

## MUDDYING THE WATERS

// Official Russian Disinformation on Chemical and Biological Weapons

**In the wake of Russia's invasion of Ukraine, chemical and biological weapons have once again attracted international attention due to disinformation efforts on the part of Russian officials. International forums which oversee the ban on these weapons are being used to accuse Ukraine and its allies of violating their legal obligations. Many of Russia's accusations regarding chemical weapons resemble the patterns of deception observed in the past, while disinformation on biological weapons is displaying somewhat novel characteristics. Yet, there are tangible ways of counteracting such disinformation, thereby protecting the ban on chemical and biological weapons.**



*Russian Ambassador Vassily Nebenzya speaks at Security Council meeting in New York, accusing Ukraine of developing biological weapons under the tutelage of the United States (Photo: © picture alliance / Pacific Press | Lev Radin).*

by Kristoffer Burck

There is an almost universal consensus among states that chemical and biological weapons are never legitimate in warfare. This unique taboo, presenting these weapons classes as extraordinarily reprehensible, also makes them a highly suitable subject of disinformation. Accusations of the use of such weapons tend to attract public attention, while actual verification often requires meticulous investigations lasting years. Consequently, in the time it takes to progress from accusations to investigations and finally arrive at results, there are several stages during which disinfor-

mation can be strategically employed. This may aim at shifting responsibility, publicly targeting opponents, or legitimizing claims by presenting them before international forums, thus reducing confidence in current or future investigations.

In the past, Russian officials attempted to achieve these objectives by spreading disinformation on chemical weapons. Now they are exhibiting similar patterns of behavior by falsely accusing Ukraine of having used chemical weapons and fraudulently claiming that Ukraine is running a clandestine biological weapons program supported by the United States.

### Three Patterns of Disinformation on Chemical Weapons—Syria, Salisbury, Ukraine

In past cases of chemical weapons attacks reportedly carried out by Russia or the allied Syrian government, Russian officials have repeatedly spread disinformation using the OPCW as an international forum to voice allegations. These are channeled through official Executive Council correspondences or *notes verbales*, which frequently contain allegations against different actors. Examining these past cases reveals three interlinked patterns of disinformation, which also seem to be employed in the case of Ukraine.<sup>1</sup>

The first pattern consists of accusing other actors of being responsible for an attack. These accusations are at times even voiced before an attack takes place and can target a direct party to a conflict or a third-party state seen as unfriendly to Russia.

The second pattern comprises attacking the OPCW as an institution itself. In past instances, Russian officials have questioned the organization's ability to conduct its work, attempting to discredit or undermine its independence through official statements, media

campaigns, and even cyberattacks against OPCW infrastructure.

In the third pattern, Russian disinformation efforts target potential investigations by excessively criticizing their methodology, insincerely proposing organizational changes, and publicly misrepresenting findings. While no dedicated mechanism exists for Ukraine, it is highly likely that, should such an investigation be initiated, it would be targeted by similar disinformation efforts to past investigations.

### Disinformation on Biological Weapons at Official Forums—A Novel Approach

The structures overseeing compliance with the BWC are more rudimentary than those for chemical weapons and do not include an organization such as the OPCW. However, here too, Russian disinformation in the context of Ukraine focuses on utilizing official forums to voice false accusations. From March 2022 onward, Russian officials at the UNSC repeatedly accused Ukraine and the US of conducting a joint bioweapons research program. Russian officials quickly escalated from expressing these accusations at UNSC meetings to triggering Articles V and VI of the BWC, claiming that

they now have sufficient evidence to prove these allegations. The accusations were first evaluated in September 2022 at a consultative meeting under Article V, where a majority of states found the evidence inconclusive.<sup>2</sup> This is consistent with the fact that independent UN experts repeatedly stated that they had not found any relevant evidence supporting Russia's claims.<sup>3</sup> Taking the matter even further, Russia invoked Article VI of the BWC. The procedure for violations of this Article is not specified in the BWC, and Russia, therefore, chose to initiate formal complaint proceedings through a UNSC resolution which would then have started an investigation by a future commission. This resolution was subject to ordinary UNSC voting rules and was unsuccessful as only Russia and China voted in favor, ultimately ending the process.

