



ICNL UNOFFICIAL TRANSLATION

FEDERAL LAW
№ 121-FZ, July 20, 2012

**On Making Amendments to Certain Legislative Acts of the Russian Federation
Regarding the Regulation of Activities of Noncommercial Organizations
Performing the Functions of Foreign Agents**

Article 1

To amend Federal Law #82-FZ On Public Associations of 19 May 1995
(Compendium of Laws of the Russian Federation, 1995, #21, p. 1930; 1998, #30, p. 3608;
2002, #11, p. 1018; #12, p. 1093; 2003, #50, p. 4855; 2004, #27, p. 2711; 2006, #3, p. 282;
2008, #30, p. 3616; 2010, #21, p. 2526; 2011, #27, p. 3880) as follows:

1) to add clause 9 of the following wording to section 6 of Article 21:

“9) an application to include a public association on the register of noncommercial organizations performing the functions of foreign agents that is provided for by clause 10 of Article 13¹ of Federal Law On Noncommercial Organizations #7-FZ of 12 January 1996 (hereinafter referred to as the Federal Law On Noncommercial Organizations), - for public associations which are legal entities and receive funding and other property from foreign sources referred to in clause 6 of Article 2 of the Federal Law On Noncommercial Organizations and engaged in political activities carried out in the territory of the Russian Federation.”;

2) in Article 29:

a) to amend para. 8 of section 1 to read as follows:

“to inform the federal agency for state registration about the amount of funding and other property received from foreign sources referred to in clause 6 of Article 2 of the Federal Law On Noncommercial Organizations, as well as about the intended and actual uses of such funding and other property, according to the form and within the deadlines established by the authorized federal executive body.”;

b) to add section 6 of the following wording:

“A public association intending to receive, after its state registration, funding and other property from foreign sources referred to in clause 6 of Article 2 of the Federal Law On Noncommercial Organizations and to be engaged in political activities carried out in the territory of the Russian Federation, shall file, prior to engaging in political activities, an application with the body which made the decision on its state registration to be included on the register of noncommercial organizations performing the functions of foreign agents provided for by clause 10 of Article 13¹ of the Federal Law On Noncommercial Organizations. Such public association shall submit information provided for by para. 8 of section 1 of this Article to the federal agency for state registration on a quarterly basis.”;

3) in Article 38:

a) to delete the words “the federal executive body authorized to perform the function of counteracting the legalization (laundering) of criminal income and the financing of terrorism” in section 3;

b) to add section 4 as follows:

“The federal executive body authorized to perform the function of counteracting the legalization (laundering) of criminal income and the financing of terrorism shall analyze the information about public associations’ operations which it receives pursuant to Federal Law

#115-FZ On Counteracting the Legalization (Laundering) of Criminal Income and the Financing of Terrorism of 7 August 2001, and having reasons to believe that such information is incomplete and/or untrustworthy or that the public association does not observe, or does not observe in full measure, the requirements of the legislation of the Russian Federation, shall inform the body which made the decision to register that public association, either in reply to the said body's request or on its own initiative.”

Article 2

To amend Federal Law On Noncommercial Organizations #7-FZ of 12 January 1996 (Compendium of Laws of the Russian Federation, 1996, #3, p. 145; 1998, #48, p. 5849; 2006, #3, p. 282; 2007, #1, p. 37; #49, p. 6039; 2008, #30, p. 3616; 2009, #29, p. 3607; 2010, #15, p. 1736; #19, p. 2291; #21, p. 2526; 2011, #29, p. 4291; #30, p. 4587, 4590; #45, p. 6321; #47, p. 6607) as follows:

1) in Article 1:

a) to edit clause 4 as follows:

“4. The effect of clause 6 of Article 2, Articles 13-19, 21-23 and 28-30, para. 3 of clause 1 of Article 32 of this Federal Law shall not extend to religious organizations registered in accordance with established procedure.”;

b) to add clause 6 of the following wording:

“6. The effect of clause 6 of Article 2 and para. 3 of clause 1 of Article 32 of this Federal Law shall not extend to state corporations, state companies, and noncommercial organizations established by them, as well as state and municipal (including budgetary) institutions.”;

c) to add clause 7 of the following wording:

“7. The effect of clause 6 of Article 2 of this Federal Law shall not extend to employers’ associations and trade and industry chambers registered in accordance with established procedure.”;

2) in Article 2, to add clause 6 of the following wording:

“6. This Federal Law shall understand a noncommercial organization performing the functions of a foreign agent as a Russian noncommercial organization receiving funding and other property from foreign states, their government bodies, international and foreign organizations, foreign citizens, persons without citizenship or persons authorized by them, and/or Russian legal entities receiving funding and other property from said sources (with the exception of open joint stock companies with state participation and their subsidiaries) (hereinafter referred to as foreign sources), and which engages, including in the interest of foreign sources, in political activities carried out in the territory of the Russian Federation.

