





Mr Sergey Naryshkin

Chairman of the State Duma

Okhotnyi Ryad Street, Building 1

103265, Moscow

Russia

06 July 2012

**Open Letter**

**To: Members 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 reject in first reading the bill on the above draft legislation on non-commercial organisations (NGOs), which is scheduled for today, Friday 6th 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 week after being proposed, on Friday 29th June, this bill has been put on your agenda, without consultation amongst those stakeholders that will be most affected. If adopted the Russian Federation would be in clear breach of its international human rights commitment and specifically the rights to freedom of association and freedom of expression. The State Duma must 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 activities carried out by a non-governmental organization.
* 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 three 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,

**ARTICLE 19**

**Civil Rights Defenders**

**Frontline Defenders**

**Human Rights House Foundation**

**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)**