



CUTTING CIVIL SOCIETY'S LIFELINE

The global spread
of foreign agents laws



CIVICUS

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Protesters face law enforcement officers during a rally against the foreign agents bill in Tbilisi, Georgia, 28 May 2024.

Photo by Irakli Gedenidze/Reuters via Gallo Images

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SUMMARY

Foreign agents laws – legislation that stigmatises civil society groups by forcing them to register as paid agents of foreign interests – are proliferating, offering a growing threat to civil society worldwide. Foreign agents laws target the international solidarity and cross-border cooperation that enable civil society organisations to access resources, share knowledge and build advocacy networks.

Russia's 2012 foreign agents law established a dangerous blueprint. Under this framework, any civil society or media organisation that receives foreign funding and engages in broadly defined 'political activity' must register as a foreign agent and label all communications accordingly. This creates an impossible choice: accept a stigmatising designation that brands organisations as foreign spies or cease operations. The European Court of Human Rights has unequivocally condemned Russia's law as violating the fundamental rights to freedom of assembly, association and expression.

The adoption of foreign agents laws is accelerating. El Salvador, Georgia, Kyrgyzstan and Nicaragua have all enacted Russian-style legislation since 2020, with devastating consequences for independent civil society.

The threat extends far beyond current adopters, with dozens more countries proposing similar legislation as part of broader civic space crackdowns, with foreign agents laws often complementing and intensifying ongoing state attacks on civil society.

Despite claims that they seek to promote transparency about funding, foreign agents laws are instruments of control. They impose complex registration processes, demanding reporting requirements, frequent audits and stigmatising labels to silence critics, with the effect of making it harder for civil society groups to function and fulfil their core purposes. Broad and ambiguous definitions of 'political activity' grant governments wide discretion to target organisations they deem undesirable. Heavy fines and the threat of forced closures and imprisonment for noncompliance foster a climate of fear and self-censorship.

However, civil society has demonstrated remarkable resilience in resisting foreign agents laws. Mass protests in Georgia in 2023 initially forced the government to withdraw its legislation, although a renamed law was finally forced through in 2024. Foreign agents laws can also be rolled back. Protests caused Ukraine to rapidly reverse its 2014 law, Ethiopia repealed its law in 2019 following political change and Hungary was forced to drop its law in 2020 after a European Court of Justice ruling.

There's a need for coordinated resistance to reverse the trend before foreign agents laws become normalised. International courts and human rights bodies must develop comprehensive legal standards that distinguish legitimate transparency measures from repressive laws, expedite their consideration of cases and develop emergency procedures to tackle immediate threats.

States should avoid stigmatising legislation based on funding sources, jointly condemn foreign agents laws through diplomatic channels, impose targeted sanctions on responsible officials and provide safe haven for threatened activists.

Funders and partners should establish emergency funding mechanisms with rapid-disbursement grants, support the development of domestic philanthropy to reduce reliance on foreign funding and systematically document the impacts of foreign agents laws and successful responses to them.

Civil society and media organisations should strengthen international solidarity networks to share resistance strategies, promote genuine transparency, fact-check government claims, expose the true intent of foreign agents laws and build legal capacity to challenge them through domestic and international courts.



A protester holds a banner during a demonstration against the Transparency Bill in Budapest, Hungary, 18 May 2025.
Photo by Janos Kummer/Getty Images via Gallo Images

INTRODUCTION

Laws that stigmatise civil society and independent media by forcing them to register as paid agents of foreign interests – known as foreign agents laws – are a growing threat to civil society worldwide. In recent years several states have passed these laws: Nicaragua in 2020, Georgia and Kyrgyzstan in 2024 and El Salvador in 2025.

Foreign agents laws are part of a broader trend of restrictive legislation targeting civil society organisations (CSOs) that receive international funding. Many more states have attempted to pass similar laws or have enacted other restrictive measures that criminalise international funding without using the ‘foreign agents’ label, making this approach one of the most concerning and growing parts of the **assault on civic space** currently underway in many countries across the world.

Ostensibly designed to promote accountability and transparency about international support for domestic organisations, the real purpose of foreign agents laws is to restrict CSOs, constrain their resources, divert their energies, subdue dissent and consolidate power.

Typically, foreign agents laws require organisations – and sometimes individuals – that engage in activities deemed political and receive a defined amount of foreign support – sometimes as low as 20 per cent of their budget – to register as ‘foreign agents’ or ‘organisations serving foreign interests’. Registered entities are then required to add stigmatising labels of ‘foreign origin’ to their communications, publications and websites, and submit to onerous audits and reporting requirements. Organisations can face heavy fines and closure, and people can receive jail sentences for noncompliance.

In practice, almost any public interest activity – including a broad range of human rights advocacy and work to strengthen democracy, such

as election monitoring – may be deemed political and therefore be restricted under foreign agents laws. States often leave laws deliberately vague and broad to allow for discretionary enforcement and targeting of organisations they object to.

For these reasons, international organisations and human rights bodies – including the **European Court of Human Rights**, the **European Parliament**, the **Organization of American States**, the **Venice Commission** and multiple **United Nations (UN) experts** – have condemned foreign agents laws as clear violations of freedoms of association and expression.

The threat is accelerating rapidly, bringing devastating effects. Georgia’s government defied widespread street protests in 2024 to pass a foreign agents law that has effectively frozen the country’s European Union (EU) accession process. Nicaraguan President Daniel Ortega has used a foreign agents law as part of a comprehensive repressive arsenal that has shuttered over 5,600 organisations, roughly 80 per cent of all CSOs that once operated in the country. In 2024, Kyrgyzstan enacted a Russian-style law that immediately triggered the closure of longstanding human rights organisations, while El Salvador, Slovakia and Zimbabwe all moved forward with their foreign agents laws despite intense domestic and international opposition.

In countries where foreign agents laws take hold, civil society faces an impossible choice: accept a stigmatising label that brands them as foreign spies or cease operations. The mere threat of designation can be enough to silence critics. Meanwhile, the fact that dozens more countries – including Bulgaria, Serbia and Turkey – have proposed similar legislation indicates that foreign agents laws are in danger of becoming normalised as an authoritarian tool for silencing dissent.

HISTORICAL ORIGINS

The USA's 1938 Act

Foreign agents laws are a growing contemporary threat, but the history stretches back decades, starting with the USA's 1938 **Foreign Agents Registration Act** (FARA). The US Congress passed this law primarily as a response to concerns about **Nazi propaganda operations** in the USA in the lead-up to the Second World War. It followed congressional investigations that uncovered evidence of German-funded propaganda efforts aimed at influencing public opinion to maintain US neutrality in the coming conflict.

FARA required individuals and organisations acting on behalf of foreign entities to register with the Department of State and disclose their relationships, activities and funding sources. The goal, as **stated** by its lead proponent, was to publicly expose foreign influence operations. In 1942 its **enforcement** was transferred to the Department of Justice.

As early as the 1950s, it became apparent that such laws, even if well intentioned in principle, can be misused to suppress dissent. The early Cold War was a period of intense anti-communist suspicion and political repression in the USA, with Republican Senator Joseph McCarthy spearheading an aggressive campaign of accusations and investigations

against alleged communist sympathisers. The period was characterised by blacklists, loyalty oaths and open persecution. Many people, including civil rights advocates, saw their careers and personal lives disrupted due to often unsubstantiated allegations of foreign ties and communist sympathies.

In 1966, FARA was **substantially amended**, with its scope narrowed to focus more specifically on lobbying activities and **requiring proof** a person was acting 'at the order, request, or under the direction or control, of a foreign principal'. These amendments reflected an acknowledgement that the original law was too broad and could impact on legitimate activities. As a result, FARA in its current form **requires disclosure** but **doesn't** prohibit foreign lobbying. Over the years, it was used sparingly, with only **seven criminal prosecutions** between 1966 and 2015.

