

March 23, 2022

The Honorable Nancy Pelosi  
The Speaker of the House of Representatives  
1236 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Chuck Schumer  
Majority Leader  
322 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Kevin McCarthy  
Minority Leader  
2468 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Mitch McConnell  
Minority Leader  
317 Russell Senate Office Building  
Washington, D.C. 20510

Dear Speaker Pelosi, Leader McCarthy, Leader Schumer, and Leader McConnell:

Informed by our grave concern over the growing atrocities and human rights crisis in Ukraine, we write to you as nongovernmental organizations and advocates to urge you to support efforts to hold the perpetrators of these and other abuses accountable through a strong reauthorization of the Global Magnitsky Act of 2016.

Since the Russian invasion of Ukraine began on February 24, we have witnessed and heard testimonies of the grim horrors unleashed on the civilian population. According to the [UN Office of the High Commissioner for Human Rights](#), more than 953 Ukrainian civilians have been killed and more than 1,557 injured, mostly from explosive weapons and missile and air strikes. Civilian areas in cities including hospitals have been the target of Russian attacks, leading to the displacement of more than [3.5 million](#) people as refugees. There are [early reports](#) not yet confirmed of rapes and sexual violence by Russian soldiers against Ukrainian women and girls, and [growing concerns](#) that those displaced, particularly unaccompanied children, will fall into the hands of human traffickers. Russian forces have [abducted](#) several Ukrainian mayors and city government employees, and there are [reports](#) of journalists and activists being disappeared. [Four journalists](#) have been killed during the conflict.

As these atrocities rapidly unfold, we urge Congress to take action to preserve and strengthen the Global Magnitsky Act, which expires this year, to ensure the U.S. government can quickly respond and hold the perpetrators of abuses such as these accountable. For more than four years, Global Magnitsky sanctions have been a key part of the U.S. government's response to atrocities and serious human rights abuses around the world, including: Chinese abuses against the Uyghurs in Xinjiang; military attacks on the Rohingya in Myanmar and on the people of Tigray; and violent militias in Iraq, Libya, and the Democratic Republic of the Congo. The Act inspired [similar legislation](#) in Canada, the U.K., the European Union, and Australia, forming the basis for an emerging global consensus and more effective, broader implementation of the sanctions.

Much of what has made Global Magnitsky such a powerful and effective tool to respond to these and other abuses stems from the Trump Administration's [Executive Order 13818](#) in 2017, which created workable standards to implement the Global Magnitsky Act. The Executive Order made it possible to sanction "serious human rights abuse," and broadened the scope of abuses covered by the law to ensure it included: 1) all acts of violence and arbitrary detention; 2) abuses by nonstate actors; 3) abuses committed outside the territory of the perpetrators; 4) single acts of abuse; and 5) abuses not committed "under the color of law." The Executive Order also filled the gap left by the law's arbitrary requirement that victims be whistleblowers or human rights defenders and allowed the United States to sanction those who aid and abet abuses. Each of the 420 total Global Magnitsky sanctions has been issued under these standards, and approximately **3 out of 4** Global Magnitsky sanctions for serious human rights abuse only became possible with these changes.

Congress is now considering legislation that would codify these important improvements from the Executive Order and ensure the reauthorized Global Magnitsky Act will remain a powerful tool to hold human rights abusers accountable. These changes were unanimously passed by the Senate Foreign Relations Committee in June 2021 and have also passed the House of Representatives.

We want to be clear that reauthorizing the Global Magnitsky Act without these improvements will signal that Congress does not support the use of this tool to seek accountability for the nightmare unfolding in Ukraine and other similar abuses. Russian forces are targeting Ukrainian civilians and children, not just whistleblowers or human rights defenders. Serious abuses such as rape, sexual violence, and human trafficking should be sanctionable, even though they are not clearly covered under the original Act's standards. And yet, likely none of Russia's abuses in Ukraine could be sanctioned under the original Act's restriction that abuses are only sanctionable if they are committed on the national territory of the perpetrator.

For Congress to insist on the original Global Magnitsky Act's narrow standards at this moment of crisis would be an indisputable gift to Vladimir Putin and his henchmen, and would send the wrong signal to others like them. We urge Congress to stand with the victims of the Russian invasion of Ukraine – and victims of similar abuses around the world – and to fully support a strong reauthorization of the Global Magnitsky Act that codifies the Executive Order's workable standards.

Signed,

1. Access Now

2. Americans For Kashmir
3. American Jewish World Service
4. Anti-Corruption Foundation Inc.
5. Belarusian American Association (BAZA)
6. Campaign for a New Myanmar
7. Center for Justice and Accountability
8. Center for the Study of Democracy
9. China Aid Association
10. Citizen Power Initiatives for China
11. Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C.
12. Committee to Protect Journalists
13. Crude Accountability
14. EarthRights International
15. EG Justice
16. Free Belarus Coalition
17. Free Russia Foundation
18. Freedom for Eurasia
19. Freedom House
20. Friends of Angola
21. Global Diligence
22. Global Witness
23. Guernica 37
24. Heartland Initiative, Inc.
25. Helsinki Citizens' Assembly Vanadzor, Armenia
26. Human Rights First
27. Human Rights Foundation
28. Human Rights Institute, Georgetown University Law Center
29. International Campaign for the Rohingya
30. International Corporate Accountability Roundtable (ICAR)
31. International Lawyers Project
32. International Organization to Preserve Human Rights
33. International Partnership for Human Rights
34. Italian Federation for Human Rights - Italian Helsinki Committee
35. Lantos Foundation for Human Rights & Justice
36. Liberty Shared
37. No Business With Genocide
38. Open Dialogue Foundation
39. Pan American Development Foundation
40. PEN America
41. Polaris

42. Project Expedite Justice
43. Project on Middle East Democracy
44. Raoul Wallenberg Centre for Human Rights
45. Reporters Without Borders
46. Robert F. Kennedy Human Rights
47. South Asia Human Rights Documentation Centre
48. The Arrested Lawyers Initiative
49. The Financial Accountability and Corporate Transparency (FACT) Coalition
50. The Freedom Initiative
51. The Human Trafficking Legal Center
52. The Norwegian Helsinki Committee
53. The Sentry
54. The Tahrir Institute for Middle East Policy
55. Torture Abolition and Survivors Support Coalition (TASSC)
56. Transparency International U.S.
57. USC Gould International Human Rights Clinic
58. WatchDog.MD Community (Moldova)