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RUSSIAN FEDERATION

**STATEMENT BY H.E. AMBASSADOR A. V. SHULGIN
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE OPCW
AT THE NINETY-THIRD SESSION OF THE EXECUTIVE COUNCIL**

Mr Chairperson,
Mr Director-General,
Distinguished Delegates,

First of all, we would like to assure you, Mr Chairperson, of our preparedness to cooperate constructively to ensure that this session of the Executive Council is as successful as possible.

Our meeting today is taking place in complex conditions. Due to the spread of the coronavirus around the world, we are holding a minimised session of the Council without delegates from the capitals in attendance which, of course, affects our work. But this is not the only problem looming over us. We are extremely concerned about the internal health of our Organisation, which has recently been faltering.

First and foremost, what I mean is that the last intersessional period was marred with a surge of a large volume of information into the public space regarding the manipulation of the investigation into the incidents of alleged use of chemical weapons in Syria. A great deal of evidence in internal documents published by the Technical Secretariat and correspondence among its staff demonstrates that the results of the Fact-Finding Mission's (FFM) investigation into the alleged use of chemical weapons in Syria in Douma on 7 April 2018 were doctored.

The following information says a great deal: immediately after a briefing was organised for FFM members with three officials from the United States, the conclusions of the preliminary report of the special mission were completely rewritten and these were people who had never even been to the site of the incident. The experts who worked directly in Douma were, for some reason, sidelined from the investigation; their opinion was ignored, and their assessment was swept aside. Moreover, the key technical findings, regarding the ballistic engineering for example, were prepared by so-called independent third-party experts. Their names and nationalities are carefully guarded probably to prevent the disclosure of the uncomfortable truth, which is that these specialists represent countries that are deeply interested in findings that point the finger at the Syrian authorities.

Information about the "inner workings" of the investigation process is simply shocking. We find the undue pressure on the activities of the special mission absolutely unacceptable. I



would recall that according to the provisions of the Chemical Weapons Convention, in carrying out their duties, the staff of the Secretariat are not supposed to request or receive instructions from any government whatsoever, or from any other source that is external to the OPCW. States do not have the right to assert their influence on staff members when they are carrying out their duties.

On 6 February, the Secretariat held a briefing on the issue of leaks of confidential OPCW data. We were extremely surprised that at this type of event, Permanent Representatives of delegations in attendance were not permitted to make statements or ask questions. What we received later in response to our written questions did not satisfy us at all. Essentially, we received no answers, just a bureaucratic boilerplate.

We see in this an attempt to distract attention away from the real problems related to the state of affairs at the OPCW. Does the pile of information about the falsification of the Douma report that literally fell into our laps really not deserve any serious discussion in The Hague? Why is everyone acting as though nothing happened at all? Because really, trust in the Organisation and its wavering reputation is what is at stake. If we do not get to the bottom of what happened, we will not be able to move forward and successfully carry out the tasks as set out in the Convention.

The revelations from the fabricated FFM report on Douma have posed a moral dilemma: what is more important, confidentiality, or the truth? It is clear that confidentiality must be strictly upheld within international organisations. However, it should not be used as a cover to mislead members of the Organisation and the entire international community - particularly when the matter at hand is international security. After all, it is no secret that the work of the OPCW is carefully scrutinised all around the around.

There is also a legal aspect to this problem. Unfortunately, the Secretariat has accused "Inspectors A and B" of breaching the Policy on Confidentiality and their contractual obligations. Yet, we should recognise these people for their bravery, their demonstration of civil-mindedness, and their standing up for the purity of the Convention.

The OPCW does not yet have in place any mechanisms to rule out the possibility of vilifying honest staff members who uncover improprieties. I would recall that back in 2015, the external auditor recommended that the Secretariat take preventative measures against the possibility of fraud and to protect whistleblowers. Unfortunately, there has been no progress on that important matter since. The timeframe for implementing said recommendations is constantly being extended. Nothing has happened in five years. We believe this is one of the reasons behind today's crisis within the OPCW.

To date, States Parties were unable to have a substantive discussion of this very important and sensitive issue within the OPCW. I would recall that we made several attempts to organise a briefing on-site at the OPCW with the participation of all former and current members of the FFM who were involved in the investigation in Douma. But we were denied this. Now everyone probably understands why. The efforts of the representatives of the United States and several other countries intent on hushing up this unseemly situation drove us to address the matter in New York, where an informal Arria-Formula meeting of the United Nations Security Council took place on 20 January. Now, the manipulation of facts and their

replacement with the conclusion that suits certain countries is also well known within the United Nations.

