

FOR RUSSIA, A YEAR OF SETBACKS AT THE OPCW

Yet Member States Still Have Not Imposed Consequences for Moscow's Chemical Weapons Use

FEBRUARY 20, 2024

BY ANDREA STRICKER

In a blow to Russian influence and prestige, members of the Organization for the Prohibition of Chemical Weapons (OPCW) ousted Russia for the first time ever from the body's 41-member Executive Council (EC) while electing Ukraine to fill one of three seats up for election in the OPCW's Eastern European Group.¹ Moscow faced a range of setbacks at the OPCW in 2023, thanks both to Western unity and organizational rules that enable strong majorities to overcome obstructionism. The challenge that lies ahead is for the United States and its allies to hold Russia accountable for its serial violations of the Chemical Weapons Convention (CWC), the treaty that established the OPCW to ensure its implementation.

Russian obstructionism diminished in 2022 and 2023, possibly in a bid to protect its seat on the EC. In 2018, Russia and a small coalition of anti-Western states and former Soviet republics began preventing the OPCW from passing decisions by consensus. This coalition tried to shield Moscow's client state, Syria, from penalties for Damascus' documented use of chemical weapons against its own people.² However, the effort failed, and in 2021, Syria became the first-ever OPCW member to face suspension. The Russian-led coalition has also tried to discredit the OPCW and its findings about Moscow's chemical weapons use, yet it has won few converts to the cause.³

Russia and its partners have delayed major OPCW decisions but have been unable to block them. Decisions in OPCW bodies — the EC and the 193-member Conference of States Parties (CSP) — require a two-thirds vote.⁴

1. * The author wishes to thank Dr. Gregory D. Koblenz for his review of this memorandum. Andrea Stricker and Anthony Ruggiero, "Ukraine Defeats Russia in Historic OPCW Election," *Foundation for Defense of Democracies*, December 1, 2023. (https://www.fdd.org/analysis/policy_briefs/2023/12/01/ukraine-defeats-russia-in-historic-opcw-election). The OPCW does not publicly report the number of votes for each candidate in elections to the EC, but the totals are known to member states.

2. "Syria and the OPCW," *Organisation for the Prohibition of Chemical Weapons*, accessed December 20, 2023. (<https://www.opcw.org/media-centre/featured-topics/opcw-and-syria>)

3. "Incident in Salisbury," *Organisation for the Prohibition of Chemical Weapons*, accessed December 20, 2023. (<https://www.opcw.org/media-centre/featured-topics/incident-salisbury>); "Case of Mr. Alexei Navalny," *Organisation for the Prohibition of Chemical Weapons*, accessed December 20, 2023. (<https://www.opcw.org/media-centre/featured-topics/case-mr-alexei-navalny>)

4. For prior FDD voting analyses, see: Andrea Stricker, "Two Years On, Syria's Suspension from the OPCW Was Beneficial," *Foundation for Defense of Democracies*, May 10, 2023. (<https://www.fdd.org/analysis/2023/05/10/two-years-on-syrias-suspension-from-the-opcw-was-beneficial>); Andrea Stricker, "OPCW Member States Must Counter Russian Obstruction," *Foundation for Defense of Democracies*, April 8, 2021. (<https://www.fdd.org/analysis/2021/04/8/opcw-member-states-must-counter-russian-obstruction>); Andrea Stricker, "Who Votes With Russia at the OPCW?" *Foundation for Defense of Democracies*, November 25, 2020. (<https://www.fdd.org/analysis/2020/11/25/who-votes-with-russia-at-the-opcw>)

The Western-led voting bloc has continually surpassed this threshold, yet Washington and its close allies seem to fear defections if measures directly targeting Moscow come up for a vote. Thus, the OPCW has neither imposed meaningful consequences nor demanded accountability for Russia’s continued stockpiling of chemical weapons, its use of the nerve agent Novichok in the attempted assassination of Putin’s critics, its threats to use chemical weapons in Ukraine, or its reported use during 2023 of CWC-banned riot-control agents (RCAs) against Ukrainians.⁵

A key opportunity to correct this failure will arrive with the July 2024 EC meeting, likely the first gathering after Russia’s ouster from the council. As member states did prior to suspending Syria’s OPCW voting rights and ability to hold office, they should provide a 90-day deadline for Russia’s compliance with the CWC. If Moscow fails to comply, member states should move to suspend Russia’s privileges at the OPCW. They must definitively insist on the full, verifiable dismantling of Vladimir Putin’s chemical weapons program as a condition of Russia’s continued participation in the OPCW.

