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Shedding light on the murder of Boris Nemtsov

Report[1]
Committee on Legal Affairs and Human Rights
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Summary

The Committee on Legal Affairs and Human Rights remains profoundly shocked by the murder of Boris Nemtsov, an internationally renowned leader and figurehead of the political opposition in Russia, just outside the Kremlin in Moscow on 27 February 2015.

It notes that five Chechen men have been convicted of his murder. It considers, however, that various aspects of the investigation and the prosecution's case give rise to serious concerns as to the independence and effectiveness of the authorities' efforts to identify and prosecute all participants in the crime, including its instigators and organisers. The Russian authorities are therefore called upon to reopen and continue their investigation of the murder, including by taking a series of specific steps.

All Council of Europe member and observer States are invited to remind the Russian authorities of the need to identify and prosecute all participants in the murder of Boris Nemtsov, and to consider including in the list of persons subjected to targeted “Magnitsky” sanctions those responsible for the failure to take the necessary investigative measures required to identify the instigators and organisers of the murder of Boris Nemtsov.

1. Reference to committee: Doc. 13967, Reference 4276 of 10 March 2017.

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A. Draft resolution[2]

1. Boris Nemtsov, an internationally renowned leader and figurehead of the political opposition, former deputy Prime Minister of the Russian Federation, former Deputy Speaker of the State Duma, former Regional Governor of Nizhny Novgorod and a member of the Yaroslavskaya regional parliament, was shot dead in Moscow on 27 February 2015. The Parliamentary Assembly remains profoundly shocked by this brutal assassination, which took place on the Bolshoi Moskvoretsky Bridge, right next to the Kremlin, one of the most heavily protected and monitored locations in the country.

2. The Assembly notes that within days, five suspects had been arrested and a sixth had been killed during an operation to arrest him. Two of the suspects – Zaur Dadayev, the gunman, and Anzor Gubashev, the getaway driver – confessed under interrogation to their parts in the murder. The five suspects were tried by a jury before the Moscow district military court. In June 2017, they were convicted of murdering Mr Nemtsov in return for a payment of 15 million roubles made by Ruslan Mukhudinov, a Chechen army driver. They were sentenced to between 11 and 20 years' imprisonment and each fined 100 000 roubles. Their appeals against conviction were dismissed but their appeals against sentence led to the lifting of the fines.

3. The Assembly considers that various aspects of the investigation and the prosecution's case give rise to serious concerns as to the independence and effectiveness of the authorities' efforts to identify and prosecute all the participants in the crime, including its instigators and organisers. These aspects include the following:

3.1. the suspects were detained on 5 and 6 March 2015, yet the information by which they were supposedly identified seems not to have been analysed until later. Russian media reported information on the shell casings and on the probable origins of the suspects, consistent with evidence presented at trial, before the dates on which the case files indicate this information was known to the investigators. This seems to indicate that another investigation was conducted by other bodies, whilst the role of the official investigators might have been limited to recording results obtained by the other bodies after the fact;

3.2. the Federal Protection Service (FSO), responsible for security in the Kremlin, claimed to have no video evidence showing the scene of the murder, despite its having taken place in the immediate vicinity of the Kremlin;

3.3. no video evidence was obtained from street or traffic surveillance cameras, from the central CCTV video storage facility, or from the garbage truck or the three public transport vehicles that crossed the bridge around the time of the murder. No forensic evidence at all was obtained from another garbage truck that passed Mr Nemtsov at the moment he was shot, despite its proximity to the murder;

3.4. many vehicles and individuals that can be seen on the video released by the TVTs television channel were not identified and located. This includes two women who were seen speaking to Mr Nemtsov's companion at the scene, shortly after the murder;

3.5. Mr Dadayev and Mr Gubashev retracted their confessions, stating that they had been made under torture, for which there is independent evidence;

3.6. following the murder, the Russian authorities and sources close to them advanced a series of speculations as to the motives for the murder, ranging from “provocations” intended to foment unrest in Russia, variously attributed to the political opposition itself, the Ukrainian security service and “western spy agencies”, to personal motives relating to Mr Nemtsov's private life;

3.7. the motive eventually attributed to Mr Mukhudinov – that he was seeking retribution for Mr Nemtsov's comments in support of the murdered *Charlie Hebdo* journalists – was unsupported by any evidence and was inconsistent with evidence that Mr Nemtsov had been followed since before those murders took place by the car that was used as a getaway vehicle after the murder. Nor was there any explanation as to how Mr Mukhudinov had obtained the money to pay the killers;

3.8. Mr Mukhudinov and the officer for whom he drove, Ruslan Geremeyev, to whom Mr Dadayev had apparently referred in his statement, were not arrested and remain at large. The case against Mr Mukhudinov and other “unidentified individuals” was severed from the case against the five suspects and does not seem to have been actively pursued;

2. Draft resolution adopted unanimously by the committee on 28 May 2019

3.9. Mr Dadayev is the former second-in-command and, along with Mr Mukhudinov, still a serving member of the *Sever* battalion of Russian Ministry of the Interior troops in Chechnya. The *Sever* battalion was led by Alibek Delimkhanov, brother of Adam Delimkhanov, a member of the Russian State Duma and one of the closest confidents of Ramzan Kadyrov, head of the Chechen Republic. Ruslan Geremeyev was the nephew of Suleyman Geremeyev, a member of the Russian Council of the Federation. The Russian interior ministry troops are led by Victor Zolotov, a close confident of both Ramzan Kadyrov and Russian President Vladimir Putin. It is extremely unlikely that Mr Dadayev and Mr Mukhudinov, being so closely connected to the highest levels of military and political authority in Chechnya, could or would have staged a complex operation to murder a prominent political personality in public in central Moscow without at least the foreknowledge and approval of, if not direct instructions from, their hierarchical superiors. With the exception of Alibek Delimkhanov, the trial judge refused all of the Nemtsov family's lawyers' requests that these persons be interrogated;

3.10. despite Mr Nemtsov's long and distinguished political career, his continuing high public profile and his ongoing political activities at the time of his death, including the organisation of a major opposition rally in Moscow the following day and the preparation of a report on Russia's then unacknowledged military intervention in Ukraine, the judge (and the Supreme Court, on appeal) refused the Nemtsov family's lawyers' request that the defendants be charged with the aggravated offence of an attack on the life of a State or public figure under Article 277 of the Criminal Code, which is not subject to any statute of limitations.