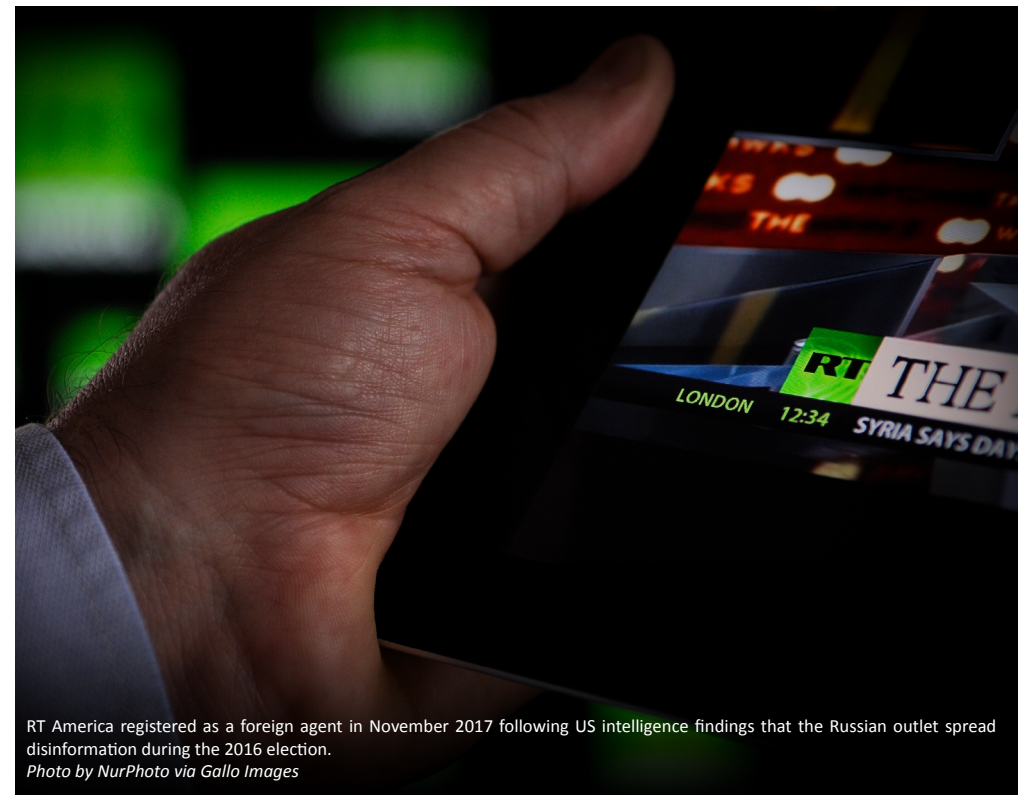
FARA remained an obscure piece of legislation for decades, but the 2016 US presidential election was a turning point. Concerns about Russian interference in US democratic processes prompted a major shift in enforcement. From 2017 onwards, FARA prosecutions increased significantly, with **21 criminal cases filed up to 2024**, tripling the number of the previous 50 years.

Renewed enforcement brought immediate international repercussions. In 2017, the USA **required** RT (formerly Russia Today), the Russian state-funded TV network, to register as a foreign agent. Russia responded swiftly by **expanding** its foreign agents law, in force since 2012, to include media organisations, directly targeting outlets such as Radio Free Europe and Voice of America.

From 2022 onwards, following Russia's full-scale invasion of Ukraine, there has been a further proliferation of foreign agents laws globally, often justified by national security concerns but used to restrict legitimate civil society activities.

By 2025, concerns have grown about legislative restrictions **in the USA**, with state-level foreign agents registration laws introduced that could significantly impact on civil society and civic freedoms. Nebraska's **Foreign Agent And Terrorist Agent Registration Act**, for instance, imposes sweeping registration requirements for any agent of a foreign principal from designated foreign adversaries under the US federal code: China, Cuba, Iran, North Korea, Russia and Venezuela.

The International Center for Not-for-Profit Law has **warned** that these state laws' definitions and broad scope could affect CSOs engaged in legitimate academic exchanges, humanitarian work and other forms of international cooperation simply because they receive funding from or collaborate with partners in designated countries, effectively chilling cross-border partnerships.



RT America registered as a foreign agent in November 2017 following US intelligence findings that the Russian outlet spread disinformation during the 2016 election.
Photo by NurPhoto via Gallo Images

2004-2009

Early steps in Ethiopia and Zimbabwe

Long before Russia formalised the modern template for foreign agents laws that target civil society, and well before the surge in FARA enforcement from 2016 onwards, two African governments pioneered the use of restrictive legislation to constrain organisations receiving foreign funding. In 2004, Zimbabwe attempted to introduce a foreign agents law targeting international CSOs and local organisations that receive international funding with restrictions that would later become standard features of foreign agents laws worldwide. The ruling party **passed a bill** that would have banned foreign CSOs, but then President Robert Mugabe ultimately didn't sign it into law.

The draft legislation, however, circulated among lawmakers in African countries and provided a blueprint for similar restrictive proposals, establishing key elements that would soon be repeated: restrictions on foreign funding, requirements for government approval of CSO activities and broad definitions of prohibited activities. The first successful effort to pass a law based on Zimbabwe's template came in **Ethiopia**.

Ethiopia's 2009 **Charities and Societies Proclamation** effectively functioned as a foreign agents law, creating one of the world's most restrictive civil society environments. Under this law, any CSO that received over 10 per cent of funding from foreign sources – including donations from Ethiopians abroad – was automatically classed as a foreign organisation. This designation placed them under the direct watch of security agencies and banned them from engaging in advocacy, conflict resolution, criminal justice reform, governance activities, human rights work and virtually all meaningful civil society functions.

This was a way of criminalising independent human rights work, and its impact was swift and severe: in late 2012, **Ethiopia's Charities and Societies Agency** shut down 10 CSOs under the law's provisions and issued warnings to over 400 others.

The law paralysed human rights work for close to a decade. International funders found their Ethiopian partners unable to carry out meaningful advocacy work, while local organisations struggled to maintain their independence and access the resources they needed to operate. The designation as a foreign organisation carried such stigma that many groups pre-emptively self-censored or abandoned sensitive work. By 2019, **at least 17** organisations had been forced to shut down or completely change their mandates, while many others significantly reduced their activities or risked working in a climate of constant fear and surveillance.

Amid some limited democratic reforms introduced following a 2018 change of government, the Charities and Societies Proclamation was repealed in 2019. The government **replaced** it with a new law that removed the cap on foreign funding and explicitly protected civil society's right to engage in any lawful activity, including previously restricted economic activities.

This reversal made Ethiopia one of only a handful of countries where restrictive foreign agents laws have been repealed, offering hope that even deeply entrenched restrictive frameworks can be overturned when political conditions change. However, the years of harm done while the restrictive law was in force can't be reversed.

2012

Russia sets the template

It was Russia that effectively fired the starting pistol for the current **wave of restrictive foreign agents laws**, creating a **template** several other authoritarian states would soon adopt. Vladimir Putin's government introduced it in direct response to mass protests following his return to the presidency in May 2012 as part of a broader plan to suppress domestic opposition.

Passed in July and in force since November 2012, the law amended existing legislation to require any CSO engaging in vaguely defined political activity that receives foreign funding to register as a foreign agent. While ostensibly framed as an anti-terror and transparency measure, the law has been used to devastating effect, enabling authorities to harass, fine and shut down CSOs for their legitimate public interest work and helping fuel a climate of fear among activists and organisations.

Over the next decade, the Russian government **repeatedly expanded** its crackdown through numerous amendments to various laws. In 2017, amendments to the Mass Media Act extended the foreign agents label to media outlets. In 2019 and 2020, further amendments expanded the designation to include journalists and any individual engaged in political activity. In 2022, following the full-scale invasion of Ukraine, new legislation repealed and replaced all previous amendments, introducing **the harshest restrictions yet**. Now no foreign money need be involved: any entity or person deemed to be subject to foreign influence is forced to register under severe penalties for noncompliance and essentially shut out from public life. Foreign agents are banned from working in

the civil service and education institutions, participating in or donating to election campaigns and organising public assemblies, among other discriminatory restrictions.

Although the Russian government has repeatedly defended its law with reference to the USA's FARA, it differs in several key respects. While FARA requires specific evidence that someone is acting under foreign control, the Russian law equates any level of foreign support, however minimal, with foreign control. FARA primarily targets professional lobbyists and political consultants working for foreign governments, while Russia's law applies broadly to CSOs, journalists, media outlets and private individuals.

Organisations designated as foreign agents face severe administrative burdens, including mandatory audits, detailed reporting requirements and compulsory labelling of all materials and communications with the stigmatising designation. In Russia the foreign agent label carries particularly damaging weight: due to Soviet-era associations, it is synonymous with 'foreign spy'. By 2016, **at least 30 groups** had chosen to shut down rather than accept the designation.

