Executive Council





108th Session 4 - 7 March 2025 EC-108/S/7 7 March 2025 ENGLISH only

NOTE BY THE TECHNICAL SECRETARIAT

CIRCULATION OF NOTE VERBALE NO. NV/ODG-667/25 ADDRESSED TO THE PERMANENT REPRESENTATION OF THE RUSSIAN FEDERATION TO THE OPCW DATED 7 MARCH 2025

The Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons (OPCW) hereby circulates the attached note verbale as an official document of the 108th Session of the Executive Council in response to Note Verbale No. 15 from the Permanent Representation of the Russian Federation to the OPCW dated 3 March 2025.

- Annex 1: Note Verbale No. NV/ODG-667/25 Addressed to the Permanent Representation of the Russian Federation to the OPCW Dated 7 March 2025
- Annex 2: Note Verbale No. 15 from the Permanent Representation of the Russian Federation to the Technical Secretariat of the OPCW Dated 3 March 2025

Annex 1

NOTE VERBALE NO. NV/ODG-667/25 ADDRESSED TO THE PERMANENT REPRESENTATION OF THE RUSSIAN FEDERATION TO THE OPCW DATED 7 MARCH 2025



NV/ODG-667/25

The Technical Secretariat (the "Secretariat") of the Organisation for the Prohibition of Chemical Weapons ("OPCW") presents its compliments to the Permanent Representation of the Russian Federation to the OPCW and has the honour to refer to the latter's Note Verbale No. 15, dated 3 March 2025.

The Secretariat notes again with concern the claim levelled by the Russian Federation against the Secretariat in the attachment of its Note Verbale No. 15, which labels the Secretariat' report as "yet another OPCW Technical Secretariat's fabricated document commissioned by Western States".

The Secretariat wishes to recall its Note Verbale NV/ODG-290/22, dated 10 June 2022, in which the Secretariat already expressed its concern in response to claims of similar nature formulated by the Russian Federation in Note Verbale No.29, dated 9 June 2022, and wishes to recall that the Secretariat works impartially for 193 States Parties to the Convention, including the Russian Federation.

Such an example of misrepresentation of the work of the Secretariat finds illustration in the Russian Federation's comment inferring that the TAV report would have sought to address the "grenades allegedly dropped from Russian drones on the Ukrainian positions". This is misleading as the mandate of the Secretariat under this TAV request was never to look at where the grenades came from but to determine whether they were indeed found along the frontlines as such a finding is in contravention with Article I, paragraph 5, of the Chemical Weapons Convention (Convention).

With reference to its Notes Verbales NV/ODG-666/25 (dated 28 February 2025) and NV/ODG-644/24 (dated 19 December 2024), the Secretariat wishes to recall again that the request from Ukraine to the Secretariat was to provide technical assistance and technical evaluation to Ukraine pursuant to Article VIII, subparagraph 38(e), of the Convention by visiting Ukraine and receiving samples, documentation and evidence it has collected, interviewing witnesses, and providing a technical evaluation, including for scheduled and unscheduled chemicals, through OPCW designated laboratories. Thus, the activities of the Technical Assistance Visit Team were conducted pursuant to the request by the requesting state party.

Permanent Representation of the Russian Federation to the OPCW Andries Bickerweg 2 2517 JP The Hague

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OPCW Johan de Wittlaan 32 2517 JR The Hague Netherlands

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The Secretariat conducts its activities in accordance with the Convention and the decisions of the policy-making organs, following the highest international standards, including the assessment, analysis, and authentication of materials provided by States Parties. The Secretariat further recalls that each report produced by the Secretariat contains detailed explanations on how evidence is collected, and facts are analysed, and on the methodologies applied. The Secretariat also follows a comprehensive approach using corroboration and combination of all evidence collected. Conclusions are reached following thorough assessment of all the information gathered and analysed.

The Secretariat welcomes the opportunity for each State Party to have its own opinions on the reports prepared by the Secretariat. Yet, the Secretariat cannot bend facts to accommodate such opinions.

The Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons avails itself of this opportunity to renew to the Permanent Representation of the Russian Federation to the OPCW the assurances of its highest consideration.





Annex 2

NOTE VERBALE NO. 15 FROM THE PERMANENT REPRESENTATION OF THE RUSSIAN FEDERATION TO THE TECHNICAL SECRETARIAT OF THE OPCW DATED 3 MARCH 2025

Unofficial translation



ПОСТОЯННОЕ ПРЕДСТАВИТЕЛЬСТВО РОССИЙСКОЙ ФЕДЕРАЦИИ ПРИ ОРГАНИЗАЦИИ ПО ЗАПРЕЩЕНИЮ ХИМИЧЕСКОГО ОРУЖИЯ

PERMANENT REPRESENTATION OF THE RUSSIAN FEDERATION TO THE ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS

Nº 15

Encl.: 3 pp.