4. In addition, the Assembly notes a series of significant inconsistencies and contradictions in the evidence given by crucial witnesses, including Sergei Budnikov, the driver of the garbage truck, Evgeniy Molodykh, who approached Mr Nemtsov's body shortly after the shooting, and Anna Duritskaya, Mr Nemtsov's companion on the night of the murder. It also notes that Ms Duritskaya did not sign her witness statement. Mr Budnikov and Mr Molodykh appeared unexpectedly to give evidence at trial, the prosecution having previously claimed that they could not be located. Ms Duritskaya did not give evidence, having returned to Ukraine.

5. The Assembly further notes a series of irregularities, inconsistencies and implausibilities in the forensic evidence relating to the bullets and shell casings that were recovered and the injuries suffered by Mr Nemtsov, including:

5.1. the crime scene record does not indicate the precise locations of Mr Nemtsov's body, the shell casings and the bullets that were recovered at the scene;

5.2. the ambulance crew that arrived first on the scene reported four shell casings close to the body, whereas the crime scene record mentions only one close to the body, with four others in various more distant locations;

5.3. the authorities claimed that there was no video recording of the crime scene, yet other evidence shows a man filming the scene;

5.4. the TVTs video showed that Mr Dadayev would have had to fire three shots, then change his position, then fire another two or three shots, all within 2.4 seconds;

5.5. two of the shell casings bore one manufacturer's mark, with damage in one place; whereas the other four bore another manufacturer's mark, with damage in another place;

5.6. four of the shots struck Mr Nemtsov from behind and one from the front; two of the shots from behind had an upwards trajectory, one followed a level trajectory and the fourth had an unexplained downwards trajectory; there were metallic particles in one of the wounds but not the others; and traces were found on Mr Nemtsov's coat suggesting shots from close range, yet Mr Dadayev claimed to have fired from five metres away;

5.7. the forensic medical experts accounted for the inconsistencies by postulating that the shots fell into two distinct groups, possibly distinguished by the use of two different guns, implying two gunmen. The Federal Security Service’s ballistics study, which lacked details that could have allowed critical analysis of its results, concluded that only one weapon had been used. The trial judge refused to order a further ballistics study.

6. The Assembly also notes a series of irregularities in the conduct of the trial, including:

6.1. the judge refused to allow questioning of potentially relevant witnesses from the Chechen leadership, as mentioned above;

6.2. the judge attempted to impose a second lawyer on one of the defendants, against his objections and those of his lawyers and despite the reluctance of the proposed second lawyer;

6.3. there were threats and attacks against one of the defendant's lawyers following his request to have President Putin called as a witness. This lawyer has since fled Russia in fear for his safety;

6.4. the judge consistently favoured the prosecution, including by allowing presentation of inadmissible evidence tending to discredit certain defendants and frequent interrupting the defence when it was presenting evidence or addressing the jury, and by interrupting the defence himself;

6.5. the judge dismissed a juror on spurious grounds following her repeated requests to see certain evidence that had not been presented by the prosecution;

6.6. the judge dismissed several other jurors on weak grounds, including shortly before the jury retired to deliberate.

7. The Assembly notes that the above matters have led to various alternative theories of the case being put forward. These include the Nemtsov family's lawyers' view that higher levels of authority in Chechnya must have at least known and probably in fact ordered the murder. Other theories suggest that the Chechen defendants formed part of a wider plot involving the FSB, and that another, non-Chechen individual fired a second set of shots at Mr Nemtsov. One theory suggests that the FSB alone was responsible for Mr Nemtsov's murder, with no Chechen involvement at all.

8. It is not the Assembly's role to investigate and determine who killed Boris Nemtsov. It is clear, however, that the official version, as reflected in the verdict, is based on a severely flawed investigation and trial and is inconsistent with the available evidence on numerous fundamental points. These inadequacies allow for alternative versions that the authorities have refused to explore, yet which are far more consistent with the available evidence. This reinforces the conclusion that all relevant aspects of the case have not been examined and the full truth has not been revealed.

9. The Assembly therefore calls on the Russian authorities to reopen and continue their investigation of the murder, including by taking the following steps:

9.1. identifying locations and feeds of all cameras located near the crime scene, including on the bridge and facing the bridge, and determining whether the cameras located on the Kremlin Wall were directed towards the crime scene on the bridge;

9.2. analysing the already obtained dashcam videos and obtaining and analysing dashcam videos taken from other vehicles on or near the bridge at or around the time of the murder, including the garbage truck and public transport vehicles visible on the TVTs video;

9.3. reassessing whether the central State database of video surveillance contains any footage of the bridge;

9.4. reassessing whether FSO cameras captured footage of events on or around the bridge;

9.5. making use of all available technical means, including image-enhancement software, to re-examine all available video evidence, including GORMOST, TVTs, GUM and dashcam recordings, with a view to identifying vehicles and persons approaching, on or exiting the bridge;

9.6. identifying, locating and questioning all persons on the bridge at or around the time of the murder, notably those visible on the TVTs video;

9.7. identify, locating and questioning the drivers and passengers of the five vehicles whose make and model are already known;

9.8. in addition to those drivers and passengers already interviewed, identifying all other vehicles on or near the bridge at or around the time of the murder and tracing and questioning their drivers and any passengers;

9.9. analysing the available traffic camera screen shot showing several vehicles exiting the bridge immediately after the murder, locating all available video recordings of these vehicles and interviewing their drivers;

9.10. analysing all mobile phone activity on or around the bridge, using the existing data, in order to identify and question the persons concerned;

9.11. locating the video recording of the crime scene that is shown being made in the TVTs video;

9.12. conducting a further forensic ballistic study in order to evaluate properly the conclusions of the forensic medical experts that the shots fired at Mr Nemtsov fell into two distinct groups, possibly from two different guns;

9.13. conducting a forensic reconstruction of the shooting in order to determine the feasibility of Mr Nemtsov having been shot by a single attacker, consistently with the video and other medical and forensic evidence, including the above-mentioned further ballistic study;

9.14. re-examining the video of the convicted defendants' Moscow apartment, cross-referencing against other evidence in order to clarify the time at which recorded events occurred;

9.15. interrogating the various Chechen and Russian officials named by the Nemtsov family's lawyers', in order to advance with the investigation into who ordered the murder;

9.16. reclassifying the murder under Article 277 of the Criminal Code, so as to ensure that the statute of limitations cannot prevent charges being brought in future against other possible suspects.

