



December 2, 2020

The Honorable Michael Pompeo
Secretary of State
U.S. Department of State
2201 C St NW
Washington, D.C. 20520

The Honorable William Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington, D.C. 20530

Dear Mr. Secretary and Mr. Attorney General,

I am alarmed to learn of reports that Switzerland is planning to close its investigation into the Magnitsky case. The country has not prosecuted any of the individuals involved and plans to return the vast majority of stolen money to individuals sanctioned under the Magnitsky Act. The willingness of Swiss law enforcement to facilitate Russian corruption is shocking.

As a leader of the Helsinki Commission, I have followed this case since it began. Sergei Magnitsky has become a global symbol of the struggle for justice in the face of brutal regimes. The movement he inspired envisions a Russia that complies with its own laws and with international norms. Though today's Russia remains far from this vision, I am heartened by the Russian patriots who carry on Magnitsky's legacy despite grave risks. The action that Swiss authorities are now contemplating would prove profoundly demoralizing to those in Russia fighting for the rule of law.

To support these individuals and to protect our own system, it is critical that we not allow our institutions to be tainted by dirty money. To this end, law enforcement around the world have opened active investigations into the corruption that Sergei Magnitsky exposed. However, Russian authorities have gone to great lengths to undermine these investigations. Most recently, Swiss Federal Police Officer Vinzenz Schnell was found guilty of accepting bribes from Russia, and the Chief Federal Prosecutor of Switzerland, Michael Lauber, was forced to resign over his mishandling of investigations involving Russian officials.

Despite these scandals, Switzerland now seeks to close its Magnitsky case. This pattern of misconduct involving Russian officials suggests institutional rot within Swiss law enforcement. Though Switzerland enjoys a good reputation within the U.S. government, the vulnerability of key elements of its justice system to Russian coercion is grounds for a reevaluation of U.S.-Swiss legal cooperation.

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In light of these developments, the Department of State and the Department of Justice should review U.S. safeguards to ensure that mutual legal assistance work with Switzerland does not inadvertently become a vector for Russian influence. I look forward to working with you to shorten the reach of Russian corruption.

Sincerely,



Roger F. Wicker
Co-chairman