

[The OPCW and Douma: Chemical Weapons Watchdog Accused of Evidence-Tampering by Its Own Inspectors](#)

by [Jonathan Steele](#) November 15, 2019 www.CounterPunch.org



Claims that President Bashar al-Assad's forces have used chemical weapons are almost as old as the Syrian civil war itself. They have produced strong reactions, and none more so than in the case of the alleged attack in April last year on the opposition-controlled area of Douma near Damascus in which 43 people are said to have been killed by chlorine gas. The United States, Britain and France responded by launching airstrikes on targets in the Syrian capital.

Were the strikes justified? An inspector from the eight-member team sent to Douma has just come forward with disturbing allegations about the international watchdog, the Organisation for the Prohibition of Chemical Weapons, which was tasked with obtaining and examining evidence.

Involved in collecting samples as well as drafting the OPCW's interim report, he claims his evidence was suppressed and a new report was written by senior managers with assertions that contradicted his findings.

The inspector went public with his allegations at a recent all-day briefing in Brussels for people from several countries working in disarmament, international law, military operations, medicine and intelligence. They included Richard Falk, former UN special rapporteur on Palestine and Major-General John Holmes, a distinguished former commander of Britain's special forces. The session was organised by the Courage Foundation, a New York-based fund which supports whistle-blowers. I attended as an independent reporter.

The whistle-blower gave us his name but prefers to go under the pseudonym Alex out of concern, he says, for his safety.

He is the second member of the Douma Fact-Finding Mission to have alleged that scientific evidence was suppressed. In May this year an unpublished report by Ian Henderson, a South African ballistics expert who was in charge of the mission's engineering sub-team was leaked. The team examined two suspicious cylinders which rebels said were filled with chlorine gas. One cylinder was found on the roof of a damaged building where over two dozen bodies were photographed. The other lay on a bed on the upper floor of a nearby house below a hole in the roof. The inspectors were able to check the scene because Syrian troops drove rebel fighters out of the area a few days after the alleged gas attack.

Assessing the damage to the cylinder casings and to the roofs, the inspectors considered the hypothesis that the cylinders had been dropped from Syrian government helicopters, as the rebels claimed. All but one member of the team concurred with Henderson in concluding that there was a higher probability that the cylinders had been placed manually. Henderson did not go so far as to suggest that opposition activists on the ground had staged the incident, but this inference could be drawn. Nevertheless Henderson's findings were not mentioned in the published OPCW report.

The staging scenario has long been promoted by the Syrian government and its Russian protectors, though without producing evidence. By contrast Henderson and the new whistleblower appear to be completely non-political scientists who worked for the OPCW for many years and would not have been sent to Douma if they had strong

political views. They feel dismayed that professional conclusions have been set aside so as to favour the agenda of certain states.

Alex, the new whistleblower, said his aim in going public was not to undermine the OPCW, most of whose investigators are objective scientists, but to persuade the organisation's leadership to allow the Douma team to put forward their findings and answer questions at the week-long annual conference of member states which starts on November 25. "Most of the Douma team felt the two reports on the incident, the Interim Report and the Final Report, were scientifically impoverished, procedurally irregular and possibly fraudulent", he said. Behind his call for the Douma inspectors to address the next OPCW conference was the hope that thereby the watchdog would "demonstrate transparency, impartiality and independence".

He told me "Ian and I wanted to have this issue investigated and hopefully resolved internally, rather than exposing the failings of the Organisation in public, so we exhausted every internal avenue possible including submission of all the evidence of irregular behaviour to the Office of Internal Oversight. The request for an internal investigation was refused and every other attempt to raise our concerns was stone walled. Our failed efforts to get management to listen went on over a period of nearly nine months. It was only after we realised the internal route was impossible that we decided to go public".

Within days of rebel-supplied videos of dead children and adults in the aftermath of the alleged attack in Douma Francois DeLattre, France's representative at the UN Security Council, said the videos and photos showed victims with "symptoms of a potent nerve agent combined with chlorine gas".

The Douma fact-finding team quickly discovered this was wrong. Blood and other biological samples taken from alleged victims examined in Turkey (where some had fled after government forces regained control of Douma in mid-April) showed no evidence of nerve agents. Nor was there any in the surrounding buildings or vegetation in Douma. As the Interim Report, published on July 6 2018, put it: "No organophosphorus nerve agents or their degradation products were detected, either in the environmental samples or in plasma samples from the alleged casualties".

The next sentence said "Various chlorinated organic chemicals were found". The indirect reference to chlorine was reported in many media as proof of the use of lethal gas. According to Alex there were huge internal arguments at the OPCW before the Interim report was released. Chlorinated organic chemicals (COCs) are present in the natural environment so one crucial point in discovering what actually happened at Douma was to measure the amount in the locations where the two cylinders were found and in the other parts of the two buildings and the street outside.

As Alex put it, "if the finding of these chemicals at the alleged site is to be used as an indicator that chlorine gas was present in the atmosphere, they should at least be shown to be present at levels significantly higher than what is present in the environment already".

