



**National Endowment
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Open Letter: Statement of International Concern

November 16, 2012

We, the undersigned, express our deep concern over the recent passage of laws in Russia that introduce harsh new restrictions on freedom of association, assembly, and expression. Such measures, which violate international norms, will isolate Russia from the community of nations that respects universal rights.

Of particular concern is the law requiring civic organizations working on human rights and advocacy that receive funds from abroad to register as “foreign agents” and submit to additional requirements and restrictions. The law’s vague language defines as a “foreign agent” any organization that seeks to influence public opinion or policy and receives money from foreign sources. By applying the term “political” to these non-partisan groups, the law opens up further opportunities to impose restrictions on their activities, adding to several such moves against civil society organizations introduced in the past decade.

The law has been criticized by legal experts and civil society leaders in Russia, including the head of the Kremlin’s own human rights council, Mikhail Fedotov. Legal analysis conducted by the President of the Russian Federation’s Council on Human Rights has found the law to be discriminatory and in contradiction to the Russian constitution. Moreover, the term “foreign agent” is a pejorative, Soviet-era phrase that connotes espionage and is utterly inappropriate to describe these civil society organizations. We share their concern that the label “foreign agent” is aimed primarily at discrediting organizations and choking off their funding, rather than encouraging transparency, as has been asserted. These restrictions are a special affront to many of Russia’s renowned human rights defenders who began their struggle for human rights under the Soviet Union and continue that struggle today. They intend to challenge this law in Russian courts and internationally.

In Russia like elsewhere, civil society organizations play a critical role in organizing and mobilizing citizens behind causes that concern them and are an expression of a people’s diversity, strengths, and desires. Receiving support from abroad to carry out an organization’s mission does not mean that an organization is operating on behalf of a foreign principal. Indeed, most Russian civil society organizations are supported from a diversity of sources. Due to severe funding constraints in Russia and the low level of private donations to groups of any type, civil society organizations often receive support from foreign organizations to carry out their work. Without such assistance, many of them would have to cease their activities.

Contrary to claims by the government in Moscow, this Russian law does not bear any similarity to legislation in Europe or the United States designed to register “lobbyists” – i.e., those who work on behalf of a foreign principal. Unlike European and U.S. laws, the Russian law targets exclusively civil society organizations.

Instead, with the passage of the “foreign agent” law, Russia is rejecting commitments it made to protect fundamental human rights. The European Convention of Human Rights, the Helsinki Accords, the International Covenant on Civil and Political Rights, and the Universal Declaration of Human Rights all obligate Russia to allow civil society organizations to operate with minimal restrictions. When it acceded

to the Helsinki Accords, the Soviet Union acknowledged the importance of protecting human rights. By taking over those commitments, Russia agreed that human rights within the country are a legitimate international concern. Upon signing on to the European Convention of Human Rights, Russia further acknowledged its place in the European community of democracies, agreeing to submit to the jurisdiction of the European Court of Human Rights, which has supported the spirit of all international laws in regard to civil society organizations by reaffirming guarantees to implement human rights and freedom of association.

We call on Russia to live up to the standards and commitments reflected in the European Convention of Human Rights, the Helsinki Accords, the International Covenant on Civil and Political Rights, and the Universal Declaration of Human Rights. Toward that end, we respectfully urge Russia to repeal the recent legislation on civil society organizations and other laws that would constrict fundamental freedoms and human rights.

Signatories:

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