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NGO Bill Questioned

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The Duma's facade being reflected Friday, when the bill was approved. **Maxim Shemetov**

Corrections appended

Questions are mounting about the definition of "political activities" in a bill that aims to tighten the screws on foreign-funded NGOs after it passed its first reading in the State Duma.

The bill, which 323 of the Duma's 450 deputies approved on Friday, would require all NGOs that receive funding from abroad and engage in "political activities" to register as "foreign agents," a term used for Cold War spies.

"If we oppose an environment ministry initiative ... or nuclear policy, is that a political activity?" said Alexander Nikitin, chairman of the Bellona environmental advocacy group.

"Of course, we are not vying for power," Nikitin said by phone Friday. He added that foreign sponsors might discontinue their support if his group were to consider itself "political."

Opponents maintain that vague wording in the bill would be exploited to crack down on non

governmental organizations that speak out against the authorities.

If the bill becomes law, applicable NGOs would also need to display the label "foreign agent" on their website and publications, as well as publish a biannual report of their activities and an annual financial audit.

Supporters argue that "foreign agent" is not a disparaging term. In fact, it has been used by the United States to describe entities that represent the interests of foreign powers in a law dating back to 1938.

The drafters of the State Duma bill liken it to the U.S. Foreign Agent Registration Act, which obliges individuals and organizations – both non-govermental and commercial – that represent a foreign power to disclose their activities.

However, "the comparison is misleading," said Dmitry Shabelnikov, local director of the Global Network for Public Interest Law, or PILnet.

"The U.S. legislation regulates a very narrow group of entities acting at the order, request or under the direction of a foreign state or entity," Shabelnikov said by phone.

Unlike the U.S. law, the Russian bill classifies NGOs as "foreign agents" for an indefinite period of time once they receive funding from any foreign source, regardless of what the foreign money is spent on.

"According to the Russian bill, it doesn't matter how and for what purposes the money is received and spent," Shabelnikov said.

Those "foreign agents" registered under the U.S. law are mostly tourism boards, law and PR firms, according to a list on the U.S. Justice Department's website.

Russia-funded agents working in the United States include the Endeavor Law Firm, whose principals — meaning parties who authorized the firm to act on their behalf — were metals billionaire Oleg Deripaska and Foreign Minister Sergei Lavrov, as well as Ketchum Inc., a PR firm whose principals were Gazprom Export and the Russian Federation.

But the Russian bill's critics emphasize that it defines "foreign agents" as those NGOs that "influence public opinion," which can apply to almost any organization.

Also, "political activities" is not a legally defined term, which further leaves the bill open to wide interpretation, Shabelnikov said.

The bill's sponsor, United Russia Deputy Alexander Sidyakin, said during a talk show on Ekho Moskvy radio on Wednesday that "political activities" refers to actions like "rallies, marches and pickets." He did not elaborate.

Sidyakin also sponsored the law that hiked fines for individuals participating in unsanctioned rallies to 300,000 rubles ($10,000).

In the Duma on Friday, A Just Russia Deputy Ilya Ponomaryov called United Russia "a foreign agent."

"You all know that the only party in parliament that receives at least some foreign grants is United Russia," Ponomaryov said, Interfax reported. His opposition party boycotted the vote.

The Communist Party and the Liberal Democratic Party, however, backed the bill.

Though opponents had earlier said the bill would even affect the Russian Orthodox Church, the legislation was welcomed on Friday by church spokesman Vsevolod Chaplin.

The bill would target foreign-funded groups that promote anti-Orthodox values, he said.

"Those foreign-run organizations that promote juvenile justice, sex education and propaganda of sexual deviation are alien to us," he said, Interfax reported.

Meanwhile, opponents have pushed for U.S. and European officials to impose travel bans on the bill's authors.

But such an endeavor would be tough. Every United Russia deputy in the Duma has signed the bill as a co-author, Andrei Vorobyov, head of the party's Duma faction, said Friday.

He insisted that the law would promote transparency for NGOs working in Russia.

Nikitin of the Bellona environmental advocacy group is worried about the connotations of the term "foreign agent."

A former submarine officer and nuclear safety inspector, Nikitin was jailed on espionage charges in 1996 for contributing to a Bellona report about nuclear safety in the Northern Fleet.

He was acquitted several years later.

"We have been called all sorts of names. It doesn't bother us," Nikitin said.

"But if I were to acknowledge being a foreign agent, I would acknowledge that our organization is political," he said. "In that case, we would lose our sponsors because the foundations that fund us don't want to support a political organization."

Correction: An earlier version of this article incorrectly stated that the U.S. Foreign Agent Registration Act requires foreign-funded NGOs to reveal their activities and finances. In fact, the law does not require such NGOs to reveal their finances.

An earlier version of this article also incorrectly stated that Oleg Deripaska and Foreign Minister Sergei Lavrov were the principal financiers of the Endeavor Law Firm and that Gazprom Export and the Russian Federation were the principal financiers of Ketchum Inc. In fact, Oleg Deripaska and Foreign Minister Sergei Lavrov were Endeavor's principals, meaning that they authorized Endeavor to act on their behalf. Similarly, Gazprom Export and the Russian Federation were Ketchum's principals.

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