Notably, Article V has only been invoked once and Article VI has never been used in the BWC's entire 50-year history. While Russia previously accused the US of conducting a clandestine bioweapons program in Georgia,<sup>4</sup> the Ukraine case marks the first time that such allegations were not only expressed through official or partisan news channels but by means of official proceedings. This novel approach indicates an increased willingness by Russian officials to instrumentalize international forums, be it the OPCW for chemical weapons or the UNSC for biological weapons, as channels to spread disinformation.

Such engagement with official forums does not occur in a vacuum. Making false claims at high-level institutions such as the UNSC and the OPCW lends the broader strategic narrative a degree of official, scientific, and factual credibility, supporting other operations in the wider disinformation ecosystem of overt state-controlled media and covert social media campaigns.<sup>5</sup>

### The Impact of Disinformation

This approach to disinformation, combining official forums with media campaigns, has the potential to, on the one hand, successfully deflect responsibility and, on the other, target potential geopolitical adversaries. Especially in the field of chemical weapons, the sheer number of unfounded accusations against Ukraine "muddies the water", making it hard to differentiate between disinformation and allegations that merit further consideration.

Similarly, in the Syrian cases, Russian officials accused numerous actors of potentially being responsible for specific attacks, thus creating a narrative of false uncertainty. OPCW investigators have increasingly attempted to directly address such narratives by factually disproving them through meticulous reporting. Most notably, the recent IIT report on the Douma attacks invested considerable resources into examining Russian narratives of "false flag" operations.<sup>6</sup>

### The Legal Framework

Chemical and biological weapons are comprehensively banned by international treaties, the 1993 **Chemical Weapons Convention** (CWC) and the 1972 **Biological Weapons Convention** (BWC). In both fields, development, production, stockpiling, and use of either chemical or biological agents are banned in most circumstances. The CWC explicitly prohibits the use of chemical weapons, while the use of biological weapons is implicitly prohibited according to the interpretation of states parties at BWC review conferences.

The CWC is implemented by the **Organization for the Prohibition of Chemical Weapons** (OPCW), which is equipped with a robust mandate, budget, and staff. Accusations are handled on different levels of the OPCW, including through the publication of diplomatic correspondences, so-called *notes verbales*, which are compiled in a running compendium. The OPCW has created several ad-hoc investigation teams with different mandates, including in the context of Syria, the **Fact-Finding Mission** (FFM), the **Investigation and Identification Team** (IIT), and the **UN-OPCW Joint Investigative Mission** (JIM). The older BWC, however, does not foresee such an organization and is only supported by the small **Implementation Support Unit** (ISU). Compliance concerns are handled through consultations among states parties or at the **UN Security Council** (UNSC). Russia and Ukraine are parties to both conventions and have repeatedly engaged within the respective forums in the context of the Ukraine war.

|  | Pattern 1: Accusations against other actors   | Pattern 2: Attacks against OPCW   | Pattern 3: Discrediting investigations   |
|--|---|---|--|
| Syria (Khan Shaykhun 2017, Douma 2018) | Accusations against opposition forces and white helmets <sup>7</sup>  | Statements by high-ranking officials discrediting the OPCW <sup>8</sup>         | Veto against continued JIM; criticism of FFM's methodology; delegitimization of the IIT <sup>9</sup>     |
| Salisbury (2018)                       | Accusation that the UK government conducted a "false flag" attack <sup>10</sup>   | Cyberattacks against the OPCW and its laboratories <sup>11</sup>                | Misrepresentation of the OPCW Technical Secretariat report, claiming no evidence was found <sup>12</sup> |
| Ukraine (2022)                         | Accusations of future <sup>13</sup> and past <sup>14</sup> chemical attacks by Ukraine; allegations against the US <sup>15</sup> and UK <sup>16</sup> | Accusations of OPCW staff being involved in a plot against Russia <sup>17</sup> | <i>No investigation has yet been undertaken</i>  |

Despite repeatedly asking the Russian and Syrian governments to provide evidence for their claims, neither of them even attempted to cooperate. The report consequently concluded that all available evidence clearly shows that the Assad regime was responsible for these attacks.<sup>18</sup>

Despite the IIT's clear findings and exceptional efforts to document their methodology and available evidence, Russian disinformation attempts continued.<sup>19</sup> Journalists and experts can play a crucial role in "translating" technical reports for a wider public. However, in circles that primarily consume Russian-influenced media, these open attacks on the OPCW and the IIT are likely to reduce trust in these institutions, no matter how well-documented their evidence and methodology are.

