

# United States Senate

WASHINGTON, DC 20510

May 4, 2018

Mr. Yuriy Lutsenko  
General Prosecutor  
Office of the Prosecutor General of Ukraine  
13/15 Riznytska St.  
Kyiv, 01011  
Ukraine

Dear Mr. Prosecutor General:

We are writing to express great concern about reports that your office has taken steps to impede cooperation with the investigation of United States Special Counsel Robert Mueller. As strong advocates for a robust and close relationship with Ukraine, we believe that our cooperation should extend to such legal matters, regardless of politics. Ours is a relationship built on a foundation of respect for the rule of law and accountable democratic institutions. In four short years, Ukraine has made significant progress in building these institutions despite ongoing military, economic and political pressure from Moscow. We have supported that capacity-building process and are disappointed that some in Kyiv appear to have cast aside these principles in order to avoid the ire of President Trump. If these reports are true, we strongly encourage you to reverse course and halt any efforts to impede cooperation with this important investigation.

On May 2, the New York Times reported that your office effectively froze investigations into four open cases in Ukraine in April, thereby eliminating scope for cooperation with the Mueller probe into related issues. The article notes that your office considered these cases as too politically sensitive and potentially jeopardizing U.S. financial and military aid to Ukraine. The article indicates specifically that your office prohibited special prosecutor Serhiy Horbatiuk from issuing subpoenas for evidence or interviewing witnesses in four open cases in Ukraine related to consulting work performed by Paul Manafort for former Ukrainian president Viktor Yanukovich and his political party.

This investigation not only has implications for the Mueller probe, but also speaks to critically important investigations into the corrupt practices of the Yanukovich administration, which stole millions of dollars from the people of Ukraine. Blocking cooperation with the Mueller probe potentially cuts off a significant opportunity for Ukrainian law enforcement to conduct a more thorough inquiry into possible crimes committed during the Yanukovich era. This reported refusal to cooperate with the Mueller probe also sends a worrying signal—to the Ukrainian people as well as the international community—about your government's commitment more broadly to support justice and the rule of law.

We respectfully request that you reply to this letter answering the following questions:

1. Has your office taken any steps to restrict cooperation with the investigation by Special Counsel Robert Mueller? If so, why?

2. Did any individual from the Trump Administration, or anyone acting on its behalf, encourage Ukrainian government or law enforcement officials not to cooperate with the investigation by Special Counsel Robert Mueller?
3. Was the Mueller probe raised in any way during discussions between your government and U.S. officials, including around the meeting of Presidents Trump and Poroshenko in New York in 2017?

Sincerely,

  
Robert Menendez  
United States Senator

  
Richard J. Durbin  
United States Senator

  
Patrick Leahy  
United States Senator