



## The Russian “foreign agent law” violates OSCE commitments

### 2013 Human Dimension Implementation meeting

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Legislation enacted in 2012 in the Russian Federation led to a sharp deterioration of the legal framework and working conditions for civil society organizations, including human rights groups.

The strength of the international human rights movement came as a result of its *international* character. Human rights organizations are by international law entitled to cooperate cross-border. In our view, the “foreign agent law” denies these rights. It requires that organizations that receive foreign funding and conduct “political activity” must register as a “foreign agent” and include information about this in all its written material.

The law thereby delegitimizes and even criminalizes organizations and activities that are protected by international law.

In November this year, Minister of Justice, Alexander Konovalov, will report to the Duma about the implementation of the law. He *should* tell the Duma that the law, resulting in about 2000 inspections, more than 200 warnings to organizations to register, and eight court cases, should be abolished. It is neither in line with the Russian Constitution nor with international law.

One of the primary targets of the law is the organization Golos. We believe that this is because Golos had done remarkably well in exposing election fraud during the December 2011 Parliamentary elections and the March 2012 Presidential elections.

The case against Golos brought to court by the Ministry of Justice was not based on Golos receiving foreign grants. Rather Golos was prosecuted for receiving the Norwegian Helsinki Committee Sakharov Freedom Award without registering as a “foreign agent”. The award included prize money worth 10 000 US Dollars.

We took part as a witness during the trial, telling the court that Golos did not even accept the prize money. The fact that the court disregarded that fundamental requirements of the law were not met in the case, illustrate that the law in real terms is merely a tool to target organizations that Russian authorities does not like.

The law is discriminatory as social and cultural organizations are exempted. In the way it is applied by Russian courts, it defines human rights work as “political activity”, not distinguishing between defending human rights and forms of activity that further a political agenda.

We strongly recommend other OSCE participating States not to enact this kind of legislation. We were glad to see the statement by President Atambaev of Kyrgyzstan recently, that he is opposed to the idea of a similar law in the Kyrgyz Republic, as suggested by some Parliamentarians.

The law has a chilling effect on civil society, weakens domestic capacity to deal with human rights problems, and hurts the image of the state. There is clearly a need for strong OSCE statements and reviews that clarify that such legislation is not in line with OSCE standards.

We strongly favor transparency about sources of funding. The Norwegian Helsinki Committee receives funding from sources both inside and outside Norway, including from European and US foundations. It is no secret that we use our resources to challenge authorities in Norway as well as in other countries on human rights issues.

We co-operate closely with organizations in other countries in doing that. This is something we are proud of. If we're an *agent*, it is for international human rights.