

ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS



TECHNICAL SECRETARIAT

Quality Management Systems Document No. QDOC/INS/SOP/IAU01

**STANDARD OPERATING PROCEDURE FOR EVIDENCE COLLECTION,
DOCUMENTATION, CHAIN-OF-CUSTODY AND PRESERVATION DURING
AN INVESTIGATION OF ALLEGED USE OF CHEMICAL WEAPONS**

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SIGNED: _____ DATE: _____

ISSUE No.: **1**

REVISION No.: **1**

EFFECTIVE DATE: **26 October 2011**

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Amendment record sheet

This form contains a record of the amendments made to the previous version of this document, in accordance with QDOC/ODG/SOP/001. This document supersedes and replaces QDOC/INS/WI/IAU02, which is withdrawn from the database upon issuance of this SOP.

Paragraph(s)		Brief details of amendment	Proposed by	Approved By
New doc.	Previous doc.			
Issue 1, Rev. 1	Issue 1, Rev. 0	Document has been completely revised to change status from a WI to an over-arching SOP, with detailed matters concerning the collection and handling of different types of evidence to be addressed in subsequent WIs	ITL Woo Chul Shin + IRB	ADOI
Issue 1, Rev. 0	Issue 1, Rev. 0	Document has been revised, to remove ambiguity about the roles, capability and scope of an IAU team .For the first time prioritisation of evidence has been included along with Roles and Responsibility changes including the appointment of an Evidence Management Officer (EMO) and an evidence collection priority table	Chris Kirkpatrick + Oleksandr Kapustin	ADOI

Distribution list

All staff members have access to the latest electronic version of this SOP on a “read-only” basis. Only one hard copy of this SOP has been issued on a controlled basis to the following document holder in accordance with QDOC/ODG/SOP/001:

1. Head of Human Resources Branch, Central Registry copy 1 of 1

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1. Introduction

Evidence is vital for any investigation. The swift collection of evidence is crucial during an Investigation of Alleged Use of Chemical Weapons (IAU), as the traces of chemical warfare agents (CWA) or their characteristic degradation products may not remain in the affected environment for long due to weathering and other degradation factors. This is especially problematic if the agent of alleged use is suspected to be non-persistent. It is, therefore, necessary to collect and analyse sufficient samples of different types of evidence from available sources and, possibly, spread over a large area, within the limited timelines (72hrs unless the mission is extended) set by the Chemical Weapons Convention (CWC). It should be noted that while chemical samples that test positive for toxic chemicals are the ideal evidence, other types of evidence are also very useful to the investigation as a whole (evidence related to the means of delivery of the chemical and evidence gained from the interviewing and physical examination of alleged victims or witnesses).

2. Purpose

This Standard Operating Procedure (SOP) sets out the general procedures and mindset to be followed in locating, identifying, prioritising, collecting and preserving evidence and data collected in the field during an IAU.

3. Scope

- 3.1 Various types of material evidence may be obtained in areas of alleged CW use, for example: Chemical and/or Explosive Ordnance; or devices designed to disseminate CWA; chemical, biomedical and environmental samples. Additionally, audio-visual and documentary evidence may be acquired as a result of interviewing of witnesses and examination of casualties, as well as surveying and recording of the sites of Alleged Use.
- 3.2 If investigation relates to an incident that occurred some time ago, it may turn into a forensic type of investigation, requiring special skills that are not normally required during routine inspection, such as biomedical sampling, on-site analyses using biochemical techniques, medical examination of alleged victims, special interviewing skills, and negotiating experience.
- 3.3 All available information must be evaluated in the search for leads as to the possible nature of the suspected toxic agent(s) involved (known or unknown), and thus the types of samples to be collected.
- 3.4 An IAU with regard to sampling can not be approached as a routine undertaking. Each investigation will require particular care during the planning phase, and flexibility in its conduct on the ground.
- 3.5 Considering the paramount importance and the investigative value of evidence in establishing facts, this SOP addresses general evidence principles and procedures to

be followed during any IAU undertaken pursuant to the relevant paragraphs of Articles IX or X, and Part XI of the Verification Annex of the CWC.

- 3.6 The scope of this SOP also covers the general principles including prioritisation of collection applicable to all types of evidence, and highlights certain key requirements for the collection and processing of different types of evidence. Separate Work Instructions (WIs) as listed in paragraph 4 below, indicate detailed procedures for the Collection and Splitting of Samples under Hazardous and Non-hazardous Conditions; the interviewing of witnesses and medical examination of alleged victims of CW attack. New WI shall detail the collection of Ordnance or device fragments and/or components.