The law has targeted organisations working in areas including academic research, anti-corruption, environmental protection, HIV prevention and human rights. Thousands have **suffered** its impacts.

The European Court of Human Rights has categorically condemned

Russia's foreign agents legislation. In June 2022, in the case of **Ecodefence and Others v. Russia**, it examined the initial law and its application, finding it violated rights to freedom of association and expression protected under the European Convention on Human Rights. The court determined that singling out foreign-funded organisations is discriminatory and the stigma associated with the foreign agents label is aimed at dissuading organisations from using foreign funds, which represents a violation of freedom of association because access to funding is a component part of that freedom. The court also found that the fact CSOs are funded by non-national entities does not jeopardise a state's economic and security interests, meaning additional restrictions on them do not meet the proportionality requirement. In another ruling in October 2024, the court examined subsequent amendments including the 2022 overhaul, **concluding** their purpose was to intimidate and punish civil society rather than address any alleged transparency needs or national security concerns. These decisions established international legal standards and provided precedents for challenging similar legislation worldwide.



A Memorial International staff member leaves a Supreme Court hearing on the prosecutor's request to dissolve the human rights group for allegedly violating the foreign agents law in Moscow, Russia, 28 December 2021.
Photo by Dimitar Dilkoff/AFP

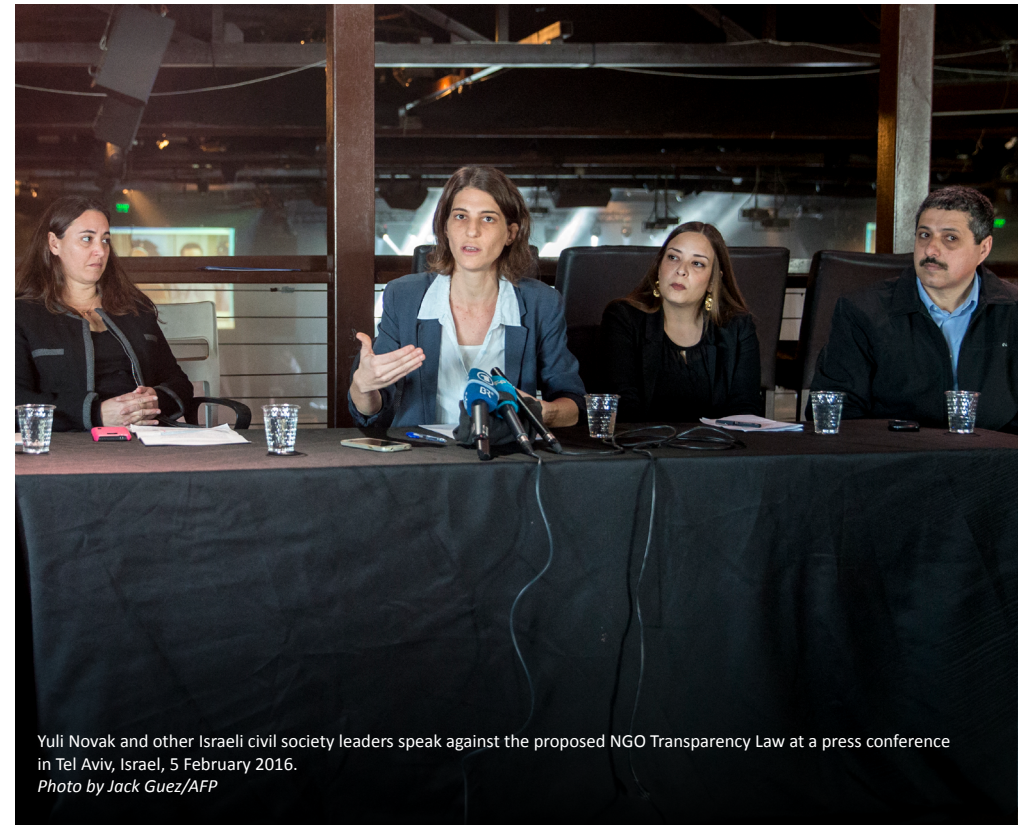
2014-2018

Russia's copycats

Once Russia introduced its foreign agents law, others quickly followed suit. Ukraine was among the first, amid a political crisis that began in late 2013, when then President Viktor Yanukovich abandoned a planned EU association agreement in favour of closer ties with Russia. As mass protests erupted across the country, with hundreds of thousands of Ukrainians mobilising for European integration and against government corruption, Ukraine's parliament responded in January 2014 by passing a sweeping package of repressive laws commonly known as the dictatorship laws. These included provisions targeting public associations that received funding from foreign states and engaged in political activities.

Widespread public outrage meant these repressive measures didn't last long. Mass protests brought up to 200,000 people to the streets on 19 January alone, with protesters facing violent crackdowns in which security forces shot several people dead. The laws were **repealed** a few days later, on 28 January. This marked the first instance of a foreign agents law being reversed through immediate and widespread resistance, offering hope for civil society that street pressure could help increase the political costs for governments planning to introduce such laws.

However, the violence escalated dramatically in mid-February, culminating with police snipers killing over 100 civilian protesters between 18 and 20 February. The brutal crackdown ultimately led to Yanukovich fleeing the country and a change in government. The crisis also marked the beginning of Russia's invasion of Ukraine, with its illegal annexation of Crimea in March 2014.



Yuli Novak and other Israeli civil society leaders speak against the proposed NGO Transparency Law at a press conference in Tel Aviv, Israel, 5 February 2016.
Photo by Jack Guez/AFP



ISRAEL'S TARGETING OF PALESTINIAN HUMAN RIGHTS ORGANISATIONS

In 2016, after six hours of heated debate, Israel's parliament passed the NGO Transparency Law by 57 to 48 votes. Officially called the Transparency Requirements for Parties Supported by Foreign State Entities Bill, the law mandates that Israeli CSOs receiving over half of their funding from foreign governments must prominently disclose this support in all publications, official communications and public materials. The law also requires these organisations to be listed on the Non-Profit Registrar's website, along with their funding sources. Violations carry fines of up to NIS 29,200 (approx. US\$7,500).

The law's discriminatory nature was evident from its inception. Of 27 organisations immediately affected, 25 were human rights groups critical of Israeli policies toward Palestinians. The legislation targeted only foreign government funding while exempting private donations, effectively leaving right-wing organisations largely unaffected since most receive backing from private donors, particularly wealthy people in the USA. If there's a transparency problem, it's clear where it lies: according to a December 2015 Peace Now report, while funding received by most progressive CSOs was already transparent before the bill's passage, 94 per cent of financial support to nine prominent right-wing organisations was hidden from public scrutiny.

International condemnation swiftly followed. Despite the contentious political battle surrounding its passage, the government stalled on enforcing the law: a 2019 report by a parliamentary body found that the

Justice Ministry's Associations Registrar had done nothing to implement it beyond routine CSO supervision.

After almost a decade in force, the NGO Transparency Law remains largely symbolic. While it succeeded in stigmatising human rights organisations and creating a chilling effect on civil society, its practical impact has been minimal due to limited enforcement and organisations adapting their funding strategies. Its most prominent targets, Breaking the Silence and B'Tselem, managed to maintain funding just below the threshold, and in an act of defiance, added identical statements to their publications:

'In compliance with the Israeli government's anti-NGO law that seeks to equate the receipt of foreign funding with disloyalty, please note that we may, or may not, be primarily funded by foreign state entities. Either way, we remain loyal – to human rights values, freedom, democracy, and an end to the occupation'.

However, the Israeli government's efforts to restrict civil society intensified in 2025. In May, a far more severe bill that would impose an 80 per cent tax on foreign donations to CSOs passed its second reading. Unlike the 2016 law, this would have devastating practical consequences, likely forcing the closure of many CSOs and endangering even well-established groups such as Breaking the Silence and B'Tselem. Leading Jewish philanthropists have condemned the proposed law as a severe threat to Israeli civil society and human rights advocacy.

Hungary, under the government of **right-wing nationalist** Prime Minister Viktor Orbán, became the first EU state to adopt a Russian-style foreign agents law. Its 2017 **Law on the Transparency of Organisations Receiving Support from Abroad** required CSOs that receive over US\$25,000 of foreign annual support to register and label themselves as foreign-funded in all published materials.

