Statement to a Meeting during the OPCW Conference of States Parties or to an Arria-formula Meeting of the UNSC

This statement is presented as a narrative that describes the experiences of an OPCW inspector, during and after the Fact-Finding Mission that deployed to Douma in the Syrian Arab Republic in response to the alleged chemical attack on 7 April 2018. The statement was prepared in response to requests from multiple delegations that advised the author that they needed input from him on the matter

1. My name is Ian Henderson. I joined the OPCW in January 1997 as a trainee inspector in Group A prior to entry into force of the Convention, and was appointed Inspection Team Leader at the end of 1997. I left the OPCW at the end of 2005 to continue a career in chemical industry, and then re-joined as a "rehired" inspector in June 2016. I served as inspector/team leader until I was suspended from duty in mid-May 2019. My professional background is primarily in chemical engineering, but includes military service in artillery and a period of work in weapon systems development and testing.
2. I have produced this statement to assist in an enquiry about what happened during the Douma FFM and the subsequent analysis and compilation of reports.
3. I deployed to the Syrian Arab Republic in April 2018, under a F038 notification to the government of the Syrian Arab Republic that advised I was joining the mission as a FFM team member.
4. I was subsequently involved in five deployments to Douma under the FFM mandate:
    a. I provided the communications and technical backup during the visit to the "Warehouse" in Douma
    b. I was the sub-team leader for the visit to the "Suspected CWPF" (also called the laboratory) in Douma
    c. I was a team member for the visit to the hospital in Douma, and took part in taking chemical samples, interviewing medical staff, and the walk throughout the tunnels and medical rooms in the facility
    d. I was sub-team leader for the second visit to Location 4 in Douma, specifically aimed at taking detailed measurements and assessing the scene
    e. I was the sub-team leader for the visit to "Site 8", to further inspect and photograph the cylinders removed from Locations 2 and 4, and to apply tags/seals to them

5. During the Douma FFM deployments the Command Post team leader (the so-called "liaison" function) was inspector XXXX. At the end of the FFM deployments to Douma, and after the other team members had returned to HQ, I received a handover from XXXX and thus took over the Command Post function. This handover was conducted on 6 May 2018. Note however that the last deployment to inspect and tag/seal the two cylinders, was delayed and occurred at a later time, during the period of my assignment to the Command

Post (CP) function.

6. After completion of my service as CP team leader, I returned to The Hague in early June 2018.

7. The last week of June saw the incident of "last-minute" unexpected modifications to the FFM Interim Report, contrary to the consensus that had been reached within the team. The report had been changed to reflect a conclusion that chlorine had been released from cylinders, as well as other significant changes in content. One of the FFM team members, XXXX, intercepted the modified text and reported this directly to the Chief of Cabinet. He was informed the changes did not come from the Office of the Director-General.

8. The FFM team was instructed to resume work and arrive at an interim report that reflected agreement amongst all team members. There was disagreement over the correct context of reporting analytical results, but FFM Alpha team leader, Sami Barrek, advised that he was entitled to make unilateral changes and did not require consensus. Apart from this issue, the text of the interim report was agreed and it was issued.

9. During last-minute discussions about the appropriate context of reporting analysis results in the then-corrected interim report, I was urged by a staff member who had been assigned as mediator, that "we have been told by the first floor that we have to make it sound like we found something". I shall identify the staff member verbally, in his presence, should this be required.

10. In the "Summer Plan" issued by the team leader on 26 June 2018, I was tasked with the L*ocation and Munition* (cylinder) study, including "To review all data available on open-source or collected by the team"; and "To come up with a thorough analysis and assessment".

11. All FFM team members were called to attend a briefing from a three-person US delegation on 5 July 2018, where they presented their findings that "proved" the alleged chemical attack and death of victims. I attended the briefing.

12. Over the summer period I worked together with other FFM team members in the 7th floor secure work area assigned to FFM Alpha. At that stage the only FFM personnel working there were the ones that had now been designated as "core team". I did however continue with informal consultations with members of the FFM who had deployed to Douma. The core team announcement caused some confusion as, with the exception of one paramedic/HSS inspector, no FFM team members that had deployed to Douma were included in this so-called core team.

13. From the start I worked with SSA contractor XXXX, a former CWMS inspector, who had also been assigned to the "munition" study (despite being a SSA contractor, XXXX had also been assigned as a FFM core team member). Although he had not deployed to Douma (or to Country X), XXXX had compiled a good starting summary of data, information and

photographs, and had prepared a preliminary analysis on the cylinders. We worked constructively together until I later became sidelined by the team leader. During this time, I progressed the analysis and developed a proposed methodology for ongoing work on an engineering and ballistic assessment of the two cylinders.