A noncommercial organization, with the exception of a political party, shall be deemed engaging in political activity carried out in the territory of the Russian Federation, if, irrespective of the goals and objectives stated in its founding documents, it takes part (including by financing) in the organization and conduct of political actions aimed at influence over the decision-making by state bodies intended for the change of state policy pursued by them, as well as in the shaping of public opinion for the aforementioned purposes.

Political activity shall not include activity in the sphere of science, culture, the arts, health protection, disease prevention and protection of citizens’ health, social support and protection of citizens, protection of motherhood and childhood, social support of the disabled, promotion of healthy living, physical culture and sports, protection of plant and animal life, charitable activities, and also activities in the sphere of promotion of charity and volunteerism.”;

3) in Article 13¹:

a) to add subclause 9 of the following wording to clause 5:

“9) an application for the inclusion of a noncommercial organization on the register of noncommercial organizations performing the functions of foreign agents, referred to in clause 10 of this Article – for noncommercial organizations performing the functions of foreign agents”;

b) to add clause 10 of the following wording:

“10. Information contained in the documents of a noncommercial organization performing the functions of a foreign agent that are submitted for state registration purposes shall make up the register of noncommercial organizations performing the functions of foreign agents, the keeping of which is the responsibility of the authorized body. The procedure of keeping the said register shall be established by the authorized body.”;

4) to add a paragraph of the following wording to clause 1 of Article 24:

“Materials published and/or distributed by a noncommercial organization performing the functions of a foreign agent, including in the mass media and/or using the information/telecommunication network the Internet, shall be accompanied by a note that such materials are published and/or distributed by a noncommercial organization performing the functions of a foreign agent.”;

5) in Article 32:

a) in clause 1:

to add the following wording to para.1: “Annual bookkeeping (financial) reports of a noncommercial organization performing the functions of a foreign agent, and (unless otherwise provided by an international agreement of the Russian Federation) annual

bookkeeping (financial) reports of a structural unit of a foreign noncommercial nongovernmental organization shall be subject to mandatory auditing.”;

to add a paragraph of the following wording:

“Noncommercial organizations which have received funds and other property from foreign sources shall keep separate records of their income (expenses) received (made) within the scope of revenues from foreign sources and their income (expenses) received (made) within the scope of other revenues.”;

b) to edit clause 3 as follows:

“3. Noncommercial organizations, with the exception of those referred to in clause 3¹ of this Article, shall submit to the authorized body documents containing a report on their activities, the personal composition of their governing bodies, documents about the purposes of expenditure of funds and of use of other property, including those received from foreign sources; and noncommercial organizations performing the functions of a foreign agent shall also submit an auditor’s report. Such documents submitted by noncommercial organizations performing the functions of a foreign agent shall contain information about the intended and actual purposes of expenditure of such funds and use of other property, received from foreign sources, and about their actual expenditure and use. The forms of such documents (with the exception of the auditor’s report), as well as the deadlines of their submission, taking into consideration the deadlines provided for by para. 2 of this clause, shall be determined by the authorized federal executive body.

Noncommercial organizations performing the functions of a foreign agent shall submit to the authorized body documents containing report on their activities and on the personal composition of their governing bodies every half year; documents on the purposes of

expenditure of funds and of use of other property, including those received from foreign sources, on a quarterly basis; and an auditor's report, on an annual basis.”;

в) to replace the wording “from international or foreign organizations, foreign citizens, persons without citizenship” in clause 3¹ with the words “from foreign sources.”;

г) to add the wording “, and noncommercial organizations performing the functions of a foreign agent – every half year” in para. 1 of clause 3² after the word “annually”;

д) to add paragraphs of the following wording to clause 4:

“A structural unit¹ of a foreign noncommercial nongovernmental organization shall annually submit to the authorized body an auditor's report from a Russian audit organization (an individual Russian auditor) unless otherwise provided for by an international agreement of the Russian Federation.

