

**ASSEDEL**



Association Européenne  
pour la Défense des Droits et des Libertés

## **AMENDMENT PROPOSALS**

on the Report on countering transnational repression (2025/2179(INI))

Committee on Foreign Affairs

**April 2026**

Draft report: PE778.365v01-00

(Rapporteur: Hannah Neumann)

### **I. DRAFT DIAGNOSIS**

The draft report represents a substantive and well-structured contribution to the EU policy debate on transnational repression. Its seven-block architecture covers the key dimensions of the phenomenon — from definitional framework to institutional coordination, victim protection, specific forms of TNR, and the EU's external positioning — and the explanatory statement accurately diagnoses the policy gap the report seeks to address. The consultation process, reflected in the Declaration of Input, is broad and complete.

The principal structural weakness of the draft lies in its recitals section. A single "whereas" clause is insufficient to anchor the operative paragraphs legally and factually: the document lacks the evidentiary foundation — documented scale, identified perpetrator states, established legal framework — that would give its demands normative weight and resilience to amendment. A second structural gap concerns Paragraph 5, which lists three categories of TNR tactics without defining their content, undermining the report's stated aim of establishing a common EU understanding. Both gaps have since been substantially addressed through the rapporteur's amendments, but their absence from the original draft remains a vulnerability in the negotiation process. Further normative gaps — detailed in Section

III — remain unaddressed across the full amendment set and are the basis for the proposals set out in Section IV.

The amendment process reveals a clear and organised opposition strategy. A bloc spanning ECR, non-attached members and parts of the far right is systematically targeting the report's institutional ambitions: deleting references to EU-level instruments — the DSA, the Corporate Sustainability Due Diligence Directive, the European Democracy Shield — inserting sovereignty clauses into operative paragraphs and opposing any centralised coordination mechanism. This is not a debate about technical improvements but about the scope of EU competence in this area. The report's outcome will depend less on the quality of individual amendments than on whether a working majority can be secured across EPP, Renew and S&D for the core institutional architecture — the TNR Coordinator, the data collection mechanism, the AMLA safeguards and the sanctions framework — and on whether the remaining normative gaps identified in this memorandum can be closed before the vote.

This memorandum is addressed to the rapporteur and shadow rapporteurs with that objective in mind.

## II. POLITICAL MAP OF AMENDMENTS

This section provides an overview of the key blocks and proposals within the draft report, summarizing their positions, amendments, and strategic implications. It aims to assist in guiding the rapporteur's approach and understanding the political landscape surrounding the report.

### **Block A**

*(ESN, PfE, ECR, Non-Inscrits: Tânger Corrêa, Bžoch, Sell, Froelich, Kamiński, Gosiewska, Volgin)*

This coalition systematically opposes EU instruments such as the DSA, CSDD Directive, and European Democracy Shield. Their strategy involves removing references to these tools, replacing "calls on the Commission" with "encourages Member States," consistently inserting a safeguard clause ("without prejudice to national security competences"), and eliminating centralized mechanisms. **AM610** (*Tânger Corrêa et al.*) criticizes the European Democracy Shield as fostering centralization and political conformity. **AM219** (*Sell*) explicitly rejects binding definitions of TNR. Overall, this group functions as a blocking coalition, primarily aiming to impede rather than improve technical aspects.

## Block B

*(López-Istúriz White, Lexmann, Tynkkynen, Terheş, Târziu, Farský)*

This diverse group proposes substantive amendments, such as **AM562** on EU Magnitsky sanctions, **AM564** on TNR as a sanctions category, and **AM86** in recitals. However, they simultaneously seek to remove references to the CSDD Directive, UN Principles, and Pegasus resolution. Tynkkynen highlights specific countries (Russia, China, Iran, Belarus, Turkey) with data from Freedom House but also aims to delete DSA references. *Terheş* offers lengthy, politically selective amendments on Russia and the Orthodox Church. *Târziu* advocates preserving existing proposals without creating new administrative structures. Their tactic involves supporting case-by-case substantive amendments while opposing deletions.