14. The main priorities in analysing and investigating the situation of the cylinders at Locations 2 and 4, included (i) to clearly organise the facts, i.e. what we had, what we understood and what we didn't know; (ii) identify the work that we needed done by qualified experts in order to provide an understanding of what had happened; (iii) identify suitably-qualified international experts in these fields of study (such as pressure vessel design, computational analysis, impact analysis, metallurgy, mechanical properties and ballistics); and (iv) develop scope-of-work documents that could be used to engage with potential vendors/contractors and for them to propose their methodology, and against which to provide their proposals and quotations to perform the work. This is how engineering work is controlled.

15. I shared my thoughts with FFM team members, both the core team (formally) and with some of the Douma team members, to ensure a continuous peer review to make sure we were on the right track. I developed the scopes of work and the list of qualified institutions, and provided these to the team leader for approval. He advised that they had gone to the "first floor" (Office of the Director-General), but I never received any response. This troubled me, as I was the only engineer working in this area, and the other team members (other than XXXX, whose input I valued) were analytical chemists and paramedics (Health & Safety Specialists). I considered it my responsibility to get the engineering work conducted properly.

16. In addition, at the end of the summer period when the team leader returned from holiday, I experienced some further difficulties, including: (i) I found there was a former FFM team leader, who was reportedly no longer associated with the current work, working within the FFM secure workspace (reportedly still completing a lessons-learned report). I reported this to the Head, Office of Confidentiality and Security, but nothing transpired. I later continued my work on the FFM engineering analysis in my secure office in the Inspectorate CBCP (Capacity Building and Contingency Planning Cell) area; (ii) I organised a meeting with an associate, a toxicologist from the Dutch Department of Defence. After setting up the meeting, briefing her and preparing to commence, I was informed by the team leader that I did not have clearance to take part in this activity and was instructed to leave; (iii) I was told that I no longer had access to any FFM materials because I had not been designated a "core team" member; (iv) I received more informal indications, mostly by being sidelined and ignored, that my input was simply not wanted (by the team leader); (v) I found that an external consultation with experts in my field of study was going to be held, by others, without informing me; and (vi) finally, I received an email from the team leader advising me essentially to stop work.

17. I related this to personal discomfort of the team leader with my continued involvement, perhaps because he viewed some of my suggestions as criticism of his methods, and to the earlier incident with the "modified" interim report. At this stage I developed early misgivings that, perhaps, there was no desire to have the engineering work conducted in the transparent, professional manner I had proposed, but did not yet share my concerns with any of the FFM team members.

18. I remained concerned about the approach of the FFM team leader. My main concern was that there was nobody within the team with the required knowledge and expertise to conduct the engineering study, in particular the generating and management of scopes of work for external experts, and the continuous assessment of their technical work. I held meetings with the Head of Operations and Planning, the Director of Inspectorate, and the Chief of Cabinet to inform them of my concerns. The Chief of Cabinet appeared to appreciate my concerns and was (I thought) sympathetic. He stated at the end of the meeting I held with him "I don't see why both studies can't be done".

19. I took this as tacit approval to continue. I advised team members that I was going to complete the engineering analysis, with possible assistance in the provision of sophisticated engineering tools and computational platforms that the OPCW does not have. This was a responsibility I had taken on, and I intended to complete the work and, after peer review by FFM team members, submit it through the correct channels to the FFM team leader for assessment together with all other work that was being carried out.

20. During this period, I submitted a request to the team leader, for the Douma FFM team members to be briefed or updated on the progress of the investigation. I asked whether any team members would be given an opportunity to review the report during its compilation. I repeated this request a number of times up to the time of issuance of the main FFM report (although, as a result of the secrecy around the FFM report, none of us in the Douma team had any knowledge of the status or timing of the planned issuing of the report), but all requests were declined or simply ignored.

21. I had finalised the project proposal documents and scopes of work, and generated a list of qualified external experts who could assist in the engineering study. I engaged with selected vendors, using secure encrypted transmissions and providing (at this stage) only unclassified open-source information, and obtained proposals. These included proposals from two consultants that appeared to be best-qualified to do the work; however, the team leader had advised that we would not work with private companies so I stopped that line of enquiry.

22. After further discussions with another two potential experts, I developed a final agreed scope of work and received a signed authorisation from the Director of Inspectorate, including an agreement with the assisting institutions on the technical scope of work and the handling of confidentiality. I provided a face-to-face briefing and handed over to them

(certified by C-16) a package of technical information we had compiled for the execution of the work.