The authorized body shall post the information provided by the structural unit of a foreign noncommercial nongovernmental organization on its official site in the informational and telecommunication network of Internet or provide them to the mass media for publication.”;

е) in para. 3 of clause 4¹ to replace the words “in clauses 4² – 4⁴” with the words “in clauses 4² – 4⁶”;

ж) to add clauses 4⁵ and 4⁶ of the following wording:

“4⁵. Scheduled state audits of a noncommercial organization performing the functions of a foreign agent shall not be made more frequently than once a year.

¹ Translation note: this term refers to representative offices and affiliates of foreign noncommercial, non-governmental organizations.

4⁶. The reasons for making an unscheduled state audit of a noncommercial organization performing the functions of a foreign agent shall include:

1) the expiry of the remedial action period provided for by an earlier warning issued by the authorized body to the noncommercial organization performing the functions of a foreign agent;

2) the receipt by the authorized body of requests and petitions from citizens or legal entities, or mass media reports regarding facts that indicate the presence of signs of extremism in the activities of the noncommercial organization performing the functions of a foreign agent;

3) the receipt by the authorized body of information from government or local self-government bodies regarding the violation by a noncommercial organization performing the functions of a foreign agent of the legislation of the Russian Federation pertaining to its sphere of activity;

4) an order (directive) issued by the head of the authorized body in pursuance of the prosecutor's requirement that an unscheduled state audit be conducted as part of prosecutorial supervision of law enforcement following the receipt by prosecutorial bodies of relevant materials and requests.

3) in clause 5:

in subclause 4, to replace the words "founding documents;" with the wording: "founding documents. Such state audits may be conducted in respect of a structural unit of a foreign noncommercial nongovernmental organization, with the exception of those structural units of a foreign noncommercial nongovernmental organization that enjoy immunity from aforementioned actions.";

to add subclause 6 of the following wording:

"6) to suspend, by its decision, for a period not exceeding six months, the activity of a noncommercial organization performing the functions of a foreign agent that has not applied

to be included on the register of noncommercial organizations performing the functions of foreign agents according to clause 10 of article 13¹ of this Federal law. A decision to suspend the activity of such a noncommercial organization may be appealed to a superior body or to court.”;

и) to add clause 6¹ of the following wording:

“6¹. In the event of suspending the activity of the noncommercial organization referred to in subclause 6 of clause 5 of this Article, its rights as founder of mass media shall be suspended and it shall be prohibited from conducting mass actions and public events and using its bank accounts, except to make settlements for its economic activities and labor agreements, compensate damages caused by its actions, or pay taxes, duties and penalties.

If within the established suspension period, a non-commercial organization referred to in para. 1 of this clause applies to the authorized body to be included on the register of noncommercial organizations performing the functions of foreign agents provided for in clause 10 of Article 13¹ of this Federal Law, such noncommercial organization shall resume its activities from the date it is included on the said register.”;

к) to add a paragraph of the following wording to clause 7:

“A noncommercial organization intending to operate, after its state registration, as a noncommercial organization performing the functions of a foreign agent, shall apply, prior to engaging in such activities, to the authorized body to be included on the register of noncommercial organizations performing the functions of foreign agents by provided for in clause 10 of Article 13¹ of this Federal Law.”;

л) in clause 14, to delete the wording “federal executive body authorized to perform the function of counteracting the legalization (laundering) of criminal income and the financing of terrorism”;

м) to add clause 14¹ of the following wording:

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“14¹. A federal executive body authorized to perform the function of counteracting the legalization (laundering) of criminal income and the financing of terrorism shall analyze the information about noncommercial organizations’ operations which it receives pursuant to Federal Law #115-FZ On Counteracting the Legalization (Laundering) of Criminal Income and the Financing of Terrorism of 7 August 2001, and having reasons to believe that such information is incomplete and/or untrustworthy or that the noncommercial organization does not observe, or does not observe in full measure, the requirements of the legislation of the Russian Federation, shall inform the body which made the decision to register that noncommercial organization, either in reply to the said body’s request or on its own initiative.”;

н) to add clause 16 of the following wording:

“16. The authorized body shall submit to the State Duma of the Federal Assembly of the Russian Federation its annual report on the activities of noncommercial organizations performing the functions of foreign agents, containing information about their participation in political activities on the territory of the Russian Federation, the revenue and use of funds, as well as the results of supervision of their activities.”.