10. The Assembly considers that General Alexander Bastrykin, head of the Investigative Committee, and Deputy Prosecutor General Victor Grin bear particular responsibility for the failure of the investigation and the lack of credibility of the prosecution case, as presented in the indictment.

11. The Assembly deeply regrets that the Russian authorities have refused to co-operate with its rapporteur.

12. The Assembly invites all member and observer States of the Council of Europe and partners for democracy to take every opportunity to remind the Russian authorities of the need to identify and prosecute all participants in the murder of Boris Nemtsov, including the instigators and organisers of this crime.

13. The Assembly further invites all member and observer States and partners for democracy that have adopted “Magnitsky laws” in line with Resolution 2252 (2019) “Sergei Magnitsky and beyond – fighting impunity by targeted sanctions” to consider including in the list of persons subjected to targeted sanctions those responsible for the failure to take the necessary investigative measures and objective court procedures required to identify the instigators and organisers of the murder of Boris Nemtsov.

14. The Assembly invites the Council of Europe Congress of Local and Regional Authorities to encourage local authorities to consider paying tribute to Boris Nemtsov.

B. Explanatory memorandum by Mr Emanuelis Zingeris, rapporteur

1. Introduction

1. The present report is based on a motion for a resolution tabled by Ms Kerstin Lundgren and other members of the Parliamentary Assembly on 28 January 2016. The Committee on Legal Affairs and Human Rights appointed me as rapporteur at its meeting on 18 May 2017.

2. The motion recalled that Mr Boris Nemtsov had been assassinated in Central Moscow in February 2015 and that whilst five alleged perpetrators, all men of Chechen origin, had been charged with his murder, its organisers were still at large and there had been no investigation of the alleged involvement of the Chechen authorities. It highlighted Mr Nemtsov's public profile as a former Russian Deputy Prime Minister and a current leader of the political opposition, who had played a prominent role in criticism of Russian aggression in Ukraine.

3. The motion stated that the international community should monitor the course of results of the investigation into Mr Nemtsov's death, to help ensure that all relevant aspects are examined and the background exposed. This should be done in co-operation with the competent Russian authorities, as well as with Mr Nemtsov's family and friends who fear that only the immediate perpetrators will be punished, with the organisers of the murder being protected.

4. During the preparation of the report, the committee held a hearing with Ms Zhanna Nemtsova, Mr Nemtsov's daughter, Mr Vadim Prokhorov, the family's lawyer during the trial of the murder suspects, and Mr Vladimir Kara-Murza, former political associate of Mr Nemtsov. I also made multiple requests, including via the President and Secretary General of the Parliamentary Assembly, to the Russian authorities to conduct a fact-finding visit to the Russian Federation in order to meet officials and other interlocutors and to give the authorities the possibility of responding to criticisms of their response to the murder. I even wrote myself directly to the Speakers of the Council of the Federation and the State Duma. The letter to the former was returned, marked "address unknown"; I received confirmation of receipt of the letter to the State Duma, but no reply to it.

2. Mr Nemtsov's political career and profile

5. Boris Nemtsov first entered politics as a reformist during the late 1980s. In 1990, he was the only non-Communist elected from Nizhny Novgorod to the Supreme Soviet of the Russian Republic. Appointed governor of Nizhny Novgorod region by President Yeltsin, a position to which he was re-elected by popular vote in 1995, he introduced free-market reforms to the regional economy. President Yeltsin appointed him First Deputy Prime Minister in 1997, with special responsibilities for reforming the energy sector, restructuring monopolies and reforming the housing and social sectors. Having left this post, in 1999 he co-founded the Union of Right Forces, a liberal-democratic coalition, for which he was elected to the State Duma that same year, becoming its Deputy Speaker.

6. From 2004 onwards, Mr Nemtsov became an increasingly prominent critic of President Putin, warning of the impending danger of dictatorship. He remained at the forefront of efforts to create a united opposition, being involved in 2004 in the creation of the "Committee 2008" opposition group and, in 2008, of the Russian "Solidarnost" movement. In 2009, he formed the "For Russia without Lawlessness and Corruption" party, which was refused registration; in 2012, he became co-chair of the "Republic Party of Russia – People's Freedom Party", which was registered. In 2013, he was elected to the Yaroslavskaya regional parliament. He was due to lead a large-scale opposition rally in Moscow the day after his death.

7. Mr Nemtsov was repeatedly critical of official corruption under the Putin government, amongst other things publishing a report on the perks, privileges and luxury goods that President Putin had accumulated during his time in office. He later accused the presidential administration of incompetence and corruption in the organisation of the 2014 Sochi Winter Olympics, claiming that up to $30 billion had been stolen from the allocated funds. He also criticised restrictions on media freedom and regional democracy imposed on the pretext of fighting terrorism. He spoke out against President Putin's military, political and financial support for the Kadyrov regime in Chechnya; in 1996, he had presented a million-signature petition against the first Chechen war to President Yeltsin. From 2010, he was a vocal advocate for the introduction of the Magnitsky sanctions on Russian officials responsible for human rights violations. He was one of the few leading Russian politicians to support Ukraine's independence and territorial integrity, accusing President Putin of responsibility for the war in Ukraine, whose preference for a "European way" characterised by democracy and the rule of law was a "direct threat to Putin's power". At the time of his death, he was preparing a detailed report on

Russia's direct military involvement in eastern Ukraine, which was at the time being denied by the Russian Government. The results of his investigation were presented to the committee by his political associate Vladimir Kara-Murza in January 2016, in the framework of the report by Ms Marieluise Beck (Germany, ALDE) on "legal remedies for human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities".[3]

8. Mr Nemtsov was arrested on several occasions on account of his political activities: in 2010, when he was held in administrative detention for 15 days after an authorised rally against government restrictions on public protest, following which he was convicted of disobeying the police by a court that refused to admit defence evidence including witness statements and video evidence; and in 2014, in the course of mass arrests at a protest in Moscow, following which he was held in administrative detention for 10 days. He was also systematically attacked and humiliated by the official Russian media in relation to his political activities. In 2012, Mr Nemtsov stated repeatedly that he was afraid for his life at the hands of the Russian authorities, having criticised the fairness of the Russian presidential and parliamentary elections. In the weeks before his murder, he had on several occasions expressed fears of being killed.

3. The established circumstances surrounding Mr Nemtsov's death

9. On the evening of 27 February 2015, Boris Nemtsov was shot to death on the Bolshoi Moskvoretsky Bridge, which crosses the Moskva River close to Red Square and the Kremlin, whilst walking with his companion, Anna Duritskaya.

