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## Sanctions against persons on the "Kara-Murza list"

### Report<sup>1</sup>

Committee on Legal Affairs and Human Rights

Rapporteur: Mr Eerik-Niiles KROSS, Estonia, Alliance of Liberals and Democrats for Europe

### Summary

The Committee on Legal Affairs and Human Rights pays tribute to Russian political prisoner Vladimir Kara-Murza, an opposition politician, journalist, documentary filmmaker, historian and writer.

In April 2023, Mr Kara-Murza was sentenced to 25 years in prison for criticising the Russian war of aggression against Ukraine. He is subjected to particularly harsh prison conditions, which are putting his life and health at serious risk, particularly given the long-term effects of two earlier poisonings that came close to killing him.

Vladimir Kara-Murza was handed down a particularly harsh prison sentence also in retaliation for his long-standing vocal support for "Magnitsky laws" on targeted sanctions against human rights violators.

"Magnitsky laws" adopted by numerous States and by the European Union allow for imposing targeted sanctions against perpetrators of serious human rights violations who enjoy impunity in their own country.

The persons participating in the persecution of Vladimir Kara-Murza are well known. A link to the detailed list is included in the report. It includes prison staff, police officers, prosecutors and judges involved in the gross abuse of the Russian justice system for the purpose of silencing Mr Kara-Murza. The committee calls for them all to be subjected to personal sanctions.

The tragic death in prison in February 2024 of Alexei Navalny highlights the urgency of ensuring the release of Vladimir Kara-Murza from prison.

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1. Reference to committee: [Doc. 15632](#), Reference 4696 of 25 November 2022.



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## A. Draft resolution<sup>2</sup>

1. The Parliamentary Assembly pays tribute to Russian political prisoner Vladimir Kara-Murza, an opposition politician, journalist, documentary filmmaker, historian and writer.
2. In April 2023, Mr Kara-Murza was sentenced to 25 years in prison for criticising the Russian war of aggression against Ukraine. He is subjected to particularly harsh prison conditions, which are putting his life and health at serious risk, particularly given the long-term effects of two earlier poisonings that came close to killing him.
3. Vladimir Kara-Murza was handed down a particularly long prison sentence, compared to those meted out to other critics of the Russian war of aggression, most of whom have been sentenced to 5 to 10 years in prison. Mr Kara-Murza's supporters consider the particularly harsh sentence as retaliation for his long-standing vocal support for "Magnitsky laws" on targeted sanctions against human rights violators.
4. "Magnitsky laws" such as those adopted by the United States, Canada, the United Kingdom, numerous central and eastern European countries and not least by the European Union allow for imposing targeted sanctions against perpetrators of serious human rights violations who enjoy impunity in their own country, including police and State security officials. Vladimir Putin has made the elimination of "Magnitsky sanctions" against his supporters one of his foreign policy priorities.
5. The persons directly responsible for and participating in the persecution and ill-treatment of Vladimir Kara-Murza are well known. A detailed list can be found via this link "[Kara-Murza 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 silencing Mr Kara-Murza.
6. These persons should be included in sanctions lists naming individuals, established under the existing and future Magnitsky-type sanctions laws.
7. The life of Vladimir Kara-Murza is threatened by the solitary confinement to which he is arbitrarily subjected, despite his weakened state of health following two poisonings which he narrowly survived.
8. The tragic and sudden death in prison in February 2024 of Alexei Navalny, an outspoken Kremlin critic and anti-corruption activist, who had similarly been subject to and narrowly survived poisoning by a nerve agent, highlights the urgency of ensuring the release of Vladimir Kara-Murza from prison and of holding to account on a personal and individual basis all those involved in his persecution.
9. As a dual citizen of the Russian Federation and the United Kingdom, Mr Kara-Murza could be included in any exchange of Russian spies held by Western States against political prisoners and other persons, including citizens of foreign States that are being held hostage by the Russian Federation.
10. The Assembly, therefore:
  - 10.1. invites all States that have not yet adopted Magnitsky-type targeted sanctions laws to do so without further delay;
  - 10.2. calls on the European Union and all States having laws on targeted sanctions to include in their sanctions lists the persons directly responsible for the persecution and ill-treatment of Vladimir Kara-Murza and the persecution, ill-treatment and death of Alexei Navalny, and those participating in them;
  - 10.3. urges all States negotiating exchanges of prisoners with the Russian Federation to include Vladimir Kara-Murza in any such exchange;
  - 10.4. calls on the authorities of the Russian Federation to release Vladimir Kara-Murza without delay, while immediately rectifying his current conditions of detention until such release so as not to further jeopardise his health and his life

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2. Draft resolution adopted unanimously by the committee on 4 March 2024.