The Permanent Representation of the Russian Federation to the Organisation for the Prohibition of Chemical Weapons (OPCW) presents its compliments to the Technical Secretariat of the OPCW and, referring to the Note by the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons on the Technical Assistance Visit to Ukraine (S/2370/2025 of 14 February 2025) has the honour to submit the analysis made by the experts of the Ministry of Defence of the Russian Federation.

The Permanent Representation of the Russian Federation to the OPCW requests that the OPCW Technical Secretariat circulate the copy of this Note Verbale as an official document of the 108th Session of the OPCW Executive Council (4-7 March 2025).

The Permanent Representation of the Russian Federation to the OPCW avails itself of this opportunity to renew to the OPCW Technical Secretariat the assurances of its highest consideration.



TECHNICAL SECRETARIAT OF THE ORGANISATION FOR THE

PROHIBITION OF CHEMICAL WEAPONS

The Hague

EC-108/S/7 Annex 2 page 5

<u>Attachment</u> <u>Unofficial translation</u>

RUSSIAN FEDERATION

Regarding the Note by the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons on the Technical Assistance Visit to Ukraine (S/2370/2025 of 14 February 2025)

The Ministry of Defence of the Russian Federation carried out a detailed analysis of the Note of the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons (hereinafter "the OPCW") related to the expert team visit to Ukraine in support of the request by Kiev to provide technical assistance in accordance with the Chemical Weapons Convention, dated 14 February 2025 (document S/2370/2025).

The analysis revealed a number of discrepancies that cast doubt on the conclusions contained in the document.

First of all, it is necessary to emphasize that the report of the OPCW Technical Assistance Visit (hereinafter "the TAV report" and "the TAV team", correspondingly) related to three incidents allegedly involving riot control agents (hereinafter RCAs) in Ukraine in the vicinity of the villages Mariivka and Iliinka, Dnepropetrovsk region, in October 2024 is yet another OPCW Technical Secretariat's fabricated document commissioned by Western States.

The new report on the incidents in Ukraine, like the first report (document S/2338/2024 dated 18 November 2024), does not contain critical and unambiguous information that would fully detail the described events (it misses technical data on the samples collected from the alleged incidents sites and their analysis, as prescribed by the QDOC/LAB/WI/0SA3 OPCW quality assurance document).

Paragraph 3 of the report stated that "[t]he TAV team ... received nine environmental samples collected by Ukraine..." But the most vital point for maintaining the chain of custody under the OPCW standards is the requirement for the physical evidence and samples subject to further analysis to be collected by the

inspection team engaged in the investigation and not by any third parties, let alone the party concerned. In this case the OPCW Technical Secretariat accepted alleged evidence of RCA use from the party concerned - i.e. "the Ukrainian experts". Such an approach clearly reminds of similar cases of staging real facts in Ukraine's favour.

The report does not contain convincing evidence related to the way the CS-containing munitions (RG-Vo grenades) ended up on the incidents sites. Necessary materials for photo- and video recording of incidents were not provided.

Testimonies of witnesses are contradictory in assessing the impact of identical munitions on Ukrainian military personnel. For instance, one witness (as regards the incident of 2 October 2024) stated that "he did not smell any odour" near the grenade impact area although the site was checked immediately after the specific sound of a "clap" and the sound of the drone flying away were heard (see paragraph 21 of the report).

However, in the description of other incidents it is reported that on 12 October 2024 witnesses smelled "a strong pepper-like odour" and experienced "burning sensations in nose and eyes" (see paragraph 26 of the report) with the odour being still present the day after. On 14 October 2024 the witnesses had a burning sensation in the nose, felt a bitter taste in the mouth, discomfort in the eyes and an itching sensation, it was difficult for them to breathe even with their protective masks on (see paragraph 35 of the report).

The photographs of the RG-Vo grenades allegedly dropped from Russian drones on the Ukrainian positions, also raise doubts. All photographs show the grenades after the impact with their labels up, which is almost impossible to achieve in real life conditions.

It should be emphasised that paragraph 22 of the TAV report also questions the reliability of the photographs submitted by the Ukrainian side due to the lack of linkage in terms of date and time of fixation.

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Therefore, these inconsistencies with OPCW standards are gross violations of maintaining the chain of custody and indicate the lack of integrity in the actions of the TAV team.

In addition, the reasons why the TAV team avoided going directly to the sites of the reported incidents and taking samples on sites are not specified. This is particularly strange as the report does not refer to the circumstances that precluded such a visit.

In this regard, the data included in the TAV report from the sites of alleged chemical incidents, without providing the required information on these incidents, cannot serve as a basis for further objective investigation in accordance with OPCW procedures.

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