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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-SEVENTH SESSION OF THE EXECUTIVE COUNCIL
ON AGENDA ITEM 9**

Thank you, Mr Chairperson.

First and foremost, I would like to thank the Technical Secretariat for the preparation of the draft report of the OPCW on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction in 2020 (EC-97/CRP.1, dated 17 May 2021). This is extensive material of numerous pages that we have carefully studied, and we would like to discuss with the members of the Executive Council a number of points that have given rise to our serious concern.

First of all, as a matter of principle, the Russian Federation objects to the inclusion in the draft report of provisions relating to the activities of the illegitimate Investigation and Identification Team (IIT). This specifically concerns paragraphs 1.32 – 1.36 and 1.38 – 1.40 of said document.

The Russian side has repeatedly underscored that attribution activities are not envisaged by the provisions of the Convention, and the decision of the Fourth Special Session of the Conference of the States Parties on “Addressing the Threat from Chemical Weapons Use” (C-SS-4/DEC.3, dated 27 June 2018) extends beyond the scope of authorities of the Conference and infringes upon the exclusive authorities of the United Nations Security Council.

We cannot agree that the conclusions of the IIT “are based on the combination, consistency, and corroboration of the obtained information, after a careful assessment of its probative value through a widely shared methodology in compliance with best practices of international fact-finding bodies and commissions of inquiry”. We also have no reason to believe that “[i]n its investigations, the IIT adhered to applicable OPCW procedures, including with respect to chain of custody, supplemented as appropriate”. According to the principles stipulated in the Convention and the internal regulations of the OPCW, inspectors are obligated to travel to the site of an alleged incident and independently collect samples. In practice, the Fact-Finding Mission receives samples from third parties—often from NGOs with dubious reputations, and even from terrorist organisations engaged in operations on Syrian territory. Speaking about the IIT’s compliance with the aforementioned principles is absolutely absurd.

We categorically object to the fact that the Secretariat’s transfer of the information related to the IIT’s investigation to the International, Impartial and Independent Mechanism in October and November 2020 was implemented “in a manner consistent with the applicable OPCW rules and policies on confidentiality”. Russia’s position on this matter has been repeatedly made clear to the Secretariat and the States Parties. We believe that the Secretariat exceeded its authorities, independently entering



into the related international agreement (the so-called memorandum of understanding) with said structure in violation of paragraph 34 of Article VIII of the Convention, since this type of right is held exclusively by the Executive Council. In addition to the fact that this mechanism cannot be considered legitimate, the Convention, in principle, does not provide for the possibility of this kind of direct contact between the Secretariat and bodies of the United Nations. Furthermore, the provisions of the aforementioned memorandum contradict the provisions of the Convention's Confidentiality Annex and the OPCW's Policy on Confidentiality with regard to the non-transfer of the Organisation's protected information outside of its boundaries without the consent of the interested State.

Second, the contents of paragraph 4.11 on the alleged conduct of an online briefing by the Director-General for the members of the United Nations Security Council on 12 May 2020 is not correct. No such meeting was held by the Security Council, and two permanent members—Russia and China—did not take part in said event. A personal meeting with the Director-General per the invitation of the Permanent Representative of Estonia to the United Nations with a group of representatives of States Parties to the Convention who are, by some fortuitous coincidence, also members of the United Nations Security Council, does not constitute an official event of the Security Council by either format or substance. There is no mention of it in the annual report of the Security Council to the General Assembly of the United Nations for 2020 (A/75/2).

Third, paragraph 1.29 is perplexing and, in our opinion, requires correction; in it, the Secretariat, without any grounds to do so, takes upon itself the authorities of the United Nations Security Council to assess the completeness of Damascus's implementation of the provisions of United Nations Security Council resolution 2118 (2013), and for the Executive Council, it assesses the implementation of the decision of its Thirty-Third Meeting (EC-M-33/DEC.1, dated 27 September 2013). Neither the United Nations Security Council nor the policy-making organs of the OPCW have granted any such authorities to the Secretariat.

Fourth, major questions arise from paragraph 1.41 regarding the provision by the Secretariat of technical assistance to Germany in line with the situation surrounding Mr Navalny. The information contained in this paragraph essentially confirms that what happened with the Russian blogger was the result of a provocation that was carefully orchestrated outside Russian borders. The Secretariat thus admits that per the request of Germany, it deployed a team to provide technical assistance in relation to the suspected poisoning of a Russian citizen back on 20 August 2020! In other words, at the very same time that Mr Navalny—who was onboard flight 2614 of the Russian airline S7 on the Tomsk–Moscow route—began to experience the first signs of deteriorating health, as a result of which he was hospitalised in Omsk. We would like to receive reasonable explanations on this matter. We request that the Secretariat clarify why the draft did not include information about how the Russian Federation's request for technical assistance, under paragraph 38(e) of Article VIII of the Convention, was not satisfied.

In light of the above, the Russian Federation speaks out against the transfer of the report, in its current form, on the implementation of the Convention in 2020 to the Conference for its consideration, and proposes omitting the following paragraphs: 1.32 – 1.36, 1.38 – 1.40, and 4.11. We express our readiness to hold consultations on the margins of the session with interested delegations and with the participation of Secretariat representatives. Otherwise, in the absence of a consensus, we propose holding a vote in line with Rule 45 of the Council's Rules of Procedure on the bundle of the following paragraphs: 1.32 – 1.36, 1.38 – 1.40, and 4.11.

I request that this statement be circulated as an official document of the Ninety-Seventh Session of the Council and published on the Organisation's extranet and website.