## B. Explanatory memorandum by Mr Eerik-Niiles Kross, rapporteur

### 1. Introduction

1. Vladimir Kara-Murza, a Russian opposition politician, journalist, documentary filmmaker, historian and writer, a political ally of Boris Nemtsov, the prominent opponent of Vladimir Putin gunned down in front of the Kremlin walls in February 2015,<sup>3</sup> was twice nearly fatally poisoned, reportedly by the same banned chemical nerve agent, which is strongly suspected of having been used to poison Alexei Navalny.<sup>4</sup> Shortly after his testimony on the issue of political prisoners in the Russian Federation before the Parliamentary Assembly's Committee on Legal Affairs and Human Rights on 4 April 2022 in Paris, Mr Kara-Murza was unlawfully arrested and detained in Moscow by the authorities of the Russian Federation. He was first charged with "spreading false information about the Russian military"; in July 2022, new charges of "co-operating with an undesirable foreign NGO" were brought against him, and in October 2022, charges for "treason" were added. On 10 October 2022, the Assembly awarded to Vladimir Kara-Murza the 2022 Václav Havel Human Rights Prize precisely for the activities for which he was imprisoned. On 17 April 2023, after a trial behind closed doors, he was sentenced to 25 years in prison.

2. The persecution of Vladimir Kara-Murza and of numerous other prominent and less prominent anti-war protesters in the Russian Federation is the subject of another report under preparation by Thórhildur Sunna Ævarsdóttir.<sup>5</sup> The Committee on Legal Affairs and Human Rights held a hearing on this topic at its meeting in Larnaca (Cyprus) on 22 May 2023. The invited experts included Evgenia Kara-Murza, Vladimir Kara-Murza's spouse, who has been working tirelessly on the international scene to ensure that her husband is not forgotten. Being forgotten is the fate political prisoners fear the most, as Vladimir Kara-Murza stressed in his last testimony before our committee, in April 2022 in Paris, just before his own arrest.

3. The arbitrary detention and persecution of Vladimir Kara-Murza as such will be covered in appropriate detail in the report by Ms Ævarsdóttir.<sup>6</sup> The present report will therefore focus entirely on the issue of targeted sanctions ("Magnitsky sanctions") against the persons responsible for the numerous human rights violations inflicted upon Mr Kara-Murza.

## 2. "Magnitsky Laws": smart sanctions targeting human rights violators enjoying impunity

### 2.1. Rationale

4. The idea of targeting individual perpetrators suspected of serious human rights violations with "smart sanctions" (for example, visa/travel bans, account freezes, confiscation of assets) was first put into practice in Europe by the European Union against senior representatives of the Belarusian authorities in 2004, when the European Union enacted its first targeted restrictive measures against several Belarusian officials allegedly responsible for forced disappearances of two key political figures, one businessman and one journalist in 1999-2000.<sup>7</sup> The sanctions against MM. Sheyman, Sivakov and Pavlichenko were based on the Assembly's report entitled "Disappeared persons in Belarus" by Christos Pourgourides (Cyprus, EPP/CD). The three officials were named as suspects in [Resolution 1371 \(2004\)](#), on the basis of evidence collected and analysed by the rapporteur.

5. Following the report by Andreas Gross (Switzerland, SOC) entitled "[Refusing impunity for the killers of Sergei Magnitsky](#)", the Assembly called for targeted sanctions against those involved in the arrest, ill-treatment and ultimate killing of Sergei Magnitsky, or in its cover-up. The Assembly called for targeted sanctions as a last resort, after all attempts to encourage the Russian authorities to hold the perpetrators to account themselves would have failed.<sup>8</sup>

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3. See "[Shedding light on the murder of Boris Nemtsov](#)" (rapporteur: Emanuelis Zingeris, Lithuania, EPP/CD), Doc. 14902 and Resolution 2297 (2019).

4. See "Poisoning of Alexei Navalny" and "The detention and arrest of Alexei Navalny in January 2021" (rapporteur: Jacques Maire, France, ALDE), [Doc. 15434](#) and [Resolution 2423 \(2022\)](#) and [Doc. 15270](#) and [Resolution 2375 \(2022\)](#).