10. Russian President Putin condemned the killing and assumed "personal control" of the investigation, writing a personal letter to Mr Nemtsov's mother in which he vowed to bring those responsible to justice. Various theories were put forward in the days following the murder. President Putin suggested that his death was a "provocation" intended to damage Russia's reputation. Several theories were put forward in the (largely State-controlled) media, including that Nemtsov was a "sacrificial victim" whose killing by other opposition forces was intended to stimulate opposition unity and action; that one or the other side in the conflict resulting from the Russian aggression in Ukraine was responsible, or that the Ukrainian secret service was responsible, its aim being to foment unrest in Russia; and a connection to Mr Nemtsov's support for the *Charlie Hebdo* journalists following the terrorist attack on their Paris office. A Federal Security Service (FSB)-linked website suggested connections to his personal affairs. Ramzan Kadyrov, head of the Chechen Republic, blamed "western spy agencies".

11. Within little more than a week of the murder, five suspects had been arrested, all Chechens: Zaur Dadayev, alleged to have fired the gun; Anzor Gubashev, alleged to have driven the car; Shadid Gubashev, Khamzat Bakhayev and Temirlan Eskerkhanov. A sixth suspect, Beslan Shavanov, alleged to have accompanied Mr Dadayev and Anzor Gubashev in the car, died when a hand grenade exploded while special forces tried to arrest him at his apartment in Grozny, the capital of Chechnya; although his death was presented as an accident or even suicide, there are suspicions that he was in fact killed.

4. The investigation and prosecution to date[4]

12. The head of the investigative team appointed for the Nemtsov murder, Igor Krasnov, had previously investigated murders and attempted murders of other prominent public figures. Within a week of the murder, the investigation had established the movements of the killers immediately before and after the shooting, and found the car that had driven the killer away from the bridge.

13. On 7 March 2015, the head of the FSB, Alexander Bortnikov, announced the arrest of Zaur Dadayev and Anzor Gubashev. The following day they were formally charged with the murder. Under interrogation, Mr Dadayev confessed to the crime and told investigators that his role had been overseen by "Rusik", who provided money, a car (of the same type as that recovered and identified by the investigators) and a gun. His detailed confession, as well as that of Anzor Gubashev, was recorded on video. "Rusik" was suspected to be Ruslan Geremeyev, a senior officer in the Chechen *Sever* special forces battalion of which Mr Dadayev had been deputy commander (and from which he was dismissed two days after the murder, prior to his arrest) and Mr Shavanov a member. Mr Geremeyev was traced back to Chechnya. His exact whereabouts remain

3. Doc. 14139 (26 September 2016).

4. In the absence of information provided by the Russian authorities, the information set out in this report is derived from existing public sources, including court files provided by the Nemtsov family lawyers, as well as the recent book by Dr John B. Dunlop of Stanford University's Hoover Institute, entitled "*The February 2015 Assassination of Boris Nemtsov and the Flawed Trial of His Alleged Killers*".

officially unknown. General Alexander Bastrykin, head of the Russian Investigative Committee, reportedly twice refused to sign an indictment against him prepared by investigators. An FSB operation to have him brought to court failed, reportedly because no-one answered when they knocked at the door.

14. Mr Dadayev later retracted his confession, claiming that he had made it under torture, to secure the release of another person who had been arrested with him and in order to avoid "what happened to Shavanov". In September 2015, Anzor Gubashev also retracted his confession. A member of the presidential Council for Civil Society and Human Rights, Andrei Babushkin, visited the suspects in detention and reported that Mr Dadayev, as well as Anzor and Shadid Gubashev, had probably been tortured, although on 18 March 2017, Anzor Gubashev stated that he had not been ill-treated. (See also below.)

15. Anzor and Shadid Gubashev, who are brothers, were arrested in Ingushetia, which borders the Chechen Republic, and brought back to Moscow for questioning. Khamzat Bakhayev and Temirlan Eskerkhanov were both arrested in the Moscow region and denied any involvement. Mr Eskerkhanov claimed that he had been in a bar at the time and could not have been at the murder scene.

16. In October 2015, the investigators named Ruslan Mukhudinov as the organiser of the crime. Mr Mukhudinov was a subordinate of Mr Geremeyev, for whom he acted as driver. Like Mr Geremeyev, his whereabouts are no longer known, but an indictment was issued against him *in absentia*. On this basis, General Bastrykin announced in January 2016 that the case had been solved.

17. The murder trial began in Moscow district military court in July 2016, on the basis of an indictment signed by Victor Grin, Deputy General Prosecutor. On 27 June 2017, the jury began considering its verdict; two days later, it pronounced all five defendants guilty, finding that they had committed the murder in return for a payment of 15 million Roubles (equivalent to €200 000). On 13 July, the court sentenced Dadayev to 20 years' imprisonment (although prosecutors had called for a life sentence) and the others to between 11 and 19 years; they were each also fined 100 000 roubles.

18. On 21 July 2017, Zhanna Nemtsova, who is a legally recognised victim in the case, appealed to the Military Chamber of the Russian Supreme Court against the ruling of the Moscow District Military Court over its refusal to reclassify the offence under Article 277 of the Russian Criminal Code (see below). The convicted defendants' lawyers also appealed, against both the verdict and the sentence, raising a series of arguments concerning evidential and procedural shortcomings, including a lack of impartiality on the part of the judge. The Supreme Court gave judgment on the appeal on 10 October 2017, confirming the trial verdict, whilst waiving the fines on procedural grounds, and dismissing Ms Nemtsova's appeal.

19. Ms Nemtsova currently has a case pending before the European Court of Human Rights claiming that Russia has violated the right to life under Article 2 of the European Convention on Human Rights (ETS No. 5, "the Convention"), including through failure to conduct an effective investigation into the murder of her father. Amongst other things, the application also invokes Article 18 of the Convention to allege a political motivation behind the authorities' failure.

5. Concerns relating to the investigation, prosecution and trial

20. Although the prosecutors asserted that they had identified those directly responsible for the murder, a number of important, indeed fundamental questions remain concerning the credibility, scope and efficacy of the investigation and the propriety of the trial proceedings.

5.1. Issues concerning evidence

21. There are a number of irregularities, discrepancies and inconsistencies in the evidence, as set out in the case files. These raise questions in relation to the effectiveness of the investigation and the reliability of the version of events portrayed in the court's verdict.

