

# Conference on Disarmament

19 June 2017  
English  
Original: English/Russian

**Letter dated 5 June 2017 from the Permanent Representative of the Russian Federation, addressed to the Secretary General of the Conference on Disarmament, transmitting the comments of the Foreign Ministry of the Russian Federation on the Syrian “chemical dossier” made in response to the French National Evaluation regarding the chemical attack of 4 April in Khan Shaykhun.**

I have the honour to transmit herewith the comments of the Foreign Ministry of the Russian Federation on the Syrian “chemical dossier” made in response to the French National Evaluation regarding the chemical attack of 4 April in Khan Shaykhun.

I would be grateful if this letter and the attached comments could be issued and circulated as official documents of the Conference on Disarmament.

(Signed) Alexey **Borodavkin**  
Permanent Representative



## Annex I

[Original: Russian]

25.05.17

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### **Comments of the Information and Press Department of the Russian Ministry of Foreign Affairs regarding the Syrian “chemical weapons dossier”**

On 23 May the United Nations Security Council held another discussion of the situation regarding the Syrian “chemical weapons dossier”. The three Western permanent members of the Security Council sought to give the meeting an expressly anti-Assad and anti-Russian tone. It was confirmed once again that these “denouncers” of Damascus were not interested in establishing the truth about the crucial question of who was really behind the possible use of sarin on 4 April 2017 in the Syrian governorate of Idlib. The representatives of the United States of America, the United Kingdom and France are desperately resisting attempts to ascertain to what extent the verdict they reached “in absentia” on the supposedly indisputable guilt of the Government of Bashar Al-Assad for the chemical attack in Khan Shaykhun is justified.

An ugly picture is emerging. Almost two months after the chemical incident, it seems that no one is in a hurry to travel to Khan Shaykhun to verify all the circumstances of such a heinous act. Moreover, the Westerners are even ruling out the possibility of visiting Sha’irat airbase, where, they allege, the sarin used in Khan Shaykhun was stored.

Regrettably, the Organization for the Prohibition of Chemical Weapons (OPCW) fact-finding mission responsible for establishing whether chemical weapons have been used is taking no action in this regard; time and again it has postponed travelling to Khan Shaykhun, citing the adverse security situation. However, the leadership of the OPCW-United Nations Joint Investigative Mechanism responsible for investigating cases of the use of chemical weapons in Syria is yet to develop an investigation plan that will specify which places should be visited, who should be questioned and which documents should be requested.

The Russian position on the situation is well known and abundantly clear: the investigation of the incident should be conducted with the utmost care, strictly in accordance with the mandates of the Joint Investigative Mechanism and the fact-finding mission approved by the Security Council and OPCW, and in line with all the investigative actions, methods and rules set out in the relevant resolutions of the Security Council and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Visits must be made to Khan Shaykhun and Sha’irat, that is, both the place where the barbarous act was committed and the site that allegedly has a direct connection to it. The flawed practice that has developed in the work of the Joint Investigative Mechanism and the fact-finding mission, where investigations are conducted remotely and are based on the evidence of unreliable witnesses and sometimes even phoney casualties, is categorically unacceptable. Extensive use is being made of the resources of long-discredited non-governmental organizations with established connections to fighters and terrorist structures. This is not merely a pretence — we are dealing with conscious, deliberate falsification in pursuit of clearly stated political aims.

We once again call upon our Western colleagues, who are flaunting their quasi-evidence, to answer a number of specific questions. In particular, when biomedical and other samples were collected, was the chain of custody — a procedure fundamental to the Chemical Weapons Convention — respected? Is it not time to stop establishing far-reaching incriminating conclusions on the basis of the plainly stage-managed, phoney videos and other unreliable information that the intransigent Syrian opposition and its foreign patrons provide in abundance to the Joint Investigative Mechanism and the fact-finding mission?

Returning to the topic of visiting Sha'irat, we recall that Damascus provided official guarantees of safe access to the site for experts of the fact-finding mission as early as the beginning of April. Furthermore, the Syrian Government requested that such a visit should be organized without delay, thereby confirming its readiness to fulfil its obligations under paragraph 12 of the mandate (terms of reference) of the fact-finding mission and part XI, paragraph 15, of the Annex on Implementation and Verification (Verification Annex) to the Chemical Weapons Convention. The latter states expressly that "the [OPCW] inspection team shall have the right of access to any and all areas which could be affected by the alleged use of chemical weapons". All the prerequisites for organizing a visit, from the point of view of security requirements and the fulfilment of obligations under the Convention, are therefore met. This contrasts sharply with the passivity of the Joint Investigative Mechanism and the indifferent position of the OPCW leadership, which believes that visiting the airbase does not fall within the competence of the fact-finding mission.

