



OPCW

Organisation for the Prohibition of Chemical Weapons

Director-General

The Hague, 3 March 2021
L/ODG-33/21

Dear Ambassador,
Excellency, Dear Alexander,

Thank you for our meeting of 19 February 2021, during which you conveyed to me, orally, a message from H.E. Minister Lavrov, and for having subsequently provided me with a written version (translated from Russian to English) of Minister Lavrov's message.

In his message, Minister Lavrov has asked me to instruct the experts of the OPCW Technical Secretariat to give a thorough consideration to the ideas contained in an open letter sent to the Minister by a scientist, Mr Kozak. The letter by the scientist comments on an article published in a scientific journal about various aspects related to the medical condition of Mr Navalny.

In this regard, I must confirm to you that the Secretariat does not comment on the work of outside scientists, scientific institutions or their public communications. Moreover, in relation to this specific matter.

I would also like to reconfirm that assessing Mr Navalny's overall health condition did not fall under the scope of the technical assistance visit carried out by the Secretariat to Germany.

For the aforementioned reasons, the Secretariat is not in a position to comment on any scientific, personal or political opinions expressed by Mr Kozak in his letter to Minister Lavrov.

At this juncture, it should be recalled that the Secretariat deployed to Berlin for a Technical Assistant Visit (TAV) on 5 and 6 September 2020 upon a request made by Germany under Article VIII(38)(e) of the Chemical Weapons Convention (Convention).

The scope of the visit was for the Secretariat to independently and directly collect biomedical samples of Mr Navalny, with his consent, and to analyse them through the Secretariat's network of Designated Laboratories. The results of analysis showed that traces of a nerve agent of the so-called Novichok family had been found in Mr Navalny's biomedical samples.

.../...

H.E. Mr Alexander Vasilievich Shulgin
Ambassador and Permanent Representative of the Russian Federation to the OPCW
Andries Bickerweg 2
2517 JP The Hague

All elements gathered by the Secretariat were provided to Germany, as required by the Convention in such cases, and Germany decided to share a summary of the Secretariat's work with all States Parties.

In any event, alternative points of view about Mr Navalny's medical condition would not alter the fact that traces of a nerve agent were found in Mr Navalny's biomedical samples.

Under the Convention, it is the unconditional prerogative of each State Party requesting technical assistance to decide how much of the results of such assistance rendered by the Secretariat it wishes to share with the other States Parties. Referring to Minister Lavrov's comment in his message, that the Secretariat would have concealed facts from Russian specialists, please reassure him that this has not been the case and this will never be the case.

Moreover, you will also recall that the Secretariat immediately responded to the request by the Russian Federation for assistance under Article VIII(38)(e) of the Convention and laid out the necessary requirements under the Convention for such assistance to take place.

As repeatedly discussed and last mentioned in my letter to you on 21 December 2020, these requirements included the conclusion of an ad hoc privileges and immunities agreement between the Russian Federation and the Secretariat, which would have allowed a Secretariat team to deploy to the Russian Federation.

They also included obtaining the consent of Mr Navalny to have his biomedical samples, collected by the Russian experts, analysed by the Secretariat in accordance with the procedures laid out under the Convention.

Such procedures require that the samples be analysed independently by at least two Designated Laboratories, thus excluding the possibility to conduct a joint study by the Russian experts and Secretariat specialists, as had been requested by the Russian Federation.

These conditions do not differ in any way from those fulfilled by Germany and any other States Parties prior to any technical assistance visit by the Secretariat.

Please reassure Minister Lavrov that the Secretariat ensures that all States Parties to the Convention are supported in the same independent and expert manner.

Please also confirm to Minister Lavrov that I take matters such as use of chemical weapons by anyone, anywhere, under any circumstances very seriously, and that I will continue to exchange with the Russian Federation as needed through you, my friend.

Please accept, Excellency, the assurances of my highest consideration.

With warm regards

Fernando Arias

RECEIVED

17 FEB 2021

Unofficial translation from Russian

«Distinguished ~~Director-General~~,
Office of the Director-General

We did not manage to exercise the right of the Russian Federation to get technical assistance from the OPCW Technical Secretariat under Article VIII para.38 (e) of the CWC with regard to the health condition of the Russian blogger A.Navalny. Nevertheless, I would like to draw your attention to the alternative point of view on what has happened, which appears increasingly frequently in open sources.