Lastly, disinformation and false accusations inevitably polarize existing structures and may erode their effectiveness in future instances. This is notably the case in the politically charged BWC process at the UNSC, but to a lesser extent also holds true for the OPCW system. Russian officials force a dichotomy between different narratives linked to political alliances. Decisions within international forums are thereby tied to political allegiances, not derived from evaluating the credibility of available evidence. The risk here is the potential creation of a false equivalence: If Western states at the UNSC block a Russian proposal to investigate bioweapons in Ukraine or dismiss claims of Ukrainian chemical weapons, Russia could dismiss any past or future accusations made against it or its allies, as well. Indeed, Russian diplomats publicly proclaimed that the Article VI proceedings only failed due to the highly political nature of the UNSC,<sup>20</sup> not the lack of serious evidence, thereby further fueling the very

same politicization they criticized. Moreover, it is highly likely that Russian diplomats would veto any future Article VI proceedings against Russia or its allies, taking as precedent the dismissal of baseless complaints against Ukraine. Similar dynamics are visible in the field of chemical weapons, where Russia refuses to even accept the IIT's mandate, thus directly opposing a majority decision passed through the appropriate procedures at the OPCW.

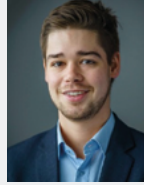
### Countering Disinformation—Some Promising Approaches

Russian disinformation on chemical and biological weapons is here to stay, at least for the foreseeable future. Nevertheless, there are certain approaches which can be adopted to defend against disinformation and ensure the prohibition regimes are able to continue to function.

The first approach is to forcefully and publicly disseminate counternarratives against disinformation. To some extent this has already been done through explanations of votes at the UNSC, OPCW *notes verbales* by the UK, or joint statements on behalf of large groups of states. These are essential measures, but to accurately represent the quantitative imbalance between Russia's lonely claims on one side and the large group of states refuting these on the other, states should also issue individual statements wherever possible. The EU has established projects such as *EUvsDisinfo*, which aims to counter disinformation, including on chemical and biological weapons. However, these efforts still mainly reach expert circles and an already sympathetic audience. Bearing this in mind, experts and decision-makers should, wherever possible, try to engage with mainstream media, as well as with more niche

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formats such as podcasts, social media journalism and shorter video formats in order to access as large an audience as possible.

Second, states should strengthen the respective prohibition regimes by providing financial and staffing support. Committing additional funds to the ISU and the OPCW would help them cope with the increased workload. Western states should also share their scientific expertise, not only by seconding investigators but also by financing and facilitating training programs for third-country experts, such as from the Non-Aligned Movement group. The CWC provides a suitable framework for such exchanges but the BWC does not contain provisions for investigations or verification. States should reengage in negotiations with a view to moving toward some form of binding agreement that takes the biological weapons regime closer to the more comprehensive framework on chemical weapons.

Lastly, the respective organizations should endeavor to clearly and publicly present their findings, even

if this means openly speaking out against Russian narratives. However, this can only work if the findings are based on methodologically sound investigations. The heightened standard of proof used by the IIT in the Douma report is a laudable step in the right direction. While this will certainly not stop Russian disinformation, it will hopefully help convince non-aligned states of the inaccuracy of Russian claims and provide a sufficient basis for journalists and experts to present arguments against false narratives to the wider public. If no action is taken, disinformation could potentially have a negative impact on trust in the prohibition regimes. But if, instead, this were to motivate states and organizations to commit more resources, improve scientific methods, and communicate more publicly, there is a good chance that the taboo against chemical and biological weapons may emerge even stronger in the long run.

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