



## Resolution 2540 (2024)<sup>1</sup>

Provisional version

# Alexei Navalny's death and the need to counter Vladimir Putin's totalitarian regime and its war on democracy

Parliamentary Assembly

1. The Parliamentary Assembly pays tribute to the courage and sacrifice of Alexei Navalny, a leading Russian opposition politician, civil society activist, anti-corruption campaigner and political prisoner persecuted, and ultimately killed, by the Russian State for his opposition to Vladimir Putin's regime. The Assembly expresses its heartfelt condolences to the family, associates and supporters of Mr Navalny.
2. Vladimir Putin has been in power in the Russian Federation as President or Prime Minister without interruption since 2000, and the amendments to the Russian Constitution adopted in July 2020 and recognised as illegitimate by the European Commission for Democracy through Law (Venice Commission) and the Assembly allow him to remain in office until 2036. Since coming to power, Vladimir Putin has been constructing a regime whose aim is to wage a war against democracy and redraw the European and global order established after the collapse of the former Soviet Union. Occupation of Transnistria, invasion of Georgia in 2008, the war in Ukraine since 2014, the illegal annexation and occupation of territories, the destruction of freedom of expression inside the Russian Federation, the disinformation war around the world, the persecution and assassination of its political opponents inside and outside the Russian Federation and the creation of a system of legislation that criminalises political views are just a few but not all of the features of Vladimir Putin's regime. The unlawful imprisonment and, as a result, the death of Alexei Navalny is a continuation of the policy of Vladimir Putin's regime and its war against democracy.
3. On 16 February 2024, Mr Navalny died in a remote Siberian maximum security prison camp, FKU IK-3, where he was serving a manifestly arbitrary prison sentence. The official cause of his death was "sudden death syndrome". Mr Navalny's family was prevented from gaining rapid and timely access to his body or having an independent autopsy carried out. Allegations emerged that Mr Navalny had been ill-treated by prison staff the day before his death. Three days after Mr Navalny's death, the deputy director of the Russian prison service, Valery Boyarinev, was promoted to the rank of colonel general. Several days later, Roman Vidyukov, the chief investigator in cases against Mr Navalny and his Anti-Corruption Foundation, was promoted to deputy head of the State Investigative Committee of the Russian Federation. On 18 March 2022, Vladimir Putin claimed that he had agreed to swap the opposition leader in a prisoner exchange days before he died – a claim that Mr Navalny's family strongly rejects.
4. During the three years of his unlawful imprisonment, imposed in blatant disregard of the Russian Federation's obligations under Articles 3, 5, 6, 7, 18, 34 and 46 of the European Convention on Human Rights (ETS No. 5), under the International Covenant on Civil and Political Rights and under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Mr Navalny was subjected to systemic torture and other forms of ill-treatment, such as the denial of sleep, repeated placement in isolation cell in inhuman and degrading conditions, and lack of access to proper medical care.

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1. *Assembly debate* on 17 April 2024 (11th sitting) (see [Doc. 15966](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Emanuelis Zingeris). *Text adopted by the Assembly* on 17 April 2024 (11th sitting).



