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**RUSSIAN FEDERATION**

**STATEMENT BY H.E. AMBASSADOR A.V. SHULGIN  
PERMAMENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE OPCW  
AT THE FIFTY-SIXTH MEETING OF THE EXECUTIVE COUNCIL  
UNDER AGENDA ITEM 4**

Mr Chairperson,

The investigation into the incident related to chemical weapons in Khan Shaykhun on 4 April 2017 has brought to light a full spectrum of systemic problems, both in the activities of the OPCW-UN Joint Investigative Mechanism (JIM) in the Syrian Arab Republic and those of the Fact-Finding Mission (FFM).

Within the framework of our Organisation, it would seem, it will be necessary to intently and seriously consider how the work of the FFM can be improved in terms of both effectiveness and quality. The Mission, unfortunately, is not coping with the responsibilities with which it has been entrusted. At the same time, regrettably, we often see in its activities deviations from the requirements of the Chemical Weapons Convention (“the Convention”).

First: when conducting investigations, inspectors must visit the sites of the incidents. Otherwise, all material evidence finds its way to the FFM via “third parties”. And that means a lack of compliance with the basic chain-of-custody principle for safeguarding evidence. I will recall just one document that the FFM constantly cites as its guidelines for conducting investigations. This is the document by the Technical Secretariat (“the Secretariat”) entitled: “The Chain of Custody and Documentation for OPCW Samples On-Site”. According to this document, and I quote: “in case that the integrity of a sample is questionable (for example when there has been a time when the sample was not under OPCW custody [...]) Such a sample will not be accepted for OPCW verification purposes”.

It then follows that everything that the FFM is presenting to us as some kind of material evidence (samples) from the site of the incident are essentially nothing more than trivialities, and cannot even serve as any kind of evidence as per the standards of the Convention (neither primary, nor secondary). But for some reason it is submitted to us as a reliable, evidential base. They even go so far as to assert that there is no need to visit the site of the incident, since all of the samples have already been received.

The FFM has accumulated sufficient investigative experience and has developed a specific working algorithm, but at the same time there are now more noticeable gaps, discrepancies, and inconsistencies with the methods used to conduct its work. In our opinion, they need to be corrected, and it needs to be done urgently. We again see this in the example of the report



that has just been released on the investigation into the incident that took place on 30 March this year in Ltamenah. It is remarkable that the work of the FFM was conducted in an atmosphere of strict secrecy. At meetings with representatives of the Secretariat and the FFM, we asked questions about this incident—the response was silence, as if they would never divulge anything. In response to our question about when the report would be released, they said it would be in about a week—and then the report was circulated literally ten hours later. That speaks to the transparency of the FFM: we have no choice but to say that it is non-existent.

The preliminary analysis of the document by Russian experts showed the same flawed methods based on remote work “in a neighbouring country”. This time, however, the far-reaching conclusions on the use of sarin in Ltamenah are based primarily on traces of this warfare agent detected on the fragments of aerial bombs, an abundance of which was clearly provided “custom-ordered” by the very same NGOs affiliated with terrorist groups. These include large fragments of a chemical munition, delayed fuses and, by all accounts, the filler port plugs, as well as aerial bomb tail fin assemblies. And all of this has been heavily “peppered” with sarin and its degradation products. In a word, this is everything that the FFM and the JIM were missing in the Khan Shaykhun incident.

With regard to this instance, we note many surprising things and coincidences. First of all, this incident was investigated for a full six months, and nothing about this investigation was known to the members of the Executive Council (“the Council”) or to the Government of Syria—this comes down to the question of the transparency of the FFM’s work. Next, information about the detection of traces of sarin in the samples emerged literally one day prior to the United Nations Security Council discussion on extending the mandate of the JIM. This was immediately seized upon in New York and it was insisted that the mandate of the JIM needed to be extended, and immediately, as here we have a concrete example of what needs to be investigated. Only the lazy are not speaking out today in favour of extending the JIM’s mandate. Incidentally, the report itself was released just a few days before the regular discussion in New York on the JIM’s work. Of course, we do believe in happy coincidences—but not to that extent!

In a word, the discussion of the FFM’s work has clearly become a subject of current interest, and that is why we, together with our Iranian colleagues, have added it to the agenda for today’s meeting. I would especially like to emphasise to those who might possibly wish to object: it fully corresponds to the agenda item on the seventh report by the JIM, as the work of this structure is based on the conclusions and findings of the FFM.

For a long time, we have been asking questions regarding the balance among the FFM team members. We, in particular, are concerned that it is composed practically without exception of experts from States, the governments of which do not hide their hostile attitude toward the legitimate Syrian authorities. And this has become the norm. Is it acceptable that the FFM—as well as other missions involved with Syrian issues—is headed by representatives of a country that zealously supports the opposition to the forces in Damascus and openly states, including through its Minister of Foreign Affairs, its non-acceptance of “the current regime” in Damascus? We do, by the way, respect these people. They are of course professionals, but they are probably also patriots of their own country, well aware of the policies of their government. And we understand how difficult it must be for them to remain unbiased and objective in this situation while carrying out their work under the shadow of big politics. It is probably simply impossible.

We are being told that the staff of the Secretariat, including those working for the FFM, leave their national passport at the door when they are hired. In this case, what is preventing the FFM from inviting Russian and Iranian experts in order to dilute this group of “friends of Syria”? They would also leave their passports at the door.

The “terms of reference” of the FFM have become hopelessly outdated (they still include references to investigating incidents involving chlorine). They require review. And they should not be agreed upon only by the authorities of Syria and the OPCW Secretariat—the value of the document is much too high. A decision on the matter should, in our opinion, be taken by the Council, clearly and in detail setting out the mandate of the Mission, and there should be no room for interpretation of its powers and tasks. Otherwise, we will continue to stumble into banalities over and over: should the FFM identify in the course of its investigation what the means of delivery for a toxic agent was or not? We firmly believe that it should, and it should be mandatory. This stems from the requirements of the Convention. Only then it will become clear which chemical weapons were used. Should the Mission visit the site of an incident or not? Without a doubt, it should. Otherwise, there can be no talk about a quality investigation.

Based on the above, the Russian Federation, jointly with Iran, has prepared a draft decision of the Council, which has been submitted for your consideration. Generally speaking, it is primarily aimed at improving the work of the FFM, in order to make this mechanism as effective and high-quality as possible. Furthermore, in this decision we call for the continuation of the investigation into the chemical incident in Khan Shaykhun as per the high standards of the Convention, so that we can “get to the heart of the matter” and clarify what really happened, how sarin ended up there, and what the means of delivery were. We propose abandoning the methodology used to date: a selective approach to working with witnesses and a liberal approach to collecting evidence when, for example, a completely unfounded decision is made to examine certain photographs, while ignoring the existence of photographs of children allegedly suffering the effects of sarin. The Russian Federation and Iran are not asking for anything extra. I repeat: we only want the FFM to be governed in its work by the high standards of the Convention.

I request the Executive Council to consider this draft decision. We are open to any constructive proposals on adjusting it.

Thank you, Mr Chairperson.

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