23. The work on engineering analysis of cylinders at Locations 2 and 4 continued during the period September 2018 to January 2019. During this time, I continued work within the TS in parallel with (and, where required, independent of) the work being conducted by the external experts, in particular with regard to the cylinder observed at Location 4. It was necessary to source the appropriate expertise, both from within the TS and, where necessary, from outside (using only non-classified materials), to build up an understanding on the situation. All work was peer-reviewed by Douma FFM team members who had deployed to the sites.

24. During this time, I maintained contact with XXXX and continued sharing views with him; however I did realise that his situation had become somewhat difficult with regard to the confusing situation with ongoing FFM analysis in this area. Not wishing to compromise his situation, I had to limit our work interactions. I did, however, have the impression that we were working towards the same conclusions throughout this entire period.

25. The engineering work was completed in January 2019, and I compiled the findings into a detailed executive summary. This was reviewed by Douma FFM team members, by the FFM "core team" CWMS former inspector (XXXX), and by a small number of other trusted TS staff members who had expertise in specific areas, on a "need to know" basis. The review was done by providing a controlled hard copy by hand to recipients, onto which they would write comments and return to me. This review was considered necessary and responsible, in that I knew (after the analysis had been completed) that these would be unpopular findings; therefore, I wanted to make sure there were no objections to any of the facts, observations, methodology used or findings reported in the summary.

26. On 26 February 2019 I met with the FFM Alpha team leader (Barrek) to hand over the report on my engineering analysis on the cylinders. He declined to take receipt of it, stating that he had been instructed not to accept it. I then tried to submit the report to the newly-appointed Head of FFM, Boban Cekovic, but he too advised that he would not be the one to accept it, and suggested I hand it to the Chief of Cabinet.

27. The Chief of Cabinet was not in the building at that moment, and I was about to leave the office for a period of two days. I had no idea on the current status of the "main" FFM report, and nobody could (or would) provide any information on when it was planned to be finalised. I had heard rumours that the report was being drafted and "may soon be going to the first floor for review", so although I couldn't believe the report would be finalised without the findings from the engineering assessment, I was worried that there was the possibility of a misunderstanding. On 28 February 2019 I therefore deposited the engineering summary at the Document Registry (the secure archive) for collection, and informed all appropriate FFM management by email.

28. The Chief of Cabinet replied with an email in which he instructed "remove the document from the Registry, and remove all traces, if any, of its delivery and storage there". He proposed a meeting to assess the situation and decide what to do with the document.

29. The report was collected from DRA by the Head of Operations, who had been instructed (by the Chief of Cabinet) not to read it. The Head of Operations deposited it in a secure document locker in his office, and it remained there, unread, until I collected it three weeks later.

30. At the end of that week, on the evening of Friday 1 March 2019, the FFM report on Douma was released by the TS. I was shocked by the decision to release the report without having taken into account the engineering report, as all the FFM management knew it had been submitted. I had expected the report to reflect the situation that had been the consensus of the Douma FFM team after the deployments, and for the assessment of the cylinders to be consistent with the findings of the engineering assessment, but found the complete opposite. I saw what I considered to be superficial and flawed analysis in the section on the cylinders at Locations 2 and 4.

31. In the weeks following the incident, I attempted to redress the situation internally in a way that would not damage the credibility of the TS. This included the following:

    - I held discussions and meetings with the Chief of Cabinet, the (newly-joined) Director of Inspectorate, Head of Operations, Head of the Office of Confidentiality and Security, Director of the Office of Strategy and Policy, and the Acting Director of the Office of Internal Oversight.
    - I requested a meeting with the Director-General, as I thought the situation was serious enough to warrant him being made aware of it. The request for meeting was denied and I was informed by a senior manager that "you will never get to the Director-General, and if you try and go around me to get to him, there will be consequences". I shall identify the senior manager verbally, in his presence, should this be required.
    - I drafted a memorandum to the Director-General, through the Director of Inspectorate. This was reviewed by the Chief of Cabinet and was not delivered to the DG.
    - I deposited a dossier with the Acting Director of the Office of Internal Oversight, together with a memorandum requesting an investigation by OIO into the situation of the FFM report. Months later I was informed that nothing would be done, as this was now seen as outside the scope of the activities of the Office of Internal Oversight.

32. All the initiatives listed in paragraph 31 above, were aimed at identifying what, in the view of the inspectors from the Douma FFM team, had gone wrong, and correcting it. There were three elements to my request: (i) an internal (closed) briefing for the members of the Douma FFM team with the drafters of the FFM report, where the drafters would explain what new information had been provided or new analysis conducted, that had turned around the situation from what had appeared to be clear at the end of deployments to

Douma; (ii) an internal meeting to bring the "three experts" who had performed the engineering analysis quoted in the FFM report, to establish how they had arrived at their conclusions and compare this with the approach of the engineering analysis performed by me (and the external institutions). This would be a technical discussion, comparing the information and inputs used and methodology applied, and interpretation of results, and would very quickly identify any flawed approaches and would help clarify the situation; (iii) an internal investigation into the management practices that had been used for controlling the FFM work, in particular the complete exclusion of team members who had deployed to Douma, to establish to what extent this may have compromised the integrity and quality of work.

