

## Navalny, Russia and the Chemical Weapons Prohibition

Meier, Oliver

Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

### Empfohlene Zitierung / Suggested Citation:

Meier, O. (2020). Navalny, Russia and the Chemical Weapons Prohibition. *Russian Analytical Digest*, 260, 16-18.  
<https://doi.org/10.3929/ethz-b-000458205>

### Nutzungsbedingungen:

Dieser Text wird unter einer CC BY-NC-ND Lizenz (Namensnennung-Nicht-kommerziell-Keine Bearbeitung) zur Verfügung gestellt. Nähere Auskünfte zu den CC-Lizenzen finden Sie hier:

<https://creativecommons.org/licenses/by-nc-nd/4.0/deed.de>

### Terms of use:

This document is made available under a CC BY-NC-ND Licence (Attribution-Non Commercial-NoDerivatives). For more information see:

<https://creativecommons.org/licenses/by-nc-nd/4.0>

**Table 1: Disarmament of CFE Weapon Systems in Europe, 1990–2017**

	1990	1996	2003	2010	2017*	CFE limits
Main battle tanks	56,079	33,099	27,572	20,979	16,970	40,000
Armored combat vehicles	76,090	50,594	46,425	38,646	34,613	60,000
Artillery pieces	45,628	33,708	29,833	24,681	21,681	40,000
Combat aircraft	14,076	10,167	8,114	6,110	5,069	13,600
Attack helicopters	3,256	2,763	2,096	1,750	1,393	4,000

\*incl. data for the Russian Federation from 2010

Sources: For 1990: Zellner, W. (1994): *Die Verhandlungen über Konventionelle Streitkräfte in Europa. Konventionelle Rüstungskontrolle, die neue politische Lage in Europa und die Rolle der Bundesrepublik Deutschland*, Nomos Verlagsgesellschaft: Baden-Baden, S. 365–366.

Note: Between 1988 and 1990, the Soviet Union removed thousands of weapons systems beyond the Ural Mountains and thus outside the geographic scope of the CFE. For 1996 ff: Hartmann, R., Heydrich, W. (2002): *Die Anpassung des Vertrages über konventionelle Streitkräfte in Europa. Ursachen, Verhandlungsgeschichte, Kommentar, Dokumentation*, Nomos Verlagsgesellschaft: Baden-Baden, S. 735–739.

For 2003 ff: International Institute for Strategic Studies (2003): "The Military Balance 2003," Vol. 103 (1), S. 231.

For 2010 ff: Ministry of Defense of the United Kingdom (2013): "Vehicle & Aircraft Holdings within the scope of the Conventional Armed Forces in Europe Treaty," [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/279985/2013.xls](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/279985/2013.xls).

For 2017 ff: Ministry of Defense of the United Kingdom (2017): "Vehicle & Aircraft Holdings within the scope of the Conventional Armed Forces in Europe Treaty," [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/279985/2013.xls](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/279985/2013.xls).

## COMMENTARY

### Navalny, Russia and the Chemical Weapons Prohibition

Oliver Meier, Institute for Peace Research and Security Policy at the University of Hamburg

DOI: 10.3929/ethz-b-000458205

#### Abstract

How the Kremlin deals with accusations that it is responsible for the Novichok attack on Alexei Navalny is a test case for Russia's role within the Chemical Weapons Convention (CWC). If Moscow changes its policy of deception and takes steps to come clean on its Novichok program, the West should proactively create the diplomatic elbow room necessary for Russia to realign itself with the CWC. In the end, the international community must receive verifiable assurances that the Russian Novichok program has been completely dismantled.

The failed attempt to assassinate the Russian opposition politician Alexei Navalny with the nerve agent Novichok is quickly turning into a test case for Russia's role within the Chemical Weapons Convention (CWC). How the Kremlin chooses to deal with accusations that it is responsible for the attack will be an indicator of Moscow's interest in multilateral arms control as an instrument of global cooperation. The international community should continue to name Russian acts of non-compliance with the CWC. At the same time, it should leave the door open for cooperation from Moscow within the chemical weapons regime. The CWC's rules and procedures should be applied with a sense of proportion in order to persuade the Kremlin to comply with and implement the treaty.

#### Out of the Light, into the Shadows: Russia and the Chemical Weapons Convention

Moscow's support remains central for the successful implementation of the ban on chemical weapons. When Russia ratified the agreement in 1997, it was the largest possessor of chemical weapons—the United States being the second largest. The safe destruction of approximately 40,000 metric tons of Russian chemical weapons was carried out under international verification within the CWC framework. Many states, including Germany, supported these demilitarization efforts. Russia still needed around 20 years to complete the dangerous task of chemical weapons disarmament safely and successfully.

Between 2013 and 2015, Russia cooperated closely and intensively with the United States on the neutralization of 1,300 metric tons of Syrian chemical weapons agents. This cooperation was controversial in Moscow, yet the shared strategic goal of securing Syrian chemical weapons pushed Russia's geostrategic rivalry with the United States into the background. This cooperative effort was a prerequisite for the international community's ability to work together collectively to reduce—but not eliminate—Syrian chemical weapons.

Moscow's interests shifted, however, with Russia's military intervention in Syria in late 2015. Geopolitical factors gained in importance. The Kremlin provides Syria with military as well as political support, even though the Assad regime has repeatedly used chemical weapons against its own people.