22. For example, in relation to the bullets and bullet casings that were recovered, and the injuries suffered by Mr Nemtsov:

– for Mr Dadayev to have fired all six shots, he would have had to do so within 2.4 seconds (the time during which he was obstructed by a passing garbage truck from the view of the TVTs television station's weather camera), including – according to his own testimony – a pause during which he changed position. There was no investigation into whether this was physically possible, either in principle or for Mr Dadayev in particular;

- four of the shots that struck Mr Nemtsov did so from the back; the fifth struck him from the front. Of those four shots that struck him in the back, one had a downward trajectory, one went straight in whilst the two others travelled upwards – as did the shot that struck him in the front. There was no explanation of how this could be consistent with Mr Dadayev's account of having fired three shots into Mr Nemtsov's back whilst he was walking, and another two or three at him whilst he tried to raise himself from the ground;
- metallic grey-black particles were found in one of the wounds but in none of the others. There was no explanation for this discrepancy;
- experts noted that although three shots passed through Mr Nemtsov's body, there was only one mark on his pullover corresponding to an exit point and no marks on his coat. They suggested that this could have been due to the different penetrating power of the bullets, which could indicate different weapons and firing conditions, or to the pullover and coat having been pulled aside when these shots were fired. Neither of these scenarios is consistent with the prosecution's case;
- traces were found in Mr Nemtsov's coat suggesting that shots were fired within the range of projection of powder gases. Mr Dadayev claimed to have fired all his shots from a distance of five metres. Experts recommended that experimental shooting be conducted to ascertain the distance at which shots fired would leave such powder gas traces, but this seems never to have been done;
- the crime scene record did not include precise details of the relative locations of the body, bullets and casings. It did not record the weather or lighting conditions under which observations were made. Investigators said that they did not film the crime scene and no such film was presented, yet other footage shows a man filming at the scene;
- the crime scene was contaminated by the presence of numerous people visible in videos but not mentioned in the crime scene record;
- the ambulance crew who arrived at the scene at 23:50 identified four bullet casings close to the body. The crime scene investigation, conducted between 00:30 and 01:53 the following morning, found only one casing close to the body, but also one five metres away, one in the road, one on the staircase leading up to the bridge and two under the bridge. No effort was made to locate or explain the possible further three casings suggested by the testimony of the ambulance crew;
- although six casings were found, only five bullets were recovered. No explanation was given for the additional casing/missing bullet;
- the bullet casings found next to the body and on the staircase both bore one manufacturer's mark whereas the other four casings all bore another mark. The location of the impact point on both of the first two casings was different from that on all of the other four casings;
- the forensic treatment and chain of evidence for the casings was irregular. There were no photographs of the casings in the exact situation in which they were originally found. There was wet weather on the night of the murder and wet snow, yet the casings shown in photographs purportedly taken at the scene were dry. The crime scene record did not indicate the evidence seals or where the casings were sent. After the first visual review two months after the murder, all of the casings were placed together in a single envelope, potentially tainting possible evidence;
- no gun was recovered;
- there was no forensic explanation of the order in which the shots were fired or the distance and direction from which they were fired, such as could account for the varying locations in which casings were recovered and the differences in location and trajectory of the injuries;
- the forensic medical experts concluded that the gunshots clearly fell into two groups, proposing that the differences could be explained by different weapons, different ammunition or the use of a silencer;
- the FSB's first ballistics study concluded that all of the shots had been fired by a single weapon, with the same angle of strike on all of the casings. The study only presented measurements for a single casing, however, with no photos or other descriptions for each of the casings, making comparison and identification at trial impossible;
- a second FSB ballistics study was inconclusive. It noted the presence of groups of traces from the inside of the barrel on the bullets but did not identify or describe them, individually or at all, noting only that they were weak. It concluded that it was "not possible to credibly state or exclude that the five bullets and six casings from a 9 mm Makarov pistol cartridge were from the same cartridge";

– despite the above discrepancies, the trial judge refused to order a further ballistic study, asserting that the available study was "full, comprehensive and science-based".

23. There were also significant deficiencies in the gathering of potential video evidence. For example:

– the Federal Protection Service (FSO), responsible for security in and around the Kremlin, claimed that none of its cameras were trained on the location of the shooting. FSO video camera recordings were, however, recovered for other locations.

– no videos of the scene taken by street and traffic surveillance cameras were obtained. There was no explanation for why this was not done.

– no forensic evidence of any kind was obtained from the garbage truck that passed by Mr Nemtsov at the moment he was shot. No videos from another garbage truck nor from three passing public transport vehicles that crossed the bridge at the time of the murder were obtained. There was no explanation for why this was not done.

– videos from three of the eight cameras operated by the authority responsible for the bridge were obtained, with views only under the bridge. There was no explanation for why videos from the other five cameras were not obtained.

– only three videos from dashcams carried in private vehicles using the bridge around the time of the crime were obtained.

– investigators accepted without question the Moscow Police's claim that the crime scene was not within the "control zone" of any camera feeding images into its "United Centre of Data Storage".

– investigators stated that they did not record video footage of the crime scene, yet public videos show a man with a camera filming the scene.

– defence lawyers requested video evidence from the night of the murder showing the Moscow apartment building where the defendants had been staying, said to provide an alibi. The judge ruled this video inadmissible on the basis that the footage produced had been shorter in length than that requested by the investigator.

24. Investigators also failed to locate, analyse or disclose other forms of possible evidence. For example, data on mobile phone connections of persons on or near the bridge were gathered, but only those relating to the phones of Mr Nemtsov, his companion and the five convicted Chechens were analysed. This meant that other possible witnesses have not been traced.

5.2. Issues concerning witnesses

25. Various individuals known to have been near the scene or in the surrounding area around the time of the murder were not traced or interviewed. For example;

– the official analysis of the TVTs television channel video mentions "several people in dark clothing", "a person in dark clothing" and "a person walking past" being seen at or near the crime scene. None of these were identified;

– the TVTs weather camera video appears to show around 130 vehicles crossing the bridge between 23:30 and 23:40. Most were not traced and thus nor were their drivers/passengers identified;

– five vehicles were identified – a Skoda Octavia, a Hyundai Solaris, a Mercedes-Benz E200, a Ford Galaxy and a Ford Mondeo – but their drivers and any passengers were not interviewed;

– video taken from "Gormost Camera No. 4" shows two police cars, a dark-coloured car, a light-coloured car, a car with a trailer, another car and a man on foot in the vicinity of the bridge between 23:12 and 23:36. None of them were traced;

– video taken from one of the dashcams shows, amongst other things, three other cars and a man entering the bridge (along with what is probably Mr Nemtsov's body lying on the ground), but none of the drivers, any passengers or the man were identified;

– another dashcam video shows a white sedan car on the bridge, two women walking along the bridge, a "lad" bent over something lying on the bridge (possibly Mr Nemtsov's body) and, beyond the garbage truck that passed by Mr Nemtsov at the moment he was shot, another, silver-coloured car. None of the people or vehicles were traced.