5. "The arbitrary detention of Vladimir Kara-Murza and the systematic persecution of anti-war protesters in the Russian Federation" (Rapporteur: Thórhildur Sunna Ævarsdóttir, Iceland, SOC). Ms Ævarsdóttir's mandate is based on the motions entitled "Arbitrary arrest of Russian human rights defender and freedom fighter Vladimir Kara-Murza" ([Doc. 15514](#)) and "Systematic large-scale persecution against anti-war protesters in the Russian Federation" ([Doc. 15578](#)), which the committee decided to merge at its meeting on 13 October 2022.

6. See [AS/Jur\(2023\)13](#).

7. See Yuliya Miadzvetskaya, "[Designing sanctions: lessons from EU restrictive measures against Belarus](#)", German Marshall Fund, 16 June 2022.

6. As stated in [Resolution 2252 \(2019\)](#) “Sergei Magnitsky and beyond – fighting impunity by targeted sanctions”:<sup>9</sup>

*“The Assembly considers targeted (“smart”) sanctions against individuals and affiliated companies to be preferable to general economic or other sanctions against entire countries:*

*- countries adopting targeted sanctions send a clear message that individual perpetrators of serious human rights violations are not welcome on their territory and that they will not aid and abet such perpetrators in committing their reprehensible actions by allowing them to use their financial institutions or letting them enjoy the proceeds of their crime”.*

7. In the same Resolution (paragraph 13), the Assembly called on all member States of the Council of Europe, the European Union and States having observer or any other co-operative status with the Council of Europe and its Parliamentary Assembly to:

*“– consider enacting legislation or other legal instruments enabling their executive, under the general supervision of parliament, to impose targeted sanctions such as visa bans and account freezes on individuals reasonably believed to be personally responsible for serious human rights violations for which they enjoy impunity on political grounds or owing to corrupt practices;*

*– ensure that such legislation or legal instruments lay down a fair and transparent procedure for the imposition of targeted sanctions, as indicated in respect of terrorist offences in [Resolution 1597 \(2008\)](#), in particular by making sure that:*

*- targeted persons are informed of the imposition of sanctions and of the full and specific reasons for this decision, and that they are given the opportunity to respond within a reasonable time to the case made in support of the sanctions;*

*- the instance taking the decision on imposing sanctions is independent of the body collecting information and proposing to include a person in the sanctions list;*

*- the initial decision to impose sanctions may be challenged before a court of law or an appeals body that enjoys sufficient independence and decision-making powers, including the power to remove a targeted person from the list and to provide them with adequate compensation in case of erroneous sanctions;*

*– co-operate with one another in identifying appropriate target persons, including the use of relevant European Union mechanisms and by sharing information on persons included in sanctions lists and the grounds for their reasonable belief that these persons are responsible for serious human rights violations and benefit from impunity on political grounds or owing to corrupt practices”.*

## **2.2. Sanctions against judges do not violate the independence of the judiciary**

8. The Assembly has always strongly defended the independence of the judiciary as a condition for the rule of law. Judges must assess the facts and apply the law without undue influence, or the justice system becomes arbitrary and turns into another instrument of repression. The principle of independence of judges is not meant to grant them personal privileges or advantages; its rationale is to protect individuals against abuses of power. Judges as well as lawyers and prosecutors are essential to the right to a fair trial.<sup>10</sup>

9. Several Russian and Belarusian judges have already been included in various sanctions lists.<sup>11</sup> The purpose of targeted sanctions is to deter certain types of behaviour. In the case of judges, it has therefore been argued that the purpose of the sanctions is to influence the exercise of their judicial functions, which may affect the judges’ independence. But in light of the universally accepted principles referred to above, the legitimate exercise of judicial functions that must be protected from undue influence clearly does not include

8. See [Resolution 1966 \(2014\)](#), paragraph 18.

9. [Resolution 2252 \(2019\)](#), paragraph 11.1. See also [Doc. 14661](#) (Rapporteur: Lord Anderson, United Kingdom, SOC).

10. See International Commission of Jurists, “[International Principles on the Independence and Accountability of Judges, Lawyers and Prosecutors](#)”; see also the “[Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power](#)” (General Assembly of the United Nations Resolution 40/34 of 29 November 1985, in particular para. A.4: “Victims should be treated with compassion and respect for their dignity. They are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered.”)