The law's discriminatory targeting was built into its phrasing: it applied to organisations receiving foreign funding but explicitly exempted national minority organisations, religious groups and sports organisations, which are less likely to express dissent towards the government. The law was part of a campaign targeting progressive organisations such as anti-corruption watchdogs, human rights groups and refugee assistance organisations funded by George Soros' Open Society Foundations.

The European Court of Justice **struck down** Hungary's foreign agents law in June 2020, recognising its discriminatory nature and chilling effect on civil society and finding it in violation of EU law and the Charter of Fundamental Rights. However, rather than ending its assault on civil society, in December 2023 Orbán's government introduced a **Law on the Protection of National Sovereignty**. This new law established the Sovereignty Protection Office, a government-controlled body with broad powers to investigate organisations allegedly representing foreign interests. In October 2024, the European Commission **referred** Hungary to the Court of Justice over this new law.

Showing its contempt for EU institutions, in May 2025 the ruling party introduced a new foreign agents bill, **Transparency in Public Life**. If passed, it would give the Sovereignty Protection Office the power to blacklist organisations from receiving foreign funding and domestic funds, and impose other restrictions, if they're deemed a threat to sovereignty, which is broadly defined as anything that offends, portrays unfavourably or supports activities against the values set out in Hungary's Fundamental Law, including critiques of the government and support of LGBTQI+ rights. Organisations



European Union Commission special session on suspending funding to Hungary over corruption and rule of law concerns, Brussels, Belgium, 18 September 2022.
Photo by Thierry Monasse/Getty Images

“ Strip away the rhetoric, and the agenda is clear: crush all dissent. The government openly targets independent civil society groups and media outlets, recasting human rights defenders, investigative journalists and watchdog organisations as enemies of the state. This isn't about sidelining critics; it's about destroying them entirely.

MÁRTA PARDAVI | Hungary





found in violation would face high fines and potential dissolution. The proposed law has provoked domestic and international backlash, and in June, the vote was postponed until the next parliamentary session.

Australia also passed two pieces of **foreign interference legislation** in June 2018: the National Security Legislation Amendment (Espionage and Foreign Interference) Act and the **Foreign Influence Transparency Scheme Act**. The laws were drafted amid concerns about extensive Chinese influence operations revealed by intelligence reports, including millions in Chinese political donations and Communist Party monitoring of Chinese nationals in Australia.

Their original versions faced heavy criticism for containing overly broad definitions that threatened to impose registration duties on academics, charities, journalists and protesters, prompting an unusually large number of amendments before parliament passed them with bipartisan support.

The final versions of the laws made covert foreign interference a criminal offence punishable with up to 20 years in prison and introduced a registration scheme that requires anyone undertaking political lobbying or communications activities on behalf of foreign principals to register within 14 days or face two to five years in prison. While modelled on FARA, the Australian scheme is narrower in one way – it only covers foreign governments and political organisations rather than any foreign person – but broader in another, as it lacks FARA's exemption for registered political lobbyists and entails greater enforcement powers.

Unlike foreign agents laws that primarily target civil society, Australia's legislation focuses on genuine foreign government influence and includes stronger procedural safeguards. However, its broad definitions of national security and political influence have raised concerns about their potential chilling effects on legitimate political expression.

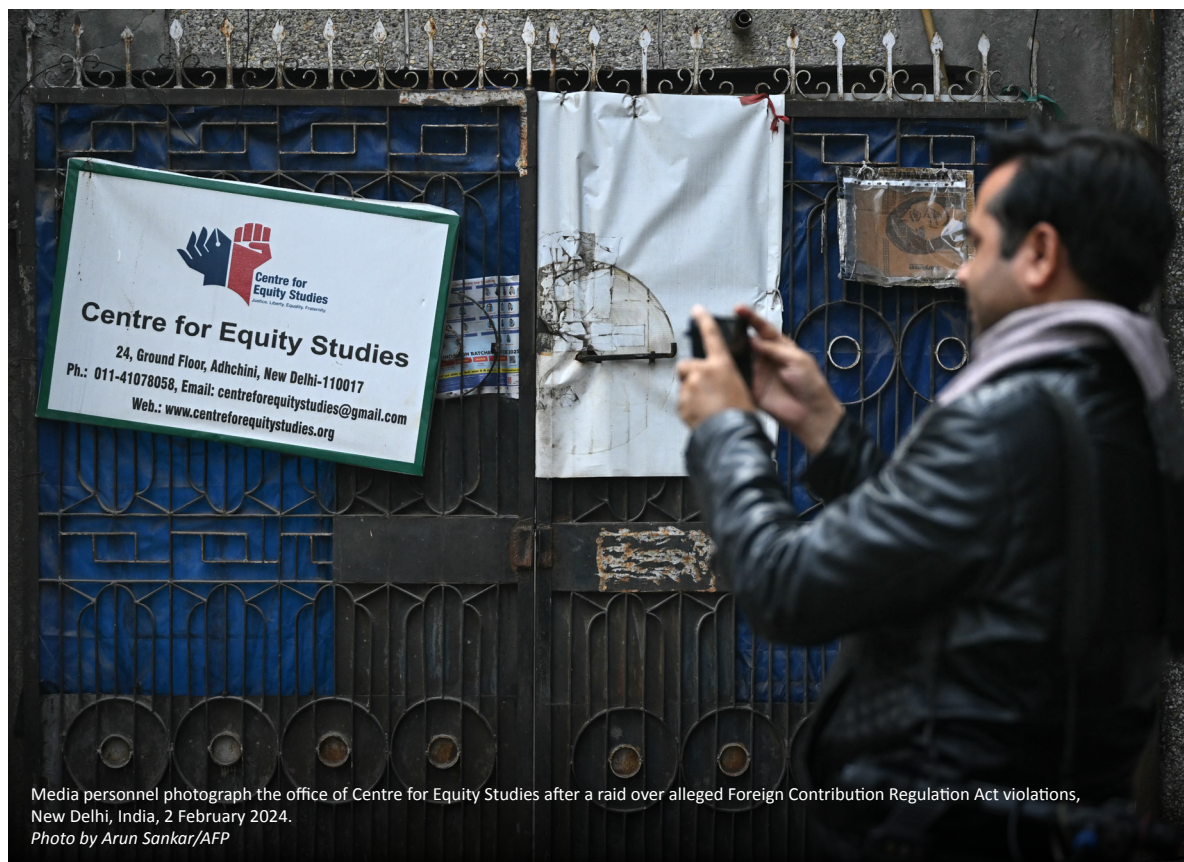
2020-2022

Asia and the Americas

The next adopters of foreign agents laws were two leaders who've systematically sought to subdue civil society: Indian Prime Minister Narendra Modi and Nicaraguan President Daniel Ortega.

Instead of passing a dedicated foreign agents law, India **tightened** its existing Foreign Contribution (Regulation) Act 2010 (FCRA) to change how CSOs could operate with international funding. The changes eliminated regranting and sub-granting arrangements between Indian CSOs that relied on foreign funds, dismantling collaborative funding networks. All organisations were mandated to maintain their accounts exclusively with the State Bank of India in New Delhi, subjecting them to increased government scrutiny. The law also reduced the permitted administrative expense cap from 50 to 20 per cent of foreign funds and established a mechanism to allow CSOs to voluntarily surrender their registration, with any assets acquired with foreign funding transferring to government control.

Before the 2020 amendment, the government could freeze an organisation's funds only if it was found guilty of contravening the FCRA's



Media personnel photograph the office of Centre for Equity Studies after a raid over alleged Foreign Contribution Regulation Act violations, New Delhi, India, 2 February 2024.
Photo by Arun Sankar/AFP

provisions. Following the amendment, it can now suspend an organisation's account **based on any information** or report and after a preliminary inquiry.

The impact has been devastating: by late 2022, **over 20,000 CSOs** had forfeited their authorisation to receive foreign donations due to their inability to comply with the new requirements, with **an additional 15,000** losing their licences by mid-2024. Thousands of hospitals, schools and social development projects were left without funding they'd relied on for years. Officially framed as anti-money-laundering reforms, the legal changes effectively dismantled large segments of India's civil society. Civil society groups affected include prominent national organisations such as Citizens for Justice and Peace, Lawyers Collective and People's Watch, and international organisations such as Amnesty International India and Greenpeace India.