26. The Nemtsov family lawyers made repeated applications to the Investigative Committee and the courts to have the investigation widened to explore leads going beyond the persons immediately responsible for the killing, and even beyond the disappeared suspects Mr Mukhudinov and Mr Geremeyev, to more senior Chechen military and political officials. Specific requests were made for interviews to be conducted with Mr Geremeyev; Vakha Geremeyev, head of the Shelkovskiy District Police Department in Chechnya, of which Mr Eskerkhanov was a member; Artur Geremeyev, who was caught on video in the company of the killers at a flat owned by him that they used; Aslanbek Khatayev, a member of the Shelkovskiy District Police who met the killers at a hotel in Moscow the day before the murder; Shamkhan Tazabayev, former head of the Chechen riot police, whom investigators had identified as being of interest but who was never interrogated; Alibek Delimkhanov, Commander of the *Sever* battalion, who had signed a permit allowing his immediate subordinate Dadayev to carry small arms to Moscow from September 2014 onwards; Adam Delimkhanov, Alibek's brother, a member of the Russian Duma and one of Ramzan Kadyrov's closest confidants; Suleyman Geremeyev, uncle of Ruslan and brother of Vakha, and a representative of Chechnya on the Russian Federation Council, who had earlier stayed in a Moscow hotel room for which a keycard was found in the flat owned by Artur Geremeyev; Victor Zolotov, Commander-in-Chief of Russian Ministry of the Interior troops, of which the *Sever* battalion forms a part, who had close connections with Chechnya and its head, and with President Putin; and Ramzan Kadyrov, head of the Chechen Republic, who had in the past made death threats against Mr Nemtsov as an "enemy of Russia", and who publicly praised Mr Dadayev as a "true patriot" in the days after the murder. These applications were based on public information and evidence from the case-files, all of which was known to the investigators. Apart from those concerning Alibek Delimkhanov, all of the family's lawyers' applications and appeals were dismissed.

27. There were serious problems with the evidence given by several key witnesses:

– Mr Dadayev, in his initial statements, said that he had taken the gun out with his right hand but then transferred it to his left hand, with which he fired, since he was left-handed. At trial he asserted that he was right-handed and produced photographs and witnesses to prove it;

– Mr Dadayev retracted his confession, stating that it had been obtained under torture and made in order to secure the release of an associate, who had family (unlike Mr Dadayev). Andrei Babushkin, a representative of the Moscow Public Monitoring Commission, a human rights body, visited Mr Dadayev and others in detention and recorded "multiple wounds" on Mr Dadayev's body;

– Mr Babushkin also recorded injuries to the nose, wrists and legs of Anzor Gubashev (the driver of the getaway car). Although Mr Gubashev did not complain of ill-treatment at the time, his younger brother, who was also detained, said that Anzor had been beaten and forced to confess. Anzor Gubashev later retracted his confession, stating that he had indeed been tortured;

– in May 2017, the prosecution unexpectedly produced Sergei Budnikov, the driver of the garbage truck, and Evgeniy Molodykh, an eye-witness, in court, having previously asserted that they could not be located;

– Mr Molodykh had told investigators that he only saw the shooter from behind, in the dark, and did not see his face, and that he would probably not be able to identify him. During the trial, however, he said that he had seen the shooter in profile and that he had stubble on his face. He also made a court-room identification of Mr Dadayev as "looking like" the shooter;

– Mr Molodykh also gave inconsistent statements concerning whether Mr Nemtsov's companion, Ms Duritskaya, was present when he approached the body; how many people Ms Duritskaya spoke to at the garbage truck; and the presence of two women near the crime scene, mentioned in his second statement but never traced. Mr Molodykh's second statement was taken in the middle of the night, a day after the murder, shortly after TVTs released its video;

– a witness who had cleaned the Moscow apartment where the defendants had stayed was unable to identify them to investigators but did so at trial. Her explanation was that she had previously been afraid to do so;

– a witness who had sold the getaway car had been unable to identify the person who bought it from him when questioned by investigators but during the trial said that he could do so;

– Ms Duritskaya was taken away from the scene by the police but not allowed to see a lawyer until the following day, nor the Ukrainian consul until two days after that. Her witness statement was on several points not consistent with other testimony: she stated that Mr Nemtsov had been shot from a passing car; she said that Mr Budnikov had refused to call the police from her phone, whereas he described in detail how he had; and she did not mention the two people who can be seen on the TVTs video who

approached, spoke to then led her away from the garbage truck, to which she had gone following the shooting, and towards the staircase leading down from the bridge. Ms Duritskaya declined to sign the statement that investigators drew up for her.

5.3. Issues concerning the conduct of the investigation and the prosecution case

28. Various aspects of the investigation and the prosecution case presented appear implausible or even impossible. For example:

– the TVTs video appears to show two people approaching Ms Duritskaya, speaking to her and leading her away towards the staircase leading down from the bridge. After this happened, a man approached Mr Nemtsov's prone body and stood over it. Ms Duritskaya's statement does not mention these two people (see further above);

– before the date on which investigators said they were first examined, Russian media reported information on the bullet casings, consistent with the evidence given at trial;

– before the dates on which the photos appeared in the case files, Russian media reported that photographs of suspects had been obtained, showing that they were probably from the southern regions of the Russian Federation;

– the suspects were detained on 5 and 6 March, yet the information by which they were supposedly identified seems not to have been analysed until later, including mobile phone data from the bridge at the time of the murder, video recordings from the GUM store where Mr Nemtsov had been before crossing the bridge, and video from the location at which the getaway car was abandoned and later recovered;

– the police stated that they located and seized the getaway car on 28 February 2015 and towed it away on 1 March, yet the car was identified driving at different locations in Moscow on 5, 6 and 13 March. The FSB's explanation was that the subsequent identifications related to the car as it was being towed away;

– evidence relating to the car was weak in general: there was inconsistent witness testimony on the car, including its likely model and colour; no witness testimony on its registration number; no video identifying it on the bridge, just images showing four similar cars leaving the bridge together; and inconsistent evidence on its use to conduct surveillance of Mr Nemtsov in the months prior to the murder;

– there was no explanation as to why Mr Budnikov, driver of the garbage truck, drove away after the police had been called but before they arrived, leaving Ms Duritskaya alone with the body;

– there was no explanation as to why the killers would leave a mobile phone at the Moscow apartment when they had supposedly taken the trouble to dispose of clothing and the gun;

– there was no explanation as to how Mr Mukhudinov, an army driver, obtained 15 million roubles to pay for the murder;

– there was no evidential basis for the alleged motive of revenge for comments Mr Nemtsov had made defending freedom of speech in the case of the *Charlie Hebdo* cartoons of Mohammad. Indeed, the prosecution asserted that the car used in the getaway had been following Mr Nemtsov two months before he even made these comments and had been purchased one month before that.