But when the analysis of these key levels came back from the laboratories the results were kept with Sami Barrek, a Tunisian who was the Douma fact-finding mission's leader. Against normal expectations they were not passed on to the inspector who was drafting the OPCW's interim report on Douma.

The inspector did, however, have the analysis from the samples of blood, hair, and other biological data from eleven alleged victims who had gone from Douma to Turkey. In no case did the samples reveal any relevant chemicals. On this basis he wrote in his report that the signs and symptoms of victims were not consistent with poisoning from chlorine. Instead of an attack producing multiple fatalities there had been "a non chemical-related event", it said.

The language was low-key, in part, as Alex put it, because of the tension and anxiety involved when evidence doesn't match what it is thought that management wants to hear. But the implications of implying a non-chemical event were dramatic. Like the engineering report, it hinted that the Douma incident may have been staged by opposition activists. Alex described it as "the elephant in the room which no-one dared mention explicitly".

When the inspector's report was submitted to senior management, silence ensued. A few weeks later on the eve of the expected publication the inspector who had drafted the report discovered that management was going to issue a

redacted version on June 22 2018 without the knowledge of most of the Douma Fact-Finding Mission. Its conclusions contradicted the inspector's version. By then the inspector had learnt that the results of the quantitative analysis of the samples from the allegedly attacked buildings had been delivered to management from the test laboratories but not passed on to the inspectors. He got sight of the results which indicated that the levels of COCs were much lower than what would be expected in environmental samples. They were comparable to and even lower than those given in the World Health Organisation's guidelines on recommended permitted levels of trichlorophenol and other COCs in drinking water. The redacted version of the report made no mention of the findings.

Alex described this omission as "deliberate and irregular". "Had they been included, the public would have seen that the levels of COCs found were no higher than you would expect in any household environment", he said.

The inspector who drafted the original report was furious when he realised it was to be replaced by a doctored management version. He wrote an email of complaint to the OPCW's director general. The DG was Ahmet Uzumcu, a Turkish diplomat but his chef de cabinet, the man considered to have the most power in the OPCW on day-to-day issues was Bob Fairweather, a British career diplomat. (He has since been succeeded by Sebastien Braha, a diplomat from another anti-Assad government, France). In his email the inspector complained that it was wrong for the new report to describe the levels of COCs as high. He insisted that his original 105-page report be published.

This request was rejected but Sami Barrek, the team leader, was put in charge of replacing the doctored version with what turned out to be a toned-down but still misleading report. During the editing four of the Douma inspectors, including Ian Henderson, the engineering expert, had managed to get Barrek to agree that the low levels of COCs should be mentioned. On the day before the new publication date, July 6, they found that the levels were again being omitted.

On July 4 there was another intervention. Fairweather, the chef de cabinet, invited several members of the drafting team to his office. There they found three US officials who were cursorily introduced without making clear which US agencies they represented. The Americans told them emphatically that the Syrian regime had conducted a gas attack, and that the two cylinders found on the roof and upper floor of the

building contained 170 kilograms of chlorine. The inspectors left Fairweather's office, feeling that the invitation to the Americans to address them was unacceptable pressure and a violation of the OPCW's declared principles of independence and impartiality.

Two days later the interim report was released. That morning, Alex recalled, "a senior colleague told us: 'First floor [management] says that for the OPCW's credibility we have to have a smoking gun'". Meanwhile, Fairweather asked the inspectors if he could get back the emails of complaint, including any which had been put into the trash folder. They complied.

After Alex's briefing I emailed Fairweather with a request that he explain why he had facilitated the US officials' meeting with the inspectors as well as why he had recalled emails. He did not reply.

The final Douma report which was published in March this year also failed to give any quantitative analysis of the COC samples. But its thrust went much further than the interim report. It stated that the OPCW concluded that the evidence from the Douma investigation provides "reasonable grounds that the use of a toxic chemical as a weapon took place".

Alex argued that the concept of "reasonable grounds" was undefined. What should have been done in the report, he said, was to set out alternative hypotheses for what had occurred in Douma and then assess the balance of probabilities of the various options and conclude which was the most likely.

This is what was done in Henderson's report on the provenance of the two cylinders.

I asked the OPCW's media office to explain why the COC levels were excluded from the interim and final reports but they did not respond. Asked whether the inspectors would be permitted to address the conference of member states, they also did not respond.

An open letter to every delegate at the forthcoming OPCW conference calling for the inspectors to be heard has been signed by

Jose Bustani, first Director General of the OPCW

Hans von Sponeck, former UN Humanitarian Coordinator (Iraq)

George Carey, former Archbishop of Canterbury

Scott Ritter, UNSCOM Weapons Inspector 1991-1998.

Noam Chomsky, Emeritus Professor, MIT.

John Pilger, Journalist and documentary film maker

Ray McGovern, former CIA analyst and co-founder of Veteran Intelligence Professionals for Sanity (VIPS)

Oliver Stone, Film Director, Producer and Writer.

<https://www.counterpunch.org/2019/11/15/the-opcw-and-douma-chemical-weapons-watchdog-accused-of-evidence-tampering-by-its-own-inspectors/>