11. For example, “[US puts sanctions on four Georgian judges over ‘significant corruption’](#)”, *The Guardian*, 12 April 2023; [Council Decision \(CFSP\) 2023/421 of 24 February 2023 amending Decision 2012/642/CFSP concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine \(cases No. 89 and 104\)](#).

the abuse by judges of the powers they have been entrusted with in such a way as to intentionally deprive innocent persons of their liberty. When judges and prosecutors themselves violate human rights, their responsibility is greater, not lesser than that of others who do not have the same responsibilities.<sup>12</sup> Intentional bending of the law (also known as denial of justice, or perversion of the course of justice) committed by judges is a serious crime in several member States such as Spain, Republic of Moldova and Germany.<sup>13</sup> In Germany, section 339 of the Criminal Code (Rechtsbeugung) has given rise to a number of prosecutions (for example, after the fall of the Nazi and Communist regimes)<sup>14</sup>. Other States allow the prosecution of judges for unlawful deprivation of liberty when they intentionally convict innocent persons or hand down excessive sentences.

10. Interestingly, the Russian Criminal Code, too, includes an array of provisions penalising the actions performed by the persons on the “Kara-Murza list”, including judges, prosecutors and police officers. Article 305 penalises judges “knowingly giving an unjust judgment, decision or any other juridical act”. The basic punishment of a fine or term of imprisonment of up to four years is increased to a term of imprisonment of three to ten years when the unjust sentence involves the deprivation of liberty or entails other serious consequences. Article 299 penalises “knowingly bringing an innocent person to criminal responsibility”, Article 301 penalises “illegal detention, taking into custody or keeping in custody”, Article 303 the “falsification of evidence” and Article 306 the “knowingly false denunciation”. These provisions easily cover the deeds of all the individuals listed for their contributions to the persecution of Vladimir Kara-Murza, including the judges involved in the various stages of the mock judicial proceedings against him.

11. These precedents show that such prosecutions are not seen as interferences with the independence of the courts. The main difficulty for the prosecution in such cases is the requirement to establish the accused judge’s intention (*mens rea*) to bend the law – mere mistakes, even serious ones, rightly do not give rise to criminal liability. But intentionality can be presumed when the law is objectively misapplied in such an obvious and egregious way that a *bona fide* mistake can be excluded beyond reasonable doubt. In my view, these considerations apply, *mutatis mutandis*, with regard to targeted sanctions. If judges who intentionally abuse human rights can even be criminally prosecuted, they can even more so be subjected to the milder “Magnitsky sanctions”, which are not criminal in nature.

### **2.3. Examples of “Magnitsky laws” and their application**

12. “Magnitsky laws” enabling the imposition of targeted sanctions against suspected perpetrators of serious human rights violations enjoying impunity in their own countries have been enacted by numerous States and by the European Union itself, as shown in the attached chronological table (see appendix 1). The persons sanctioned so far include the police officers, prison officials, prosecutors and judges directly involved in the unlawful arrest and ultimate death of Sergei Magnitsky, but also a number of persons from other countries than the Russian Federation who are strongly suspected of human rights crimes whilst enjoying impunity in their countries, such as generals from Myanmar and Venezuela and Belarusian officials involved in the ongoing repression against protesters since the stolen presidential election in August 2020.

### **3. Imposition of “Magnitsky sanctions” on those responsible for the persecution of Vladimir Kara-Murza: persons of interest**

13. The signatories of the motion for a resolution underlying my mandate would clearly like to see all the Russian officials responsible for and participating in different ways in the politically motivated persecution of Vladimir Kara-Murza to be subjected to targeted sanctions under the “Magnitsky laws” existing in a number of countries and at the level of the European Union. As rapporteur, I have been tasked with establishing a list of these persons, by collecting relevant information on the roles played by different officials (police officers, prosecutors, judges, prison guards, special services) in the human rights violations inflicted upon Mr Kara-Murza.

14. My attention has been drawn to the “Kara-Murza list” researched and published by the British philanthropist William Browder, who has led a global campaign in favour of the adoption of “Magnitsky laws” after the death in prison of his Russian lawyer and tax adviser Sergei Magnitsky. Mr Browder made me aware of the fact that Mr Kara-Murza has received a far harsher prison sentence (25 years) than others who were found guilty of similar “crimes” such as speaking up against the Russian aggression against Ukraine and

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12. See footnote 11.