## Block C

*(Eroglu, Brandstätter, Šarec, Yar, Auštrevičius, Kobosko, Vautmans, Loiseau, Barna)*

Most members of this bloc are aligned with the rapporteur, proposing technically sound amendments across nearly all paragraphs, including **AM458** (AI and TNR within the AI Act and Dual-Use Regulation), **AM504** (Interpol and China), **AM510/AM511** (suspension of extradition treaties with China and Hong Kong, citing TEDH Liu v. Poland), **AM557** (sanctions as deterrence), and **AM622** (G7 cooperation). Their main limitation is occasionally proposing similar ideas as other amendments, leading to some fragmentation without significant added value.

## Block D

*(Temido, Sánchez Amor, Reuten, Gómez López, Ridet, Schieder, Nemeč, Barrena Arza)*

This group is internally divided. The mainstream proposals include **AM393** (visa regulation modifications), **AM521** (AMLA safeguards), and **AM527** (state responsibility for perpetrators). *Barrena Arza* operates independently with a set of politically sensitive amendments on issues such as Assange, CPI, NSO Group, *CatalanGate*, and the Cloud Act. While legally defensible in abstract, these may cause political division within AFET.

## Block E

*Neumann (Rapporteur)*

The rapporteur is actively strengthening the original text through numerous amendments. Key proposals include:

**AM337:** Establishing an EU TNR coordinator within the Council with a comprehensive mandate.

**AM341:** Requiring a public annual TNR report from the Commission and SEAE.

**AM342:** Updating Europol's mandate to include TNR.

**AM371:** Addressing legal challenges ("lawfare"), access to legal assistance, and proposing a "pause/non-recognition" regime for requests from perpetrator states.

**AM478:** Safeguards for family reunification against proxy coercion.

**AM490:** Safeguards for residency schemes used as vectors of TNR.

**AM494:** Revoking "golden visas" from TNR perpetrators.

**AM509/AM512:** Clarifying legal distinctions in Interpol notices and establishing appeal mechanisms.

**AM521-522:** Strengthening AMLA safeguards, quick appeal channels, and de-banking restrictions.

**AM555:** Holding intermediaries liable for facilitating TNR.

**AM570:** Exploring TNR as a transnational crime under Art. 83 TFUE.

**AM573:** Including TNR explicitly in EU sanctions regimes.

**AM601:** Strategic communication targeting identified perpetrators.

**AM621:** Reviewing "safe countries of origin" in the context of TNR practices.

**AM629:** Adopting a Council of Europe Convention on TNR.

### III. IDENTIFIED GAPS AND AREAS REQUIRING REINFORCEMENT

The amendment process has substantially improved the draft. The rapporteur's own amendments address most structural weaknesses identified in the original text, and several amendments from constructive blocs — particularly **AM521** (Sánchez Amor), **AM508** (Sánchez Amor *et al.*), **AM458** (Eroglu *et al.*) and **AM240** (Kobosko) — add meaningful technical content. The following gaps, however, remain unaddressed or insufficiently resolved across the full amendment set.

#### 1. Anti-SLAPP Directive.

Paragraph 15 recognises lawfare as a form of TNR and **AM368** strengthens the remedies language. **AM369** (Loiseau) is the only amendment to mention Directive 2024/1069/UE and does so only in passing. No operative paragraph systematically integrates the Anti-SLAPP Directive into the report's framework — neither as a reference for Member States implementing §15, nor as an instrument the Commission should use when monitoring cross-border legal harassment with a TNR dimension. This is the most significant normative omission in the document, given that the Directive was designed precisely to address abusive transnational proceedings.

## 2. Export controls on surveillance technology.

**AM458** correctly invokes the AI Act and the Dual-Use Regulation in the context of AI-enabled TNR. However, no amendment proposes updating the Union list of controlled items under Regulation (EU) 2021/821 to explicitly cover surveillance technologies used for TNR, nor introduces pre-export human rights impact assessments for such items. The EXAS study commissioned by AFET documents in detail how China exports surveillance infrastructure — including Safe City systems, 5G networks and biometric integration — to third countries that then use it for transnational repression. The gap between documenting the problem and proposing a regulatory response remains open.