4. References

The following documents have been used in the development of this SOP:

- (a) The Chemical Weapons Convention;
- (b) Inspection Manual (QDOC/INS/IM/O1);
- (c) OPCW Manual of Confidentiality Procedure;
- (d) Standard Operating Procedure on Quality Management System Documentation (QDOC/ODG/SOP/001);
- (e) Standard Operating Procedure for the Development of Unclassified Quality System Documents within the Inspectorate (QDOC/INS/SOP/GG001);
- (f) Standard Operating Procedure on Headquarters Response to a Request for Assistance and Protection Under Article X (QDOC/ODG/SOP/003);
- (g) Standard Operating Procedure on Field Activities (Investigation and Assistance Related) Conducted by the Technical Secretariat in response to a Request for Assistance and Protection Under Article X of the Chemical Weapons Convention (QDOC/ODG/SOP/004);
- (h) Standard Operating Procedure for Contamination Control and Decontamination of Personnel and Equipment (QDOC/INS/SOP/DE001);
- (i) Work Instruction for Command Post Operations During an Investigation of Alleged Use of Chemical Weapons (QDOC/INS/WI/IAU01);
- (j) Work Instruction for Reconnaissance Operations During an IAU (QDOC/INS/WI/IAU03);
- (k) Work Instruction for the Collection of Biomedical Samples During an Investigation of Alleged Use (QDOC/INS/WI/IAU04); Note: the analytical portion of this capability is still under development at time of writing.

- (l) Work Instruction for Conducting Medical Interviews of Witnesses During an Investigation of Alleged Use (draft QDOC/INS/WI/IAU05 being finalised);
- (m) Collection and Splitting of Toxic Samples under Hazardous Conditions On-site (QDOC/LAB/WI/SC1);
- (n) Collection and Splitting of Samples under Non-hazardous Conditions (QDOC/LAB/WI/SC2);
- (o) Off-site Analysis of Authentic Samples (QDOC/LAB/SOP/OSA002);
- (p) The Chain of Custody and Documentation for OPCW Samples On-site (QDOC/LAB/WI/OSA3);
- (q) Packing of Off-site Samples (QDOC/LAB/WI/OSA4);

5. Definitions and Acronyms

5.1. Definitions

- (a) **Evidence:** Evidence is the proof, which shall assist in determining the accuracy or inaccuracy of an allegation of an occurrence or an event. It is the collection of facts, data, and records relating to the matter under investigation. It is a means by which disputed facts are proved to be true or untrue.
- (b) **The site(s) of alleged use of chemical weapons:** Is any physical location offering evidence related to the allegation.

5.2. Acronyms

The following acronyms have been used in this document:

- (a) **CP:** Command Post
- (b) **CW:** Chemical Weapons
- (c) **CWA:** Chemical Warfare Agent
- (d) **CWC:** Chemical Weapons Convention
- (e) **DOI:** Director of Inspectorate
- (f) **EMO** Evidence Maintenance Officer
- (g) **HQ:** OPCW Headquarters

- (h) *NDE*: Non-Destructive Evaluation
- (i) *IAU*: Investigation of Alleged Use of Chemical Weapons
- (j) *ITL*: Investigation Team Leader
- (k) *ISP*: Inspected State Party
- (l) *MEL*: Medical Element Leader
- (m) *ML*: Mission Leader
- (n) *OICMR*: On-site Inspection Confidential Material Register
- (o) *RSP*: Requesting State Party
- (p) *SOP*: Standard Operating Procedure
- (q) *TS*: Technical Secretariat
- (r) *WI*: Work Instruction

6. Responsibilities²

6.1. Head of Inspectorate Management Branch

The Head of Inspectorate Management Branch shall be responsible to the Director of Inspectorate (DOI) for ensuring that this SOP and any subsequent revisions conform to Quality System Documentation requirements, in accordance with QDOC/ODG/SOP/001.

6.2. Mission Leader

The Mission Leader (ML) shall be responsible for the efficient and effective conduct of the mission launched in accordance with Article IX or X of the CWC. He/she shall be responsible for ensuring the implementation of this SOP during the mission. The ML shall additionally ensure that the IAU Team is fully independent of ACAT Command and Control. The independence of the IAU team shall be maintained until the IAU related to the article X mission is completed. Once the Investigation is completed the resources held within the IAU team can be fully allocated to the assistance effort as required.