13. See <https://rm.coe.int/comparative-study-on-criminal-responsibility-of-judges-for-unjust-deci/1680a083b5>.

14. See *Zur Rechtsbeugung von Richtern und Staatsanwälten der DDR bei Anwendung “politischen Strafrechts” (im Anschluß an BGHSt 40, 30; 40, 169; 40, 272; BGH, Urteil vom 5. Juli 1995 – 3 StR 605/94 -)*.



defending political prisoners in the Russian Federation. Mr Browder is convinced that in reality this particularly harsh treatment of Mr Kara Murza is in retaliation for having helped him campaign for “Magnitsky laws” all over the world. Mr Browder pointed out that Mr Kara-Murza participated in over 40 high-profile events in support of Magnitsky sanctions.<sup>15</sup> As early as May 2018, one of the initiators of the Russian legislation which is seen as a response to Western sanctions against Russian officials, Duma Deputy Andrei Isayev, specifically identified Vladimir Kara-Murza as a potential target for the authorities under this legislation.<sup>16</sup>

15. With the help of the secretariat, I have cross-referenced the information provided in the “Kara-Murza list” with information available in the public domain, via open sources, in particular some court decisions, which are still publicly available. All the scanned documents referenced in the “Kara-Murza list” were provided by Mr Vadim Prokhorov, Mr Kara-Murza’s lawyer. I have not found any discrepancies or any other reasons to doubt the truthfulness of the information summed-up in the Kara-Murza list. I am therefore satisfied that 41 of the 45 persons named in the list were directly involved in the unlawful arrest, prosecution and conviction of Vladimir Kara-Murza after his testimony before the Committee on Legal Affairs and Human Rights in April 2022.

16. The first thirteen individuals on the list are judges who authorised Mr Kara-Murza’s arrest, pre-trial detention and its prolongations and other procedural motions, appeals and the final verdict of 25 years in prison. The following eight individuals listed are members of the prosecutor’s office of the Russian Federation, followed by ten officials of the Investigative Committee of the Russian Federation and ten officials of the Ministry of Internal Affairs.

17. Two other persons on the “Kara-Murza list”, FSB agents Alexander Samofal and Konstantin Kudryatsev, have been shown to shadow Mr Kara-Murza in the weeks before the two poisonings that almost killed him and permanently weakened his health, the first in 2015, shortly after his friend and political ally Boris Nemtsov was assassinated, and then again in 2017.<sup>17</sup> Interestingly, these are the same agents who reportedly followed Alexei Navalny before he was poisoned. Mr Kudryatsev, a known chemical weapons specialist, was reportedly<sup>18</sup> tricked by Mr Navalny posing as a superior officer into admitting his involvement in the poisoning. According to another Bellingcat investigation,<sup>19</sup> Mr Kudryatsev was also involved in the poisoning of three other Russian journalists and activists. The well-known high quality of the Bellingcat investigations also in other cases, such as the downing of flight MH17 in 2014 over the Donbas region, which was the subject of a report by our colleague Titus Corlăţean,<sup>20</sup> has convinced me to also include Mr Samofal and Mr Kudryatsev in the list of “persons of interest” who should be subjected to Magnitsky sanctions.

18. The final two listed persons are an “independent expert” on “products of speech activity”, whose expert opinion the court relied on to find that speeches of Mr Kara-Murza “presented fake information as facts” (about the actions of the Russian army in Ukraine); and the head of the pre-trial detention centre SIZO-5, who reportedly ordered Mr Kara-Murza to be sent to a punishment cell for having sat down on the bunk in his cell after the wake-up call.

19. The brief description of the roles played in the violation of Mr Kara-Murza’s human rights by the persons included in the “Kara-Murza list” shows that their contributions to the persecution of the opponent are quite dissimilar and were made at different levels of hierarchy. The question therefore arises whether they should all be treated in the same way, namely subjected to the same sanctions. In my view, this is justified as they all readily “played their role” in the brutal system of repression designed to destroy any person daring to resist – everyone at their assigned place. Without such obedient servants willingly fulfilling the expectations of their superiors, the repressive machinery would come to a grinding halt. As they all chose to deliver what was expected from them, in return for a nice career and a comfortable life provided by the regime, they should also all be sent the same signal – that they are not welcome in our countries, that we will not allow them to enjoy the fruits of their actions violating Vladimir Kara-Murza’s fundamental rights. Finally, targeted sanctions are not criminal sentences, which would indeed have to be proportionate to the importance of each participant’s

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15. A list of events where Mr Browder and Mr Kara-Murza jointly advocated for “Magnitsky laws” is attached (Appendix 2).