## 3. Parliamentary follow-up mechanism.

Paragraph 41 instructs the President to forward the resolution to relevant institutions. No amendment assigns the European Parliament itself a formal monitoring role. The EXAS study explicitly recommends that the European Parliament and AFET hold regular hearings on TNR, including testimony from targeted individuals and civil society. A self-assignment of this kind is standard practice in impactful INI reports and would significantly increase the resolution's implementation pressure.

## 4. AMLA's operational mandate.

**AM521** (*Sánchez Amor et al.*) and **AM522** (*Neumann*) substantially improve §30. Neither amendment, however, specifies how AMLA's supervisory mandate — beginning full operation in 2027 — should be exercised to detect and reverse politically motivated compliance-based freezes. The report would benefit from language tasking AMLA with developing sector-specific guidelines and a rapid-response referral mechanism. Both **AM521** and **AM522** should be defended in full; any substitute text reducing the reference to a general "calls on financial regulators" formulation should be opposed.

## 5. Interpol's Purple and Silver Notices.

**AM508** (*Sánchez Amor et al.*) and **AM509** (*Neumann*) are the technically strongest Interpol amendments in the set. AM509 correctly establishes that notices are not equivalent to arrest warrants. AM508 adds transparency statistics and compensation as preconditions for further requests. Both should be prioritised. Neither currently addresses Purple and Silver Notices by name — operational tools disseminated without notification to affected individuals and without individual review procedures — which the EXAS study identifies as enabling silent abuse of law enforcement and financial

compliance systems. A targeted addition naming these notice types and calling for review mechanisms would close this gap.

## **6. Asylum and the Qualification Directive.**

**AM543** (*Neumann*) improves §32 by reducing the evidentiary burden for TNR victims in asylum proceedings. However, no amendment connects the asylum paragraph to Directive 2011/95/EU (Qualification Directive), which already provides protection categories directly applicable to TNR: systematic state-sponsored persecution under Article 9 and origin state involvement as actor of persecution under Article 6. Integrating this reference would give the paragraph a binding legal anchor and make its demands enforceable under existing EU asylum law.

## **7. Corporate liability and the CSDD Directive.**

**AM555** (*Neumann*) establishes legal liability for intermediaries and private operatives who facilitate TNR. The CSDD Directive (2024/1760/EU) — already listed in the draft's recitals — creates mandatory due diligence obligations for technology companies, financial institutions and surveillance providers whose conduct may enable TNR. No amendment connects §34 to this instrument or calls on the Commission to clarify its application to TNR-enabling conduct. This is an omission given that the Directive is already part of the report's own normative framework.

## IV. PROPOSED AMENDMENTS

The following amendments are proposed by ASSEDEL as contributions from civil society to strengthen the report. They are designed to fill the gaps identified above, are grounded in existing EU legal instruments, and are drafted for immediate adoption.

### Proposed Amendment A

*Addition to Paragraph 15 — Lawfare and legal remedies*

| Proposal   | Amendment  |
|--|--|
| <p><b>AM368:</b> Calls on Member States to recognise lawfare as a form of TNR and to ensure that victims of TNR have access to effective, proportionate and enforceable remedies, including compensation and reimbursement of legal costs resulting from abusive or vexatious proceedings, and to strengthen enforcement of such awards.</p> | <p>Calls on Member States to recognise lawfare as a form of TNR and to ensure that victims of TNR have access to effective, proportionate and enforceable remedies, including compensation and reimbursement of legal costs resulting from abusive or vexatious proceedings, and to strengthen enforcement of such awards; <b>as well as to ensure that the implementation of Directive (EU) 2024/1069 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings fully covers cases of cross-border legal harassment constituting TNR; calls on the Commission to include in its annual monitoring of the Anti-SLAPP Directive specific reporting on cases with a TNR dimension and to develop guidance for national authorities on identifying state-sponsored lawfare as a distinct category of transnational repression.</b></p> |
| <p><i>Justification:</i> The Anti-SLAPP Directive is the most directly applicable EU instrument for addressing judicial harassment as TNR. Its omission from the operative paragraphs is inconsistent with the report's own analysis. This amendment integrates it <i>without adding new institutional obligations.</i></p>                  |  |