DIMINISHING RUSSIAN INFLUENCE

EXECUTIVE COUNCIL

At the March 2023 meeting of the EC, Russia attempted to stop Romania, running unopposed, from being elected by acclamation as the body’s chair. An official close to the OPCW conveyed to FDD that Russia demanded, in exchange for its vote, that member states allow Moscow to keep its EC seat, up for election at the next CSP meeting. Member states refused, and Russia was reportedly the only country that voted to oppose Romania’s chairmanship — the OPCW does not publish final tallies of the vote for chair, and ballots are secret.⁶

Russia caused no obstruction at the July 2023 EC meeting, where it typically tries to block adoption of the OPCW’s annual report.⁷ At the October EC gathering, Moscow forced one vote regarding the OPCW’s annual program and budget, but member states still passed the measure. China and Iran joined Russia in opposition, as usual.⁸

Date	Decision	Passed?	Yeas	Nays	Abstentions	No Vote/ No Attendance
Oct. 2023	Draft OPCW Program and Budget for 2024-2025	Yes	34	4	3	0

5. “Anthony Ruggiero and Andrea Stricker, “It’s Time to Hold Russia Accountable for Its Use of Chemical Weapons,” *The Washington Post*, May 12, 2023. (<https://www.fdd.org/analysis/2023/05/12/its-time-to-hold-russia-accountable-for-its-use-of-chemical-weapons>); Dmytro Basmat, “ISW: Russia Confirms Use of Prohibited Chemical Weapons in Kherson Oblast,” *The Kyiv Independent* (Ukraine), December 24, 2023. (<https://kyivindependent.com/isw-russia-confirms-it-is-using-prohibited-chemical-weapons-in-kherson-oblast>); Angelica Evans, Kateryna Stepanenko, Karolina Hird, Christina Harward, and Frederick W. Kagan, “Russian Offensive Campaign Assessment,” *Institute for the Study of War*, December 23, 2023. (<https://understandingwar.org/backgrounders/russian-offensive-campaign-assessment-december-23-2023>)

6. Organisation for the Prohibition of Chemical Weapons, “Report of the 102nd Session of the Executive Council,” EC-102/2, March 17, 2023. (<https://www.opcw.org/sites/default/files/documents/2023/03/ec10202%28e%29.pdf>)

7. Organisation for the Prohibition of Chemical Weapons, “Report of the 103rd Session of the Executive Council,” EC-103/4, July 13, 2023. (<https://www.opcw.org/sites/default/files/documents/2023/07/ec10304%28e%29.pdf>)

8. Organisation for the Prohibition of Chemical Weapons, “Report of the 104th Session of the Executive Council,” EC-104/5, October 13, 2023.

REVIEW CONFERENCE

Every five years, the OPCW holds a CWC Review Conference to assess implementation of the convention and set goals for the future. At the beginning of the May 2023 gathering, Russia lost a secret ballot election requested by 18 members of the OPCW's Eastern European Group to be vice-chair of the review conference, a leadership post that endures for the conference event. Two seats were available to the OPCW's Eastern European Group, and between Russia, Lithuania, and North Macedonia, Moscow lost.⁹

Nevertheless, Russia and its coalition prevented the conference from adopting a final document, which can only be adopted by consensus, allowing a single state to block it.¹⁰ Russia, China, Iran, Syria, Cuba, and a handful of other states rejected language in the draft document that highlighted Russia's and Syria's CWC violations, Moscow's invasion of Ukraine and takeover and threats to Kyiv's nuclear facilities, as well as other matters.

CONFERENCE OF STATES PARTIES

At the November/December CSP, Russia lost its EC seat for the new term that begins in May 2024.¹¹ The CSP elected Ukraine, Poland, and Lithuania in a secret ballot election to a two-year term. Russia, Bulgaria, and Albania will no longer have seats for the May 2024-May 2026 term.

Moscow and its coalition also forced two decisions to be put to a vote. The CSP passed the OPCW's draft program and budget, adopted by the EC in October 2023, by a margin of 98-8 despite the Russian bloc's opposition. The eight nays included Belarus, Bolivia, Brazil, China, Iran, Nicaragua, Russia, and Uzbekistan.