5. The Assembly considers that the Russian State bears full responsibility for the killing of Alexei Navalny, who was subjected to torture, inhuman and degrading treatment in violation of the judgments and interim measures of the European Court of Human Rights, and who had moreover survived an assassination attempt with a chemical weapon, perpetrated in 2020 by a squad of FSB (the Russian Federation's Federal Security Service) assassins.
6. Mr Navalny has become the latest critic of Vladimir Putin to die at the hands of, or with at the least the tacit approval of, the Russian apparatus of oppression. For the past two decades, individuals who have opposed Vladimir Putin's iron grip on the Russian Federation have been killed, usually with the involvement of the Russian secret services or persons acting at their behest. The list of the regime's victims includes, among others, journalists Anna Politkovskaya, Natalia Estemirova, Stanislav Markelov and Anastasia Baburova; Sergei Magnitsky – a lawyer murdered for exposing large scale corruption among the highest echelons of the Russian Government; Alexander Litvinenko – a former FSB officer who defected to the United Kingdom; and Boris Nemtsov – a deputy Prime Minister who challenged Vladimir Putin's rule and whose circumstances of death remain unclear, as noted by the Assembly in its [Resolution 2297 \(2019\)](#). Hundreds more innocent human rights defenders and opposition figures remain imprisoned on trumped-up charges and can be considered political prisoners as defined by [Resolution 1900 \(2012\)](#), including Vladimir Kara-Murza, Ilya Yashin and Oleg Orlov. An independent journalist who covered the trial of Mr Navalny and recorded his final court appearance on 15 February 2024, Antonina Favorskaya, was arbitrarily detained on charges of "extremism" and faces a lengthy prison sentence. The human rights organisation OVD-Info reports that there are now over 1 000 political prisoners in the Russian Federation.
7. The Assembly deplores that acts of torture such as those to which Mr Navalny was exposed are systemically applied against political prisoners in the Russian Federation, Ukrainian political prisoners illegally detained in Russian prisons since 2014 and Ukrainian prisoners of war, as stated in its [Resolution 2528 \(2024\)](#). According to the United Nations Human Rights Monitoring Mission in Ukraine, the majority of Ukrainians in Russian captivity have been subjected to torture, rape, threats of sexual violence, deprivation of food and sleep and other forms of ill-treatment.
8. The Assembly recalls that the obligation to take effective legislative, administrative, judicial or other measures to prevent acts of torture, as enshrined in Article 2(1) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, is unconditional and that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.
9. Some of the persons directly responsible for and participating in the persecution and torture of Alexei Navalny are well known. A detailed list can be found via this link: "[Navalny list](#)". It includes prison staff, police officers, prosecutors and judges involved in their respective roles in the gross abuse of the Russian justice system for the purpose of punishing Mr Navalny for his political activism and creating a chilling effect within Russian society.
10. On 13 October 2023 and in the following days, an open attack on Alexei Navalny's lawyers began: Alexei Lipster, Vadim Kobzev and Igor Sergunin were detained on remand in Moscow. Olga Mikhailova (senior lawyer of Alexei Navalny) and Alexander Fedulov, who were abroad at the time, were subject to an arrest warrant. Criminal cases on trumped-up charges have been initiated against them and some of their offices were searched, in manifest breach of legal professional privilege, establishing an even more hostile environment for providing an effective legal defence in the Russian Federation.
11. The persons on this list should be included in the sanctions lists naming individuals, which are or may be established under existing and future Magnitsky-type sanctions laws.
12. Under Vladimir Putin's rule, the Russian Federation has become a *de facto* dictatorship. Not only has it stifled democratic opposition inside the Russian Federation: it has also failed to respect the democratic choices of neighbouring States and their political independence. By invading Georgia in 2008, unlawfully annexing the Autonomous Republic of Crimea, the City of Sevastopol, and violently occupying parts of the Donetsk and Luhansk Oblasts in 2014, interfering in foreign electoral processes and, finally, by launching its full-scale war of aggression against Ukraine in February 2022 and threatening those assisting Ukraine's self-defence with nuclear war, the regime of Vladimir Putin has fully committed to war on democracy. By doing so, it seeks to re-establish the former Soviet sphere of influence and take revenge on States which rejected its totalitarianism in favour of democracy and human rights.
13. Vladimir Putin's regime has committed to the neo-imperialistic ideology of Russkiy Mir (the "Russian world"), which the Kremlin has turned into a tool for promoting war. This ideology is being used to destroy the remnants of democracy, to militarise Russian society and to justify external aggression to expand the Russian

Federation's borders to include all territories once under Russian domination, including Ukraine. The hierarchy of the Moscow Patriarchate of the Russian Orthodox Church, including Patriarch Kirill, has been championing the Russkiy Mir ideology, declaring the war against Ukraine and the "satanic" West as a "holy war of all Russians", urging Orthodox believers to sacrifice themselves for their country. The Assembly is appalled by such an abuse of religion and the distortion of the Christian Orthodox tradition by Vladimir Putin's regime and its proxies in the Moscow Patriarchate hierarchy. The Assembly condemns such rhetoric and emphasises that incitement to commit the crime of aggression, genocide and war crimes is a crime in itself. The Assembly calls on all States to treat Patriarch Kirill and the Russian Orthodox hierarchy as an ideological extension of Vladimir Putin's regime complicit in war crimes and crimes against humanity conducted in the name of the Russian Federation and the Russkiy Mir ideology.

