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**Letter dated 18 November 2021 from the Permanent
Representative of the United Kingdom of Great Britain and
Northern Ireland to the United Nations addressed to the
Secretary-General, the President of the General Assembly and the
President of the Security Council**

I have the honour to transmit herewith the following:

- A note verbale dated 5 October 2021 from the Permanent Representation of the United Kingdom of Great Britain and Northern Ireland to the Organisation for the Prohibition of Chemical Weapons (OPCW) on behalf of 45 OPCW States parties enclosing a request pursuant to paragraph 2 of article IX of the Chemical Weapons Convention for the Russian Federation to provide answers to a series of questions on the poisoning of Alexey Navalny on 20 August 2020 (annex I).
- A note verbale from the Permanent Representation of the United Kingdom of Great Britain and Northern Ireland to OPCW on behalf of 45 OPCW States parties containing a response to the note verbale dated 8 October 2021 from the Permanent Representation of the Russian Federation to OPCW urging the Russian Federation to provide answers to the questions posed in the above note verbale dated 5 October in accordance with its obligations under the Chemical Weapons Convention (annex II).

I should be grateful if the present letter and its annexes could be circulated as a document of the General Assembly, under agenda item 100, and of the Security Council.

(Signed) Barbara **Woodward**



Annex I to the letter dated 18 November 2021 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

Note No. 093/2021

Her Britannic Majesty's Permanent Representation to the Organisation for the Prohibition of Chemical Weapons (OPCW), on behalf of 45 States Parties (Albania, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America), presents its compliments to the Technical Secretariat of the OPCW and has the honour to request it convey a copy of this Note Verbale and the enclosed document (see enclosure) to the Russian Federation's Permanent Representation to the OPCW, pursuant to Article IX, paragraph 2 of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction.

The United Kingdom takes note of the provision in the Convention for a response to be provided within 10 days and looks forward to receiving 'information sufficient to answer the doubt or concern raised along with an explanation of how the information provided resolves the matter' from the Russian Federation by 15 October 2021.

The United Kingdom would be grateful if the Technical Secretariat could circulate a copy of this Note Verbale and the enclosed annex to all States Parties and make it available on the OPCW public website and Catalyst as an official document of EC-98.

The Permanent Representation of the United Kingdom of Great Britain and Northern Ireland to the OPCW avails itself of the opportunity to renew to the Technical Secretariat of the OPCW the assurances of its highest consideration.

British Embassy
The Hague
5 October 2021

Enclosure

On 20 August 2020, Mr. Alexey Navalny was poisoned with a chemical agent in Russia, while he was travelling back to Moscow after visiting Tomsk and Novosibirsk. The OPCW Technical Secretariat later confirmed as part of the Technical Assistance Visit to Germany in September 2020 (S/1906/202, 6 October 2020), that Mr. Navalny had been exposed to an unscheduled nerve agent from the Novichok group.

Specifically, the unclassified Technical Assistance Visit report summary stated that the chemical used had “structural characteristics similar to the toxic chemicals belonging to Schedules 1.A.14 and 1.A.15 which were added to the Annex on Chemicals at the Twenty-Fourth Session of the Conference of the States Parties in November 2019. This cholinesterase inhibitor is not listed in the Annex on the Chemicals to the Convention.”

The TAV report S/1906/202, 6 October 2020 does not and cannot address the exact circumstances of Mr. Navalny’s poisoning on 20 August 2020 on Russian territory. More specifically, it does not provide information regarding how and by whom the abovementioned nerve agent was administered to him.

Despite several requests by numerous States Parties to the Convention at the past sessions of the Executive Council and meetings of the Conference of the States Parties, the Russian Federation so far has not provided a credible explanation of the incident. We have no knowledge of any internal investigations taking place in the Russian Federation.

In October 2020, during EC-95, the Russian Federation invited OPCW experts to come to Russia for a Technical Assistance Visit. Russia, however, did not follow through with that request. Nevertheless, at the second part of the 25th CSP meeting in April 2021, the Russian Permanent Representative to the OPCW insisted that the request for a Technical Assistance Visit from the OPCW experts had not been withdrawn by the Russian Federation.

We, the Co-Signatories, Albania, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America request answers to the questions below, pursuant to paragraph 2 of Article IX of the Chemical Weapons Convention (CWC):

“States Parties should, whenever possible, first make every effort to clarify and resolve, through exchange of information and consultations among themselves, any matter which may cause doubt about compliance with this Convention, or which gives rise to concerns about a related matter which may be considered ambiguous. A State Party which receives a request from another State Party for clarification of any matter which the requesting State Party believes causes such a doubt or concern shall provide the requesting State Party as soon as possible, but in any case, not later than 10 days after the request, with information sufficient to answer the doubt or concern raised along with an explanation of how the information provided resolves the matter.”