33. Throughout this period, I acknowledged there was a possibility that I could be wrong, but stressed that I was not the only one with concerns. Investigating the situation would bring things to light and potentially defuse the situation.

34. All requests were denied. Whilst many in management were shocked and concerned, and all expressed sympathy with my concerns, the responses I received included "this is too big"; "it's too late now"; "this would not be good for the TS reputation"; "don't make yourself a martyr"; and "but this would play into the Russian narrative".

35. During March 2019 I was invited to provide an informal briefing on my role in the Douma FFM to the newly-established Investigation and Identification Team (IIT). I was informed that whilst their team at that stage consisted only of the newly-appointed Director/Head of IIT and internally-appointed (or seconded) team members from the TS, they nevertheless wished to "get started" on the work facing them. At the start of the briefing I asked the Head of IIT, Santiago Onáte, whether he could confirm they had the clearance to discuss and receive FFM confidential information, and he confirmed this. I asked what they wished to know, and he replied "everything". I subsequently provided the briefing and handed over an official copy of the Douma engineering summary. This was the only remaining official copy, as I had printed only two, and the other one was the one removed from the Document Registry by the Head of Operations, who had secured it until it was reclaimed and destroyed by me.

36. After this, in one of the meetings I had with management, I was invited to hand over the engineering summary (which the IIT already had received from me) and all other materials, including electronic media, in my possession related to the Douma FFM and engineering assessment, to the IIT. This was done on 29 March 2019. After the handover, all laptops, hard drives and other electronic media in my possession that had been used for the Douma FFM engineering work, was impounded by officers from the Office of Confidentiality and Security.

37. At this stage, the FFM engineering summary had still not been provided to the FFM team leader or Head of FFM. They were aware of its existence but had not been allowed access

to the document.

38. On 13 May 2019 I was informed that a review version of the engineering summary had been posted on the internet. I was shocked to find out that it had my name and hand-written notes on it. I had not been informed by anyone that this was going to be done.

39. On 14 May 2019 the TS Media and Public Affairs released a statement in which it was said "Henderson was never a part of the FFM", which seemed to us (the Douma team) to be either a mistake or an unwise approach to try and discredit the engineering summary. I sent an email to the Media Branch, copied to relevant persons in management, requesting that this error be corrected in any subsequent communications.

40. The following day, 15 May 2019, I was suspended from duty and escorted by Security from the OPCW building. The suspension was related to "your conduct in connection with the possible unauthorised production and/or release of a document regarding the Secretariat's Douma investigation", for which an investigation was to be initiated. This ended my twelve years of service with the OPCW.

Summary and the Author's Recommendation

41. In summary, it appears to me (and a number of other inspectors, including the Douma team members) that the post-mission analysis and reporting on the Douma investigation was controlled in order to reach the conclusions that were reflected in the FFM report. That, however, is a perception, and while supported by extensive circumstantial facts, is not the key to my concern. I shall limit myself to facts and transparent, peer-reviewed technical work. The facts shall speak for themselves. I, and others, concluded an extensive, transparent and professional engineering study, the results of which are summarised in the engineering summary document. There is extensive background material, some of which has been shared with the IIT, that describes the data, information, assumptions, inputs, methodology and results from this work. The work was carried out by reputable international experts and by those best-qualified in the TS to contribute, and was reviewed by Douma FFM team members and other qualified persons. The results are, in my view and in the view of the expert institutions, very clear and technically indisputable.

42. However, it is the method of scientific rigour that dictates that one side cannot profess to be the sole owner of the truth. It should follow the tried and tested method of scientific debate and peer review, leading to consensus. This requires the three "independent experts" to present and defend their work in a scientific/engineering forum, together with the same from myself. This should lead to an understanding of the differences and, hopefully, lead to consensus. Should consensus not be reached, the next stage would be to assemble a panel of agreed impartial, suitably-qualified experts to assess the two competing views and to make a judgement. I have no doubt that this would successfully clarify what happened in Douma on 7 April 2018.

43. Footnote for UNSC delegations: The author should point out that he was the inspection team leader designated to develop the strategy and approach for the inspections of the SSRC facilities at Barzah and Jamrayah. He conducted the first inspections in February/March 2017, the second series in November 2017, and the third (after destruction of the Barzah SSRC laboratory complex) in November 2018.

The statement above is a true and factual reflection of the situation, to the best of my recollection.

Ian Henderson