14. On 17 March 2024, Vladimir Putin was declared the winner of the so-called presidential election, which from the outset was not free and fair, with no genuine opponent to Vladimir Putin even being permitted to run. Moreover, polling stations for this election were opened in sovereign Ukrainian territory temporarily occupied by the Russian Federation and in the Moldovan Administrative-Territorial Units of the Left Bank of the Dniester, in gross violation of the United Nations Charter and the principle of sovereignty, political independence and territorial integrity of all States.

15. In line with its Resolution 2519 (2023), the Assembly does not recognise the legitimacy of Vladimir Putin as the President of the Russian Federation and reiterates its call on Council of Europe member and observer States and the European Union to cease all contact with him, except for humanitarian purposes and in the pursuit of peace. The Assembly recalls that the abolition of presidential term limits for the benefit of Vladimir Putin violates not only the Russian Constitution but also well-established international legal principles.

16. The Assembly considers that the Russian Federation has gradually transformed into a State which today bars the existence of any political opposition. By means of fascist-style propaganda, it has introduced a cult of personality around the figure of Vladimir Putin. Through the abuse of the criminal justice system, the regime has suppressed any political and media pluralism; civil society can no longer exist except underground; and the regime is enforcing mass conformity, including through the indoctrination of children. It presents to its people a dangerous vision of a Russia which rallies around imperialistic conquest, going as far as to threaten its perceived enemies with nuclear annihilation. All these phenomena, combined with an omnipresent security apparatus, mass surveillance of society and brutal repression against peaceful protests, have turned the Russian Federation into what the Assembly considers a totalitarian State, whose *modus operandi* resembles that of a criminal organisation.

17. As the Russian Federation is a federation only formally, the regime of Vladimir Putin has also declared war on its own people. In particular, indigenous peoples, national and ethnic minorities in the Russian Federation are forcibly russified and subjected to repression and discrimination, in violation of the Russian Federation's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination. In particular, the Assembly notes the disproportionately high losses suffered by military units composed of soldiers conscripted from national, ethnic and indigenous populations. The Assembly considers this to be a deliberate campaign, aimed at eliminating national and ethnic diversity within the Russian Federation.

18. The Assembly strongly condemns the Russia Federation's practice of including political opponents of the regime on lists of terrorists and extremists: opposition politicians, cultural figures, journalists and civil activists, leading to further misuse of the Interpol system. Vladimir Putin's order to the Russian FSB to take decisive measures against the "enemies of the country" both inside and outside of it is also of great concern. In practice, this could lead to a wave of politically motivated assassinations and murders on the territory of Council of Europe member States.

19. Urgent and co-ordinated measures are the only means to counter Vladimir Putin's totalitarian regime and its war on democracy. Ukraine must immediately receive the weapons and ammunition that it needs to effectively defend itself and to succeed in repelling the Russian invaders.

20. The Assembly further considers that sanctions against the Russian Federation must be reinforced to hinder its economy from continuing to finance its illegal war of aggression. The Assembly welcomes the proposal by Ms Yuliya Navalnaya to apply the tools developed for fighting organised crime against the enablers of Vladimir Putin's criminal regime, namely to conduct investigations into their financial machinations, search for their associates, lawyers and financiers in Council of Europe member States and beyond, in order to prevent the regime from hiding behind corporate veils and a network of shell companies.

21. The Assembly deplores the fact that despite the imposition of an unprecedented sanctions regime, some of the Russian Federation's trading partners continue to enable it to gain access to western technologies and capital, allowing it to manufacture cruise missiles and drones that are used indiscriminately to attack Ukrainian cities, residential areas, hospitals and critical infrastructures. By way of example, the Assembly is concerned about the sharp increase in the import of microchips by Kazakhstan accompanied by a similar rise of exports of microchips from Kazakhstan to the Russian Federation. It is equally alarmed by the large quantities of crude oil being exported from the Russian Federation to India and then sold onwards to the West.