We insist that the Joint Investigative Mechanism join the fact-finding mission in investigating the situation at Sha'irat airbase. We recall that, in paragraph 6 of Security Council resolution 2319 (2016), the Joint Investigative Mechanism is expressly directed to offer its services to OPCW. In Security Council resolution 2235 (2015), which actually established the Joint Investigative Mechanism, paragraphs 3 and 4 set forth the requirement to identify those responsible for the stockpiling and retention of chemical weapons. Furthermore, paragraph 7 of the resolution clearly sets out the need to ensure full access to all locations relevant to the investigation. Why, then, is this situation openly disregarded by our opponents?

Not only the Russian Federation but also many other countries consider it necessary to visit Sha'irat on the basis of the facts and circumstances known at the present time (Security Council resolution 2235 (2015), para. 7).

We demand that the leadership of the Joint Investigative Mechanism and the OPCW Technical Secretariat take immediate steps to remedy the current situation, send their experts to Khan Shaykhun and Sha'irat without delay, ensure a comprehensive and impartial review of all the circumstances of the case and take other steps laid down in their mandates in order to "identify to the greatest extent feasible individuals, entities, groups, or governments who were perpetrators, organizers, sponsors or otherwise involved in the use of chemicals as weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic" (Security Council resolution 2235 (2015), para. 5).

Continued failure to conduct a full investigation will call into question the capability of the Joint Investigative Mechanism and the fact-finding mission and, consequently, the advisability of their continued existence.

## Annex II

[Original: Russian]

27.04.17

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### **Comments of the Information and Press Department of the Russian Ministry of Foreign Affairs in connection with the French National Evaluation regarding the alleged use of chemical weapons in the Khan Shaykhun area**

A report by the French intelligence agencies containing national evaluations of the alleged use of chemical weapons in the Khan Shaykhun area of the governorate of Idlib in the Syrian Arab Republic has been published in Paris. This is now the third national investigation, following the Turkish and British investigations. The impression formed is that the aforementioned countries either do not trust the Organisation for the Prohibition of Chemical Weapons (OPCW) or are attempting to influence its work in the direction that they require.

Even an elementary analysis of the five-page French document raises many questions. Above all, they relate to the circumstances in which France obtained the samples allegedly collected directly at the site of the events. If the French intelligence agencies collected the samples themselves, that means that they had free access to an area that, according to the report, is controlled by armed groups of the Syrian opposition with links to Al-Qaida. But if the samples were obtained elsewhere, for example in the territory of a country neighbouring Syria, the reliability of the analysis conducted is immediately questionable.

It is essential to recall that, in accordance with international norms, the full integrity of samples intended for analysis should be guaranteed throughout the journey from the site of the events to the laboratory.

As proof that the sarin allegedly used in Khan Shaykhun was produced in Syria, the authors of the report allege that its “formula” points to the use of techniques developed in Syrian laboratories. The grounds for such certitude remain incomprehensible, as there has never been any sarin in a “prepared” form in Syria; only its precursors were present, and they were completely removed from Syria in 2014. The mobile installations that could be used to synthesize sarin were destroyed, as was confirmed by OPCW.

The authors’ only scrap of evidence is the supposed match between the results of the recently conducted analysis and the results of the testing of samples obtained by France in 2013 from the site of another incident also allegedly associated with the use of sarin. However, this seems unconvincing, as, in 2013, the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic was unable independently to verify the information contained in the French report on the incident that took place in Saraqueb and to confirm compliance with the procedure for the preservation of evidence, including during the transportation of collected samples. The only piece of material evidence on which the authors of the report rely is a hand grenade that appears, on the photograph, to be filled with sarin; it was allegedly dropped from a Syrian helicopter. The use of a grenade for the delivery of sarin is a new phenomenon. As far as we are aware, it is unprecedented in the history of chemical weaponry. To put it mildly, such an exotic chemical munition is not without danger for those who use it.

In short, there are many obvious inconsistencies attesting to the poor quality of the investigation conducted. The only real way to establish the truth would be to send the OPCW fact-finding mission to Khan Shaykhun and to the Sha’irat airbase, where the sarin used at Khan Shaykhun was allegedly stored, to conduct a field investigation using all the techniques provided for in the Chemical Weapons Convention and in the mission’s mandate. It is also important for the composition of the mission to be fully consistent with

paragraph 8 of its mandate, which stipulates that the group of experts should be recruited on as wide of a geographical basis as is practicable. Only then can the findings of an international investigation be accepted by all countries with confidence.

This was the aim of the draft decision recently submitted by Russia and Iran at the special session of the OPCW Executive Council. Regrettably, it was blocked mainly by Western countries, including France, which, as an alternative to an impartial international investigation, has now carried out its own one that has frankly not been a great success from a professional perspective.

We once again call for an end to the undignified “political games” over the Syrian chemical weapons dossier and for a start to be made on the steps that Russia has been urging for the past three weeks, namely for a group of experts to be sent immediately to Khan Shaykhun and to the Sha’irat airbase, one that also includes representatives of countries not blinded by hatred for the legitimate Government of Syria.

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