29. As a prominent opposition politician and critic of the government, involved in organising an imminent, major opposition demonstration and about to publish a report on Russia's then-secret military intervention in Ukraine, it seems unlikely that Mr Nemtsov was under no form of surveillance by the Russian security services. If so, one would ask why this surveillance had not revealed that other parties were following Nemtsov, especially if this had been continuing since the previous autumn. If they had been aware of this, one must also ask why the security services did not intervene.

30. Nemtsov's killers were charged with the crime of ordinary murder under Article 105 of the Russian Criminal Code (and with illegal possession of a firearm). Article 277 of the Criminal Code establishes an aggravated offence of attack on the life of a State or public figure and is not subject to any statute of limitations. Mr Nemtsov was not only a leading opposition politician and member of the Yaroslavl regional parliament at the time of his death, playing a leading role in organising opposition political activities in the days before his death, but had formerly been a first deputy prime minister, deputy speaker of the State Duma and regional governor. Prosecution for the aggravated offence would thus have been fully justified. The Nemtsov family's lawyers' requests that the offence be reclassified accordingly were rejected by the trial court, on the

basis that “it has been established beyond reasonable doubt during the investigation that the murder of Mr Nemtsov was not linked to his political or social activities. Hence there is no reason to bring charges under Article 277”. This reasoning is difficult to understand; of all the various explanations put forward for the murder, only the most absurd – that it was linked to his private life – suggests no connection with his political activities. The Supreme Court’s decision on Ms Nemtsova’s appeal concluded that since the sole purpose of the murder was a “contract killing”, the request to reclassify the offence under Article 277 and remit the case to the prosecutor was “untenable”.

31. Other circumstances surrounding the investigation and trial add to the impression of reluctance on the part of the authorities to extend the case beyond those immediately responsible for the killing and to identify the masterminds behind it. The case against the purported organiser, Mukhudinov, for example, along with that of other “unidentified individuals” who offered payment to the defendants, was severed from the rest of trial of the others. With the whereabouts of Geremeyev unknown and Shavanov dead, this effectively cut the investigation of possible links between the defendants and higher levels of authority in the Chechen Republic.

5.4. Issues concerning the conduct of the trial

32. There were numerous irregularities in the judge’s conduct of the trial. For example:

– in November 2016, the judge, supported by the prosecution, attempted to impose a new, additional lawyer on Mr Bakhaev. Mr Bakhaev and his existing lawyer, Zaurbek Sadakhanov, stated that this was unnecessary, and even the new lawyer said that her participation would be impossible if Mr Bakhaev did not want it. The judge nevertheless appointed the new lawyer as Mr Bakhaev’s second representative. The new lawyer was permitted to withdraw only when it became apparent that the time needed for her to acquaint herself with the evidence would delay proceedings by up to a month;

– in December 2016, Mr Sadakhanov applied to the court for permission to interrogate President Putin. A week later, he was accosted in public by a man who threatened to kill him. In February 2017, his car tyres were slashed; two days later, his car was broken into and his copy of the case files, recordings of the hearings and personal documents stolen. In July 2017, he was physically assaulted by several people who referred to his request to question President Putin;

– one of the jurors, Aleksandra Karaseva, an academic historian who had twice previously served as a juror, was highly critical of the attitude of the judge towards the prosecution and the defence. Ms Karaseva described how the judge “played up to the prosecution, placing the [defence] attorneys in an inferior position”. This included allowing the prosecutor to present evidence discrediting the defendants which should have been inadmissible, such as photographs of them smoking marijuana, and to interrupt the defence when presenting evidence; and joining the prosecutor in interrupting the closing speeches of the defence;

– in March 2017, the judge removed Ms Karaseva from the jury on the grounds that she had represented someone in a labour dispute (lawyers are prohibited from serving on Russian juries, although Ms Karaseva was not a lawyer). Ms Karaseva believes that her removal was linked to her having repeatedly asked to see evidence of mobile phone conversations of one of the accused;

– the judge removed another juror from the case for having stated her view of the defendants’ guilt to other jurors – although other jurors said that she was far from the only one to have done so;

– the judge also removed other jurors: one who reported that he had been approached by a relative of one of the defendants, but said that this would not influence his objectivity; and two more right at the end of the trial, one because she had not disclosed that her husband had a conviction, the other because of an anonymous report that she had shown evidence to colleagues.

6. Alternative theories of the case

33. These various concerns have led to alternative theories of the case being advanced. As noted above, Mr Nemtsov’s family lawyers are convinced that the killers could not and would not have acted without at least the knowledge and approval of their hierarchical superiors in Chechnya. Indeed, this, combined with the lack of any convincing motive on the part of Mr Mukhudinov, gives rise to a strong suspicion that the murder had in fact been ordered by hierarchical superiors, possibly even by Mr Kadyrov himself, who may have felt motivated to eradicate a source of personal annoyance and political danger to his patron and protector, President Putin.

34. The theory of the Nemtsov family's lawyer is supported by evidence from various sources of threats to Mr Nemtsov's life. In October 2018, Akhmed Zakayev, an eminent Chechen political figure in exile, gave a sworn statement in which he said how in February 2012, he had received information from sources in Chechnya whom he considered completely reliable concerning a plan by "senior officials of Russia" to kill Mr Nemtsov. Mr Zakayev believed that President Putin did not put the plan into effect at the time as he still hoped to improve relations with western countries. After 2014, this was clearly no longer possible, and the plan was reactivated. In March 2018, Andrey Piontkovskiy, a former political associate of Mr Nemtsov, gave a statement concerning his presence at a February 2012 meeting in Oslo where Mr Zakayev informed Mr Nemtsov of the plot, confirming what had been said. It can be recalled that President Putin awarded Mr Kadyrov the Order of Honour on 9 March 2015, one day after Mr Kadyrov praised Mr Dadayev as a "true patriot" the day after Mr Dadayev was arrested.

