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السنة الخامسة والسبعون

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الدورة الرابعة والسبعون
البند 98 (م) من جدول الأعمال
نزع السلاح العام الكامل: تنفيذ اتفاقية حظر استحداث وإنتاج
وتخزين واستعمال الأسلحة الكيميائية وتدمير تلك الأسلحة

رسالة مؤرخة 19 حزيران/يونيه 2020 موجهة إلى الأمين العام ورئيس مجلس الأمن من
الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

أتشرف بأن أحيل طيه مذكرة من الاتحاد الروسي بشأن تحقيقات منظمة حظر الأسلحة الكيميائية فيما يتعلق بحالات الاستخدام المزعوم للأسلحة الكيميائية في اللطامنة في 24 و 25 و 30 آذار/مارس 2017 (انظر المرفق).

وأرجو ممتناً تعميم هذه الرسالة باعتبارها وثيقة من وثائق الجمعية العامة، في إطار البند 98 (م) من جدول الأعمال، ومن وثائق مجلس الأمن.

(توقيع) ف. نيبنزيا



مرفق الرسالة المؤرخة 19 حزيران/يونيه 2020 الموجهة إلى الأمين العام ورئيس مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

**Organisation for the Prohibition of Chemical Weapons (OPCW)
investigations regarding instances of alleged use of chemical
weapons in Ltamenah on 24, 25 and 30 March 2017**

General observations

A consequence of the successful actions of the Syrian Arab Republic armed forces against the numerous terrorist groups in Syria has been the increasing frequency of baseless accusations against the Damascus authorities of unlawful acts against the population of their own country, including alleged “use of chemical weapons”.

Against the backdrop of demands of some Western countries and like-minded States for the resignation of the legitimately elected president of Syria, Bashar al-Assad, there has been a constant flow of bogus stories about alleged incidents involving chemical weapons or toxic substances in the territories controlled by anti-government forces. The initiators and propagators are always the same foreign-financed, pseudo-humanitarian, organizations and structures, like the notorious “White Helmets”. Using such techniques, the United States and its allies are attempting to indirectly discredit the government of Syria, to justify their military intervention in an internal Syrian conflict, intervention which includes the launching of “retaliatory” missile attacks on military and civilian infrastructure in Syria in violation of the Charter of the United Nations and of the universally recognized norms of international law. This is the context in which the activities of the Investigation and Identification Team (IIT) imposed on the Organisation for the Prohibition of Chemical Weapons (OPCW) by Western countries in contravention of the fundamental provisions of the Chemical Weapons Convention and the consensus principle enshrined in it, should be viewed.

In the light of the tasks assigned to the Team by those that established it, the conclusions of its first report on chemical incidents in Ltamenah on 24, 25 and 30 March 2017 were entirely predictable: they accused the Syrian Government of using chemical weapons. The desire of the group of countries headed by the United States to use a fabricated Syrian “chemical dossier” to further their geopolitical plans in Syria and in the Middle East in general is demonstrated clearly by the unacceptable methods of investigation used, the doubtful reliability of the information presented in the report and the groundlessness of the conclusions.

Despite an active propaganda campaign launched by Western countries to support the idea of the IIT’s “objectivity, professionalism and independence”, it is impossible to hide the obvious: the report is biased, politically partisan, factually inaccurate, professionally extremely weak, and technically unconvincing. Even the wording of the main conclusion – “there are reasonable grounds to believe” – indicates that the authors were unable to reach an unequivocal conclusion.

Following the highly dubious and contradictory outcome of the Syria-focused work of the Fact-Finding Mission (FFM) and the former OPCW – United Nations Joint Investigative Mechanism, the IIT is once again trying to prove the military usefulness to the Syrian armed forces of using chemical weapons. However, even the report’s semblance of an analysis of the military situation in the area of Ltamenah and Hama in March and April 2017 leads to the logical conclusion that there was no need for the Syrian Government forces to take that kind of action. During the period being examined, the Syrian army, with air support, had continued its offensive in Hama

governorate, regaining control of up to 75 per cent of the latter's territory. This success demonstrated that the area's existing military forces and resources were sufficient to fulfil counter-terrorism functions, and that there was not even a theoretical need to use chemical weapons or toxic chemicals.