22. The Assembly further condemns States that continue to support the Russian disinformation campaign, in particular by justifying its manifestly unlawful war of aggression on Ukraine, spread at various international fora, including the United Nations General Assembly and Human Rights Council, in particular Belarus, Iran, Cuba, North Korea, Venezuela, as well as others, thus undermining democracy worldwide.

23. At the same time, the Assembly welcomes reports that banks in Armenia, Kazakhstan and Hong Kong have begun refusing payments from Russian companies for electronics delivered to the Russian Federation. It encourages all States and financial institutions to closely monitor all transactions with Russian entities to ensure the effectiveness of the sanctioning mechanism.

24. The Assembly welcomes the approval on 12 March 2024 of a new European Union Directive to strengthen the enforcement of European Union sanctions across member States by criminalising the violation and circumvention of sanctions. It also welcomes the recent inclusion of dozens of individuals involved in the persecution of Alexei Navalny in the list of human rights violators sanctioned under the European Union human rights sanctions regime, proposed now to be renamed after Alexei Navalny.

25. The Assembly considers that further restrictions are necessary to prevent the Russian economy from sustaining the war against Ukraine. In particular, the Assembly notes that the Russian crude oil price cap sanctions have had limited effect. Lack of sufficient control and deterrence mechanisms has permitted the Russian Federation to mitigate the effects of the sanctions, in particular by using a fleet of "shadow" tankers and because the price cap on Russian crude oil is still set at a too high a level.

26. The Assembly therefore:

26.1. urges the Russian Federation to:

26.1.1. allow an independent and transparent international investigation into Alexei Navalny's death, including through an international commission of inquiry, which could be established by United Nations bodies or other international organisations;

26.1.2. cease persecuting family members, associates and supporters of Alexei Navalny in the Russian Federation and abroad;

26.1.3. release all prisoners currently detained in the Russian Federation for the purpose of silencing them and deterring other critics of the regime from protesting or speaking out;

26.2. calls on the European Union and all States having Magnitsky-type targeted sanctions laws to include in their sanctions lists the persons directly responsible for, and participating in, the persecution, ill-treatment and death of Alexei Navalny and invites all States that have not yet adopted such laws to do so without further delay;

26.3. calls on all States to ensure that the Russian Federation is held accountable for its systemic use of torture and other forms of ill-treatment to which Mr Navalny and thousands of other prisoners in the Russian Federation, including Ukrainian prisoners of war, have been subjected, by having recourse to the dispute settlement mechanism stipulated in Article 30 (1) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

26.4. calls on all States to put pressure on the Russian Federation to allow independent international bodies to monitor the reported political prisoners' state of health and conditions of detention, pending their release or re-examination of their cases;

26.5. encourages member and observer States of the Council of Europe to pursue prisoner exchanges in order to obtain the release of political prisoners in the Russian Federation and Belarus, prioritising Vladimir Kara-Murza and others who have serious health conditions (noting in particular the potential role of Germany, the United Kingdom, and the United States of America);

