The Moscow Times
30 YEARS
INDEPENDENT NEWS FROM RUSSIA

Looking for Foreign Agents in All the Wrong Places

By Michael Bohm

July 11, 2012



For more than a year, the Kremlin has been promising that there would be a "symmetric response" to the U.S. Magnitsky act. The problem, though, was that a strictly symmetric response would require freezing the Russian-based assets of U.S. government officials who are implicated in human rights abuses. Since few would qualify for this blacklist, the Kremlin resorted to an asymmetric response — a United Russia proposal to amend the law regulating nongovernmental organizations.

This legislation would make life difficult, if not unbearable, for NGOs that receive funding from foreign sources and are engaged in "political activities," which are broadly defined to mean basically any attempt to change government policy in any sphere or to influence public opinion related to these policies. This, of course, cuts to the core of what NGOs do and why they exist.

The new legislation will toughen the accounting requirements for these NGOs, increase the number of inspections and require that they include warnings on their Internet sites

and printed materials that they are "foreign agents," which in Russian is equivalent in meaning to a spy. In addition, the penalties for noncompliance with these requirements will be increased to 500,000 rubles ($15,200) and two years in prison.

Although during a meeting with his two top ombudsmen on Tuesday, President Vladimir Putin insisted on keeping the punitive label "foreign agent," he also understood that United Russia's asymmetric response was overkill. He therefore drew up a list of areas that wouldn't be covered by the NGO bill. They include: science; culture; physical fitness and sports; maternity assistance; charities; religious organizations; and the protection of vegetation and animals.

Notably, government corporations are also excluded. Perhaps, Putin didn't want Rosatom, which has received more than $1 billion since the early 1990s from the U.S. Defense Department to help destroy Russia's stockpile of chemical weapons, to qualify as a "foreign agent" of the United States.

These changes to the bill are all well and good, but Putin conspicuously retained the most important restrictions — those that apply to NGOs devoted to building democracy and an open society, election monitoring, protecting human rights, improving transparency and accountability in government and fighting corruption. The Kremlin is most concerned about these NGOs because they expose some of the worst abuses of Putin's vertical-power structure.

Take, for example, Golos, the election-monitoring NGO funded in part by USAID. According to the Kremlin's version of the December State Duma elections, there were only isolated cases of electoral fraud that had little impact on the results. But Golos, relying on documented evidence and exit polls, said election fraud amounted to 10 to 15 percent of the vote. Golos also documented electoral fraud in the March presidential vote.

Many members of the Kremlin establishment and most United Russia members — including the author of the NGO bill, Alexander Sidyakin — believe that Golos is part of a U.S.-sponsored special operation to discredit Russia. They also throw in other "politically active" NGOs like Amnesty International, Transparency International and Human Rights Watch, although these organizations are funded by private donations, not the U.S. government. Many believe that these NGOs try to instigate popular dissent based on "disinformation" about election fraud, corruption and human rights abuses in Russia. The goal of foreign-funded NGOs, it is believed, is to destabilize the country's political environment by inciting tens of thousands of Russians — presumably those who would otherwise support Putin or who would at least be apathetic toward him — to protest on the streets with slogans like "Putin must go!"

These NGOs, the argument goes, are part of a U.S. conspiracy that relies on subtle, insidious "soft power" tools under the benign pretext of "building democracy and civil society" to help stage an Orange Revolution. For example, during an "Open Tribune" discussion on the NGO bill last week, Kremlin-friendly analyst and Public Chamber member Sergei Markov said the legislation would "help prevent the overthrow of our current president." He also said the bill would help "strengthen Russia's democracy."

This tactic is taken right out of the Soviet playbook in which any criticism of the government's

human rights record was explained as a sinister, foreign-sponsored attempt to undermine the state. Perhaps the only Russian conspiracy theories more absurd than the NGO one would be the country's s two most infamous fabrications: the so-called Dulles Plan, which was supposedly a secret CIA operation to corrupt Russia's cultural heritage and moral values, and "The Protocols of the Elders of Zion."

Few rulers are fond of NGOs that expose government abuse, but it would be hard to imagine democratic countries supporting a bill that would effectively label them "spies," suffocate them with unnecessary (and expensive) reporting requirements, or threaten them with excessive fines and jail terms for noncompliance. Like a critical and independent media, critical and independent NGOs are a necessary component of civil society, and their freedom-of-speech rights should be fully protected. Incidentally, the Kremlin's only "politically active" NGO operating in the United States — The Institute of Democracy and Cooperation, whose mission is to monitor U.S. human rights abuses — does not fall under the U.S. Foreign Agent Registration Act, nor do any NGOs for that matter.

By trying to discredit NGOs as "foreign agents" and provocateurs, the Kremlin is relying on a crude decoy tactic, attempting to shift attention away from its own poor record of falsification, corruption, abuse of power and human rights abuses. At the same time, the Kremlin is trying to mobilize Russians against mythical internal and external enemies.

But this is bound to fail. After all, the victims of police torture and extortion in pretrial detention, for example, will quickly forget all the rubbish about "foreign agents" and turn to foreign-funded NGOs for assistance. The government, which violated their human rights in the first place and often receives protection, is hardly a viable option.

Nonetheless, it is clear that the Kremlin has placed the campaign against NGOs and the opposition movement as a top priority. This explains why a raft of legislation in addition to the NGO bill — such as the criminalization of defamation, limiting "harmful information" on the Internet and increasing penalties for those who violate the law regulating protests — have been rushed through parliament before lawmakers start their six-week recess on Saturday. It is important that these bills pass the Duma before the expected opposition protests in September, followed by regional elections in October. As a result of this frantic effort, important bills on the Duma docket concerning health care, education and social services were tabled until the fall.

Perhaps a July 7 headline from Nezavisimaya Gazeta put it best: "We Have Enough Problems Without Worrying About Foreign Agents." Indeed, the Kremlin should focus its efforts on, among other things, fighting corruption, improving the business climate for Russian entrepreneurs and foreign investors, establishing the rule of law and investing in infrastructure. It should leave the foreign agents to Cold War history books.

Michael Bohm is opinion page editor of The Moscow Times.

The views expressed in opinion pieces do not necessarily reflect the position of The Moscow Times.

Original url:
https://www.themoscowtimes.com/2012/07/11/looking-for-foreign-agents-in-all-the-wrong-places-a16209