



United States Mission to the OSCE

Statement on Russian NGO Law

As delivered by Ambassador Julie Finley
to the Permanent Council, Vienna
January 26, 2006

Thank you, Mr. Chairman.

We value the work of non-governmental organizations as a vital part of civil society and believe strongly that they have a key role to play in a democracy. We have supported proudly many non-governmental organizations (NGOs) around the world and will continue to do so in our commitment to helping the development of civil society.

For that reason, Mr. Chairman, we are concerned by the legislation on NGOs signed into law by President Putin on January 10.

The United States has, in the past, discussed this legislation and our concerns about it with the Russian government on a bilateral basis. We had hoped the Russian government would recognize the need for major changes to be made to the law, bringing it into conformity with OSCE commitments and Council of Europe principles. It also seems odd frankly that a soon-to-be chair of the Council of Europe would so blatantly contradict that Council's principles. The Copenhagen and Moscow Documents clearly commit participating States to ensure the right to form, join, and participate in NGOs. Paragraph 10.4 of the Copenhagen Document specifically states that NGOs have the right to unhindered access to and communication with similar bodies outside their countries. This includes the right to solicit and receive voluntary financial contributions from international sources for the purpose of promoting and protecting human rights. This new law does not appear to meet these OSCE commitments.

While the law now includes substantial changes from earlier drafts, it still does not address fundamental issues that could gravely affect civil society in the Russian Federation. The new law gives extensive powers to the Federal Registration Service to refuse registration of Russian and foreign NGOs and to monitor and control their activities. It also authorizes the Service to initiate a judicial process to close down foreign NGOs if they "threaten the sovereignty, political independence, territorial integrity, national unity and self-identification, cultural heritage and national interests of the Russian Federation." Moreover, the Service must certify that NGOs are not engaged in foreign-funded activities that conflict with the "political independence of the Russian Federation" or in activities that are not specifically authorized in their charters.

Given the use of vague criteria, there is a real risk that the law could be applied selectively for political purposes. For these reasons, we are greatly concerned about the effect the law could have on jeopardizing Russian civil society and the ability of all NGOs, particularly foreign ones, to work freely in Russia.

Mr. Chairman,

We note that in November, President Putin stated that he would oppose any moves that would damage Russian civil society. We hope this is the case and urge the Russian Government to fulfill its OSCE obligations in this regard.

We understand that the Russian Government is now drafting implementing regulations to the NGO law. The wording of these regulations will have significant bearing on how the law is executed and whether Russia will be able to meet its OSCE commitments. In accordance with the Russian Government's international commitments, including those in the OSCE, we urge it to enact regulations that eliminate the possibility for arbitrary implementation and facilitate, rather than hinder, the vital work of non-governmental organizations.

Thank you.