It is obvious that the use of three chemical munitions during a week of intensive fighting would have achieved neither any significant practical result "on the ground", nor even any kind of intimidating effect on the local people, most of whom do not support the fighters. On the contrary, it was the fighters and the terrorists who stood to gain from that kind of provocation, through its ability to trigger an appropriate "international reaction" and thereby somehow impede or weaken the Syrian Army action.

The IIT report is made to look unreliable not only by the political context of the entire situation, with the so-called "Syrian chemical dossier", but also by the following circumstances.

The IIT conducted its investigation remotely, without the experts visiting the location of the alleged use of chemical weapons and without any involvement of the Syrian authorities. That method essentially invalidates the entire investigation.

The leadership of the OPCW Technical Secretariat did not even consider it necessary to follow the requirements of the CWC and provide Damascus with formal notification that it had begun consideration of the incidents.

The sources of information indicated by the IIT are certain, unnamed, States parties to the Convention on the Prohibition of Chemical Weapons, anonymous witnesses, "various" and "multiple" sources. We note that most of the entities to whose "assistance" the IIT had recourse operate in the interests of the Syrian opposition and are funded by States hostile to Damascus. Notable among these entities are the following: Chemical Violations Documentation Center of Syria (CVDCS); Human Rights Watch; Open Society Justice Initiative; Peace SOS; Syria Civil Defence (SCD); Syria Justice and Accountability Centre; Syrian Archive; Syrian Network for Human Rights (SNHR); Syrian NGO Alliance.

There are numerous questions about the working methods of the members of the IIT familiar from the FFM and the OPCW – United Nations Joint Investigative Mechanism. The report, for example, contains more than 50 references to certain "specialists" and "specialized forensic institutes", providing no details of their nationality and area of activity. One thing is clear: the individuals and entities used as sources of information cannot be considered neutral with respect to the authorities in Damascus. Their bias in relation to everything that has been happening in Syria since 2011 is undeniable.

Given that the IIT investigation was conducted remotely, its assurance of a "careful assessment", "verification" or "reconstruction" of the FFM's sequence of actions to preserve the evidence ("chain of custody") remains an unsubstantiated conclusion. In practice, samples and fragments of alleged chemical munitions were handed over to the Fact-Finding Mission by certain individuals (usually personnel of the "White Helmets") in a third country, with several months having passed since the incidents themselves. As a result, there is no certainty that the materials and samples handed over to the FFM were actually collected in Ltamenah and not elsewhere in Syria or even in another country. There are therefore no grounds for confirmation that the chain of custody for evidence has been preserved.

The same applies to FFM and IIT witnesses: in particular, there is absolutely no evidence of their actual existence or their direct presence in Ltamenah at the time of alleged chemical incidents.

The report did not address a very sensitive question: whether the OPCW Technical Secretariat had transferred to the Syrian authorities parts of the samples received by the FFM from the aforementioned unknown persons. As far as we know, this did not happen, despite repeated requests from Damascus in this regard.

All of the above represents grave violations of the Convention, its Verification Annex and other documents on the subject adopted by the OPCW.

Using certain satellite images as a basis, the IIT continues to accuse Syria of having chemical munitions storage facilities at Shayrat airbase. We wonder about the origin of that belief, and about the ability to “visually” distinguish such facilities from storage facilities for conventional munitions. And where were these satellite images in 2017?

In 2017, the Syrian authorities made an insistent appeal for OPCW specialists to visit Shayrat airbase without delay, and provided the appropriate assurances of security. Unfortunately, the visit was disrupted by the actions of an external aggressor, the United States, which hastily launched a missile attack on the airbase on 7 April 2017 in order to prevent the OPCW experts from officially refuting the unfounded allegations against the Syrian government in connection with the chemical incident in Khan Shaykhun on 4 April 2017. The OPCW specialists, meanwhile, never visited the air base, on the grounds – it was said – that there would no longer be any purpose in doing so after the missile attack.