Article 3

To amend the Criminal Code of the Russian Federation (Compendium of Laws of the Russian Federation, 1996, #25, p. 2954; 1999, #28, p. 3491; 2001, #11, p. 1002; #47, p. 4405; 2003, #27, p. 2712; #50, p. 4848; 2004, #30, p. 3091; 2005, #1, p. 13; 2008, #15, p. 1444; 2009, #52, p. 6453; 2010, #19, p. 2289; 2011, #11, p. 1495; #50, p. 7362) as follows:

1) to edit the wording of Article 239 as follows:

“Article 239. The Establishment of a Noncommercial Organization Trespassing on the Person and the Rights of Citizens

1. The establishment of a religious or public association the activities of which is connected with violence over citizens or infliction of other damage to their health, as well as the leadership of such an association shall:

be punishable with a fine of up to 300,000 rubles or the size of the salary or other income of the convicted for a period of up to two years, or limitation of liberty for a period of up to four years, or forced labor for up to four years, or deprivation of liberty for the same period of time.

2. The establishment of a noncommercial organization (including noncommercial organizations performing the functions of a foreign agent) or a structural unit of a foreign noncommercial nongovernmental organization, the activities of which are connected with urging citizens to refuse to perform their civic duties, or to perform other unlawful acts, as well as the leadership of such an association or structural unit shall:

be punishable with a fine of up to 200,000 rubles or the size of the salary or other income of the convicted for a period of up to 18 months, or limitation of liberty for a period of up to three years, or forced labor for up to three years, or deprivation of liberty for the same period of time.

3. Participation in the activities of the aforementioned noncommercial organization referred to in sections 1 and 2 of this Article as well as propaganda of acts referred to in sections 1 and 2 of this Article shall:

be punishable with a fine of up to 120,000 rubles or the size of the salary or other income of the convicted for a period of up to one year, or limitation of liberty for a period of up to two years, or forced labor for up to two years, or deprivation of liberty for the same period of time.”;

2) in Chapter 32, to add Article 330¹ of the following wording:

“Article 330¹. Deliberate Evasion of Duties Provided for by the Legislation of the Russian Federation on Noncommercial Organizations Performing the Functions of Foreign Agents

Deliberate evasion of performing duties connected with the submission of documents required for the inclusion in the register of noncommercial organizations performing the functions of foreign agents provided for by clause 10 of Article 13¹ of Federal Law On Noncommercial Organizations #7-FZ of 12 January 1996:

shall be punishable with a fine of up to 300,000 rubles or the size of the salary or other income of the convicted for a period of up to two years, or mandatory community service for a period of up to 480 hours, or correctional labor for up to two years, or limitation of liberty for the same period of time.”.

Article 4

In Article 6 of Federal Law #115-FZ On Counteracting the Legalization (Laundering) of Criminal Income and the Financing of Terrorism of 7 August 2001 (Compendium of Laws of the Russian Federation, 2001, #33, p. 3418; 2002, #30, p. 3029; #44, p. 4296; 2004, #31, p. 3224; 2006, #31, p. 3452; 2007, #31, p. 3993, 4011; 2010, #30, p. 4007; #31, p. 4166; 2011, #46, p. 6406), to add clause 1² of the following wording:

“1². A transaction made for a noncommercial organization to receive funds and/or other property from foreign states, international and foreign organizations, foreign citizens and persons without citizenship, if the sum of the transaction is equal to or exceeds 200,000 rubles or is equal to or exceeds the equivalent of 200,000 rubles in foreign currency shall be subject to mandatory supervision.”

Article 5

To amend Article 151 of the Code of Criminal Procedure of the Russian Federation (Compendium of Laws of the Russian Federation, 2001, #52, p. 4921; 2002, #22, p. 2027; #30, p. 3020, 3029; #44, p. 4298; 2003, #27, p. 2700, 2706; #50, p. 4847; 2004, #27, p. 2711; 2005, #1, p. 13; 2006, #28, p. 2975, 2976; #31, p. 3452; 2007, #1, p. 46; #24, p. 2830, 2833; #49, p. 6033; #50, p. 6248; 2009, #11, p. 1267; #44, p. 5170; 2010, #1, p. 4; #15, p. 1756; #21, p. 2525; #27, p. 3431; #31, p. 4164, 4193; #49, p. 6412; 2011, #1, p. 16; #23, p. 3259; #30, p. 4598, 4605; #45, p. 6334; #50, p. 7361, 7362; 2012, #10, p. 1162, 1166) as follows:

- 1) to add the figures “330¹,” to subclause “a” in section 2 after the figures “328”;
- 2) to add the figures “239,” in section 5 after the figures “229¹,”.

Article 6

This Federal Law shall take effect one hundred and twenty days after the date of its official publication.

President
of the Russian Federation

V. Putin