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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-NINTH SESSION OF THE EXECUTIVE COUNCIL
UNDER AGENDA ITEM 7(E)**

Mr Chairperson,

The activities of the Fact-Finding Mission (FFM) investigating the use of chemical weapons in Syria must be brought strictly into line with the Chemical Weapons Convention (hereinafter “the Convention”) and the basic standards and principles of the Organisation for the Prohibition of Chemical Weapons (OPCW). In fact, we see that all too often, investigations are conducted remotely, without visiting the site of the alleged chemical incident, while the requirements for the chain of custody for material evidence are ignored. And when so-called facts are submitted by pseudo-humanitarian NGOs, including those from countries that are unfriendly to the leadership of the Syrian Arab Republic, they are taken as the final truth. Yet when evidence of the crimes of rebel fighters in Syria are laid out by professionals, for some reason they are deemed insufficient to draw any conclusions. This kind of approach is unacceptable.

From here, we see a great number of questions regarding the substance of the conclusions, and an increased lack of trust in the material evidence that has been collected and the witnesses that have been questioned. In this regard, we call upon the special mission to act in strict compliance with the chain of custody procedures, and to act with as much openness as is possible in order to prevent any doubts about its work.

Unfortunately, these types of things happen on a regular basis. The exposed manipulation of the final report on Douma, Syria, has dealt a major blow to our Organisation. It forces one to wonder about the impartiality of the FFM’s conclusions on other incidents in Syria. Unfortunately, the FFM’s latest reports on the incidents in Marea on 1 and 3 September 2015 and Kafr Zeita on 1 October 2016 are no exception.

We believe the only way to remedy this situation is to bring the work of the mission back into the framework of the Convention and into accordance with all the requirements set out in the Verification Annex to the Convention. They are clearly stated: the collection of evidence is to be carried out directly by members of the mission at the site of the incident, and the analysis of samples is to be conducted no later than 20 days from their collection; final reports are to be published within the designated 30 days. Conclusions as to whether or not the use of chemical weapons actually took place are to be based on material evidence as stipulated in paragraph 17 of Part XI of the Verification Annex. Unfortunately, these provisions are not followed, which shows that the FFM is not prepared to meet the requirements set out in the Convention.



I want to emphasise something right away: we never spoke of the unprofessionalism of the mission's staff. These are experienced, qualified specialists working in complicated conditions, and are often subjected to strong psychological pressure. What is more, there are examples—and they are well known—when a conscientious and professional attitude towards one's work, based on an objective and scientific approach, was unwelcome, and the team members themselves were met with obstruction.

At the same time, certain delegations are accusing us of unduly criticising the activities of the OPCW's special missions and undermining trust in their work—and even disinformation. Well, then; if the requirement to strictly comply with the provisions of the Convention and the call to resolve any existing flaws are detrimental to our Organisation, then that means that things here surely are not as they should be and that we truly need urgent measures to rectify the situation. This must be done by revising the FFM's working methods and terms of reference. A discussion on the accuracy of the mission's investigations can only be held after clear-cut modalities for conducting them have been developed based on the provisions of the Convention. The Syrians are ready for this kind of work.

Ignoring the problems and inaction will only worsen the situation.

As regards the Investigation and Identification Team (IIT), I would like to once again reassert that the Russian Federation has not and will not recognise the legitimacy of the decision that was forced through by vote in 2018 to assign attribution functions to the OPCW.

The team established within the Secretariat for these purposes—most of the illegitimate activities of which are supported by the voluntary contributions of States bolstered by Euro-Atlantic solidarity—keeps busy by releasing dubious reports that are then used as a pretext to exert pressure on the countries that have fallen out of favour. In essence, it is typical for the documents penned by the IIT to follow an approach in which the collected evidence and facts that did not fit nicely into the prefabricated version of what happened are not examined or analysed. The reports themselves are not discussed at an expert level, no critical commentary is considered, and the identification of any gaps, inconsistencies, or discrepancies goes unacknowledged.

The assertions that the work of the IIT is allegedly in accordance with the contents of resolution 2118 (2013) of the United Nations Security Council calling to hold the perpetrators of the use of chemical weapons accountable do not reflect the actual situation. The United Nations Security Council never delegated its authorities under Article VII of the United Nations Charter to the OPCW or to its Secretariat.

The approaches used by the IIT in investigating chemical incidents comprise the very same fundamental flaws as the activities of the FFM.

We request that this statement be circulated as an official document of the Ninety-Ninth Session of the Council and published on Catalyst and the OPCW website.