In April 2017, in order to further clarify the situation, Russia and Iran submitted to the OPCW Executive Council a draft decision formally instructing the Director-General of the Technical Secretariat to inspect the Shayrat airbase. The proposal was rejected by the United States and its allies, which called for it to be put to a vote. However, they did not provide any reasonable argument to support this position.

By making unsubstantiated allegations against the Syrian Government, the IIT completely disregarded the circumstances described above.

The information provided in the report regarding the sources of data on activities at the Shayrat airbase looks ridiculous. It is claimed, in particular, that the sources include networks of “aircraft spotters” from opposition groups who allegedly intercepted communications between pilots about air-strike targets and their coordinates. Who were these people, what technical capabilities did they have, and how reliable was their “spotting”? These questions of course remain unanswered.

All of the above circumstances and a number of inconsistencies, which are discussed below, ultimately fit into a complete picture that shows that the IIT’s main objective is to justify the illegal acts of aggression by the United States and its allies against Syria in 2017 and 2018, and to create other grounds for direct interference by “interested” States in the internal affairs of the Syrian Arab Republic.

Assessment of the report of the Investigation and Identification Team regarding specific instances of alleged use of chemical weapons in Ltamenah

The IIT report contains inconsistencies with the documents of the FFM and the OPCW – United Nations Joint Investigative Mechanism. In some cases, they are of a fundamental nature.

Significantly, no geographic coordinates of the alleged events are provided in any of the three instances, even though such details are vital to a good-faith investigative procedure.

In connection with the incidents of 24 and 30 March 2017, the IIT attempted to invoke the allegedly “unique” technology used by the Syrians to synthesize binary

sarin as unequivocal evidence that no one else could have done so. These kinds of claim are simply incorrect.

Following Syria's accession to the Convention on the Prohibition of Chemical Weapons, Damascus handed over to the OPCW detailed materials on methods of sarin synthesis, and a portion of the sarin precursors removed from Syria was destroyed on the specialized American ship "Cape Ray" in the Mediterranean Sea. Thus, the "unique" formulation of "Syrian" sarin has long been no secret and could be easily reproduced even in artisanal settings in order to organize provocative action inside Syria.

The 24 March 2017 incident

1. Referring to some flight data and information from "various" (unidentified) sources, the IIT claims that on 24 March 2017 a Syrian air force plane dropped at least one aerial bomb containing a toxic chemical. The report indicates that the IIT assessed the videos of the area of the alleged chemical incident and confirmed their geolocation through "two independent verifications by a specialized institute". In other words, the geolocation performed had related only to a number of videos, not to the site of the alleged incident itself.

2. Based on the results of the video analysis, the IIT concluded that the resulting crater was 1 to 2 metres deep, about 2.5 metres in diameter, with a circular shape, and was therefore consistent with the effect of an aerial bomb (para. 7.9). However, the photo available in the report shows a crater of a different size, and the FFM report (S/1636/2018, para. 5.14) indicates that a witness testified that the crater was 1 metre deep and 1.5 metres in diameter. There is no explanation for this discrepancy.

3. The IIT report refers to the use of an aerial chemical bomb (containing 132 kg of sarin) "under favourable weather conditions". However, the FFM report on this incident states that there were no deaths and that the casualties had only minor injuries. The FFM reports approximately 30 civilian casualties (para. 5.12) who received medical treatment, while the IIT report notes only 16 casualties, including both civilians and armed group fighters, 5 of whom were intubated (para. 7.14). It is also telling that the IIT was never able to find medical records of those allegedly affected by sarin, and the symptoms were recorded based on statements of medical staff and patients. As noted in the IIT report, it is alleged that some patients spent between 24 hours and 10 days in an unidentified hospital (para. 7.15).