6.3. Investigation Team Leader

The Investigation Team Leader (ITL) shall be responsible to the ML for the efficient and effective conduct of the IAU operation by leading the investigation team in the field. The ITL shall normally have the delegated authority from the ML for the collection of various types of material evidence such as chemical, explosive

² See QDOC/ODG/SOP/004 for a description of the team structure.

ordnance, and environmental samples. The ITL is responsible for ensuring that risk is managed appropriately when deploying investigation teams, and is responsible for chairing the daily evidence review meetings. The ITL shall nominate a Team Member to the function of Evidence Maintenance Officer (EMO)

6.4. Evidence Maintenance Officer (EMO)

The EMO is responsible for daily updates to the team and ML on the state and progress of evidence collection. He/She shall ensure implementation of the evidence collection priorities set by the ITL for each entry to affected areas. The EMO shall also remind all team members of their obligations regarding the recording, extraction or receiving, processing and maintenance of evidence. The EMO is responsible for maintaining the evidence exhibits book and for preparing the daily evidence review meeting. The intent of the daily evidence review meeting is to gather information related to the progress of evidence collection from each Investigation Sub Team (Recon/Search, Sampling, Analytical and the Medical Element) in order to keep the investigation moving towards a timely and accurate conclusion.

6.5. Medical Element Leader

The medical element leader (MEL) is responsible to the ML for the medical investigation and the collection of human biomedical evidence.

6.6. Mission Team members

Mission team members shall be individually responsible for familiarising themselves with this SOP and for implementing it while collecting evidence during an IAU.

7. Types and prioritisation of evidence

There are various types of evidence that may be found in areas of alleged CW use however the collection of evidence needs to be prioritised so that the most transient or fragile and potentially most important pieces of evidence are collected first.

Table 1 put each piece of evidence into a suggested priority category based upon its potential fragility in the environment and its importance to the aim of IAU (Confirmation or Denial of CWA use). The evidence detailed in the table has been given a priority rating which is defined as follows:

- A- **Primary Evidence:** Evidence of primary importance to the mission which may be transient in nature, due to the physical characteristics of the Alleged CW or the physiological condition of alleged victims – also primary evidence may well provide the investigation team with information to aid planning and risk assessment assumptions. Time is of the essence for collection of most primary evidence.

B- Secondary Evidence: Evidence that strengthens primary evidence if primary evidence is unavailable, secondary evidence may well provide useful investigative leads.

C- Tertiary Evidence: Evidence that is still developing as an analysis capability; is merely a useful reconnaissance indicator or may be potentially ambiguous.

Table 1: Types, indications of and prioritisation of CW evidence in an IAU situation

Type of Evidence	Indications	Priority
Chemical Ordnance or Device Evidence	CWA traces (on or around an unfunctioned chemical ordnance or device)	A
	Chemical ordnance or device fragments and/or components with associated traces of CWA or their characteristic degradation products (evidence that helps with the categorisation of the delivery method and the targeting of neat CW or environmental sampling within the affected area)	A
	NDE results on unfunctioned ordnance or device(s) that is consistent with the design of chemical ordnance or a device	A
Biomedical evidence	Casualties and victims, examination and interview	A
	Clinical investigation reports	A
	Biomedical samples (e.g. blood, urine, excreta tissues, etc)	C*
	Dead or affected creatures (e.g. animals, birds, marine life, etc) ³	C*†
Environmental And Chemical samples	Neat agent samples: These are the most valuable and most transient of potential evidential items with a definite priority A. Due to the time lapse between a request under article X and the IAU team reaching the site(s) of alleged use, discovery of this type of evidence may be unlikely. This depends upon the persistency of the alleged agent of use and variables such as meteorological conditions and the nature of contaminated areas. Opportunities for neat agent sampling shall usually be identified by the Recon team. If no neat agent can be found then a plan for environmental sampling will need to be actioned and in this instance all environmental samples should also be considered to be priority A, as time is of the essence for getting any results at all.	A
	Aqueous samples - if neat agent is not available	A
	Vegetation samples - if neat agent is not available	A
	Air samples - if neat agent is not available	A
	Wipe samples - if neat agent is not available	A
	Soil samples - if neat agent is not available	A
Audio-visual documentary evidence	Photographs – Priority A evidence when the photograph is of an evidential item in its place of discovery or of samples being extracted. Priority B (Secondary Evidence) if provided by the ISP/RSP	A/B
	Films and/or video recordings; Priority A evidence when the video is of an evidential item in its place of discovery or of samples being extracted. Priority B evidence if it is of the alleged attack taking place or its immediate aftermath until corroborated by other priority A evidence	A/B
	Documents – useful secondary evidence	B
	Audio recordings - Priority C due to potential ambiguity – only priority A when the recording is of victims or witnesses giving a statement to a member of the IAU team	C/A

³

The Technical Secretariat (TS) is currently not in a position to collect these types of samples.