## Proposed Amendment B

*New Paragraph 23e — Export controls and surveillance technology*

| Proposal   | Amendment   |
|--|---|
| -  | <p><b>Calls on the Commission to review and, where necessary, update the Union list of controlled items under Regulation (EU) 2021/821 on dual-use items to explicitly include surveillance technologies and digital tools that have been used, or present a substantial risk of being used, to facilitate transnational repression, including facial recognition systems, spyware platforms and predictive policing infrastructure; calls on the Commission to introduce mandatory pre-export human rights impact assessments for such items when destined for countries with documented records of TNR; calls on Member States to refuse export licences for surveillance technologies to countries systematically engaging in TNR.</b></p> |
| <p><i>Justification:</i> The AFET-commissioned EXAS study documents how authoritarian states — particularly China — export surveillance infrastructure to third countries that then use it for TNR. <b>AM458</b> invokes the Dual-Use Regulation but proposes no concrete update to the controlled items list. This amendment operationalises the existing regulatory framework <i>rather than creating new instruments</i> and is fully consistent with the EU's current approach to export controls under the 2021 reform.</p> |   |

## Proposed Amendment C

*New Paragraph after §40 — Parliamentary follow-up*

| Proposal  | Amendment  |
|---|--|
| -   | <b>Instructs its Committee on Foreign Affairs and Subcommittee on Human Rights to establish an annual monitoring mechanism on transnational repression affecting persons residing in the European Union, including regular hearings with civil society organisations, affected diaspora communities and relevant EU agencies; calls on the Commission and the EEAS to report annually to Parliament on progress in implementing the measures set out in this resolution, including on the use of EU sanctions under the Global Human Rights Sanctions Regime in TNR cases, on enforcement of the Digital Services Act in relation to digital TNR, and on the integration of TNR considerations into asylum, migration and enlargement processes.</b> |
| <i>Justification:</i> INI resolutions without a built-in follow-up mechanism are routinely filed and forgotten. The EXAS study explicitly recommends that the European Parliament and AFET drive implementation through hearings and scrutiny. This paragraph costs nothing, creates no new institution, and significantly increases the likelihood that the resolution produces durable policy change. |  |

## Proposed Amendment D

### Modification of Paragraph 29 — Interpol Purple and Silver Notices

| Proposal   | Amendment  |
|--|--|
| <p><b>AM509:</b> Stresses that addressing Interpol abuse requires affirming in domestic law and operational guidance that Interpol notices and diffusions are not subject to the same scrutiny as arrest warrants before they are issued and should not be treated as equivalent to arrest warrants; highlights that additional vetting for extradition requests and Interpol notices from governments known to engage in TNR is essential; stresses that the conditions and assessments for Interpol corrective measures should be reviewed in the context of countering TNR;</p> | <p>Stresses that addressing Interpol abuse requires affirming in domestic law and operational guidance that Interpol notices and diffusions are not subject to the same scrutiny as arrest warrants before they are issued and should not be treated as equivalent to arrest warrants; highlights that additional vetting for extradition requests and Interpol notices from governments known to engage in TNR is essential; stresses that the conditions and assessments for Interpol corrective measures should be reviewed in the context of countering TNR; <b>calls on Member States, in their engagement within Interpol governance bodies, to advocate for the extension of individual remedy and review procedures to Purple and Silver Notices, which are currently disseminated without notification to affected individuals and without recourse mechanisms, thereby enabling the silent abuse of law enforcement and financial compliance systems for TNR purposes.</b></p> |
| <p><i>Justification:</i> The EXAS study identifies Purple and Silver Notices as structurally distinct from Red Notices in that they carry no individual remedy and are not reviewed prior to dissemination. AM509 addresses Red Notice treatment in domestic law but leaves this gap open. This addition targets the specific mechanism enabling financial and law enforcement abuse below the threshold of formal arrest requests.</p>  |  |

