

United States Senate  
WASHINGTON, DC 20510

October 21, 2020

The Honorable Mike Pompeo  
U.S. Department of State  
2201 C Street, NW  
Washington, D.C. 20520

The Honorable Steven Mnuchin  
Department of the Treasury  
1500 Pennsylvania Avenue NW  
Washington, D.C. 20220

Dear Secretary Pompeo and Secretary Mnuchin,

The attempted murder of Russian opposition leader Alexei Navalny through the use of an illegal chemical nerve agent must be met with a strong response by the international community. As the Director-General of the Organization for the Prohibition of Chemical Weapons (OPCW), Fernando Arias, stated in relation to the poisoning of Mr. Navalny, “Under the Chemical Weapons Convention, any poisoning of an individual through the use of a nerve agent is considered a use of chemical weapons. Such an allegation is a matter of grave concern. States Parties to the Chemical Weapons Convention deem the use of chemical weapons by anyone under any circumstances as reprehensible and wholly contrary to the legal norms established by the international community.”

We urge you to hold those accountable for this heinous act through sanctions authority already available to the Administration, including under the Sergei Magnitsky Rule of Law Accountability Act, the Global Magnitsky Human Rights Accountability Act, and the Chemical and Biological Weapons Control and Warfare Elimination (CBW) Act. The United States must lead the international community and act decisively to deter future attacks both within Russia and beyond its borders on Mr. Navalny and other regime critics.

Mr. Navalny is currently the most prominent critic of Vladimir Putin operating in Russia. He and his Anti-Corruption Foundation have acted as the conscience of Russia at a time of rampant official corruption at the pinnacle of the Russian state. Mr. Navalny’s investigations of senior Russian officials have inspired a generation of young Russians to imagine a country that is governed by the rule of law and where the ordinary citizen has a voice.

In 2010, Navalny shared his views with the U.S. Helsinki Commission. He visited the United States and participated in a Commission event “Beyond Corporate Raiding: A Discussion of Advanced Fraud Schemes in the Russian Market.” The Commission has since followed his anti-corruption advocacy in Russia with great interest, even as the Russian state descended further into kleptocracy.

As you are aware, Mr. Navalny fell ill on a flight from Siberia on August 20<sup>th</sup> and slipped into a coma. While his family was initially prevented by the Russian government from transferring him, he was ultimately transferred from Russia to Germany for treatment, where German military scientists found traces of the nerve agent Novichok in biological samples from Mr. Navalny, as well as on a plastic water bottle from his hotel. These findings were supported by the Organization for the

Prohibition of Chemical Weapons, which confirmed this month that the substance used to poison Mr. Navalny had “similar structural characteristics” to the Novichok family of nerve agents.<sup>1</sup>

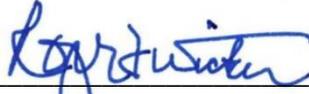
The United States currently has numerous authorities to sanction Mr. Navalny’s would-be assassins, those who assisted them, and those who ordered this crime. These include, but are not limited to, the Sergei Magnitsky Act and the Global Magnitsky Act, which provide the Administration with the authority to sanction individuals responsible for gross violations of internationally recognized human rights committed against individuals either seeking to expose government corruption or to obtain, defend, exercise, or promote, human rights and freedoms. Furthermore, the CBW Act requires the President to impose sanctions on a foreign government when it has been found to use a chemical agent as a weapon. Given the details of this incident and the evidence available, we urge you to use the authorities already available to you to ensure this crime does not go unpunished.

Mr. Navalny is just the latest in a series of political activists who have been poisoned after opposing the Putin regime. Former Russian military intelligence officer and British double agent Sergei Skripal and his daughter Yulia were almost killed in Salisbury, England by exposure to Novichok in 2018. Russian democracy advocate Vladimir Kara-Murza was poisoned in 2015 and 2017. Former FSB officer Alexander Litvinenko died from radiation poisoning in London in 2006. In 2004, journalist Anna Politkovskaya was sickened on a flight; she survived only to be shot two years later. Navalny too suspects that he was previously poisoned while in prison in 2019. The U.S. cannot remain quiet as Russia attempts to silence opponents around the world.

Those whom Mr. Navalny has rightly branded as “thieves and crooks” have attempted to silence one of Russia’s last independent voices with this attack. As this Administration works with partners to identify the individuals behind this crime, the commitment of the United States to deterring such acts is critical. The Putin regime has already shown a willingness to murder its critics in other countries using radioactive materials and chemical weapons. Our efforts to assist those who seek only that their country abide by its own laws and international commitments serve as a powerful signal to all brutal regimes.

Sincerely,

  
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Benjamin L. Cardin  
United States Senator

  
\_\_\_\_\_  
Roger F. Wicker  
United States Senator

  
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Richard J. Durbin  
United States Senator

  
\_\_\_\_\_  
Mitt Romney  
United States Senator

<sup>1</sup> [October 6, 2020, OPCW Note by the Technical Secretariat, “Summary of the Report on Activities Carried Out in Support of a Request for Technical Assistance by Germany.”](#)



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Christopher A. Coons  
United States Senator



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Marco Rubio  
United States Senator