



PERMANENT MISSION OF THE RUSSIAN FEDERATION
TO THE UNITED NATIONS
NEW YORK

CONCEPT NOTE

United Nations Security Council Arria-Formula Meeting Implementation of UNSCR 2118: Upholding the Authority of the OPCW

28 September 2020

Background

The Syrian chemical dossier has been considered by the UNSC for 7 years, being a highly divisive and polarized issue.

In 2013 the Syrian Arab Republic joined the Chemical Weapons Convention (CWC) and committed to destroy its chemical weapons and its chemical weapons production facilities as soon as possible. The OPCW Executive Council took an appropriate decision, which was followed by the UNSC resolution 2118, stipulating that no party in Syria should use, develop, produce, acquire, stockpile, retain or transfer chemical weapons.

In 2014 all the chemicals declared by the SAR were removed from the territory of the SAR and destroyed at sea aboard the Cape Ray, a vessel of the United States Maritime Administration's Ready Reserve Force as well as on the territory of a number of Western states. Subsequently, the Organization for the Prohibition of Chemical Weapons (OPCW) in the course of numerous intrusive inspections confirmed the completion of the Syria's chemical demilitarization and still then has not revealed any undeclared CW stockpiles.

Nevertheless, Western countries went on to claim that the Syrian government continues to use chemical weapons. However, the investigative mechanisms (the Fact-Finding Mission - FFM, Joint Investigative Mechanism – JIM) failed to provide convincing evidence to that. Moreover, numerous concerns have been raised about their geographically unbalanced composition, the flawed methodology and poor work ethics as well as unsubstantiated conclusions, which put impartiality and integrity of their reports in question.

In particular, these investigations are conducted in violation of the CWC, disregarding the so-called “chain of custody”, which requires the evidence to be collected on site and exclusively by the OPCW specialists. Instead, investigative teams make use of the information provided by questionable sources, including notorious “White Helmets” which were repeatedly proven to be involved in staging the incidents with the use of chemical weapons.

At the same time, the evidence about the use of chemical weapons by non-state actors, including terrorists groups, is deliberately neglected by the above mentioned investigative mechanisms. Since 2013, the SAR has sent more than 200 letters to the UN Secretariat about the terrorist activities to prepare and carry out the acts of chemical terrorism. It has also submitted to the OPCW TS materials on staged nature of some incidents. No further actions were taken. Similarly, the investigation of incidents upon the request of Damascus (in particular, of November 24, 2018 in Aleppo) are artificially stalled.

The malpractices of the OPCW TS have been further illustrated by the scandal around the FFM report on Douma incident of April 7, 2018 when clear manipulations of its content were revealed. Moreover, attempts of several inspectors to raise in public legitimate concerns were repeatedly ignored. There are also questions with regard to the activity of the Declaration Assessment Team and its mistreatment of the evidence provided by the Syrian side. The most recent example is a “mysterious evaporation” of samples with phosphorus trichloride collected during the 22nd round of consultations in Damascus in October 2019. The TS noticed that the evaporation

problem as early as in February, however, it decided to keep it secret until the moment when the samples became irreversibly damaged.

Russia's calls to address these malpractices have met no response so far.

In April the Investigation and Identification Team (IIT), established in violation of Articles VIII and XV of the CWC, issued a report on the chemical incidents in Ltamenah in March 2017 which is filled with gaps, inconsistencies and discrepancies as well as unsubstantiated judgements. On the initiative of Western countries, these flawed assumptions paved the way for the OPCW Executive Council Decision (EC-94/DEC.2) of July 9, which was taken by the narrow margin of only 2 vote and which Russia as well as many other states strongly condemns. This document is clearly politicized and is aimed to escalate pressure on the Syrian government rather than ensure justice and CW non-proliferation regime.

The decision groundlessly requests Syria to declare within 90 days "additional" CW and alleged facilities connected to them despite the fact that non-existence of CW in Syria was already proven by the OPCW. After this deadline it can be referred for further action to the UNSC. This would only deepen divisions in the Council and bring serious implications for the implementation of the resolution 2118. It is also clear that all the abovementioned developments around Syria chemical file have led to serious undermining the credibility of the OPCW TS as an independent body overlooking implementation of the CWC.

Objectives

- To exchange opinions on Syrian chemical dossier with wider international audience normally absent from the closed SC discussion;
- To give independent researchers and experts an opportunity to speak on the issues of OPCW investigative methods and conclusions;
- To explore possible ways to address administrative, infrastructural and policy flaws of the OPCW TS and thus uphold the authority of the Organization and its ability to implement its mandate.

Briefers

OPCW-related experts, to be confirmed later.

Speaker's Focus Areas

The meeting will allow for an assessment by eminent and expert speakers of the situation around the implementation of UNSCR 2118 and possible ways forward to uphold the CW non-proliferation regime and the authority of the OPCW in the context of recent revelations. This should include, *inter alia*:

- How can the Council work on the Syrian chemical dossier without its politicization? How can it better cooperate to avoid misleading and unsubstantiated claims that poison such cooperation?

- What measures should be taken to address the serious problems in the work of the OPCW TS? How can the independent status of inspectors in line with the CWC Article VIII (pp. 46 and 47) be ensured? How to protect individuals that are being prosecuted for the diligent fulfillment of their duties?

- In the light of recent revelations, what should be done to uphold the authority of the OPCW?

Format and Modalities

1. The meeting will be organized pursuant to paragraph 98 of Security Council Presidential Note S/2017/507 and all UN Members States are invited to participate and make interventions.

2. The meeting will be held on 28 September 2020, at 15:00 NY time by means of a videoconference.

3. The meeting will be open to observers, accredited NGOs and media, without the right to make interventions.

Logistics

A compilation document will be prepared containing the interventions of the briefers and speakers.

The meeting will be conducted via Zoom. We also suggest to have it broadcasted through UN Web TV and recorded.