Questions:

1. We request that the Russian Federation describe, in detail, what actions it has taken since 20 August 2020 to address this incident in light of its obligations under the CWC, including Article VII.

Article VII, 1. States: “Each State Party shall, in accordance with its constitutional processes, adopt the necessary measures to implement its obligations under this Convention. In particular, it shall:

- (a) Prohibit natural and legal persons anywhere on its territory or in any other place under its jurisdiction as recognized by international law from undertaking any activity prohibited to a State Party under this Convention, including enacting penal legislation with respect to such activity;
 - (b) Not permit in any place under its control any activity prohibited to a State Party under this Convention; and
 - (c) Extend its penal legislation enacted under subparagraph (a) to any activity prohibited to a State Party under this Convention undertaken anywhere by natural persons, possessing its nationality, in conformity with international law.
2. We request that the Russian Federation share with the OPCW States Parties the results and conclusions of the actions taken described in Question 1, including an explanation for the findings in the cited OPCW TAV report (S/1906/202, 6 October 2020).
3. We request that the Russian Federation explain what further steps are envisaged to address this incident.
4. We ask the Russian Federation to explain in detail the state of play of the envisaged cooperation with the OPCW, especially with regard to the invitation for a TAV to Russia, as announced in October 2020. In particular, why the Russian Federation has been unable to accept the standard modalities for such a visit.

**Annex II to the letter dated 18 November 2021 from the
Permanent Representative of the United Kingdom of Great Britain
and Northern Ireland to the United Nations addressed to the
Secretary-General, the President of the General Assembly and the
President of the Security Council**

Note No. 109/2021

Her Britannic Majesty's Permanent Representation to the Organisation for the Prohibition of Chemical Weapons (OPCW), on behalf of 45 States Parties (Albania, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America), presents its compliments to the Technical Secretariat of the OPCW and has the honour to request it to convey to the Russian Federation's Permanent Representation to the OPCW, the following response to Note Verbale No. 44 received via the OPCW Technical Secretariat (NV/ODG-155/21) on 8 October 2021.

The 45 States Parties recall the provision in Article 9, paragraph 2 of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction, which requires a State Party that has received a request for clarification to provide a response with 'information sufficient to answer the doubt or concern raised along with an explanation of how the information provided resolves the matter', not later than 10 days after the request.

The 45 States Parties do not consider that Note Verbale No. 44, along with its annexes, answers the specific questions or answers the doubts and concerns raised in Note Verbale No. 093/2021. The 45 States Parties urge the Russian Federation to provide answers to the questions in accordance with its obligations under the Chemical Weapons Convention. For the sake of clarity the questions are set out below:

Questions:

- 1. We request that the Russian Federation describe, in detail, what actions it has taken since 20 August 2020 to address this incident in light of its obligations under the CWC, including Article VII.**

Article VII, 1. States: "Each State Party shall, in accordance with its constitutional processes, adopt the necessary measures to implement its obligations under this Convention. In particular, it shall:

- (a) Prohibit natural and legal persons anywhere on its territory or in any other place under its jurisdiction as recognized by international law from undertaking any activity prohibited to a State Party under this Convention, including enacting penal legislation with respect to such activity;**
- (b) Not permit in any place under its control any activity prohibited to a State Party under this Convention; and**
- (c) Extend its penal legislation enacted under subparagraph (a) to any activity prohibited to a State Party under this Convention undertaken anywhere by natural persons, possessing its nationality, in conformity with international law.**

2. **We request that the Russian Federation share with the OPCW States Parties the results and conclusions of the actions taken described in Question 1, including an explanation for the findings in the cited OPCW TAV report (S/1906/202, 6 October 2020).**
3. **We request that the Russian Federation explain what further steps are envisaged to address this incident.**
4. **We ask the Russian Federation to explain in detail the state of play of the envisaged cooperation with the OPCW, especially with regard to the invitation for a TAV to Russia, as announced in October 2020. In particular, why the Russian Federation has been unable to accept the standard modalities for such a visit.**

The United Kingdom would be grateful if the Technical Secretariat could circulate a copy of this Note Verbale to all States Parties and make it available on the OPCW public website and Catalyst as an official document of EC-99.

The Permanent Representation of the United Kingdom of Great Britain and Northern Ireland to the OPCW avails itself of the opportunity to renew to the Technical Secretariat of the OPCW the assurances of its highest consideration.

British Embassy
The Hague
5 November 2021
