

How Do Russia's 'Undesirable Organizations' and 'Foreign Agents' Laws Work?

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TASS

Russian investigative journalism outlet Proekt was added to the country's registry of "undesirable" organizations Thursday, banning its activity in Russia and putting its staff at risk of legal penalties including jail time.

The designation is the latest example of Russia's crackdown on independent and investigative media in recent months, with multiple organizations and individuals being pronounced "undesirable" or added to the country's list of "foreign agents."

While some of the targeted media outlets have vowed to continue operating under the burdensome new restrictions, others, such as the independent VTimes news site, have had no choice but to [shut down](#).

The designations are seen by Kremlin critics and analysts as an attempt to throttle

independent journalism and retaliate against those who expose high-level corruption ahead of high-stakes parliamentary elections in September.

Here's a closer look at what the labels mean:

What are “undesirable” organizations and “foreign agents”?

These are two separate lists with distinct restrictions for each. “Undesirable” is the more severe term.

“If the status ‘foreign agent’ allows an organization to function, albeit with burdensome restrictions, then being labeled an ‘undesirable organization’ is in practical terms a ban on all activity,” human rights lawyer Pavel Chikov [told](#) the BBC’s Russian service Friday.

The **“undesirable”** list, introduced in 2015, was originally used to crack down on foreign NGOs. Many of its first targets were organizations that received funding from the U.S. government or American billionaire philanthropist George Soros.

Proekt is the first Russian news organization to be included in the “undesirable” list.

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Organizations are added to the list by the Prosecutor General’s Office and the criteria for inclusion are opaque. Once added, organizations are required to disband operations within Russia.

The 2015 law also bans Russians from collaborating with or donating to the “undesirable” groups. Violations are punishable by fines and jail terms. Because the law does not clearly define what constitutes “collaboration,” it potentially bans all interaction with such groups in Russia or abroad.

What about “foreign agents”?

The designation “foreign agent” does not automatically force organizations to cease operating in Russia, although some such organizations have shut down as a result.

The list was first introduced in a 2012 law that has since been amended and expanded multiple times.

A sublist, the “Register of Foreign Media Fulfilling the Role of Foreign Agents,” was created in 2017 after the Russian state-funded RT network was declared a foreign agent in the U.S.

An amendment in December 2020 broadened the law’s scope to allow individuals to be named “foreign agents” as well. Since then, 13 people, mainly journalists and activist, have been slapped with the label.

While some inclusions, such as those of the eight Proekt journalists, appear to be motivated by their reporting on high-level corruption, others are less clear.

Darya Apakhonchich, a Russian teacher, feminist and art activist from St. Petersburg, was one of the first five Russians added to the list on Dec. 28, 2020. The move was met with confusion as Apakhonchich was relatively unknown and her “foreign ties” amounted to a salary from her former employer, the International Red Cross, and a few small payments from abroad.

Related article: [This Russian Teacher and Feminist Activist Is a ‘Foreign Media Agent’](#)

Once placed on the list, organizations and individuals are required to make financial disclosures four times a year detailing all sources of income. They must also append a disclaimer to all publications and social media posts identifying themselves as foreign agents.

Failure to do so is punishable by fines of hundreds of thousands or millions of rubles. The disclaimer must also be applied retroactively to a media site’s archived articles, if those are available online.

Has anyone actually been arrested under these laws?

Yes.

Andrei Pivovarov, a political figure and member of the opposition party Yabloko, was arrested on June 2 in St. Petersburg. He was charged with violating the law on “undesirable” organizations for his work as the former director of Open Russia, a democratic advocacy group founded by exiled oligarch Mikhail Khodorkovsky.

Pivovarov had announced only a week earlier that Open Russia was shutting down completely, as it had become impossible to operate under the restrictions. “We are doing this to avoid criminal prosecution,” he [said](#) in a statement. “We don't need any new criminal cases against our supporters.”

In February, democratic activist Anastasia Shevchenko was handed a four-year suspended sentence, the first under the law, in connection with her work with Open Russia. She had previously spent two years under house arrest.

[Others](#) have been detained, fined and subjected to searches.

On Friday, Pyotr Manyakhin, one of the Proekt journalists added Thursday to the list of foreign agents, was [arrested](#) in the Altai region village of Ongudai, where he was using a drone to capture video. It wasn’t immediately clear if the arrest was connected with his “foreign agent” designation.

What’s next?

There is no sign that the crackdown will abate.

Kremlin critics and rights activists say Russian authorities seem determined to stamp out all media capable of conducting hard-hitting investigations that lead to embarrassing revelations about the allegedly lavish lifestyles of political and business elites.

As for Proekt, the outlet [announced](#) Friday morning via Telegram that its team has no

intention of abandoning their work.

While Proekt's U.S.-registered entity would disband as required by Russian law and would “no longer have a financial relationship with any of the journalists working in Russia,” its journalists vowed to continue investigating corruption.

“As journalists, we continue to believe that our work is important and needed by our homeland,” Proekt's post said.

“Journalism is not a crime.”

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