16. See [www.rferl.org/a/kremlin-critics-could-face-prosecution-for-enabling-western-sanctions/29230441.html](http://www.rferl.org/a/kremlin-critics-could-face-prosecution-for-enabling-western-sanctions/29230441.html).

17. See Bellingcat report dated 11 February 2021, “[Vladimir Kara-Murza Tailed by Members of FSB Squad Prior to Suspected Poisonings](#)”.

18. “Russian agent ‘tricked into detailing Navalny assassination bid’”, *BBC News*.

19. “Navalny Poison Squad Implicated in Murders of Three Russian Activists”, Bellingcat.

20. See Doc. 15543 “[Ensuring accountability for the downing of flight MH17](#)” (rapporteur: Titus Corlăţean (Romania, SOC)) and [Resolution 2452 \(2022\)](#).

contribution. The issue of the precise apportionment and weighting of responsibilities will arise when perpetrators of human rights violations will no longer enjoy impunity and will be held to account in the criminal courts of a future democratic Russia that we all hope will emerge one day.

20. During the committee hearing in December 2023, Yevgenia Kara-Murza and Bill Browder strongly confirmed the approach summed up above.

21. Ms Kara-Murza noted that Russia has many hundreds of political prisoners, who are subjected to appalling measures. Her husband, Vladimir Kara-Murza, has been sentenced to 25 years in a maximum security prison, with the aim of silencing him. His was currently the only occupied cell in an entire punishment block, because even in prison he was regarded as a threat. He had called for a special tribunal and other measures against the leadership of the Russian Federation. For years, her husband had emphasised the need for measures to hold to account those who violate human rights. In 2010, together with Boris Nemtsov, he joined the campaign for Magnitsky sanctions, which had provided the world with a revolutionary and powerful tool. The Kremlin had recognised the implications of this tool and thus persecuted those who championed Magnitsky sanctions. Her husband had been poisoned twice. Thanks to a Bellingcat investigation, those responsible are known. The poisoning had left her husband with permanent nerve damage, which was worsening under his present prison conditions. His prosecution and imprisonment had been handled by certain individuals who are on the Magnitsky list. Ms Kara-Murza considered it poetic justice that sanctions are being imposed on those who have persecuted her husband for advocating them. She considered these sanctions as a clear signal that the free world does not equate the regime with the entire country.

22. Mr Browder explained that he and Vladimir Kara-Murza met in 2010, the year Sergei Magnitsky was killed. Mr Kara-Murza and Mr Nemtsov recognised the extraordinary nature of the murder and that sanctions could go beyond one individual case. They joined the campaign, visiting parliaments, explaining the value of such sanctions. The campaign clearly angered Vladimir Putin. He started a concerted effort to overturn it, then to attack its champions. Mr Browder noted that Mr Nemtsov was killed, Mr Kara-Murza was poisoned and that he himself was subjected to criminal arrest warrants. When Mr Kara-Murza returned to Russia, he championed the anti-war cause and was sentenced to 25 years in prison for “treason”. Mr Browder argued that the free world had a duty to help Mr Kara-Murza and other Russians who stand up against the war. He agreed with Ms Kara-Murza that it was indeed poetic justice that people who persecuted Mr Kara Murza for supporting Magnitsky sanctions were themselves subjected to them. At present, the United Kingdom, the European Union, Canada, the United States and Estonia were sanctioning some of Vladimir Kara-Murza’s persecutors. Mr Browder pleaded for sanctioning more of them, along with any others who were carrying out similar persecution against opponents of the regime. He stressed the importance of continuing to publicise and speak about the names of persecuted individuals, noted that political prisoners in Russia would not be released unless there was some benefit to Vladimir Putin’s government in the form of a prisoner swap. He proposed the exchange of political prisoners against individuals carrying out espionage under unofficial conditions, suggesting that the United Kingdom could play a lead role, as Mr Kara-Murza was also a British citizen.

#### **4. Alexei Navalny’s death in prison – added urgency for protecting Vladimir Kara-Murza**

23. Alexei Navalny’s death in prison on 15 February 2024 – allegedly caused by sudden heart failure, but surrounded by ominous information filtering from fellow detainees, shortly after his relatives found him in reasonably sound health and in good spirits – is an outrage, which must have serious consequences. Mr Navalny’s death clearly requires a close analysis of all information as and when it becomes available, with the aim of establishing the real facts.

