Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Regulating foreign influence: best practices and European standards

Motion for a resolution
tabled by the Committee on Legal Affairs and Human Rights

This motion has not been discussed in the Assembly and commits only those who have signed it

Civil society and media organisations have a fundamental role in the development of free societies across Europe. Their legal work, reporting, and activism are vital in developing and entrenching democratic norms across the continent.

The Russian Federation destroyed independent civil society organisations in the country under the pretext of 'addressing foreign influence'. Starting in 2012, the "Foreign Agents Act" was applied to organisations protecting human rights, democracy, and the rule of law due to their international connections. These organisations were stigmatised, starved of funding, and regulated out of existence; their members were exposed to criminal prosecution.

In *Ecodefence and Others v. Russia*, the European Court of Human Rights found that the "Foreign Agents Act" and its application had violated the European Convention on Human Rights. Despite this, similar legislation is being spread to other countries, at the risk of following the Russian Federation towards autocracy.

At the same time, the Russian Federation and other malign foreign actors are actively trying to undermine national cohesion and threaten European democratic life through their own interference and influence. Their actions include disinformation, corruption, political subversion, covert political financing, propaganda, and electoral interference. These activities cannot be tolerated.

In this way, the regulation of foreign influence has become a central issue in the protection of democracy. The Parliamentary Assembly must ensure the protection and funding of civil society organisations seeking to protect human rights, democracy, and the rule of law while combating the influence of malign foreign actors.

The Assembly must therefore identify a set of clear definitions and criteria to guide member States in regulating foreign influence, drawing on the case law of the European Court of Human Rights and the work of the European Commission for Democracy through Law (Venice Commission).