



# General Assembly Security Council

Distr.: General  
13 May 2020

Original: English

**General Assembly  
Seventy-fourth session**

Agenda item 98 (m)

**General and complete disarmament: implementation  
of the Convention on the Prohibition of the  
Development, Production, Stockpiling and Use of  
Chemical Weapons and on Their Destruction**

**Security Council  
Seventy-fifth year**

## **Letter dated 12 May 2020 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council**

It is regrettable that, despite our genuine attempts to hold a frank and candid discussion on 12 May 2020 with the Director General of the Organisation for the Prohibition of Chemical Weapons (OPCW), Fernando Arias, in the format of an open videoconference of the Security Council, some members of the Council insisted on conducting this interaction behind closed doors as an “informal informal”. Such an approach is unacceptable to us as it undermines the prerogatives of the State parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and OPCW policymaking organs, which are effectively precluded from having any knowledge of the contents of this meeting and are yet to have a formal discussion on its main topic – the report of the OPCW Investigation and Identification Team. With this in mind, we will not be participating in the “informal informal” interactive dialogue and object to the practice of interaction with the OPCW Director General behind the backs of the vast majority of the OPCW membership.

I would like to also recall the illicit and illegitimate nature of the Investigation and Identification Team, which was established in violation of article XV of the Convention on Chemical Weapons and undermines the goals and principles of the Convention.

In order to be fully transparent, and for the benefit of the States parties to the Convention, we would like to share the list of questions we intended to ask Mr. Arias in an open setting:

1. The “chain of custody” principle implies that all of the evidentiary data, including environmental samples, should be collected on site, directly by OPCW personnel. Moreover, it implies the elimination of risk for any cross-contamination during the continued handling of evidence. Given that the munition fragments from Lataminah were handed over by unknown sources to the fact-finding mission only in



February 2018 (almost a year after the incident), how could the Investigation and Identification Team “reconstruct” the chain of custody. What is the legal basis for such a “reconstruction” and who approved the guidelines for it?

2. Why did the fact-finding mission not visit the location of the incidents and did not conduct evidence collecting and questioning of witnesses as is required by standard OPCW procedures?

3. Why did the Technical Secretariat violate its mandate and ignore the request by the Syrian Arab Republic from 11 April 2017 to conduct an inspection of the Sha‘irat airbase in connection with the allegations by the United States of America that it was used as a chemical weapons production facility? Why was this deliberately ignored in the report of the Investigation and Identification Team, despite the fact that a timely inspection of the airbase would have provided definitive answers relevant to its investigation?

4. The lack of publicity of the incidents in Lataminah is used as an argument by the Investigation and Identification Team to exclude the possibility of them being staged. Does this mean that the highly publicized incidents in Duma and Khan Shaykhun were staged?

5. From open source information it is clear that the majority of the personnel of the Investigation and Identification Team were nationals of a certain regional group of countries that actively supported the acts of aggression against Syria in 2017 and 2018. Moreover, this group also opposed any on-site activity by the fact-finding mission in connection with the incidents in Lataminah and the Sha‘irat airbase and thus effectively impeded its investigation. Why is due regard not paid to the importance of recruiting staff on a wide geographical basis? Is this practice supported by the Director General?

There are dozens of other questions to the OPCW Technical Secretariat and its Director General on the validity and integrity of the technical, scientific, chain-of-custody and evidentiary conclusions, as well as their political motivation, reached by the so-called Investigation and Identification Team.

They will be raised at an appropriate time, and we will demand thorough consideration.

We would like to use this opportunity to recall that our numerous questions as to the conclusions of the final report of the fact-finding mission on the Duma accident remain unanswered, while our insistent proposals to discuss them professionally in the OPCW are being ignored.

I would be grateful for the circulation of the present letter as a document of the General Assembly, under agenda item 98 (m), and of the Security Council.

*(Signed)* Vassily **Nebenzia**