



Permanent Mission of Ukraine
to the International Organizations in Vienna

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Statement on continued inclusion of civil society organisations in the register of “foreign agents” in the Russian Federation

As for delivery by the Delegation of Ukraine
to the 1128th meeting of the Permanent Council,
19 January 2017

Mr. Chairman,

The Delegation of Ukraine aligned itself with the Statement made by the European Union on the recent cases of the “foreign agents” law application in Russia. We would also like to make some additional remarks in the national capacity.

When concern was expressed on the current topic in previous meetings of the Permanent Council, the Russian delegation repeatedly referred to the so-called “compliance” of the “foreign agents” law with the international standards. In this connection we wish to recall that in its independent opinions of 2014 and 2016 the Council of Europe Venice Commission found the Russian legislation on “foreign agents” as highly controversial, which stigmatizes the NGOs and seriously hampers their activities. In particular, the legislation interferes with several human rights protected under the European Convention on Human Rights, especially freedom of association, freedom of assembly and freedom of expression. The Commission called upon the Russian authorities to revise the NGO legislation to bring it in line with European standards.

We deplore that Russia continues to ignore repeated concerted calls on the part of the international community to revise its legislation on the so-called “foreign agents” and “undesirable organizations” and bring it in compliance with the international and OSCE standards.

Meanwhile, the situation continues to degrade as many NGOs in the Russian Federation suffer persecution and growing pressure under these laws for expressing their views and findings where vague legal grounds are exploited, straight to the point of liquidation.

This degradation takes place throughout the country. For example, in Samara oblast alone, six NGOs were labelled “foreign agents” from August to December last year. Among them such NGOs as “Association of medical workers of the town Chapayevsk”, “Gagarin’s Park”, charitable fund “Samarskaya Guberniya”. The NGO “Gagarin’s Park” has already reported of lodging a complaint to the ECHR

as no facts of the receipt of foreign funds by this NGO were established by Russian courts.

According to latest annual report of the authoritative international NGO Human Rights Watch, “the Russian government in 2016 further tightened control over the already-shrinking space for free expression, association, and assembly and intensified persecution of independent critics. Parliament adopted laws expanding the power of law enforcement and security agencies, including to control online speech.”

In the first weeks of 2017 it became known about the legislative steps in Russia aimed at reducing “battery within the family” from a criminal to an administrative offence. The Secretary General of the Council of Europe had to point out in that regard that adoption of such legislation “would be a clear sign of regression within the Russian Federation and would strike a blow to global efforts to eradicate domestic violence”. He had to remind that the Russian Federation is bound by the European Social Charter, which required States to protect children against violence.

In connection with new Russia’s legislation that falls short of its international obligations, we take note of the recent judgment of the European Court of Human Rights concerning discrimination in the area of children adoption in violation of two Articles of the European Convention on Human Rights.

By maintaining the adoption of the restrictive laws Russia further departs from its obligations in the area of protection of human rights and fundamental freedoms and disregards important recommendations made by the independent human rights bodies.

We encourage the Russian authorities to make full use of the valuable expertise of the autonomous OSCE Institutions as assistance in bridging glaring gaps in implementation of relevant commitments.

We believe it important for the OSCE Institutions to be actively seized of monitoring the developments in the Russian Federation within their respective mandates and assist Russia in bringing its legislation and practices in compliance with the relevant OSCE commitments and international standards.

Thank you, Mr. Chairman.