered approach. Without clear reporting mechanisms, victims are left to navigate an opaque system, which only perpetuates their vulnerability. To address these shortcomings, Italy must implement a more coherent and robust framework that not only strengthens victim protections but also ensures that law enforcement agencies are equipped to respond promptly and effectively.

To fulfil its international human rights obligations and provide meaningful protection to victims, Italy must strengthen awareness on TNR among law enforcement and tribunals, followed by a comprehensive legal and policy framework. This includes establishing clear definitions, improving coordination among relevant authorities, and ensuring that victims have access to the resources and support they need. By enhancing law enforcement's ability to identify, track, and respond to TNR, and by fostering greater trust between authorities and at-risk communities, Italy can strengthen its ability to counter this growing threat and safeguard the rights of those most vulnerable to political persecution in alignment with its G7 commitments and broader international human rights standards.