

# The International Response to Russia's Chemical Weapons Use Must Be Stronger

*Peter Brookes*

## KEY TAKEAWAYS

Russia has been implicated in a number of egregious acts involving the use of chemical weapons (CWs) against military and civilian targets over the past two decades.

The international response to Russia's actions has not deterred Moscow from continuing such attacks. Failure to respond more vigorously will only encourage more.

The U.S. should sanction Russia for the Navalny poisoning, continue to highlight its use of CWs, and prepare U.S. forces for operations where Russia may use them.

The Russian Federation has been implicated in a number of egregious acts involving the use of chemical weapons (CWs) against a variety of military and civilian targets both inside and outside Russia over nearly the past two decades.

The international response to Russia's use of CWs has arguably not deterred Moscow from continuing to employ them. A failure to respond more vigorously will only encourage Moscow's continued use of this weapon of mass destruction (WMD).

As such, the United States, in concert with like-minded countries, should:

- Join Europe in sanctioning Russia over the recent alleged murder attempt on Alexei Navalny;
- Encourage Germany to toughen its stance on Russia;

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- Continue to highlight Russia's CW use in international organizations and forums; and
- Ensure that U.S. forces are fully prepared for a potential CW environment involving Russia.

## Russia's Reckless CW Record

In September, news reports indicated that prominent Russian political opposition leader Alexei Navalny, who recently became ill in Russia, may have been poisoned with the Russian military-grade nerve agent infamously known as Novichok.

Novichok is a military-grade nerve agent reportedly invented in Soviet military laboratories near the end of the Cold War. It attacks the nervous system of its victim, which can lead to death from a number of causes.

Navalny became mysteriously—and seriously—ill while on a flight to Moscow, requiring an emergency landing and hospitalization in Siberia. A poison may have been put in his tea and was reportedly found on some water bottles found in his hotel room in Tomsk.<sup>1</sup>

After a delay, Navalny was surprisingly allowed to be medevaced out of Russia for medical treatment in Germany. The German government announced that medical tests on Navalny showed the presence of the Russian nerve agent Novichok.<sup>2</sup>

In addition to the German government investigation, the French and Swedish governments have conducted medical tests on Navalny that confirmed that the opposition leader was exposed to Novichok.<sup>3</sup>

After several weeks in the hospital, Navalny is recovering and active publicly.

If the name Novichok sounds familiar, that is because this is not the first time that this highly lethal chemical agent has been used against someone the Kremlin perceived to be an adversary of Russian President Vladimir Putin—or Mother Russia.

Just two-plus years ago, Russian agents used Novichok in a brazen assassination attempt in the United Kingdom on Sergei Skripal, a former officer of Russia's military intelligence directorate and a one-time asset of British intelligence's MI-6.<sup>4</sup>

Britain later identified the assailants as members of the Russian military intelligence directorate, the GRU.

Skripal and his daughter survived the 2018 attack, while two innocent passersby who unwittingly came upon the agent in a discarded perfume

bottle and several police officers responding or investigating the crime were also exposed; one person died.

Interestingly, the assassination attempt on Skripal (and possibly his daughter) came just a few months after Russia publicly declared to the Organization for the Prohibition of Chemical Weapons (OPCW) the “complete destruction” of all chemical weapons and stockpiles in 2017.<sup>5</sup>

Of course, the use of Novichok in either the Skripal or the Navalny case would put Russia in violation of the multilateral Chemical Weapons Convention (CWC), which is purposed with “prohibiting the development, production, acquisition, stockpiling, retention, transfer or use of chemical weapons.”<sup>6</sup>

The United States agrees that Russia’s use of a military grade nerve agent puts it in non-compliance with the CWC—but Novichok is not the end of the matter.<sup>7</sup>

In addition, the U.S. State Department believes that Russia possibly provided assistance to a CW attack that the Syrian regime conducted at the city of Douma using chlorine gas in the bloody civil war in 2018.<sup>8</sup>

The State Department also contends that Russia maintains a pharmaceutical-based agents (PBA) program for offensive military and other harmful purposes.<sup>9</sup> Indeed, Russian security is believed to have used carfentanil, a PBA, in 2002 in Dubrovka in a raid to free theater goers from the clutches of Islamist terrorists.<sup>10</sup>

The security service’s use of the gas, piped in through the theater’s ventilation system, led to a large number of unintended deaths among the civilian hostages, killing more than 100 people.<sup>11</sup>

Indeed, this latest attack only adds to the mounting evidence that suggests that Russia may retain an active, undeclared CW program, which may include CW development, production, and stockpiles for offensive, military, and other purposes.<sup>12</sup>

Moscow’s actions involving CWs—both inside and outside Russia—are deeply troubling.

