



OSCE commitments include strong language on democratic law making. According to the 1991 Moscow Document, laws should be formulated and adopted based on an “open process reflecting the will of the people”.

Unfortunately, many OSCE Participating States does not follow this recipe. In particular, the way lawmakers in Moscow is making laws is far from OSCE commitments.

During the last two years, the Russian Duma has adopted a string of restrictive laws without consulting civil society and without proper discussion about the needs for the laws. The result is laws on foreign agents, on popular bloggers, on closing websites without a court decision, and so on.

The new laws include a range of provisions that create a minefield of legal risks for organizations that conduct peaceful civil society activities. And we have yet not seen the end of it. New restrictive law amendments are in the making.

Instead of promoting consultations with civil society in preparing legislation, President Vladimir Putin talks about independent organizations as a fifth column. He portrays them as traitors and internal enemies.

The implication is that he does not want consultation with them; rather he wants to defeat them. The other side of this wave of restrictive laws is a steady granting of more powers to law-enforcement bodies on all levels.

However, Russian lawmakers’ exclusion of civil society from consultations has not resulted in an increasingly apathetic and weak civil society. It could well be argued that Russian civil society have never been as strong as it is now. Both in capacity and quality.

Many civil society organizations exist in Russia that could give quality advice that would lead to improvements of legislation. My organization, the Norwegian Helsinki Committee, is sure that if lawmakers for instance consulted with the association Golos on reforms of the electoral legislation, that would lead to less fraud in future elections.

Instead, authorities make many efforts to close down the organization. Like many other organizations, it has to struggle with authorities that wants its activities repealed.

We should not allow them to struggle alone; we should do what we can to support them. These days, we see thousands of Russians in the streets protesting nationalist policies and restrictive legislation. We see hundreds of civil society organizations involved in these protests. The organizations are united by adhering to ideas of respect for human rights, rule of law and accountable governments.

They still manage to do important work. However, streets crowded with protesters and civil society activists is not a sign of constructive relationship with authorities. Quite the opposite, it is rather a reflection of lack of an “open process reflecting the will of the people”. Democratic lawmaking is exactly about that: “listen to your people”.