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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1076th MEETING OF THE OSCE PERMANENT COUNCIL**

12 November 2015

**Regarding Russian Federation legislation regulating the activities of
non-profit organizations classed as “foreign agents”**

Mr. Chairperson,

We have given explanations on several occasions in the Permanent Council regarding the legislation regulating the activities of non-governmental organizations (NGOs) in the Russian Federation, including those having the status of “foreign agents”.

We note the persistent attention by our United States colleagues to the conditions of operation of NGOs in Russia. Apparently, the inclusion of the 100th organization in the register of foreign agents is a reason for some form of commemoration.

This concerned attitude by our Western partners is quite understandable and justified. After all, the United States of America and a number of Member States of the European Union provide most of the foreign financing of Russian NGOs, whose activities are not always in line with their stated aims.

We should like to emphasize once again that the inclusion in the register of organizations acting as foreign agents in no way restricts the activity of these NGOs. The acceptability or otherwise of the term “foreign agent” is quite subjective, all the more so as we did not invent it but borrowed it from the other side of the ocean.

A number of provisions of United States legislation provide for criminal liability for activities designed to destroy the Government of the United States of America. For example, chapters of the Code of Laws of the United States of America makes membership of organizations carrying out this kind of activity punishable by up to 20 years’ imprisonment or higher penalties.

In addition, the Foreign Agents Registration Act (FARA) adopted in 1938 not only restricts lobbying for foreign interests but also calls for the timely public disclosure of efforts by foreigners to exert an influence on the domestic or foreign policy of the United States of America.

According to the law, all persons representing the interests of “foreign principals” in the country are required to register with the Department of Justice of the United States of America and to report periodically on their activities as agents.

The term “agent of a foreign principal” is defined in FARA as any physical or legal person, including NGOs, engaging in political activities in the United States, collecting or disbursing contributions, or conducting public relations or lobbying federal agencies and officials in the interests of any foreign principal. “Political activity” is defined as any activities that the agents believe could in any way influence agencies or officials of the United States of America or any section of the public with reference to formulating, adopting or changing Washington’s domestic or foreign policies.

The penalty for the various violations of FARA, including the failure to register or notify the distribution of information material and the incomplete or untruthful furnishing of the required information, is a fine of up to 10,000 US dollars and up to five years’ imprisonment. In addition, all foreigners convicted under this law are subject to deportation.

The statement by our United States colleague gives the impression that NGOs in Russia operate under intolerable conditions. It is apparently quite normal for them to be persecuted, stigmatized, fined and even forced to curtail their activities for no reason. These assertions are so absurd that they beggar belief.

The idea that in a number of cases representatives of Russian NGOs have been victims of deliberate smear campaigns or even physical assaults is sufficiently serious to warrant proof. In the Russian Federation any acts falling under administrative or criminal law are duly investigated irrespective of their target. Attempts to interpret certain acts as being tantamount to “persecution of dissidents” are completely unacceptable.

The Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE of 1990 does indeed commit participating States to ensure that “individuals are permitted to exercise the right to association, including the right to form, join and participate effectively in non-governmental organizations”, “to have unhindered access to and communication with similar bodies within and outside their countries” and also “to solicit, receive and utilize ... voluntary financial contributions from national and international sources” (paragraphs 10.3 and 10.4). However, there is a clear proviso: “as provided for by law”. Furthermore, the above-mentioned provisions speak of NGOs working “for the purpose of promoting and protecting human rights and fundamental freedoms”. As we have repeatedly seen, this is by no means always the case in reality.

Thus, the assertions by our United States partners that the Russian law on foreign agents contravenes OSCE commitments do not correspond to the facts.

Thank you for your attention.