Restrictions intensified further in 2025, when the government introduced **new rules requiring** CSOs that receive foreign contributions and engage in publication-related activities to obtain a certificate from the Registrar of Newspapers for India confirming they do not circulate any news content. This additional layer of control further **constrains** CSOs' ability to communicate their work and findings to the public.



SINGAPORE'S INNOVATION

Singapore's **Foreign Interference (Countermeasures) Act**, enacted in October 2021, took a different approach by introducing the concept of 'politically significant persons'. The government passed the law despite serious concerns from academia, civil society, international human rights organisations and opposition parties about its overly broad scope and lack of independent oversight.

CSOs that receive this designation, including human rights groups Maruah and Think Centre, added to the list in December 2023, must annually disclose political donations over S\$10,000 (approx. US\$7,700) and their foreign affiliations. The law covers a wide range of activities, communications and conduct 'directed towards a political end in Singapore' meaning almost any form of association and expression relating to politics, social justice and other matters of public interest can fall within its scope.

Human rights groups warned that the law's vague notions of foreign interference could be used to curtail freedoms, and the designation as a politically significant person makes it more difficult for civil society groups to secure volunteers, seek funds and participate in regional and international meetings. The law also empowers the Minister for Home Affairs to order the removal of online content and provides no mechanism for independent judicial oversight when human rights violations occur.



Nicaragua's Congress debates foreign agents law, Managua, Nicaragua, 15 October 2020.
Photo by STR / AFP

Nicaragua's approach has been more direct and comprehensive. Enacted in October 2020, its **Foreign Agents Law** explicitly targeted government critics by requiring any CSO, media outlet or private citizen receiving foreign funding to register as a foreign agent. Those designated as foreign agents face burdensome monthly reporting obligations under **Ministerial Agreement 3-2021**. The designation prohibits those affected from engaging in broadly defined political activities, effectively silencing opposition voices.

“Over 5,600 organisations have been dissolved, resulting in the almost total dismantling of the national civic fabric. The few remaining organisations operate under strict state supervision and have no real autonomy. Internal resistance is virtually non-existent due to the enormous risks involved; it is the diaspora that keeps international condemnation alive.”

WISTHON NOGUERA | Nicaragua





NICARAGUA'S DISMANTLING OF CIVIL SOCIETY

Nicaragua provides one of the most extreme examples of how a foreign agents law can be used as part of a comprehensive legal architecture of repression with the aim of dismantling civil society. The government has systematically attacked civic space since a wave of mass protests in April 2018. The foreign agents law was passed alongside a **Special Law on Cybercrime**, which criminalised online content the government deems 'false' with penalties of up to 10 years in prison. In 2024, the law was amended to strengthen penalties and extend government control abroad.

In 2021, the government brought in the **Law for the Defence of the Rights of the People to Independence, Sovereignty and Self-determination for Peace**, which barred what it called 'traitors to the homeland' running for office. The implementation of this law has been particularly brutal: in February 2023, the Court of Appeals in Managua labelled 94 people as traitors, stripping them of their nationality and ordering the confiscation of their property, all without due process.

January 2022 brought legislation allowing life sentences for loosely defined hate crimes, while March 2022 saw the passage of the **General Law for the Regulation and Control of Non-Profit Organisations**. This final piece banned CSOs engaging in activities that could 'disturb

public order' or conduct 'destabilisation campaigns' and introduced cumbersome registration and reporting requirements few organisations can realistically meet.

The cumulative impact has been catastrophic. Overall, the government has shut down over 5,600 CSOs, including 1,500 in a single day in August 2024, accounting for roughly 80 per cent of CSOs that used to operate in Nicaragua. Numerous organisations dedicated to environmental protection, freedom of expression, human rights advocacy and women's and children's rights have been shuttered. The assault has also targeted educational and religious institutions, including universities and bodies associated with the Catholic Church such as congregations, schools and media outlets. State security forces have raided suspended organisations, seized their offices and confiscated their assets. Thousands of academics, civil society activists and journalists have been driven into exile.

With only state-controlled organisations remaining operational, Nicaragua has become a full-blown authoritarian regime where independent voices have been eliminated and civic space has shut down. Its foreign agents law was instrumental in making this happen.

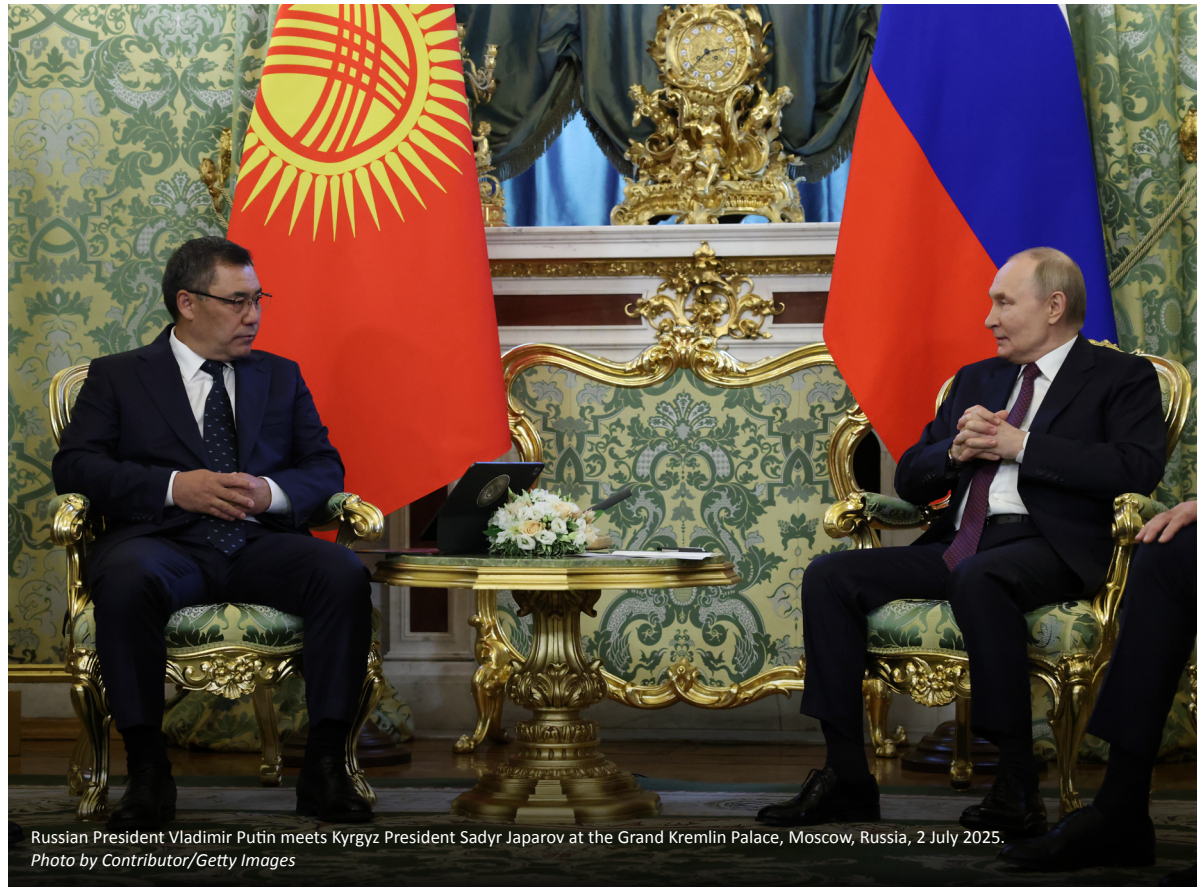
2022-2024

Central Asia and the Caucasus

In recent years, several former Soviet states have taken inspiration from Russia to introduce foreign agents laws.

CSOs in Kazakhstan have been required to submit reports on their foreign funding to the government since 2016. However, in March 2023, the government **adopted** an order stating it would publish this information. The State Revenue Committee published a **foreign funding register** listing 240 CSOs and individuals that receive foreign support. While no new administrative burdens were introduced beyond existing reporting requirements, the **public disclosure** of funding information that was previously only accessible to authorities has encouraged stigmatisation of foreign-funded organisations. Election monitoring group Echo faced **bank account verification requests** after appearing on the list. The situation could worsen: a February 2025 **parliamentary inquiry** called for the formalisation of restrictions on foreign-funded human rights and media organisations.