Worse still, Russia now also uses chemical weapons to kill political opponents and apparently hopes that these poisonings will intimidate government critics. The botched Novichok attack on former spy Sergei Skripal in Salisbury, England in March 2018 and the assassination attempt against Navalny—which was also carried out using a nerve agent from the Novichok group—clearly show that Russia has continued to work on chemical weapons. It is inconceivable that these attacks, conducted using one of the world's most advanced nerve agents, could be carried out without the knowledge, approval, and active support of Russian governmental authorities. [EU sanctions listings](#) and the results of [independent investigations](#) have since described the role of these governmental institutions in detail. [Tragicomic cover-up efforts](#) and grotesque diversionary tactics by Moscow add to the perception of complicity.

### Can't Live with or without You: The CWC and Russia

Russia's treaty violations create a dilemma for the West. There is an interest in having a well-functioning CWC. [The treaty is approaching universal membership and more than 98% of declared chemicals weapons worldwide have already been destroyed under international verification.](#) But Russia's cooperation remains crucial for the effective implementation of the convention.

As a permanent member of the UN Security Council, Moscow can block resolutions which would impose sanctions in response to CWC violations. In the case of Syria, Russia has already vetoed such decisions to enforce compliance. Again and again, Moscow has been able to throw a wrench into the machinery of international diplomacy, including by associating itself with China, India, Iran and other relevant states. Decision-making within the Organisation for the Prohibition of Chemical Weapons (OPCW), which is responsible for monitoring the implementation of the chemical weapons

ban, used to be by consensus—until the dispute over the use of chemical weapons in Syria. Faced with Russia's intransigence, Western states now increasingly rely on majority decisions in order to take forward investigations into, for example, chemical weapons attacks. In the long term, this could very well damage the legitimacy of The Hague-based OPCW.

A policy that relies solely on pressure and the containment of Russia might, therefore, end up throwing the baby out with the bathwater. The end result could be long-term damage to the CWC's comprehensive prohibition on the development, production, possession, and use of chemical weapons.

### Flexible Responses: The Case for a Rapprochement between Moscow and the CWC

So how might a path out of the current crisis be charted? Two limiting conditions are clear.

First, some economic and political pressure will have to be part of the solution—as Russian intransigence in the face of diplomatic charm offensives and suggestions of dialogue has shown. Penalizing the use of chemical weapons is also desirable and necessary, allowing the international community to demonstrate the value it attaches to upholding the chemical weapons taboo. At the same time, it appears unlikely that pressure alone will cause Moscow to change its policies.

Second, Moscow's interest in preserving the chemical weapons regime is a prerequisite for Russia's realignment with the CWC. So far, the Kremlin has contributed nothing to the investigation into the attack on Navalny. On the contrary, it has attempted to impede the investigation through intentional obfuscation. If Moscow does not change its policy of deception, any attempts to overcome conflicts within the CWC over the investigation into the use of chemical weapons will be doomed to failure from the outset.

There is, however, a glimmer of hope that Russia's policy may not be set in stone. In November 2019, [Moscow contributed to an agreement among CWC states-parties that made it mandatory to declare several types of Novichok to the OPCW.](#) As a result, the first Russian report on Novichok and certain historical aspects of its previously secret program was due in June 2020. Because such declarations by states-parties are strictly confidential, we do not know if and to what extent Russia has reported information related to its Novichok program or stockpiles to The Hague.

Therefore, Moscow should voluntarily release its own declaration and thus pave the way for a public corroboration. The effect of such a confidence-building step would be strengthened if, in this context, Moscow were also to describe the additional measures it is taking or

has taken to permanently and verifiably end declared activities and to destroy existing stockpiles as well as production facilities.

Alexei Navalny was apparently poisoned with a type of Novichok agent that was not on the list of declarable substances adopted in November. But the issue of whether Moscow has been or is operating a program to develop and produce state-of-the-art nerve agents must be settled in order to avoid lasting damage to the CWC.

Western nations should keep a path open for Russia to rectify the situation. Russian disarmament of the Novichok program must be verifiable and any disarmament steps must be verified. This verification, however, need not necessarily happen in full view of the international public: member states of the UN Security Council, acting as representatives of the international community, could validate the information provided by Russia. Such a mission could, to a certain extent, take place confidentially, as long as the results provided to the OPCW and its 193 member states can be authenticated. The difficulty of deceiving inspectors is something Russia experienced first-hand in the 1990s when, under the Trilateral Agreement, it unsuccessfully tried to mislead experts from the United Kingdom and the United States about the Soviet bioweapons program.

It would also be prudent to link a gradual lifting of the sanctions imposed by the EU in response to the

attempted assassination of Navalny to specific Russian steps toward disclosing and dismantling the Novichok program. If the question of whether the Russian state perpetrated the attack cannot be conclusively resolved, the attack on Navalny does not have to be considered a use of chemical weapons under the CWC. This could provide the political room necessary to impose or lift sanctions with some flexibility. To be sure, the CWC comprehensively prohibits any use of chemical weapons. Yet it is the responsibility of states-parties to enforce this prohibition domestically through so-called implementing legislation, under which violations committed by the state's own citizens or within its territory must be prosecuted and penalized by the state authorities. Obviously, Moscow has not complied with this obligation. Yet insufficient domestic implementation of the CWC is not necessarily grounds for UN Security Council involvement. Rather, this diplomatic elbow room could be used to create a way forward for Russia to realign itself with the CWC.

The goal would be to provide reassurances to the international community that the Russian Novichok program has been completely dismantled. But for this to occur, Moscow must first fulfill its obligation to verifiably disclose its chemical weapons programs.

#### *About the Author*

Oliver Meier is Senior Researcher at the Berlin office of the Institute for Peace Research and Security Policy at the University of Hamburg (IFSH).