Witness-related evidence	Interview transcripts. In an IAU involving riot control agents as a method of warfare, interviews with eyewitnesses may be only means of obtaining information on how the agents were used	B/A
	Testimonies: These are good priority B type evidence, if corroborated by sufficient priority A evidence.	B

*Note: At time of writing priority is downgraded until capability for analysis of these samples is fully validated.

†Note: Dead creatures are a useful reconnaissance indicator which may help with the targeting of CW or environmental samples

8. Site of alleged use of CW

8.1 Identification of the site

8.1.1 Before the reconnaissance at the site of alleged use of CW, the site should first be properly identified, secured and preserved. The overall objective of the examination of the site of alleged use of CW is to establish the efficient management of the site, including proper evidence handling.

8.1.2 The ITL shall receive the following information from the RSP:

- details concerning any response measures that the ISP/RSP has deployed prior to the IAU teams arrival;
- if the IAU team are the first team to sample any finds of interest within the affected area.

8.1.3 If samples have not been taken yet, then the ITL shall establish the primacy of the IAU team taking samples at the site and ensure that the ISP/RSP is confident that this will not affect any internal investigation that the ISP/RSP may establish in the future.

8.1.4 If the site has already been sampled by the ISP/RSP or other agencies as part of a response or assistance effort, the ITL shall ask for results, location and nature of any samples already taken, which may include accepting a sample split.

8.1.5 The IAU team shall then resample the area, to attempt to verify the initial sample results, this would be effective even if only associated characteristic degradation products are discovered in the sample.

8.1.6 The RSP shall be requested by the ML to provide the location and characteristics of the area(s) where chemical weapons are alleged to have been used and where alleged victims and witnesses can be found. Initially, the RSP may also provide evidence for preliminary evaluation by the investigation team. This may assist in the targeting of priority A type evidence.

8.1.7 In an IAU scenario, the areas of interest may be potentially large and possibly widely separated. There may be more than one site of alleged use and their effects may be widespread. These may relate to all areas that could be affected by the alleged use of CWs, including both the targeted area and places where affected

people congregate, for example, hospitals, refugee camps and any other locations the investigation team deems relevant to an effective IAU, subject to consultation with the ISP/RSP.

- 8.1.8 If the investigation team deems it necessary to extend the investigation into a neighbouring State Party, the ML shall advise OPCW headquarters (HQ) of the reasons and await instructions from HQ before taking any action in that regard (per paragraph 19 of Part XI of the Verification Annex of the CWC).
- 8.1.9 Prior to the commencement of evidence collection, there shall be an investigation team briefing. Given by the ITL and the EMO, this is an essential part of IAU operations, and provides the opportunity to:
- (a) evaluate the situation; set evidential priorities, and begin the process of risk assessing investigation activities;
 - (b) organise the evidence collecting sub teams (including interpreters, and interviewers);
 - (c) review the procedures for proper evidence identification, collection and handling/packaging and the requirements for safe and secure storage;
 - (d) remind all investigation team members that each individual who comes into contact with physical evidence during any stage of the investigation is responsible for maintaining the integrity of that item of evidence and ensuring that the EMO is informed of the existence and status of the evidence. Finally, ensure that all team members are conversant with the correct procedure for the maintenance of custody of evidential items.

8.2. Securing and Controlling the Site

- 8.2.1 The site of the investigation shall be under the control of the ITL or his/her designated personnel, so that the scene is protected and managed and there is properly recorded retrieval of evidence. The command post (CP) shall maintain an Investigation Operations Log, which provides a chronological description of investigation procedures⁴ and the EMO shall maintain the evidence/exhibits book, which contains the details on each piece of evidence collected.
- 8.2.2 The ML, ITL, MEL and EMO shall ensure that the following functions related to evidence collection are properly observed throughout the mission:
- (a) controlled retrieval of evidence from the scene;
 - (b) correct packaging;
 - (c) correct labelling; and
 - (d) controlled recording;

⁴ See WI for Command Post Operations During an IAU (QDOC/INS/WI/IAU01).