In neighbouring **Kyrgyzstan**, parliament approved a foreign representatives law in March 2024. President Sadyr Japarov **signed it into law** on 2 April and it **took effect** less than two weeks later.



Russian President Vladimir Putin meets Kyrgyz President Sadyr Japarov at the Grand Kremlin Palace, Moscow, Russia, 2 July 2025.
Photo by Contributor/Getty Images

This law is **almost identical** to Russia's template: it requires any CSO that engages in broadly defined political activity and receives foreign funding to register as a foreign representative subject to **quarterly financial reporting** and unannounced inspections, and to mark all publications with their foreign representative status or face heavy fines and potential liquidation.

This was Kyrgyzstan's second attempt to pass a Russian-inspired foreign agents law: the first came in 2014, but the bill was **voted down** after two years in legislative limbo due to fears it would affect development aid that Kyrgyzstan heavily relies on and disrupt crucial services CSOs provide. The key change that enabled the law's eventual passage was Japarov's **rise to the presidency** in October 2020. When the bill was reintroduced two years later, civic space had deteriorated dramatically, and the parliamentary vote was highly irregular, with lawmakers voting on behalf of absent colleagues.

The law had an immediate **chilling effect**, with organisations scaling back their activities and re-registering as commercial entities, and some proactively ceasing operations to avoid fines for noncompliance, including human rights organisation Civic Initiatives. The Open Society Foundations closed its long-established Kyrgyzstan grant-making office.

Georgia's government has faced more opposition. A 2023 attempt to enact a foreign agents law sparked **mass protests** on an unprecedented scale, leading the government to stall and rewrite the bill, which was eventually **passed** a year later. Under the Law on Transparency of Foreign Influence, CSOs and media outlets that receive over 20 per cent of their funding from abroad must register as agents of foreign influence and carry this stigmatising label on all their materials. Georgian authorities continue to claim the law merely mirrors FARA. But while FARA has been **criticised** by US human rights organisations for being too broad and applying to a wide variety of legitimate civil society activities, the Georgian law goes much further, conflating routine grant support with subversion rather than focusing on political lobbying for a foreign power.



Protesters rally against the foreign agents law and call for EU membership in Tbilisi, Georgia, 24 May 2024.
Photo by Irakli Gedenidze/Reuters via Gallo Images

“ Georgian civil society has vehemently opposed the bill, seeing it as a dangerous step towards authoritarianism. This law poses a threat to critical voices and raises fears of further concentration of power in the hands of the ruling elite, as has happened in Belarus and Russia.

NINO SAMKHARADZE | Georgia





GEORGIA: RESISTANCE AND REPRESSION

In Georgia, repression is testing the limits of civil society resistance. Georgian Dream, the party founded by billionaire Bidzina Ivanishvili, has **governed** Georgia since 2012 and has increasingly pursued pro-Russian policies despite the country's official EU integration aspirations. Its first attempt to pass a Russian-style foreign agents law in March 2023 sparked mass protests, with tens of thousands taking to the streets of Tbilisi, the capital. Protesters, largely young people demanding closer integration with Europe, clashed with police who used teargas and water cannon. Faced with overwhelming public opposition, the government withdrew the bill just a week later.

However, it reintroduced it in April 2024, replacing its 'agent of foreign influence' terminology with the phrase 'organisation pursuing the interests of a foreign power' while maintaining all other provisions. This renewed attempt triggered some of the largest anti-government rallies in Georgia's recent history, with crowds of up to 100,000.

Despite international pressure, including EU statements that the law was incompatible with Georgia's candidacy and US warnings about potential sanctions, in May 2024 parliament passed the law on an 84-to-30 vote. Then President Salome Zourabichvili vetoed it, but parliament overrode her, bringing the law into force. Its passage effectively **froze** Georgia's EU accession process.

Further legislative restrictions quickly followed. In March 2025, the Georgian Dream government passed a **second foreign agents law**, the Law on the Registration of Foreign Agents, which the authorities claim to be a verbatim translation of the USA's FARA. Unlike the first law, this one introduces criminal liability provisions. In April 2025, parliament passed **another law** requiring government approval for accepting foreign grants. This has created a multi-layered framework for suppressing civil society and independent media.

Implementation has now begun in earnest. In August 2025, six prominent Georgian civil society groups, including the Civil Society Foundation (formerly Open Society Georgia Foundation), the International Society for Fair Elections and Democracy and Transparency International Georgia, **received inspection letters** from the Anti-Corruption Bureau.

This was the first direct targeting of critical watchdog organisations under the foreign agents law. The authorities accuse these groups of violating registration requirements and threatened criminal liability. The affected organisations have refused to comply, stating they 'only serve the interests of our people and of Georgia' and noting that they wouldn't be eligible to register under the FARA standards the government claims to follow. They've vowed to continue their work defending rights despite what they have made clear is Russian-style persecution.

2024-2025

Foreign agents laws go global

The trend can now be seen on all inhabited continents, with recent examples in Africa, Europe and Latin America.

In 2024, Slovakia's **nationalist Prime Minister Robert Fico** proposed a law to target CSOs that receive foreign funding, **declaring** that 'the era of NGOs ruling this country is over' and warning that organisations 'paid from abroad' would be labelled foreign agents. The original version of the bill **required** CSOs receiving over €5,000 (approx. US\$5,400) from foreign sources to register as foreign agents. However, **intense street protests** against what people called the Russian law and strong EU pressure forced significant revisions.

The European Commission **warned** Slovakia it would launch immediate infringement proceedings if it followed Hungary's example. After multiple rewrites, the bill adopted in April 2025 and signed into law in May removed the stigmatising label but **retained onerous reporting requirements**: CSOs with annual incomes over €35,000 (approx. US\$40,700) must file detailed transparency reports, disclose donor identities and submit to Interior Ministry oversight, with potential fines and dissolution for noncompliance. Critics argue that while the law no longer uses inflammatory 'foreign agent' terminology, it achieves similar aims through bureaucratic means.

In February 2025, Republika Srpska, one of the political entities that make up Bosnia and Herzegovina, **passed a law** that automatically labelled any CSO or media outlet receiving international funding a foreign agent regardless of the amount or source. The law imposed strict reporting duties and explicitly banned foreign agent organisations from 'influencing

public opinion', a restriction that effectively criminalised advocacy work. Civil society pointed out an obvious double standard: the government receives substantial international funding from the same sources it now deemed suspect for civil society, a hypocrisy that made clear the law was about control rather than transparency.

The law had been previously proposed in 2023 but had been withdrawn following public pressure. It was reintroduced and passed in an expedited procedure as political retaliation immediately after the President of Republika Srpska, Milorad Dodik, was sentenced to prison and banned from holding office. A civil society coalition **called** the passage of the law 'a revenge attack on all critical voices'.

In May 2025, the Constitutional Court of Bosnia and Herzegovina **suspended the law**, arguing it mirrored Russian legislation and violated the right to freedom of association.

“ The government claims the law is meant to improve transparency and regulate foreign-funded organisations to prevent outside political interference, but its real purpose is to silence dissent and target independent civil society organisations, media and opposition voices.

DAMJAN OŽEGOVIĆ | Bosnia and Herzegovina



El Salvador was next to join the trend in May 2025, when the Legislative Assembly, controlled by **authoritarian populist** President Nayib Bukele's party, **passed a foreign agents law**. According to the law, all people and organisations that receive any foreign funding must register and label themselves as foreign financed in every public communication. They are barred from vaguely defined 'activities with political or other purposes' seeking to 'affect the public order' or 'threatening the social and political stability of the country'. On top of administrative burdens and stigmatising labels, the law imposes a punitive 30 per cent tax on all foreign grants, signalling a clear attempt to undermine the financial viability of CSOs. Though still in its initial phase, with registration with the new Foreign Agents Registry required by September 2025, the law has already **forced** two major CSOs, the Association of Journalists of El Salvador and the human rights group Cristosal, to close their offices in the country.



“ This law is a political weapon rather than a genuine legal framework to uphold constitutional rights or comply with international standards. It serves primarily to restrict civic space and suppress human rights work. It was passed through a flawed and opaque process, with inconsistencies in draft bills and violent disruptions of public hearings that silenced public input.