The CSP also passed a new Syria decision that recommends member states restrict the transfer of chemical warfare agent precursors and dual-use facilities and equipment that could support Damascus' ongoing chemical weapons program.¹² Only 10 states opposed the restrictions, but 45 abstained — the highest number of abstentions in a single recorded OPCW vote.¹³

Date	Decision	Passed?	Yeas	Nays	Abstentions	No Vote/ No Attendance
Nov./Dec. 2023	Draft Program and Budget for 2024-2025	Yes	98	8	21	66
Nov./Dec. 2023	Addressing the Threat from Chemical Weapons Use and the Threat of Future Use (Syria decision)	Yes	69	10	45	69

9. Organisation for the Prohibition of Chemical Weapons, "Report of the Fifth Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention," RC-5/3, June 7, 2023. (<https://www.opcw.org/sites/default/files/documents/2023/06/rc503%28e%29.pdf>)

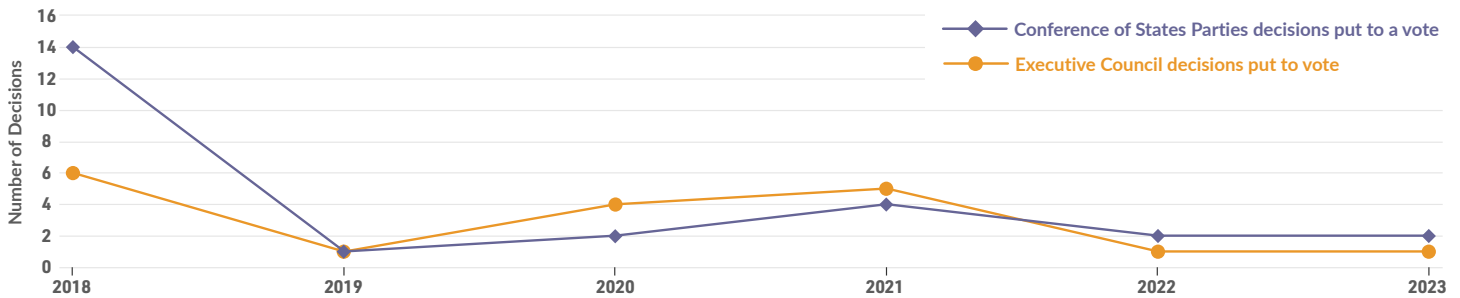
10. "Regret' As Toxic Arms Watchdog Fails to Agree Roadmap," *Agence France-Presse* (France), May 19, 2023. (<https://www.digitaljournal.com/world/regret-as-toxic-arms-watchdog-fails-to-agree-roadmap/article>)

11. Organisation for the Prohibition of Chemical Weapons, "Report of the Twenty-Eighth Session of the Conference of the States Parties," C-28/5, December 1, 2023. (<https://www.opcw.org/sites/default/files/documents/2023/12/c2805%28e%29.pdf>)

12. Organisation for the Prohibition of Chemical Weapons, "Decision: Addressing the Threat from Chemical Weapons Use and the Threat of Future Use," C-28/DEC. 12, November 30, 2023. (<https://www.opcw.org/sites/default/files/documents/2023/12/c28dec12%28e%29.pdf>)

13. The OPCW only began publishing abstention data in November 2018.

OPCW decisions put to a vote, 2018-2023



**The 2020 CSP was split into two parts due to COVID-19 considerations. Part of the meeting occurred in November/December 2020, and the remainder was held in April 2021. The figures for both are included under 2020.*

RECOMMENDATIONS

As shown in the table above, Russia has made progressively fewer efforts over the past five years to obstruct OPCW business by forcing recorded votes. The suspension of Syria’s voting rights in 2021 led not to a backlash from the Russian bloc but a further decline in obstructionism. Yet if and when the EC and CSP undertake a serious effort to hold Russia accountable for its numerous violations, Moscow is likely to invest substantial effort in blocking the body’s actions. This should not deter Washington or its allies. An October 2021 OPCW effort to demand clarifications from Russia about the Novichok attack on opposition leader Alexei Navalny failed to achieve anything except Moscow providing more than 200 pages of denials, counterfactuals, and misinformation in response, rather than admissions or factual information.¹⁴ In their attempt to pursue courses of remedial action available in the CWC, member states opted to inflict a meaningless procedural request on Russia but no penalties.¹⁵ Yet the CWC provides a better pathway for accountability: suspension.