The IIT report in this context does not contain anything that could shed light on such significant discrepancies. Nor is there an answer to the question of what kind of therapy was used for treatment of the affected persons, in what documents records about methods and course of treatment, prescriptions of doctors were kept, and so on.

4. Of the 6 samples of metal fragments allegedly extracted from the crater and handed over to the FFM by the White Helmets on 19 February 2018, only two (SDS28, SDS29) have been found to have any degree of connection with the use of chemical weapons. There is no information on who collected these fragments at the site of the incident, or of where and how they were stored prior to transfer to the FFM. Only one fragment (SDS28), which is a heavy metal cone with an attached metal sheet, has been examined in detail (there is no photo in the report). After conducting a photogrammetric study and on the basis of the views of "munitions experts", it was concluded that the fragment was likely a part of the Syrian air-delivered M4000 chemical munition. However, specialist professionals have good reason to doubt the validity of this assessment.

For example, the IIT itself notes in its report that it had learned "from States Parties to the Convention on the Prohibition of Chemical Weapons and public

sources” that in 2013 the Syrians were converting their 2,000 unfilled air-delivered chemical munitions into conventional munitions and using them in combat activities before the ratification of the Convention by Damascus (para. 7.21). However, this fact has no confirmation in the IIT report, apparently due to a lack of relevant documents and physical evidence. Furthermore, there is no mention of the open availability of videos in the Internet (one of the sources of information recognized by the FFM and the former Joint Investigative Mechanism) showing fighters pointing out unearthed unexploded “chemical” M4000 bombs equipped with conventional explosives.

Thus, in view of the above and the severe corrosion (of at least 5 years’ duration) of virtually all metal of the fragments handed over to the FFM, it cannot be excluded that they could have belonged to unexploded or previously detonated “chemical” aerial bombs repurposed into conventional munitions. In addition, the overall lack of technical expert-assessment material raises doubts as to whether all five metal fragments handed over had come from M4000 aerial bombs.

5. With regard to the “chemical” part of the IIT report, which includes the main findings of purportedly additional research, we note that these findings were either already known from the FFM reports on the composition of the agents or subject to serious doubts as to correctness and validity. There are also questions about the presence of traces of “pure sarin” (which is an unstable chemical compound decomposing in warm weather within a few hours) on metal fragments transferred to the OPCW in February 2018. It should be noted that the same “pure sarin” was found in soil samples taken both directly from the crater (SLS35) and within a radius of up to 100 metres from it. It was also detected in a similar sample “from the crater” which was handed over to the FFM on 12 August 2017 (four months after the incident) (para. 7.32). There is no explanation for this phenomenon in the report.

The 25 March 2017 incident

1. The FFM report made reference to two helicopters allegedly dropping a total of four barrels (cylinders) filled with chlorine, while the IIT document mentioned only one helicopter and one barrel. According to the FFM conclusions (para. 5.44), one of the dropped cylinders impacted the sand and concrete “roof of a hospital within a rock formation”, passing through it without detonating an explosive substance (the roof was reportedly at least 2 metres thick). Referring to the results of DL3 laboratory analyses, it is indicated that the substance was trinitrotoluene, traces of which were found on this cylinder.

The IIT believes (para. 8.28) that there was no explosive charge in this single cylinder at all and that its rupture/deformation was caused by kinetic impact when it hit the roof, which is proved by abstract (and therefore doubtful) mathematical modelling. The official materials from the technical examination of the penetration through the reinforced concrete roof of the hospital by a cylinder, as well as its deformation at the moment of impact, are not provided in the report. The size and appearance of the hole allegedly formed as a result of the cylinder’s penetration through the roof into the room indicate that it has very even edges, which is typical for ventilation holes in the underground structures of illegal armed groups.

2. The IIT claims that, as a result of this “attack”, three persons died and some 32 persons were injured (para. 8.22). Most of the cases were described as “predominantly moderate” (para. 8.24), although for semi-enclosed premises their severity should be high. It is also stated that “... it was not possible to conclude with a high degree of confidence that the described symptoms were caused by chlorine gas”. No medical documentation is provided.

