Open Letter

To: Deputies of the State Duma of the Russian Federation

Re: Introducing Amendments to Legislative Acts of the Russian Federation in Part Regulating Activities of Non-commercial Organizations, which Carry Functions of Foreign Agents

We, the undersigned organisations, call on you and your colleagues in the State Duma to suspend the second reading of the bill on the above draft legislation on non-commercial organisations (NGOs), which is scheduled for 13 July.

The proposed amendments would characterise any NGO involved in ‘political activities’ that receives funds from abroad as a ‘foreign agent’, and they would be required to register separately with the Ministry of Justice. Such NGO’s would have to comply with stringent audit and reporting requirements or face severe financial penalties, six-month bans and even custodial sentences for their employees. There is significant potential for arbitrary and selective restrictions to be placed on the activities of Russian civil society at large.

Within less than a fortnight after being proposed, on Friday 29th June, this bill has been put on your agenda, for second reading, without consultation amongst those stakeholders that will be most affected. If adopted the Russian Federation would be in clear breach of its legal international human rights obligations, specifically the rights to freedom of association and freedom of expression. The State Duma should allow for a longer period of discussion and reflection, both for its members as well as of civil society and government agencies alike.

Our main concerns with regards to the draft legislation are the following:

- The concept of ‘foreign agent’ solely being linked to its source of funding, without merit or acknowledgement of the nature of the organization’s autonomy or its activities.
- The overbroad definition of political activities as included in the amendments, allowing for arbitrary and selective use of the proposed legislation.
- The strict control as proposed over any activities by non-commercial organizations considered ‘foreign agents’, with additional audit and reporting requirements. If an organisation fails to comply its executive manager can be subject to a 300,000 RUR (EUR 7,300) fine or up to two years in prison.

As partners of Russian non-commercial organizations we condemn the proposed changes, which would indiscriminately brand those organizations that receive foreign funding as ‘foreign agents’. Their work in promoting international standards for example in the area of human rights and democracy would be particularly affected by the
negative connotation of this term and we urge you to reject the changes proposed today.

Yours sincerely,

Agora, Russia
ARTICLE 19
Civil Rights Defenders
Civil Society Institute, Armenia
Index on Censorship
Frontline Defenders
Helsinki Foundation for Human Rights
Human Rights Center of Azerbaijan
Human Rights Center, (HRIDC) Georgia
Human Rights Centre "Citizens against Corruption", Kyrgyzstan
Human Rights House Foundation
Human Rights Watch
Independent Journalist Center
The Independent Journalism Centre, Moldova

Institute for Peace and Democracy, Azerbaijan

International Partnership for Human Rights (IPHR), Brussels

Interregional Non-governmental Organization "Committee Against Torture"

Norwegian Helsinki Committee

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT)

PEN International

Reporters without Borders

Transparency International