Any future departure from a substantive discussion on this matter, in The Hague, will only lead to an exacerbation of the situation. Let us stop turning a blind eye to obvious things.

There is another practical aspect to this problem. In Douma - and this is a basic fact - provocation involving the use of chemical weapons was exposed, and attempts are being made to blame Damascus. If the OPCW continues to keep quiet about this, terrorists will take it as permission to continue taking such action. Just a few days ago in the liberated city of Saraqib, the Russian and Syrian militaries detected rebel munitions filled with chlorine that were being prepared for use. But something went wrong, the chlorine leaked out, and the munitions were tossed aside.

This is irrefutable evidence that the rebels have chemical weapons and are preparing to use them. And when that happens, will we again hear the cries that it was allegedly the Syrian army using chemical weapons?

The fact that the biased conclusions of the FFM are serving as the basis for the work of the Investigation and Identification Team (IIT) is cause for serious concern. How can we believe the findings of the attribution mechanism if fabrications in the investigation of chemical incidents in Syria are being used as alleged irrefutable evidence? Is it really possible to construct a solid building on shaky foundations?

Once again, we would like to dutifully state: identifying those guilty of the use of chemical weapons reaches far beyond the scope of the Convention and the mandate of the OPCW. Pushing the Organisation to take on attribution authorities directly encroaches upon the prerogative of the United Nations Security Council. Any reforms changing the paradigm of the OPCW can only be made exclusively by making amendments to the Convention, as provided for in Article XV thereof. We cannot recognise as legitimate anything that is being done in terms of attribution. And this opinion is shared by many delegations.

Within this context, we would also like to express our confidence in the fact that all of the aspects of the Syrian "chemical dossier", particularly the clarification of Syria's initial declaration, should be reviewed in strict compliance with the requirements of the Convention, without any preliminary conditions or connections to the illegitimate new attribution functions.

We would inform the distinguished members of the Council that we have put no small effort into searching for a compromise-based solution of the initiative to change the Rules of Procedure of the Advisory Body on Administrative and Financial Matters (ABAF). Nevertheless, the draft decision that has been submitted for the Council's consideration gives rise to numerous questions. In its current form, the document does not take into account the best practices of the independent administrative and budgetary bodies of other international organisations; it casts doubt upon the sovereign right of States Parties to nominate and dismiss their representatives. The proposal to dismiss any disagreeable expert from this body creates a precedent for other international bodies, and means to undermine the ABAF's status as an independent body dedicated to providing objective recommendations. We cannot agree

with that approach. The Russian Federation has submitted updated revisions. We are prepared to engage in a dialogue on the matter with all interested countries.

On another note, we would like to address the initiative brought by the group of co-sponsors to have the OPCW take a decision prohibiting the use of aerosolised central nervous system-acting chemicals (CNS-acting chemicals) for law enforcement purposes. The implementation of this decision will result in additional international legal, legislative, administrative, financial, and other burdens for all States Parties to the Convention.

This all reaches beyond the current framework of the Convention. That is why similar ideas on the imposition of new prohibitions must be carried out in full compliance with the provisions set out in paragraph 2 of Article XV of the Convention: by introducing the appropriate amendments therein. In this case, a clear-cut apparatus should be developed, fully explaining what exactly is meant by CNS-acting chemicals. In other words, it is necessary to conduct a multilateral discussion from the beginning on this matter, and only after that can any measures be proposed. Our opinion is set out in detail in our national document, which was distributed ahead of today's session. We do hope that the delegations managed to become familiarised with it. We will address this issue in more detail during the discussion under the appropriate agenda item.

We are even closer to approaching the achievement of the OPCW's primary goal: the complete destruction of all declared stockpiles of chemical weapons. Today, there is only one possessor State left: the United States. We would urge our American partners to assess their abilities regarding the soonest possible elimination of their chemical arsenal, and to do so before the designated deadline in strict compliance with the provisions of the Convention. We expect that it is altogether possible to complete this task, since the United States has all of the requisite financial, material, human, and technological resources to do so.

Our delegation will express its point of view on other relevant issues as the corresponding agenda items are addressed at this session of the Council.

Thank you, Mr Chairperson.

We request that this statement be circulated as an official document of the Ninety-Third Session of the Council and published on the Organisation's extranet and external webpage.

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