## Proposed Amendment E

### Modification of Paragraph 32 — Asylum and Qualification Directive

| Proposal   | Amendment   |
|--|---|
| <p><b>AM543:</b> Calls on Member States to review and update guidance for asylum and migration authorities to ensure that applicants belonging to groups commonly targeted by TNR are properly identified as facing heightened risk, including in situations of collective or pattern-based targeting, with a view to reducing undue evidentiary burdens and ensuring effective protection outcomes;</p>   | <p>Calls on Member States to review and update guidance for asylum and migration authorities to ensure that applicants belonging to groups commonly targeted by TNR are properly identified as facing heightened risk, including in situations of collective or pattern-based targeting, with a view to reducing undue evidentiary burdens and ensuring effective protection outcomes; <b>and to ensure that TNR risk is systematically integrated into the determination of refugee status and subsidiary protection under Directive 2011/95/EU, including by recognising systematic TNR as a form of persecution within the meaning of Article 9 and the origin state as a relevant actor of persecution within the meaning of Article 6 of that Directive.</b></p> |
| <p><i>Justification:</i> the Qualification Directive is the binding legal instrument governing refugee and subsidiary protection status in the EU. Its Article 9 definition of persecution and Article 6 framework on actors of persecution are directly applicable to state-sponsored TNR but are not referenced anywhere in the draft or the amendments. This addition gives §32 a legally enforceable anchor within existing EU law <i>without requiring new legislation</i>.</p> |   |

## Proposed Amendment F

### Modification of Paragraph 34 — Corporate liability and CSDD Directive

| Proposal  | Amendment   |
|---|---|
| <p><b>AM555:</b> Stresses the need to increase the cost of TNR and strengthen deterrence, including through effective investigation and prosecution of perpetrators and enablers; calls on Member States to establish clear legal liability for individuals and entities — including lawyers, intelligence actors, intermediaries and private operatives — who knowingly facilitate or profit from acts of TNR on behalf of foreign states;</p> | <p>Stresses the need to increase the cost of TNR and strengthen deterrence, including through effective investigation and prosecution of perpetrators and enablers; calls on Member States to establish clear legal liability for individuals and entities — including lawyers, intelligence actors, intermediaries and private operatives — who knowingly facilitate or profit from acts of TNR on behalf of foreign states; <b>recalls that technology companies, financial institutions, surveillance providers and other business enterprises whose activities enable TNR may be subject to mandatory due diligence obligations under Directive (EU) 2024/1760 on corporate sustainability due diligence; calls on the Commission to issue guidance clarifying the application of that Directive to TNR-enabling conduct and to monitor compliance accordingly.</b></p> |
| <p><i>Justification:</i> the CSDD Directive is already cited in the draft's recitals. AM555 limits liability to individual intermediaries; this addition extends the accountability framework to corporate actors through an instrument already in the report's normative scope. It requires no new legal basis and is consistent with the Commission's existing mandate under the Directive.</p>   |   |

## Proposed Amendment G

*New Paragraph after §30 — AMLA operational guidelines*

| Proposal  | Amendment  |
|---|--|
| —   | <b>Calls on the Authority for Anti-Money Laundering and Countering the Financing of Terrorism (AMLA), in the exercise of its supervisory mandate, to develop sector-specific guidelines enabling financial institutions to identify patterns of compliance-based financial restrictions that may constitute financial transnational repression, including repeated targeting of civil society organisations, diaspora communities and human rights defenders linked to origin states with documented records of TNR; calls on AMLA to establish a rapid-response referral mechanism for cases of suspected TNR-linked financial coercion and to report annually to the European Parliament on the application of these guidelines.</b> |
| <p><i>Justification:</i> AM521 and AM522 correctly identify AMLA as the relevant supervisory authority but do not specify the operational form its intervention should take. AMLA's mandate, beginning full operation in 2027, includes supervisory powers over financial institutions that are directly applicable to the over-compliance problem. This paragraph operationalises the existing mandate with a concrete deliverable — sector guidelines and an annual report to Parliament — without exceeding AMLA's legal competence.</p> |  |