GLANIS CHANGACHIRERE | Zimbabwe



Meanwhile, Zimbabwe's **repressive government** brought in the foreign agents legislation it had threatened over two decades ago. The **Private Voluntary Organisations (PVO) Act**, signed by President Emmerson Mnangagwa in April 2025, imposed foreign agents-style restrictions without using the term. On the basis of national security and anti-terrorism justifications, the law imposes extensive reporting requirements and government oversight on organisations with international ties, creating a chilling effect on civil society while maintaining the legal fiction that such organisations won't be affected if they comply with the regulations.

The PVO Act requires detailed disclosure of beneficial ownership and control, including foreign state influence, and subjects CSOs to enhanced risk assessments under international anti-money laundering criteria, with the minister responsible for social welfare empowered to designate organisations as 'high risk' based on their foreign links. It mandates strict donor due diligence, requires CSOs to report funding sources and refuse donations from 'illegitimate' sources and establishes agreements for sharing information about CSOs with foreign governments, effectively allowing the government to track, regulate and potentially restrict civil society groups based on their foreign connections.



ECUADOR'S SOCIAL TRANSPARENCY LAW: A FURTHER EVOLUTION OF THE GLOBAL TREND

Ecuador's Social Transparency Bill exemplifies a common evolution in the global trend: it avoids controversial terminology about foreign agents in favour of seemingly neutral justifications based on financial transparency. The government intensified its anti-civil society rhetoric following President Daniel Noboa's declaration of a state of internal conflict in early 2024. High-ranking officials, including Noboa, repeatedly linked CSOs to armed groups and illegal activities, portraying them as implicated in money laundering and potential threats to national stability. Building on this narrative, Noboa submitted the Social Transparency Bill, previously known as the Foundations Bill, in July 2025 and had it rapidly passed through an urgent constitutional mechanism. By late August he'd signed it into law.

While the law doesn't formally designate organisations as agents of foreign influence, it incorporates several provisions that closely resemble those found in foreign agents laws elsewhere. It requires all CSOs and foundations to register in a Unified Information System within 180 days, disclosing detailed information about their activities, funding sources and operational structures. It subjects them to audits based on a risk assessment framework, enabling authorities to scrutinise their financial and operational activities, with a particular focus on those receiving international funding. It transfers oversight to the

Superintendency of Popular and Solidarity Economy, effectively treating CSOs as economic or commercial entities, which increases regulatory burdens and subjects them to disproportionate sanctions, including potential arbitrary dissolution for vague reasons such as threats to public order or state security.

Aimed at producing a chilling effect on independent organisations, particularly those relying on international support, this law is one of many in Latin America, with similar legislation in place in countries such as Paraguay, Peru and Venezuela.

“We fear the Transparency Law will be used to persecute organisations that challenge those in power, particularly those who defend human and environmental rights. We are forced to hand over sensitive information about the communities we support, increasing their vulnerability in a context of extortion, kidnappings and violence.”

VIVIAN IDROVO | Ecuador



Foreign agents laws are now being proposed in many other countries – sometimes by governments with authoritarian leanings, sometimes by regressive opposition parties. In Bulgaria, for instance, the far-right Vazrazhdane (Revival) party has repeatedly attempted to pass a foreign agents registration law since first proposing it in 2015, formally submitting bills to parliament in **2022**, 2023 and multiple times in 2024. Bulgaria’s parliament has rejected the bill five times, **most recently** in February 2025 with a vote of 112 to 38. The **proposed law** would require any CSO, media outlet or individual receiving over BGN 1,000 (approx. US\$580) annually from foreign sources to register as a foreign agent with the Ministry of Justice, with violators facing fines and all registered foreign agents facing restrictions on working in state institutions.

Vazrazhdane claims the bill was modelled on FARA, but fact-checking by Bulgarian National Television **established** that it closely resembles Russia’s law, including by requiring registered agents to mark all publications with ‘foreign agent’ labels and banning them from working in educational institutions. Vazrazhdane’s renewed attempt to pass the law followed its **successful passage** of anti-LGBTQI+ legislation in August 2024.

In Serbia, the Movement of Socialists, a small party led by pro-Russian Deputy Prime Minister Aleksandar Vulin, first **announced** plans to draft a foreign agents bill in May 2024, formally submitting it to parliament in late November. The bill proposes the establishment of a registry for agents of foreign influence that would require organisations and individuals that receive over half of their funding from foreign sources to register as foreign agents with the Ministry of Justice, with severe penalties for noncompliance.

The EU’s Economic and Social Committee – an advisory body representing

organised civil society that issues opinions to other EU institutions – has **stated** that the proposed law is incompatible with EU fundamental values and poses a serious threat to civil society’s ability to safeguard democracy and human rights. As with Georgia, its approval could jeopardise Serbia’s EU accession prospects. As of September 2025, the bill remains stalled in parliament.

In Montenegro, the proposal also came from a pro-Russian political alliance, For the Future of Montenegro, which is part of the coalition government. In October 2024, the group introduced a bill that would require foreign-funded CSOs to register as ‘foreign agents of influence’, claiming they operate outside the law and seek to shape public policy on behalf of their foreign sponsors. Following the usual script, they cited FARA as their model, although civil society **noted** the draft law closely followed Russia’s template. The initiative faced immediate pushback and stalled as other parliamentary parties withdrew their support.

“To prevent the bill from moving forward, we need to combat the harmful narratives that demonise civil society. This included addressing public misconceptions and highlighting the positive impact of civil society organisations on Montenegro’s development.”

PETAR KNEŽEVIĆ | Montenegro



In Turkey, the initiative came from the heart of the government led by authoritarian President Recep Tayyip Erdoğan. In May 2024, the pro-government newspaper Yeni Safak leaked information about an **upcoming bill** to expand espionage definitions to include ‘foreign influence’, introducing **severe criminal penalties** for activities viewed as aimed at shifting public opinion in ways considered contrary to the national interest. The bill was initially expected to be submitted to parliament before the end of the legislative year on 1 July 2024, but was shelved in May following **public backlash**. However, the ruling Justice and Development Party reintroduced an **amended version** in October, fast-tracking it through the Justice Committee in a matter of weeks. Despite some improvements, the new version still represented a threat for journalists working for internationally funded media. The bill was **withdrawn** ahead of a parliamentary vote in November, but there remains the danger of it returning in another form.



“ If public opinion, civil society and political parties don’t react fast, the government can pass any law it wants simply because the governing alliance has a majority in parliament. It is crucial that legal associations, civil society organisations and independent media speak out about how such a law would affect their work and the broader civil society and media landscape in Turkey.

GÜRKAN ÖZTURAN | Turkey



Students protest President Tayyip Erdoğan's authoritarianism following the arrest of Istanbul Mayor Ekrem Imamoglu, Istanbul, Turkey, 21 March 2025.
Photo by Erhan Demirtas/NurPhoto via AFP



CANADA AND FRANCE: FOREIGN INFLUENCE LAWS IN DEMOCRATIC CONTEXTS

Both Canada and France enacted foreign influence legislation in 2024. Introduced as a bill in February and signed into law in July, France's Law 2024-850 emerged from parliamentary intelligence committee investigations that identified French vulnerabilities to destabilisation by foreign powers.

In response to documented evidence of Chinese interference in its elections and political processes, Canada followed with its Countering Foreign Interference Act, introduced in early May, which received royal assent in late June.

The French law distinguishes between influence and interference: it imposes transparency requirements on actions to influence French public and political institutions, which are considered legal, while it bans foreign interference, characterised as aimed at undermining the integrity of democratic debate and national security. It creates a digital registry managed by the High Authority for Transparency in Public Life, requires disclosure of influence activities conducted for foreign principals and establishes criminal penalties for foreign interference acts. Foreign entities outside the EU that are considered potential sponsors include companies controlled by states, foreign powers and political parties.

Passed as part of the Countering Foreign Interference Act package, Canada's Foreign Influence Transparency and Accountability Act, not yet in force, will require registration only when three specific criteria are

met: an arrangement with a foreign state, particular influence activities and engagement with Canadian political processes.

Both laws are different from the Russian template in that they target activities conducted specifically on behalf of foreign governments rather than criminalising organisations that receive foreign funding. Crucially, neither law requires CSOs to brand themselves with stigmatising 'foreign agent' labels.