The recent CW use against Navalny demonstrates that the Kremlin is not deterred from utilizing these weapons.

CWs like Novichok could be used more broadly and more frequently in actions inside or outside Russia, as well as on the battlefield—the Soviets’ original intent for their CW program during the Cold War.

A failure to firmly address these violations of international norms and law creates a moral hazard and will likely only lead to Russia’s future use of CWs—and encourage other troubling behavior. Russia must pay a price for these acts if the Kremlin is ever to be deterred.

Accordingly, the United States, should:

**Join Europe in Sanctioning Russia over the Navalny Attack.** The United States can impose punitive sanctions on Russia by presidential executive order under the Chemical and Biological Weapons Control and Warfare Elimination (CBW) Act of 1991, which is purposed with deterring and preventing the proliferation and use of chemical and biological weapons.<sup>13</sup>

America's sanctions on Russia's involvement with, and access to, international financial institutions arising from the Skripal CW attack in the U.K. serve as a good example of what can—and should—be done using the CBW Act.<sup>14</sup>

While U.S. sanctions do not need to be limited to individuals and entities, such as CW research institutes, as the European Union has done so far, working with Europe and the EU will show much-needed transatlantic solidarity on this important WMD issue.<sup>15</sup>

Economic sanctions, such as those on individuals or entities, can be largely symbolic, but at a minimum, they do demonstrate the deep concern about WMD use and that any future use of CWs will affect the health of Russia's international relationships.

**Encourage Germany to Toughen Its Stance on Russia.** While the German government has thus far resisted calls to cancel the \$11 billion Nord Stream II project, pressure both inside and outside Germany and from allies has only increased since the Navalny assassination attempt.<sup>16</sup>

Furthermore, U.S. sanctions have effectively frozen progress on Nord Stream 2, which remains more than 90 percent completed. Not only is the pipeline geopolitically imprudent, but the erroneous rationale that supporters often cite for its economic necessity has been undermined by Europe's current oversupply of gas.<sup>17</sup>

It is past time for Russia's European partners to jettison Nord Stream 2 once and for all.

In addition, Germany and other countries, such as France, could certainly take the lead in developing EU legislation that institutionalizes sanctions regimes for persons and entities involved in the development and use of CWs, positively shaping Russian decision-making and raising the stakes for Moscow—and others.<sup>18</sup>

**Continue to Highlight the Russian CW Issue in International Organizations and Forums.** While not always as effective as other means of national power, calling out states for their violations of international norms, law, and agreements is important. Rhetoric has its place in international affairs, and Russia should continue to suffer reputational costs due to its use of CWs.

This effort should include consistent “naming and shaming” in international institutions and forums, including the OPCW, the United Nations Conference on Disarmament, the U.N. General Assembly, and other U.N. organizations and entities.

Moreover, even though Russia can veto U.N. Security Council resolutions condemning its actions, the U.S. should continue to raise the matter in the Security Council to bring attention to this important matter.

The United States and other countries should also seek strong statements of condemnation on a regular basis from states outside Europe, calling for Russia to come into full compliance with its CWC obligations.

**Ensure that U.S. Forces Are Fully Prepared for a Potential CW Environment Involving Russia.** American troops could come into contact with CWs if a conflict arises involving Russian forces. While Russia claims to not have an offensive CW program—based on recent events—that cannot be believed.

As such, given the Soviet military’s embrace of offensive CWs as an instrument of war, the U.S. government should lead a review on the readiness of American forces for a CW environment that might involve Russia.

### **Conclusion**

Russia’s involvement with and use of CWs for offensive purposes over the past two decades is deeply troubling and undermines the well-established international norms, law, and agreements against their use as enshrined in treaties, such as the CWC.

If the international response to Russia’s acts is not swift and stern, a failure to address growing concerns about Russia’s bad behavior on CWs will assuredly only serve to encourage additional Russian bad behavior, not only with chemical weapons, but in other areas as well.

**Peter Brookes** is Senior Research Fellow for Weapons of Mass Destruction and Counter Proliferation in the Center for National Defense, of the Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy, at The Heritage Foundation.

## Endnotes

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