CONCEPT NOTE

United Nations Security Council Arria-Formula Meeting
Implementation of UNSCR 2118: OPCW FFM Report on Douma

20 January 2020

Background

1. On 7 April 2018, various claims were made of the alleged use of toxic chemicals as a weapon in Douma, the Syrian Arab Republic. On 10 April 2018, the OPCW Technical Secretariat and the Permanent Mission of the Syrian Arab Republic to the OPCW concluded arrangements that provided for the urgent deployment of the OPCW Fact-Finding Mission (FFM) team to the location of the incident. An advanced team was dispatched to Damascus on 12 April 2018 and a follow-up team – the next day.

2. On 14 April 2018, the United States, United Kingdom and France conducted missile strikes against several targets within the Syrian Arab Republic, including in the city of Damascus. The targets were alleged to be connected with the Syrian chemical warfare programme. Yet, until today, no evidence to substantiate these claims was ever provided neither to the OPCW, nor to the UN Security Council, which is the only body which has the prerogative to authorize the use of force.
3. Due to these developments and the high security risk, the FFM team was able to conduct its first on-site visit only on 21 April 2018 – two weeks after the incident. During this phase of work, the FFM managed to collect environmental and some biomedical samples as well as conduct witness interviews. These activities were carried out in line with stringent procedures of the OPCW.

4. On 26 April 2018 the Syrian and Russian Permanent Missions to the OPCW arranged at the premises of the OPCW a briefing with the participation of alleged victims and true witnesses of the alleged incident, including persons that appeared in the video widely distributed as evidence of a “chemical attack”.

5. The FFM Final Report on the Douma incident was published on 1 March 2019. A critical analysis of the document raised serious questions about the conclusions drawn from each of the key evidentiary pillars of the investigation, be it chemical analysis, toxicology, ballistics or witness testimonies.

6. Throughout 2019 more and more information surfaced indicating that inspectors that were part of the initial team deployed to Douma were not involved or consulted in the post-deployment phase or had any contribution to, or knowledge of the content of the Final Report until it was made public. Moreover, the numerous attempts of these individuals to raise legitimate concerns, highlight irregular practices or even express their differing observations were repeatedly ignored. Such disquieting practices put in question the integrity of the Final Report.

7. The Security Council has on multiple occasions, most recently in the Statement by its President on 22 November 2019 (S/PRST/2019/14), reaffirmed that the use of chemical weapons constitutes a violation of international law and a threat to international peace and security. In its resolution 2118 (2013) the Council also decided, that in the event of non-compliance, including any use of chemical weapons by anyone in the Syrian Arab Republic, to impose measures under Chapter VII of the United Nations Charter.
8. On 18 November 2019 the “Courage Foundation” circulated among all the delegations present at the 24th session of the Conference of the State-Parties of the Chemical Weapons Convention a collective letter signed by a number of distinguished international scientists, politicians and public figures with the appeal to facilitate efforts to allow all members of the FFM team assigned to investigate the incident in Douma to speak freely and without risk of censure at an appropriate forum.

9. The situation around the Final Report on the incident in Douma effectively amounts to an attempt to manipulate the authority and credibility of the OPCW and mislead the international community. Given this, we are of the firm view that this issue should be addressed.

**Speaker’s Focus Areas**

The meeting will allow for an assessment by eminent and expert speakers of the situation surrounding the OPCW FFM Final Report on the incident in Douma, the Syrian Arab Republic, 7 April 2018. This should include, *inter alia*:

- Reflection on international responsibilities to uphold the Chemical Weapons Convention.
- Discussion on the obligation to ensure the integrity of Fact-Finding Missions as well as the protection of the independent status of their personnel.
- Examination and recommendations on measures of accountability in cases where the independent status of Fact-Finding Missions was violated and/or its individual members were persecuted for the diligent fulfillment of their relevant mandates.
Format and Modalities

1. The meeting will be organized pursuant to paragraph 65 of Security Council Presidential Note S/2010/507 and all UN Members States are invited to participate and make interventions.

2. The meeting will be convened on Monday, 20 January 2020, at 3.00 pm at the UN Headquarters in New York (ECOSOC Chamber).

3. The meeting will be open to attendance by Observers, accredited NGOs, and media, without the right to make interventions. The meeting will be webcasted.