3. The IIT experts were unable to reach a clear conclusion on the use of chlorine (8.35): "... there is no single chemical that would unequivocally and directly indicate the use of chlorine gas and its origin". However, the paradoxical conclusion is drawn that a chlorine cylinder dropped by a Syrian air force helicopter broke into a hospital through its roof, affecting at least 30 persons (para 8.36).

The 30 March 2017 incident

1. The IIT report does not indicate the size of the crater, but merely claims that it was formed by a low-explosive aerial bomb, which is said to indicate indirectly the "chemical" nature of a munition (para. 9.8).

According to paragraph 32 of Annex 5 "the third metal fragment (08SDS in the FFM report) is consistent with mixing paddle system" of an M4000 chemical aerial bomb. The grounds for such a conclusion are once again not provided.

A universal bomb fuse allegedly discovered at the location of the incident cannot serve as evidence of the use of a chemical aerial munition in Ltamenah, since such fuses are used in the widest range of aviation ammunition.

Generally, all the analysed fragments of an allegedly Syrian "chemical" M4000 aerial munition have traces of severe corrosion. From the available photographs, it is difficult to accurately determine how long that corrosion has been going on; however, in Syria's climatic conditions, that time definitely exceeds five years. However, according to the FFM and the IIT, the fragments were removed from the crater immediately after the use of the bomb. That cannot reflect reality. Russian experts have repeatedly pointed out this important circumstance; however, the IIT completely ignored this information and did not conduct the necessary expert analysis.

2. The IIT, like the FFM, claims that 60 people were affected on 30 March 2017 in Ltamenah. As with the 24 March incident, the absence of deaths is noteworthy, and requires an explanation, given the high mortality rate from sarin. In contrast: according to the FFM, in Douma on 7 April 2018, some 70 people allegedly died from a single cylinder of chlorine, although chlorine is many times less toxic than sarin.

3. According to the FFM report on this incident, representatives of the "White Helmets" handed over to the Mission 10 soil samples and 25 metal fragments. In 34 cases, the designated laboratories found either sarin or substances related to it as decomposition products or technological impurities. However, the results of the analyses on one and the same sample differ significantly in terms of identification of the specific substances. In addition, an analysis of four biomedical samples – blood and hair samples from the alleged exposed persons – provided by the "White Helmets" representatives showed a complete absence of sarin biomarkers. It is obvious to us why these types of detail, which cast doubt on the use of sarin in Ltamenah, are missing from the IIT report.

4. In paragraph 11.10 of the report, the IIT argues that only a highly organized group could stage a chemical attack, and Islamic State in Iraq and the Levant (ISIL) is apparently not one of them. Such a conclusion seems strange, all the more so for referring only to ISIL. The possibility of a "chemical" staging on 30 April is confirmed by a video in which two unknown men in green protective (hazmat) suits produced in the United Kingdom are seen taking soil samples in area marked with signs in English saying "Danger". Then they pick up these signs, and, strangely, another person appears in the "contaminated area", but already in ordinary clothes and wearing slippers on his bare feet, a scenario that would be bizarre in a situation in which military-grade nerve agents had been used.

The question is why the IIT completely ignored this video material, which clearly confirmed the staged nature of this incident. As for the assertion that only “highly organized” groups would be capable of such staging, there is no lack of them among the opponents of the legitimate Syrian authorities, thanks to the efforts of mentors from the special services of well-known “interested” States. We would point only to the craftsmen from the “White Helmets” that some Western governments evacuated from Syria in very organized way, and provided with refuge in their countries and “hush money”.

Continued politicization of the Syria-focused work of the OPCW is unacceptable. Responsible States Parties to the Convention on the Prohibition of Chemical Weapons should jointly put an end to attempts of the United States and a number of other countries to place the Organisation at the service of their political and geopolitical interests.