Civil society groups have however raised significant concerns, particularly regarding surveillance powers and potential chilling effects. In France, the Observatory of Freedoms and Digital Rights warned about the law's expansion of algorithmic surveillance techniques previously reserved for counterterrorism activities. The civil society coalition also expressed concerns that registration requirements could subject CSOs that receive foreign foundation grants to government control.

Canadian civil society has voiced similar wariness about surveillance powers and registration requirements, though government officials have continued to emphasise the law's transparency focus rather than any prohibition of activities. These concerns reflect broader anxiety that even well-intentioned laws against foreign interference could be weaponised if political conditions change. As with Australia's earlier laws, the challenge extends beyond authoritarian contexts to include democracies grappling with genuine security concerns.

TRENDS AND PROSPECTS

Foreign agent laws are part of a broader set of restrictive legislation through which numerous governments seek to apply a veneer of legality to their repression of dissent. Around the world, as part of an accelerating trend of **democratic regression** and **autocratic shift**, authoritarian political leaders are capitalising on legitimate concerns about foreign interference and money laundering to create legal tools that serve repressive agendas. This pattern has accelerated significantly since 2020, in part because governments assumed more powers during the COVID-19 pandemic and are reluctant to relinquish them.

Dozens of countries now have some form of foreign agents law. Many closely follow Russia's model, while others are pitched as generic transparency, anti-money laundering and anti-interference measures.



Protesters hold Slovak and EU flags at a rally against the proposed 'Russian Law' limiting civil society activities in Bratislava, Slovakia, 3 April 2025.
Photo by Tomas Benedikovic/AFP



THE EU'S DRAFT 'FOREIGN AGENTS' DIRECTIVE: A TROUBLING RISK

Having long criticised the adoption of foreign agents laws, in December 2023 the EU proposed its own version, the Directive on Transparency of Interest Representation.

The initiative was introduced as a response to genuine concerns: the EU and its member states have repeatedly that backdrop, the European Commission framed its move as part of an initiative to strengthen transparency and defend European democracy.

Civil society warned that the draft's definitions were too broad and vague, creating space for overreach once transposed into national law. Civil society groups pointed out it would hand repressive leaders a new tool to stigmatise and restrict CSOs and independent media that receive even modest levels of non-EU funding.

The proposal also undermined the EU's credibility. For years the EU had rightly denounced Russian-style foreign agents laws as authoritarian tools designed to restrict civil society. As EU institutions criticised Georgia's law, Georgian politicians pointed to the EU's proposal to deflect criticism, even though the two were quite distinct. Fortunately, civil society's reaction led to the proposal being shelved.

The foreign agents laws passed or proposed in different countries have many common features. They tend to employ broad and ambiguous definitions of what constitutes foreign influence and political activity, giving governments wide discretion to target organisations they deem undesirable. The foreign agents terminology is purposefully pejorative and often brings connotations of espionage, designed to discredit and isolate organisations, with stigmatisation often amplified through state-controlled media channels.

Civil society overwhelmingly rejects the transparency justification for these laws as fundamentally disingenuous. CSOs that receive international support are already subject to rigorous transparency requirements because donors impose demanding accountability conditions as a prerequisite for funding. CSOs point to their stringent reporting standards and contrast these with governments that also receive foreign support yet face no equivalent disclosure obligations, making clear that the true aim of foreign agents laws is not increasing transparency or protection from foreign interference but restriction and control.

Foreign agents laws create systematic barriers to civil society operations. Complex registration processes, demanding reporting requirements and frequent audits force many smaller organisations to close. By restricting foreign funding, governments make CSOs dependent on state approval or often limited domestic funding sources, yet foreign agents laws are never accompanied by measures to expand or improve the domestic funding environment. The threat of harsh penalties, including heavy fines, licence revocations and imprisonment for noncompliance, creates a chilling effect that frequently leads to self-censorship and organisational dissolution.

Fortunately, not all proposed foreign agent laws have succeeded. Vigorous civil society resistance and legal challenges have sometimes stalled or rolled back these measures. The Georgian protests of 2023 provided the most dramatic example, showing that sustained mass mobilisation can force governments to retreat, if sometimes only temporarily. While the government's ultimate passage of a renamed version of the bill in defiance

of even larger protests in 2024 points to the limits of popular resistance, Ukraine's rapid reversal of its 2014 foreign agents law shows that immediate and overwhelming resistance can succeed when the political moment is right.

Combined with domestic advocacy, international legal pressure has sometimes proven effective. This was seen in Hungary, when the European Court of Justice forced the government to repeal its 2017 law. The court's ruling against Hungary established important precedents about the relationship between funding access and freedom of association. The 2022 ruling by the European Court of Human Rights that Russia's foreign agents law violated the rights to freedom of assembly, association and expression also set a vital precedent. Legal judgments, however, have not prevented authoritarian governments adapting their strategies and implementing new versions of restrictive legislation.

Diplomatic pressure, sanctions and public condemnation from international bodies can sometimes deter or mitigate the impact of foreign agents laws, although effectiveness often depends on geopolitical considerations and the willingness of democratic states to prioritise human rights over other interests in their dealings with repressive states.

Civil society has also shown remarkable resilience in adapting to restrictive environments. In countries where foreign agents laws have taken effect, many CSOs have developed tactics such as operating informally, seeking alternative funding sources and forming international partnerships. However, even adaptive responses can bring costs in terms of CSOs' capacity and energy to pursue their core missions.

As foreign agents laws proliferate globally, coordinated resistance is essential before these repressive tools become normalised. There's an urgent need to mount a unified defence of civil society's right to exist and operate freely. The alternative is to watch as independent voices are systematically silenced, paving the way to deeper authoritarianism.



People protest against the draft foreign agents law in Tbilisi, Georgia, 9 April 2024.
Photo by Irakli Gedenidze/Reuters via Gallo Images

RECOMMENDATIONS

The experience of countries that have successfully resisted or overturned foreign agents laws demonstrates that coordinated resistance, strategic legal action and sustained international pressure can be effective. The following recommendations outline a comprehensive approach to countering this authoritarian tool.



FOR INTERNATIONAL COURTS AND HUMAN RIGHTS BODIES

- ▶ Build on existing European Court of Human Rights and European Court of Justice precedents to create comprehensive legal standards that distinguish legitimate transparency initiatives from repressive foreign agents laws.
- ▶ Expedite consideration of foreign agents law cases and deliver advisory opinions to clarify human rights obligations related to civil society funding.
- ▶ Develop interim measures and emergency procedures for situations where civil society faces immediate threats from foreign agents laws.
- ▶ Impose sanctions against governments that enact foreign agents laws and support efforts to repeal these laws.



FOR GOVERNMENTS

- ▶ Avoid adopting any legislation that stigmatises organisations based on their funding sources.
- ▶ Condemn foreign agents laws and use diplomatic channels to challenge false transparency narratives.
- ▶ Impose targeted sanctions on officials responsible for enacting foreign agents laws and other legislation that systematically restricts civil society.
- ▶ Provide safe haven and support for civil society activists forced to flee countries with foreign agents laws.



FOR FUNDERS AND PARTNERS

- ▶ Provide funding and legal and technical assistance to civil society in countries facing foreign agents laws, enabling them to adapt, innovate and sustain their work.
- ▶ Establish emergency funding mechanisms with rapid-disbursement grants for organisations threatened by foreign agents laws.
- ▶ Support the development of domestic philanthropy ecosystems in at-risk countries to reduce dependence on foreign funding.
- ▶ Systematically document the impacts of foreign agents laws and commission research on resistance strategies.



FOR CIVIL SOCIETY AND MEDIA

- ▶ Strengthen national, regional and international solidarity networks to share good practices and deploy rapid responses when foreign agents laws are proposed.
- ▶ Develop advocacy campaigns and undertake legal action to counter negative government narratives about civil society.
- ▶ Promote genuine transparency in foreign funding, advancing proportionate, non-discriminatory measures that don't stigmatise civil society or restrict its legitimate activities.
- ▶ Fact-check government claims and work with partners including academia and the media to educate the public about the differences between legitimate transparency initiatives and repressive measures and expose the true intent of foreign agents laws.
- ▶ Strengthen legal capacities to challenge foreign agents laws through domestic and international courts.
- ▶ Establish secure communication channels and mutual support systems for organisations forced to operate under restrictive laws.

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