



The Draft Law on Treason is a Threat to International Cooperation of Civil Society

Statement by the Steering Committee of EU-Russia Civil Society Forum

25 October 2012

On 23 October the Russian State Duma adopted in the second and third readings a draft law initiated by the government that toughens punishment for espionage, disclosure of state secrets and high treason, extends the scope of these crimes, and introduces a new definition of "treason". We are extremely concerned about this initiative and urge the Russian authorities not to adopt the law as it is harmful to international cooperation, for civil society, and for all Russian citizens. We also urge the EU leaders to immediately express their strong opposition towards this draft law in their communication with Russian authorities.

We are particularly concerned by the appearance of a new definition of the notion of "high treason". In this case it is not disclosure of state secrets or espionage but "provision of financial, material, logistical, consultative and other assistance to a foreign state, international or foreign organization or their representatives in activities directed against the security of the Russian Federation".

Such a vague definition gives the law enforcement agencies broad powers to declare as a spy or a traitor any Russian citizen or civic activist interacting with inter-governmental and non-governmental organizations and foreign citizens. In this case a fundamental principle of legal certainty is violated: no one will be able to understand in advance exactly which contacts with foreign organizations and citizens might be considered as "treason". Typical activities of Russian civic activists such as making presentations at events of international organizations, holding meetings with representatives of these organizations or foreign governments, submitting monitoring and analytical reports to the UN, Council of Europe and the OSCE, doing joint projects with foreign partners, etc. may now be declared illegal if the security forces and after them the court decide that the activities of these foreign organizations "threaten security" of Russia.

It is important that the term "external security", used in the current legislation, has been changed in the draft law to just "security". The absence of a clear definition of the "state security" allows enforcement agencies to apply broad discretion in deciding whether activities of an international or foreign organization are harmful to the security of Russia. The current political climate gives reason to believe that many of the actions and positions will be treated by the authorities as harmful to Russia's security.

Vague and broad wording of the bill were probably written especially in such a way, aiming to discourage Russian citizens from international contacts and participation in joint projects with foreign partners under the threat of a long prison sentence. As a result, participation in international NGOs projects, including within the framework of EU-Russia Civil Society Forum, will become dangerous to Russian activists as they may be declared not only "foreign agents" but also "traitors" at any time. International cooperation of civil society will become extremely difficult or even impossible.



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By boosting enemy image, suspecting everyone in espionage and creating a climate of fear in the society Russia may slide into international self-isolation and return to the worst days of repressive policies. In this case plans for modernization and successful development of the country may be laid to rest.

We urge the Russian authorities to abandon their plan to adopt this law. The Council of Federation should not approve the law, and President Vladimir Putin should not sign it.

This initiative directly contradicts the goals of cooperation between the European Union and the Russian Federation which are set in existing agreements and programs of cooperation. We call upon the leadership of the European Union and EU member states to immediately express their strong opposition towards the law and urge the Russian authorities to abandon their plans to adopt it.

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