- 26.6. reiterates its call to set up an international mechanism to compensate the victims of the Russian aggression against Ukraine, to which frozen Russian assets should be promptly transferred, and to set up a special international tribunal to investigate and prosecute the political and military leadership of the Russian Federation for the crime of aggression against Ukraine.
- 26.7. calls on the European Union and the G7 group to further strengthen the sanctions regime against the Russian Federation, a State sponsor of terrorism, in particular by:
- 26.7.1. significantly strengthening the sanctions regime by lowering the oil and gas price cap, considering that the revenue from oil and gas exports is still a significant source of income for the Russian State budget;
  - 26.7.2. imposing secondary sanctions on States, natural and legal persons that knowingly enable the Russian Federation to evade the full effects of sanctions imposed on its economy, including by exporting technology, munitions, dual-use goods for military use, and other resources used by the Russian Federation to sustain its illegal war of aggression against Ukraine;
  - 26.7.3. setting up a Register of States, natural and legal persons aiding and abetting the Russian Federation in evading sanctions, including by enabling it to obtain dual-use goods for military use;
  - 26.7.4. enforcing the existing mandatory “oil spill insurance” requirements for all tankers passing through their waters to promote compliance with the price cap sanctions and protect the environment from oil spills by ageing and insufficiently insured tankers;
  - 26.7.5. cutting off any services provided to the Russian oil and gas industry in order to restrict its future liquefied natural gas production and increase the costs of oil extraction in the Russian Federation;
  - 26.7.6. imposing sanctions on the Moscow Exchange as well as Rosatom – a State-owned nuclear energy monopoly that has taken control of Europe’s largest nuclear plant in Ukraine’s Zaporizhzhia region, using this as a tool of blackmail against Europe by raising the threat of nuclear disaster;
  - 26.7.7. emphasising that under international humanitarian law, the Russian oil refineries are to be considered legitimate targets of military attacks;
- 26.8. calls on the United States of America – a Council of Europe observer State – to ensure that the Senate’s foreign aid bill, which includes military aid for Ukraine, is put to a vote without further delay or otherwise to authorise the delivery of the necessary military and other aid for Ukraine as soon as possible;
- 26.9. encourages the Council of Europe member and observer States to share amongst themselves all intelligence pertaining to the Russian Federation’s interference in electoral processes, including its disinformation campaigns, in order to identify and prevent further such practices;
- 26.10. calls on the Council of Europe member and observer States and the European Union to strengthen the effects of [Resolution 2519 \(2023\)](#) by formally recognising Vladimir Putin’s illegitimacy as President of the Russian Federation;
- 26.11. calls on the Council of Europe member States who are not members of the European Union to align themselves with sanctions imposed on the Russian Federation and its allies under the European Union human rights sanctions regime;
- 26.12. calls on the Council of Europe member and observer States, the European Union and the United Nations to draw attention to the numerous violations of human rights and the rights of peoples to the detriment of the colonised indigenous peoples of the Russian Federation;
- 26.13. calls on all States to apply to Vladimir Putin’s regime the existing anti-money laundering legislation aimed at combating organised crime and the financing of terrorism, to identify any private or legal persons that can be classified as enablers and impose harsh penalties thereon, including the confiscation of assets; and in particular to adopt, where lacking, and apply legislation permitting non-conviction based confiscation of illegal assets, with a reversal of the burden of proof, as recommended by the Assembly in [Resolution 2218 \(2018\)](#);

26.14. encourages the Council of Europe member and observer States and the European Union to recognise that the Russian Orthodox Church is in fact being used as an instrument of Russian influence and propaganda by the Kremlin regime and has nothing to do with the freedom of religion and the freedom of expression guaranteed by Article 18 of the International Covenant on Civil and Political Rights;

26.15. calls on the Council of Europe member and observer States and the European Union to strengthen the sanctioning mechanism against Aleksandr Lukashenka's regime in Belarus, which has allowed the Russian Federation to use its territory for the offensive against Kyiv in 2022 and which continues to support the war of aggression against Ukraine.

27. The Assembly expresses its solidarity and commitment to pursue dialogue with Russian and Belarusian democratic forces which share the values of the Council of Europe and recognise the rules-based international order, including the respect for the sovereignty and territorial integrity of Ukraine. In this regard, the Assembly recalls its decision – set out in its [Resolution 2530 \(2023\)](#) “A democratic future for Belarus” – to set up a General Rapporteur for a Democratic Belarus and to allow a representative delegation of Belarusian democratic forces to take an active role in some of its work.

28. The Assembly states, to reinforce European Parliament Resolution of 29 February 2024 on the murder of Alexei Navalny and the need for EU action in support of political prisoners and oppressed civil society in Russia (2024/2579(RSP)), that decolonisation of the Russian Federation is a necessary condition for the establishment of democracy in the Russian Federation.

29. Likewise, the Assembly welcomes the initiative, taken by the President of the Assembly and endorsed by the Bureau of the Assembly in October 2023 to set up a Contact platform for dialogue with Russian democratic forces and calls for setting up a General Rapporteur on the Russian democratic forces.