

118TH CONGRESS
2D SESSION

S. RES. 629

Condemning the arbitrary arrest of United States citizens by the Government of the Russian Federation and calling for the immediate and unconditional release of such citizens.

IN THE SENATE OF THE UNITED STATES

APRIL 8, 2024

Mr. DURBIN (for himself, Mr. KAINE, Mr. FETTERMAN, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. CASEY, Mr. COONS, Mr. WHITEHOUSE, Mr. KING, Mrs. MURRAY, Ms. CORTEZ MASTO, Ms. STABENOW, Ms. KLOBUCHAR, Mr. BENNET, Mrs. SHAHEEN, Mr. MERKLEY, Mr. BOOKER, Mr. WELCH, Mr. SANDERS, Mr. WYDEN, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Condemning the arbitrary arrest of United States citizens by the Government of the Russian Federation and calling for the immediate and unconditional release of such citizens.

Whereas the Government of the Russian Federation has arbitrarily and cruelly arrested United States citizens under false pretenses in order to extract bargaining leverage on unrelated matters;

Whereas the Russian Federation is a permanent member of the United Nations Security Council;

Whereas, on March 29, 2023, the Government of the Russian Federation arrested United States citizen and accredited Wall Street Journal reporter Evan Gershkovich on fraudulent charges of espionage for his reporting on the Russian economy;

Whereas Gershkovich has spent more than one year in pre-trial detention in the notorious Lefortovo prison in Moscow, including in isolation with limited access to medical care and attorneys;

Whereas, even during the Cold War, the Soviet Union never held a journalist from the United States for similar long-term detention, with the closest parallel being the 1986 arrest and 13-day detainment of U.S. News and World Report journalist Nicholas Daniloff;

Whereas the Department of State determined on April 10, 2023, that Gershkovich has been wrongfully detained by the Government of the Russian Federation;

Whereas, on December 28, 2018, the Government of the Russian Federation arrested United States citizen Paul Whelan and later convicted him on June 15, 2020, on fraudulent espionage charges;

Whereas Whelan has spent nearly four years in various high-security jails and labor camps in the Russian Federation, while enduring solitary confinement, forced labor, and the denial of medical care;

Whereas the Department of State determined on April 10, 2023, that Whelan has been wrongfully detained by the Government of the Russian Federation;

Whereas United States Ambassador to the Russian Federation Lynne Tracy publicly stated on March 26, 2024, following Evan Gershkovich's court hearing, "Evan's case is

not about evidence, due process, or rule of law. It is about using American citizens as pawns to achieve political ends, as the Kremlin is doing in the case of Paul Whelan”;

Whereas, on June 2, 2023, the Government of the Russian Federation arrested United States citizen and Radio Free Europe/Radio Liberty journalist Alsu Kurmasheva on politically motivated charges of working as a foreign agent and “spreading falsehoods about the Russian military,” and who now faces a prison sentence up to 15 years;

Whereas the Government of the Russian Federation has repeatedly denied consular access, basic medical care, and ordered Kurmasheva to remain in pre-trial detention in prison conditions Kurmasheva described as “inhumane”;

Whereas, on August 14, 2021, the Government of the Russian Federation arrested United States citizen and international schoolteacher Marc Fogel for possession of medical marijuana prescribed by his physician, then sentenced him on June 16, 2022, to an excessive 14-year sentence in a Russian labor camp;

Whereas lawyers from the Russian Federation informed Fogel’s family that the typical sentence for the offense is five years of probation, and in 2019, the same Russian court sentenced a Russian defendant to eight years in prison for the possession of 1,500 grams of various narcotics;

Whereas the Government of the Russian Federation sentenced Fogel to punishment vastly disproportionate to the severity of his nonviolent crime, wildly dissimilar to the typical punishments for comparable offenses in the Russian Federation, and clearly motivated by ongoing polit-

ical tensions between the Russian Federation and the United States;

Whereas, on January 28, 2024, the Government of the Russian Federation arrested United States citizen and amateur ballerina Ksenia Khavana on fraudulent charges of high treason during a visit to the Russian Federation after she donated \$50 to a charity supporting humanitarian aid for Ukraine;

Whereas Khavana has been held in a high-security prison with no access to hot water or heat during winter, and faces a 20-year sentence with limited means of legal defense;

Whereas, on February 17, 2022, the Government of the Russian Federation arrested Brittney Griner on trumped-up charges, kept her in detention for approximately ten months, and eventually released her on December 8, 2022, in exchange for notorious Russian arms dealer Viktor Bout;

Whereas, on April 11, 2022, the Government of the Russian Federation arrested United States permanent resident Vladimir Kara-Murza for criticizing renewed invasion of Ukraine by the Russian Federation and resulting ongoing war and the criminality of the Government of the Russian Federation, and sentenced Kara-Murza on April 17, 2023, to a 25-year sentence for “high treason”;

Whereas human rights groups in the Russian Federation estimate that the Government of the Russian Federation holds nearly 20,000 political prisoners in Russian jails, including, until his February 2024 death in a Siberian gulag, opposition leader Alexei Navalny;

Whereas the Government of the Russian Federation has kidnapped more than 19,000 Ukrainian children and abducted them to the Russian Federation, resulting in President Vladimir Putin being indicted by the International Criminal Court for war crimes;

Whereas, under Vladimir Putin, Russian courts are neither independent nor fair in the administration of justice and are entirely beholden to the political whims of Putin;

Whereas the Government of the Russian Federation has refused to provide neither minimal due process nor fair independent legal proceedings for United States citizens Gershkovich, Whelan, Kurmasheva, Fogel, and Khavana;

Whereas the Department of State has called for the release of Gershkovich, Whelan, Kurmasheva, Fogel, and Khavana;

Whereas the arrest and continued detention of Gershkovich, Whelan, Kurmasheva, Fogel, and Khavana amount to hostage taking by the Government of the Russian Federation: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) condemns—

3 (A) the arbitrary arrest and continued de-
4 tention of United States citizens Evan
5 Gershkovich, Paul Whelan, Alsu Kurmasheva,
6 Marc Fogel, and Ksenia Khavana, and United
7 States permanent resident Vladimir Kara-
8 Murza by the Government of the Russian Fed-
9 eration;

1 (B) the hostage taking of United States
2 citizens by a Permanent Member of the United
3 Nations Security Council; and

4 (C) the ongoing persecution, arrest, and
5 political imprisonment of ordinary Russian citi-
6 zens and human rights defenders who call for
7 the end of the war in Ukraine and demand free-
8 dom in the Russian Federation;

9 (2) urges the Department of State to determine
10 that Alsu Kurmasheva, Marc Fogel, Ksenia
11 Khavana, and Vladimir Kara-Murza have been
12 wrongfully detained by the Government of the Rus-
13 sian Federation; and

14 (3) calls on the immediate and unconditional re-
15 lease of United States citizens Evan Gershkovich,
16 Paul Whelan, Alsu Kurmasheva, Marc Fogel, and
17 Ksenia Khavana, and United States permanent resi-
18 dent Vladimir Kara-Murza.

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