35. On 30 November 2018, Mr Prokhorov forwarded the statements of Mr Zakayev and Mr Piontkovskiy to the Russian Investigative Committee with a request to take further investigative action on the information they contained. On 7 December 2018, the Investigative Committee rejected the request, describing the statements as being "based on conjectures and speculations" and not offering "any further details of the criminal offence committed against Mr. Nemtsov, or any specific information demonstrating that the individuals specified in the interview records were implicated in his killing." Interrogation of Mr Zakayev or Mr Piontkovskiy would thus "not … be sufficient to establish any facts on the basis of which the investigator would be able to establish the existence or non-existence of facts to be proved in criminal proceedings, or any other relevant facts".

36. The Nemtsov family's theory is in many ways more consistent with the evidence and the overall circumstances of the case than that presented by the prosecution and reflected in the convictions. Given the situation in Chechnya, the way in which it is governed and the close family and professional connections between the killers and senior Chechen officials, it seems extremely unlikely that the defendants would have travelled to Moscow to kill a high-profile public figure in front of the Kremlin without direct instructions from other, more powerful persons. The official explanation that persons intimately connected with Chechen power structures committed such an audacious and risky act merely in return for payment by a driver is hard to believe. Furthermore, in some cases, apart from the various close personal and professional connections between the persons implicated by the Nemtsov family, there was damning material evidence linking them to the killers' preparatory movements in Moscow – evidence of which the investigators were aware.

37. At the same time, it would be astonishing – and surely a matter of grave concern for the Russian authorities – that a group of armed men, closely connected to the Chechen security forces and political authorities, can have even considered murdering a prominent public figure at the very gates of the Kremlin, the heart of Russian Government. The apparent reluctance of the investigation to explore all possible avenues of responsibility for the murder is thus all the more surprising.

38. Other commentators have proposed different theories, attempting to account for important evidence that was effectively ignored in the official account. These theories find particularly significant the following matters:

– the presence of the two people/women who led Ms Duritskaya away from Mr Nemtsov's body at the time when Mr Molodykh approached, and the fact that these two people were never traced or questioned;

– the actions of Mr Molodykh and his inconsistent evidence, which changed when the TVTs video became publicly available;

– the implausible absence of much of the expected video evidence from State sources, including the FSO, responsible for security in and around the Kremlin yet apparently without any cameras directed at a principal entrance route;

– the lack of detailed analysis of much of the available video evidence;

– the inadequate treatment of the crime scene, which failed to record important information on the location of bullets and casings;

– the inconsistencies in the forensic evidence concerning the bullets, shell casings and Mr Nemtsov's injuries, and the suggestion that he was shot with bullets fired from two different guns.

39. In order to account for these matters, it has been suggested that two guns, in the hands of two different people, were used to shoot Mr Nemtsov. The second shooter was Mr Molodykh, who intervened to "finish off" Mr Nemtsov, possibly after Mr Dadayev's gun misfired. Analysis of dashcam video is said to show Mr Molodykh in the process of firing these shots.

40. The role played by other, non-Chechen parties, is said to be FSB involvement. This would explain the absence of FSO videos and the fact that the Chechens were arrested before the evidence by which they were identified had been examined by the official investigators. Instead, there was a parallel (or even prior) FSB investigation, intended to climb the hierarchical chain in Chechnya in order to implicate Mr Kadyrov. This would explain why the FSB announced the arrests. The FSB, or at least a faction thereof, are said to have been motivated by a desire to discredit Mr Kadyrov and end his regime, the installation of which, following the second Chechen War, they considered to have deprived them of the possibility of final victory. Only the personal intervention of President Putin himself put a stop to the FSB's efforts.

41. The most radical theory denies that the convicted Chechens were involved at all, dismissing evidence from the bridge as utterly inconclusive and other evidence as fabricated. Instead, the murder was a large-scale FSB operation on and around the bridge, involving the two untraced women and the driver of the garbage truck (amongst many others).

7. Conclusions and recommendations

42. It is regrettable that the Russian authorities chose not to co-operate with the preparation of this report. I would like to have asked for their explanations of the flaws in the investigation, trial and verdict. I would like to have ascertained their views on the alternative theories. The absence of this input has not, however, prevented me from reaching conclusions.

43. Taken as a whole, the available evidence shows that the Russian authorities did not investigate the murder thoroughly, effectively and in good faith. Too much evidence was either not obtained, not properly analysed or not consistent with the prosecution case and the result of the trial. Too many explanations for omissions and inconsistencies were implausible. Too many reasonable requests, from lawyers for both the defendants and the Nemtsov family, were unreasonably rejected. Too much preference was shown to the prosecution during trial, and too much hostility towards the defence. The refusal to recognise murder as a political killing was unjustifiable. The decision to artificially limit the case to those immediately responsible seems designed to prevent public inquiry into who might have ordered the killing.

44. In order to ensure an effective investigation of the full circumstances of the murder, including identification of those who ordered it, the Russian authorities should take a series of measures, as detailed in the draft resolution. Mr Nemtsov's murder was an event of international significance and the governments of all Council of Europe member States should take every opportunity to remind the Russian authorities of the need to identify and prosecute all those involved, including the organisers and instigators.

45. On 16 May 2019, the US Department of the Treasury imposed Magnitsky Act sanctions on Ruslan Geremeyev for "acting as an agent of or on behalf of Head of Chechen Republic Ramzan Kadyrov in a matter relating to extrajudicial killings, torture, or other gross violations of internationally recognized human rights", noting that "Russian investigators twice tried to bring charges against Geremeyev as the possible organizer of Boris Nemtsov's murder, but were blocked by the head of the Investigations Committee".[5] Those member States that have introduced "Magnitsky laws" permitting targeted sanctions in response to serious human rights violations, as supported by the Parliamentary Assembly in Resolution 2252 (2019) "Sergei Magnitsky and beyond – fighting impunity by targeted sanctions", should consider applying such sanctions on persons implicated in the murder of Mr Nemtsov, as well as those responsible for the failures to fully investigate it, reflecting the clear lack of political will involved.

5. "Treasury Targets Additional Individuals Involved in Sergei Magnitsky Case and Gross Violations of Human Rights in Russia", US Department of the Treasury, 16 May 2019.