

116TH CONGRESS  
2D SESSION

# H. RES. 1145

Condemning the poisoning of Russian opposition leader Alexei Navalny and calling for a robust United States and international response.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2020

Mr. MCGOVERN (for himself, Mr. FITZPATRICK, Mr. MALINOWSKI, and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, Transportation and Infrastructure, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## RESOLUTION

Condemning the poisoning of Russian opposition leader Alexei Navalny and calling for a robust United States and international response.

Whereas Alexei Navalny is a well-known anticorruption activist and leader of the political opposition in Russia;

Whereas Mr. Navalny garnered 27 percent of the vote in the 2013 Moscow mayoral election;

Whereas since that election, Mr. Navalny and his party have been repeatedly denied the opportunity to compete in elections;

Whereas Mr. Navalny has been imprisoned multiple times for participating in unsanctioned protests;

Whereas Mr. Navalny was attacked twice with a chemical substance in 2017 and potentially poisoned in 2019 while in prison;

Whereas over the years a number of Russian journalists, human rights activists, politicians, whistleblowers, and others have been killed or died under mysterious circumstances, in Russia and overseas, including—

(1) former Russian spy Alexander Litvinenko (in London) and investigative journalist Anna Politkovskaya in 2006;

(2) human rights lawyer Stanislav Markelov, journalist Anastasia Baburova, and human rights activist Natalya Estemirova in 2009; and

(3) opposition politician Boris Nemtsov in 2015;

Whereas, on August 20, 2020, Mr. Navalny fell ill while on a domestic flight in Russia;

Whereas, on August 22, 2020, Mr. Navalny was evacuated by airlift from Omsk, Russia, to Berlin, Germany, for his protection and to ensure he would receive a high standard of health care to improve his chances of recovery;

Whereas German chemical weapons experts conducted tests and found “unequivocal” evidence that Mr. Navalny had been poisoned with a Soviet-era Novichok chemical nerve agent;

Whereas specialized laboratories in France and Sweden confirmed that Mr. Navalny was poisoned with a nerve agent from the Novichok group;

Whereas the Government of the Russian Federation has repeatedly denied that Mr. Navalny was poisoned;

Whereas the Government of the Federal Republic of Germany has called on the Government of the Russian Federation to open an investigation into Mr. Navalny's case;

Whereas the Russian Federation is a state party to the International Covenant on Civil and Political Rights (ICCPR);

Whereas Article 6 of the ICCPR states that "Every human being has the inherent right to life" and "No one shall be arbitrarily deprived of his life";

Whereas Article 9 of the ICCPR states that "Everyone has the right to liberty and security of person.";

Whereas the Russian Federation is a member of the Organization for Security and Cooperation in Europe (OSCE);

Whereas respect for human rights is key to the OSCE's comprehensive approach to security and therefore the OSCE monitors the human rights situation in its 57 participating states;

Whereas Congress passed the Sergei Magnitsky Rule of Law Accountability Act of 2012 (title IV of Public Law 112–208) and the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328) in 2016 which provide the United States Government with authorities to respond to grave violations of human rights and corruption in Russia; and

Whereas in response to a previous Novichok attack against a United Kingdom national and his daughter in 2018, the United States Government imposed two rounds of sanctions on Russia pursuant to the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (Public Law 102–182; 22 U.S.C. 5601 et seq.): Now, therefore, be it

1        *Resolved*, That the House of Representatives—

1           (1) condemns the apparently purposeful poi-  
2           soning on August 20, 2020, of Russian  
3           anticorruption activist and opposition leader Alexei  
4           Navalny;

5           (2) expresses its appreciation for the prompt  
6           and generous efforts of the Cinema for Peace Foun-  
7           dation and the Government of the Federal Republic  
8           of Germany to ensure high-quality health care for  
9           Mr. Navalny after he was poisoned by facilitating his  
10          transfer by airlift from Russia to Germany;

11          (3) welcomes reports that Mr. Navalny has  
12          emerged from a medically induced coma and is  
13          gradually recovering from the poisoning;

14          (4) hopes for Mr. Navalny's full and complete  
15          recovery so that he may promptly resume his life  
16          and work;

17          (5) urges multilateral human rights monitoring  
18          bodies to monitor the case of the August 2020 poi-  
19          soning of Alexei Navalny as a probable violation of  
20          his fundamental human rights and to respond ac-  
21          cordingly;

22          (6) calls on the Government of the Russian  
23          Federation to cooperate with an independent, impar-  
24          tial, and thorough investigation of the reported poi-  
25          soning of Alexei Navalny;

1           (7) calls on the United States Government to  
2 support international or multilateral efforts to en-  
3 sure an independent, impartial, and thorough inves-  
4 tigation of the reported poisoning of Alexei Navalny;

5           (8) urges the United States Government, in all  
6 its interactions with the Government of the Russian  
7 Federation, to raise the case of the poisoning of  
8 Alexei Navalny and underscore the necessity of  
9 bringing the organizers and perpetrators to justice;

10          (9) calls on the Secretary of State and the Sec-  
11 retary of the Treasury to use their authority under  
12 the Sergei Magnitsky Rule of Law Accountability  
13 Act of 2012 (title IV of Public Law 112–208) and  
14 the Global Magnitsky Human Rights Accountability  
15 Act (subtitle F of title XII of Public Law 114–328)  
16 to designate individuals whom they determine upon  
17 investigation to have been involved in the poisoning  
18 of Alexei Navalny as perpetrators, organizers, or  
19 masterminds, on the list of specially designated na-  
20 tionals and blocked persons maintained by the Office  
21 of Foreign Assets Control of the Department of the  
22 Treasury, freezing their assets and making them in-  
23 eligible to receive United States visas; and

24          (10) supports the 60-day review period trig-  
25 gered by the submission of a letter to the President

1 by the Chair and Ranking Member of the Foreign  
2 Affairs Committee of the House of Representatives  
3 to investigate whether the poisoning of Alexei  
4 Navalny constitutes use of a chemical weapon by the  
5 Government of the Russian Federation in contraven-  
6 tion of international law, and if so, to impose sanc-  
7 tions pursuant to the Chemical and Biological Weap-  
8 ons Control and Warfare Elimination Act of 1991  
9 (Public Law 102–182; 22 U.S.C. 5601 et seq.).

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