24. I have prepared a draft motion for a resolution concerning the death of Mr Navalny and it is clear that we must hold to account all those involved in his poisoning in 2021, in his subsequent trial and imprisonment on obviously trumped-up charges, and in his ill-treatment and as yet unexplained death in custody. In my view, the chain of responsibility reaches all the way up to Vladimir Putin. Mr Navalny’s sudden death underscores still further the urgent need to protect Mr Kara-Murza and to ensure his rapid release, if need be as part of a prisoner exchange.

#### **5. Conclusions**

25. It is obvious that Vladimir Kara-Murza is a victim of a series of grave human rights violations orchestrated by the Kremlin for political reasons and executed by a large number of State officials who willingly played the roles assigned to them. I am also convinced that Mr Kara-Murza was treated especially



harshly as retaliation for his engagement with the world-wide campaign in favour of the adoption of “Magnitsky laws”. These allow for targeted sanctions to be imposed on persons strongly suspected of involvement in serious human rights violations, who benefit from impunity in their own countries. Fighting these laws was declared a key foreign policy objective of the Russian Federation by Vladimir Putin himself.<sup>21</sup>

26. In my view, a strong case can therefore be made to subject all the persons figuring on the “Kara-Murza list” to targeted sanctions under the existing “Magnitsky laws”, in particular the relevant provisions enacted by the European Union. As indicated above, the “Kara-Murza list” includes judges, prosecutors, investigators, police officers, FSB operatives, a private “expert” and a senior prison official. As argued above, there is no compelling reason to differentiate between them according to the nature and importance of their contributions, even as judges, and according to their position in the hierarchy of the system of oppression they serve.

27. I strongly underline also that all those involved in any way in the poisoning, persecution, trumped-up criminal prosecution and conviction of Alexei Navalny, followed by his ill-treatment and subsequent death in prison must immediately be identified and included in the Magnitsky sanctions lists. For the sake of all Russian opposition figures and anti-war activists who are currently in prison, we must send an unambiguous and public message that there will be severe and personal consequences for all those involved at any level in these egregious human rights violations committed in abuse of their positions and their power.

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21. See for example Vladimir Kara-Murza, “What’s really behind Putin’s obsession with the Magnitsky Act”, *Washington Post*, 20 July 2018; “What’s behind Putin’s hate against the Magnitsky Act”, *VoA*, 18 July 2017; “EU uses Magnitsky-style law to impose sanctions on human rights abusers”, *The Guardian*, 27 November 2020.

**Appendix 1 – Countries and institutions who have passed Magnitsky sanctions**

No.	Date	Countries and institutions who have passed Magnitsky sanctions	Legislation passed
1.	14.12.2012	United States of America	Sergei Magnitsky Rule of Law Accountability Act of 2012
2.	08.12.2016	Estonia	Amendments to The Law on Amending the Obligation to Leave and Prohibition on Entry Act 262 SE
3.	23.12.2016	United States of America	The Global Magnitsky Human Rights Accountability Act of 2016
4.	21.02.2017	United Kingdom	"Magnitsky Amendment" to the Criminal Finances Act 2017
5.	19.10.2017	Canada	The Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law)
6.	16.11.2017	Lithuania	Law Amending Article 133 of Law No IX-2206 on the Legal Status of Aliens
7.	08.02.2018	Latvia	Parliamentary Resolution
8.	08.02.2018	Gibraltar	"Magnitsky Amendment" to the Proceeds of Crime Act 2015
9.	23.05.2018	United Kingdom	"Magnitsky Amendment" to the Sanctions and Anti-Money Laundering Act 2018 Global Human Rights Sanctions Regulations 2020 Global Anti-Corruption Regulations 2021
10.	06.12.2018	Jersey (British Crown Dependency)	The Sanctions and Asset Freezing Law (Jersey) 2019
11.	07.12.2020	European Union	EU Global Human Rights Sanctions Regime (EU Magnitsky Act) (Guidance)
12.	16.04.2021	Norway	Act on the Implementation of International (Sanctions Act)
13.	02.12.2021	Australia	Autonomous Sanctions Amendment (Magnitsky-style and Other Thematic Sanctions) Act 2021
14.	07.12.2022	Czechia	Act of 1 December 2022 on restrictive measures against certain serious actions applied in international relations (Sanctions Act)

## **Appendix 2 – Examples of events and publications in which Mr Vladimir Kara-Murza advocated for “Magnitsky laws” alongside Mr William Browder**

