



Resolution 2423 (2022)¹

Poisoning of Alexei Navalny

Parliamentary Assembly

1. On 20 August 2020, Russian opposition politician and anti-corruption activist Alexei Navalny suffered a dramatic decline in health on a flight from Tomsk to Moscow. His plane made an emergency landing at Omsk, where he was taken to a local hospital. Two days later a medical evacuation flight took him to Berlin, where he remained in acute inpatient care at the Charité hospital until 23 September 2020. Following his recovery, he returned to Russia, where he was detained for having breached the terms of a suspended sentence that the European Court of Human Rights had found to be in violation of Article 7 (no punishment without law) of the European Convention on Human Rights (ETS No. 5). He is currently imprisoned in Russia.

2. The Parliamentary Assembly notes the ample and widely reported medical evidence showing that Mr Navalny was poisoned with an organophosphorus cholinesterase inhibitor while in Russia, prior to his dramatic decline in health on 20 August 2020. It dismisses any suggestion that he was poisoned at any time after being carried on board the medical evacuation flight from Omsk to Berlin on 22 August 2020, while noting the Russian authorities' position that Mr Navalny's symptoms were due to a disrupted carbohydrate metabolism.

3. The Assembly notes that five separate tests have established that Mr Navalny was poisoned with a substance that was structurally related to a group of chemicals listed in the Annex on Chemicals of the Organisation for the Prohibition of Chemical Weapons' Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (the Chemical Weapons Convention), although the specific substance concerned is not listed in the annex. Substances belonging to this group of chemicals, originally developed in the Union of Soviet Socialist Republics (USSR), are generally referred to as "Novichok".

4. The Assembly notes that Novichok is an extremely toxic nerve agent, known to have been produced only in State laboratories in the USSR and, reportedly, Russia. It requires very careful handling by specialists. The Assembly further notes investigative reports that point to the possible involvement of agents of the Federal Security Service (FSB) of the Russian Federation in the poisoning of Mr Navalny. This assertion is further reinforced by the Russian authorities' admission that Mr Navalny was under surveillance by the FSB.

5. The Assembly recalls the numerous judgments of the European Court of Human Rights which have found that earlier unlawful repressive actions of the Russian authorities had had a chilling effect on Mr Navalny's political activities and were politically motivated, with one judgment finding a violation of Article 18 of the European Convention on Human Rights.

6. The Assembly recalls that Russia is obliged under Article VII of the Chemical Weapons Convention to criminalise, and consequently to investigate and punish, any suspected use of chemical weapons on its territory. It recalls that Russia is obliged under Article 2 (right to life) of the European Convention on Human Rights to investigate the attack on Mr Navalny's life. It considers that Russia has yet to conduct an effective investigation into either of these matters, giving no reasonable explanation for these failures.

1. *Assembly debate* on 26 January 2022 (6th sitting) (see [Doc. 15434](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Jacques Maire). *Text adopted by the Assembly* on 26 January 2022 (6th sitting).



7. The Assembly regrets and expresses serious concerns over Russia's failure to co-operate with its rapporteur on the poisoning of Mr Navalny. It also regrets Russia's failure to co-operate fully on the same issue with the United Nations special rapporteurs on extrajudicial, summary or arbitrary executions and on the promotion and protection of the right to freedom of opinion and expression, or with the Organisation for the Prohibition of Chemical Weapons, where Russia has argued that there are insufficient grounds to open an investigation into Mr Navalny's illness. The Assembly also regrets Russia's failure to co-operate with its former rapporteur concerning the report entitled "Shedding light on the murder of Boris Nemtsov" ([Resolution 2297 \(2019\)](#)).
8. The Assembly encourages the Russian Federation and the wider international community to collaborate constructively in all relevant international forums where Mr Navalny's case may be under discussion.
9. The Assembly therefore calls on the Russian Federation to:
 - 9.1. fulfil its obligations under the European Convention on Human Rights by:
 - 9.1.1. launching an independent and effective investigation into the poisoning of Alexei Navalny, with a thorough, objective and impartial analysis of all relevant elements. Those responsible for the investigation and those carrying it out must be independent from the FSB. The investigation should be expeditious, permit sufficient public scrutiny and be accessible to Mr Navalny, whose procedural rights under Russian law in relation to any form of investigative process must also be respected in full; it would also ideally benefit from international co-operation;
 - 9.1.2. immediately releasing Mr Navalny under the interim measure indicated by the European Court of Human Rights on 16 February 2021;
 - 9.2. fulfil its obligations under the Chemical Weapons Convention, including by investigating the alleged development, production, stockpiling and use of a chemical weapon on Russian territory and by providing as soon as possible substantive replies to questions posed by other States Parties and, more generally, by fully co-operating with the mechanisms foreseen by the convention;
 - 9.3. reach agreement on a technical assistance visit by the Organisation for the Prohibition of Chemical Weapons on the standard conditions that guarantee the independence of its technical secretariat; this visit should take place at the very earliest opportunity;
 - 9.4. stop using all forms of repressive measures against political opposition and civil society activists.