

# United States Senate

WASHINGTON, D.C. 20510

November 18, 2013

His Excellency Sergey I. Kislyak  
Ambassador of the Russian Federation to the United States  
Embassy of the Russian Federation  
2650 Wisconsin Ave., N.W.  
Washington, DC 20007

Dear Ambassador Kislyak:

We are writing to request your assistance in ensuring the safety of an American citizen, Peter Willcox, who is currently in the custody of the Russian government and who has many relatives living in the Commonwealth of Massachusetts. We are concerned for Mr. Willcox, as well as the other U.S. national held in custody, Dimitri Litvinov. Therefore, we would like ask that you convey to the Russian government our request that they consider releasing both Mr. Willcox and Mr. Litvinov from custody and allowing them to return to the United States.

Mr. Willcox was the captain of the Greenpeace vessel, Arctic Sunrise, which flies the flag of the Kingdom of the Netherlands. On September 18, the vessel was involved in a peaceful protest of Gazprom's Prirazlomnaya oil platform in the Pechora Sea. It is our understanding that the protest occurred out of concern that the sensitive nature of the Arctic environment makes oil spills in the region even more devastating than oil spills in more temperate climates. During that protest, several members of the vessel scaled the oil platform and were detained by Russian Coast Guard personnel, though it is our understanding that Mr. Willcox remained on the Arctic Sunrise. The next day, agents of the Federal Security Service of the Russian Federation (FSB) reportedly descended from a helicopter onto the deck of the Arctic Sunrise by rope. This boarding occurred outside Russian territorial waters and without advance notice. The ship reportedly was then brought, with its crew on board, to the Russian port of Murmansk. Upon arriving at Murmansk, the crew was brought before a court in the city for a hearing. The court subsequently ordered the thirty people who had been aboard the ship including Mr. Willcox and Mr. Litvinov as well as citizens of sixteen other nations, to be detained for two months pending an investigation of

piracy charges. On October 3<sup>rd</sup>, Mr. Willcox, Mr. Litvinov, and the other crew members were officially charged with piracy. On October 23<sup>rd</sup>, the charges against Mr. Willcox, Mr. Litvinov and the other twenty eight individuals detained were reportedly reduced from piracy to hooliganism, which the Russian criminal code defines as “the flagrant violation of public order expressed by a clear disrespect for society.” If convicted of this new charge, however, Mr. Willcox and Mr. Litvinov could still be imprisoned for 7 years.

It would be a travesty of justice for a man to be convicted of hooliganism for his involvement in a non-violent protest seeking to protect the environment – after all, protesting on behalf of the environment in the ocean areas adjacent to the coast of Russia demonstrates not any “clear disrespect for society,” but rather a deep and abiding respect and appreciation for Russia and its coastal environment. Indeed, Mr. Willcox has a long record of involvement in peaceful Greenpeace protests around the world, including captaining the Greenpeace vessel Rainbow Warrior in New Zealand in 1985. He has never been convicted of a crime, either in his home country or abroad. Additionally, not only did its crew not fire any shots during the September 18<sup>th</sup> protest, but there were no weapons aboard the Arctic Sunrise. Mr. Willcox himself did not venture onto Russian property during the September 18 protest nor did he attempt to interfere with the operations of the Russian Coast Guard on that date. Most importantly, the Arctic Sunrise was located in international waters when it was seized, which has led to an allegation by the Kingdom of the Netherlands that the activists’ detention by the Russian Government violates the United Nations Convention on the Law of the Sea.


Mr. Willcox has strong ties to our home state of Massachusetts. His sister Sydney Turner lives in Massachusetts, as do several of his cousins. His entire family is deeply concerned about his well-being and worry that he is being unjustly punished. Sen. Markey’s staff has spoken with Mr. Willcox’s sister, who is understandably quite worried about her brother’s fate and we share his family’s concern.

As of this writing, Mr. Willcox has been in custody in Russia for over 60 days. An appeal to release Mr. Willcox on bail has been refused, and there are news reports that Mr. Willcox and other crew members in custody have been transported from Murmansk to St. Petersburg.

We are concerned about the potential for the continued detention of Mr. Willcox and Mr. Litvinov to undermine relations between the United States and Russia, and we believe that their continued detention could have an adverse impact on American public opinion regarding Russia’s government. In our view, no good can come from the Russian government continuing to hold Mr. Willcox and Mr. Litvinov in detention. In the interest of maintaining friendly and cooperative relations between our two countries, we urge the Russian government to dismiss all

charges against Mr. Willcox and Mr. Litvinov and release them into the custody of the American embassy in Russia so that they may swiftly return to their families.

Sincerely,



Edward J. Markey  
United States Senator



Elizabeth Warren  
United States Senator