For instance, I am referring to an open letter written on this subject by a neurologist operating in one of the Swiss clinics, Doctor of Medical Science V.V.Kozak, who can hardly be suspected in incompetence or political bias.

In this letter, addressed to me, he rightly indicates a number of questions with regards to medical conclusions drawn by the medical staff of the Berlin "Charite" hospital over the treatment provided there to the above-mentioned Russian citizen. These conclusions have been published in the well-known medical magazine the Lancet.

Without going further into chemical, biological and medical details, I would rather point out only some of them, since you, Mr Director-General, and the staff of the OPCW Technical Secretariat may independently get familiarized with the full text of V.V.Kozak's open letter that is attached hereto.

1. The publication in the Lancet does not contain information about the chemical warfare agent from the so-called "Novichok" group according to the Western terminology, which was allegedly found in biomedical samples of A.Navalny. This does not allow us to establish either the chemical formula of the indicated toxic chemical or its toxicological characteristics, which may be helpful to compare the latter with the disease symptoms of the patient. Without this, all the assertions over what has caused dramatic deterioration of the blogger's health condition are devoid of any scientific meaning. More to the point, the "Charite" hospital itself did not find any chemical warfare agent whatsoever.

2. The authors of the Lancet publication refer to their early suspicion of A.Navalny being subject to the intoxication by a cholinesterase inhibitor. However, they did not explain why no analysis had been carried out to discover whether drugs from the group of cholinesterase inhibitors and cholinomimetics may have been detected in A.Navalny's body. The quantitative data of the toxicological analysis or the concentration of substances found in biomaterials are not provided either.

3. There is no explanation why the presence of the alleged chemical agent in the patient's body did not cause the poisoning of people surrounding A.Navalny – medical staff or relatives. Indeed the chemical agent should have been secreted on the skin and through respiratory tract, posing an immediate threat to those in contact with the contaminated person.

4. No other possible factors that could affect the detected decrease in erythrocyte cholinesterase activity have been considered.

5. A rather vague and superficial explanation was given to almost complete recovery of the patient, said to be exposed to one of the deadliest chemical warfare agents, which ostensibly has become possible due to his “good health condition”.

This is the opinion of a profile expert, whose professional knowledge and experience are much in demand not only in Russia, but also in Europe. For my part I would like to emphasize that all the discrepancies, questions and warranted doubts that are linked to this A.Navalny story, extremely politicized by the West, require a thorough and, most importantly, transparent and professional clarification. Concealing facts from Russian specialists, so as the Germans first, then the French and the Swedes, as well as the Technical Secretariat did, entails only ever growing mutual distrust and ever exacerbated hysterics. This is not helpful for the sake of the ongoing pre-investigative checking by the Russian side of what has happened in order to establish possible signs (*corpus delicti*) of a crime. Without determining and fixing the latter it is not possible under the Russian law to open a criminal case.

That is exactly why Russia has been insisting all along on the joint study by Russian experts and specialists of the OPCW of biomaterials of A.Navalny – both the ones that we still keep and those possessed by the OPCW. These specialists have certainly things to discuss, especially bearing in mind a number of professional issues raised by Dr. V.V.Kozak.

In this regard, I would like to call on you, Mr. Director-General, to instruct the experts of the OPCW Technical Secretariat to give a thorough consideration to the ideas contained in V.V.Kozak's letter in search of other possible alternative versions of what has happened, related, for instance, to basic medical indications. Obviously, what has caused severe deterioration of A.Navalny's health was not necessarily a chemical warfare agent, as it is widely asserted. Some open sources, for example, refer to the patient's suffering from the diabetes mellitus and chronic pancreatitis. It also may have been the consequence of taking some very specific medicine out of strict medical control. To sum up, experts have a lot to think over and to discuss.

I hope that you will take very seriously the current situation and request the OPCW experts to consider and then publicly and knowingly comment on the substantive points set forth in V.V.Kozak's open letter.

Respectfully,

S.Lavrov»