The Magnitsky Sanctions in Canada (December 2012), <https://imrussia.org/en/law/348-the-magnitsky-sanctions-in-canada>

FAAE (Foreign Affairs and International Development) Committee of the House of Commons (Canada), (10 March, 2016) – [www.ourcommons.ca/DocumentViewer/en/42-1/faae/meeting-5/evidence](http://www.ourcommons.ca/DocumentViewer/en/42-1/faae/meeting-5/evidence)

Canadian Senate Standing Committee on Foreign Affairs and International Trade, March 2016, [https://sencanada.ca/content/sen/committee/421/AEFA/reports/AEFA2ndreport\\_e.pdf](https://sencanada.ca/content/sen/committee/421/AEFA/reports/AEFA2ndreport_e.pdf)

Henry Jackson Society, Towards a UK Magnitsky Law? Lessons from Canada and Elsewhere (November 2017), <https://henryjacksonsociety.org/members-content/towards-a-uk-magnitsky-law-lessons-from-canada-and-elsewhere/>

United States Joint House and Senate Hearing, 115 Congress (Hearing before the commission on security and cooperation in Europe, 14 December 2017), [www.govinfo.gov/content/pkg/CHRG-115jhr28314/html/CHRG-115jhr28314.htm](http://www.govinfo.gov/content/pkg/CHRG-115jhr28314/html/CHRG-115jhr28314.htm)

University of Chicago (November 2019), [https://www.youtube.com/watch?v=Ux51Bqc3Un0&ab\\_channel=UChicagoInstituteofPolitics](https://www.youtube.com/watch?v=Ux51Bqc3Un0&ab_channel=UChicagoInstituteofPolitics) (starts from 15:40)

Senate of Canada (November 2022), <https://sencanada.ca/en/Content/Sen/Committee/441/AEFA/55849-E>

Op-ed in the Washington Post by Vladimir Kara-Murza (Jul 2018), [www.csce.gov/international-impact/press-and-media/news/what-s-really-behind-putin-s-obsession-magnitsky-act](http://www.csce.gov/international-impact/press-and-media/news/what-s-really-behind-putin-s-obsession-magnitsky-act)

American Enterprise Institute (December 2017), [www.youtube.com/watch?v=n9557EySy40&ab\\_channel=AmericanEnterpriseInstitute](http://www.youtube.com/watch?v=n9557EySy40&ab_channel=AmericanEnterpriseInstitute)

French National Assembly Foreign Affairs Committee on 14 and 15 May 2019, [www2.assemblee-nationale.fr/presse/espace-presse/communiqués-de-presse/mai-2019/commission-des-affaires-etrangeres-reunions-des-mardi-14-et-mercredi-15-mai-2019](http://www2.assemblee-nationale.fr/presse/espace-presse/communiqués-de-presse/mai-2019/commission-des-affaires-etrangeres-reunions-des-mardi-14-et-mercredi-15-mai-2019)

Henry Jackson Society, 18 November 2021, <https://henryjacksonsociety.org/event/magnitsky-annual/>

CNN, 7 May 2018, <https://edition.cnn.com/2018/05/07/politics/vladimir-putin-kara-murza-axe-files/index.html>

10<sup>th</sup> Geneva Summit for Human Rights and Democracy, February 2018, Award of the 2018 Geneva Summit Courage Award, Vladimir Kara-Murza on punishing corrupt abusers with Magnitsky sanctions, [www.youtube.com/watch?v=xFe0Tlqb06M](http://www.youtube.com/watch?v=xFe0Tlqb06M)

The CBC Radio “The Current” (Canada), 19 January 2021, [www.cbc.ca/radio/thecurrent/the-current-for-jan-19-2021-1.5878672/western-nations-must-send-clear-message-to-russia-in-wake-of-opposition-leader-s-detainment-says-politician-1.5879054](http://www.cbc.ca/radio/thecurrent/the-current-for-jan-19-2021-1.5878672/western-nations-must-send-clear-message-to-russia-in-wake-of-opposition-leader-s-detainment-says-politician-1.5879054)

Warsaw Security Forum, <https://warsawsecurityforum.org/speaker/kara-murza-vladimir/>

ABC News, 28 April 2018, [www.abc.net.au/news/2018-04-28/russian-mp-calls-for-laws-in-australia-against-corrupt-oligarchs/9706814](http://www.abc.net.au/news/2018-04-28/russian-mp-calls-for-laws-in-australia-against-corrupt-oligarchs/9706814)