Once OPCW member states suspended Syria’s voting rights and ability to hold office, Russian obstructionism actually diminished.¹⁶

Washington should lead OPCW member states in issuing an ultimatum at the upcoming July EC meeting, likely the first EC meeting after Russia’s tenure comes to an end. The United States and its allies should demand Russia demonstrate compliance with the CWC within 90 days or face suspension of its voting rights and privileges, just as Syria did. Absent compliance, member states could adopt the suspension decision at the October EC meeting. The CSP could vote to formalize the decision at its meeting next winter. Pursuing the “Syria model” with Russia puts the onus squarely on a CWC violator to come into compliance with the obligations to which it voluntarily committed.

Washington will also have to hold its coalition together if and when Moscow attempts to cause unprecedented disruptions at the OPCW as payback for its suspension. To facilitate such retaliation, Russia may seek re-election to the EC at the CSP in late 2024. Electing alternative members of the Eastern European Group will be imperative. It is time to send Moscow a clear message that the era of impunity is over.

14. Anthony Ruggiero and Andrea Stricker, “Putting Chemical Weapons Questions to Russia Backfired,” *The Hill*, November 2, 2021. (<https://thehill.com/opinion/international/579560-putting-chemical-weapons-questions-to-russia-backfired>)

15. See: Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and On Their Destruction, Paris and New York, January 13, 1993, Article IX: Consultations, Cooperation and Fact-Finding. (https://www.opcw.org/sites/default/files/documents/CWC/CWC_en.pdf)

16. Mike Corder, “States Suspend Syria’s OPCW Voting Rights Over Chemical Attacks,” *Associated Press*, April 21, 2021. (<https://apnews.com/article/netherlands-chemical-weapons-damascus-the-hague-syria-ab2da467f4a4d9336010a141e5178276>)

Foundation for Defense of Democracies (FDD)

FDD is a Washington, DC-based nonpartisan research institute focusing on national security and foreign policy.

FDD's Center on Economic and Financial Power (CEFP)

FDD's Center on Economic and Financial Power (CEFP) studies national economic security, with a focus on how the United States can leverage its economic and financial power to achieve its national security objectives. CEFP promotes greater understanding of how the U.S. government can best employ its economic and financial authorities to counter its adversaries.

FDD's Nonproliferation and Biodefense Program

To address the threats posed to the United States and allies by nuclear, chemical, radiological, and biological weapons, FDD's Nonproliferation and Biodefense Program experts produce actionable research and policy options on biodefense and pandemic preparedness; nuclear nonproliferation; chemical weapons; and WMD-delivery vehicles and conventional long-range strike capabilities.

FDD's International Organizations Program

Every year, the U.S. Congress appropriates billions of dollars to the United Nations, international organizations, international financial institutions, regional organizations, and multilateral development banks. These contributions are often provided with little or no U.S. oversight and without a comprehensive strategy to advance U.S. interests. FDD's International Organizations Program leverages FDD's regional and subject matter expertise within its centers on American power to identify ways the United States can more strategically employ its resources.

FDD's Russia Program

Russian strongman Vladimir Putin is engaged in a strategic confrontation with the United States. In partnership with Beijing, Tehran, and other authoritarian regimes, Moscow seeks to replace the American-led, liberal international order with a new world order that is decidedly illiberal – one in which Russia has a “sphere of influence” over its neighbors, along with increasing influence in the Middle East, Latin America, and Africa. FDD's Russia Program conducts in-depth research, produces insightful and timely analyses, identifies illicit activities, and provides policy options to combat the political, economic, cyber, and cognitive warfare weapons Moscow uses against the United States and its allies.

FDD's Center on Military and Political Power

FDD's Center on Military and Political Power promotes understanding of the defense strategies, policies, and capabilities necessary to deter and defeat threats to the freedom, security, and prosperity of Americans and our allies, by providing rigorous, timely, and relevant research and analysis.

Andrea Stricker serves as deputy director of FDD's Nonproliferation and Biodefense Program, bringing expertise on nonproliferation, Iran, North Korea, and other security policy topics.

FDD values diversity of opinion and the independent views of its scholars, fellows, and board members. The views of the author do not necessarily reflect the views of FDD, its staff, or its advisors.