- (e) secure and safe storage.
- 8.2.3 Within the area of interest, possible evidence shall be located and marked by the reconnaissance teams for further action by the follow-up teams.⁵ Hazardous areas shall be well-marked and safety zones clearly designated.
- 8.2.4 The investigation site may be photographed and/or recorded on video prior to and during examination. The photograph(s) and/or video recording(s) may provide evidentiary support.
- 8.2.5 The following steps shall be taken, as a minimum, to preserve the site of the alleged use of CW:
- (a) minimise the spread of contamination by establishing contamination control procedures⁶;
 - (b) prevent unauthorised entry; and establish via the RSP as soon as possible if any ISP/RSP assets have entered the suspect area. If such entrance has occurred, the ML and ITL have to receive information about the scope of the performed activities (if anything has been removed from the scene, or left on the scene by ISP/RSP responders);
 - (c) ensure that appropriate protective clothing is worn by all who are authorised to enter the site;
 - (d) commence and maintain an Investigation Operations Log;
 - (e) coordinate with other international bodies and national teams in the area to secure the scene.

9. Evidence collection and handling

9.1 General aspects

- 9.1.1 Proper collection of evidence involves clearly defined roles and responsibilities among sub team members. When collecting and/or handling evidence, inspectors must ensure its integrity, chain of custody, and correct handling/packaging and safe and secure storage.
- 9.1.2 Once evidence has been identified, it is necessary to make preparations to secure it. This involves prioritisation of evidence collection, distribution of responsibilities and readying of equipment. The evidence shall be preserved and secured by minimising the chance of cross contamination, preventing unauthorised entry, and ensuring that all entries into the controlled perimeters are performed with the appropriate protective clothing. The final measure to secure the evidence is to

⁵ See WI for Reconnaissance Operations During an IAU (QDOC/INS/WI/IAU03).

⁶ See SOP for Contamination Control and Decontamination of Personnel and Equipment (QDOC/INS/SOP/DE001).

ensure that all evidences are recorded in the evidence exhibits book and that all activities are recorded in the Investigation Operations Log.

9.1.3 Before handling evidence, the IAU team with involvement of the EMO shall prepare the following:

- (a) proper containers/packaging materials;
- (b) evidence labels; and the Evidence Exhibits Book;
- (c) necessary chain-of-custody documentation (see section 11.2);
- (d) safe and secure storage of evidential items.

9.1.4 The following general procedures must be followed when handling evidence:

- (a) Anyone handling the evidence shall as minimum wear disposable protective gloves. This measure is intended to protect the evidence. If the evidence is potentially contaminated then the protective gloves should be upgraded to what is an appropriate IPE level to prevent contamination of personnel.
- (b) The packaging/container shall be taken to the evidence and not vice-a-versa.
- (c) Each item of evidence should be dealt with independently of other items of evidence; this includes giving each piece of evidence its own unique identification number and proper labelling.
- (d) Unsealed packaging should not be left unattended.
- (e) Investigators shall be advised to collect more evidence than may be required, rather than to collect insufficient evidence.
- (f) Potentially transient evidence shall receive priority so that the collection process shall usually start with the collection of the most fragile or most easily lost evidence, for example, sampling for toxic chemicals or their characteristic degradation products (see Table 1).
- (g) Items of evidence shall be collected in proper containers, which shall protect handling personnel from chemical contamination and other safety hazards, as necessary.
- (h) Any items that may cross-contaminate each other in any way must be packed separately.
- (i) The containers should be closed and secured to prevent the mixing of evidence during transportation.
- (j) The evidence must not come into physical contact with any person or other potential cross contaminants.

9.2 Health and safety issues during evidence collection and handling

- 9.2.1 All relevant personnel, including the ML, ITL, EMO, MEL and other inspectors, must ensure that evidence items, which may pose a health and safety hazard from CW agents or biomedical samples, are handled in accordance with the appropriate OPCW Health and Safety Policy and Regulations, Health and Safety Manual and the IAU Health and Safety Plan. The ITL and team HSO must consider if an activity safety plan is required for sub team activities.
- 9.2.2 Items that pose a significant hazard must be identified to all personnel, and must display clearly recognisable warning labels. All personnel must be advised, by the team health and safety officer, of health and safety risks from evidential items.

9.3 Collection of CW evidence

The roles of various investigation team members are outlined below. Detailed procedures may be found in the respective WIs as listed in the references section of this document.

- (a) In an IAU scenario, the reconnaissance team locate and identify the dissemination device and any components or fragments; photograph and video record the areas of alleged use, any remnants of the dissemination device and/or any impact site, and identify and mark possible sampling locations.
- (b) The non-destructive evaluation (NDE) teams undertake the evaluation of any unexploded ordnance or devices to determine whether the evaluated items may be specifically designed CW, items of dual use or of an improvised nature.
- (c) The sampling teams collect chemical or environmental samples (i.e. soil, air, water or vegetation) and ordnance or device fragments (that must be free from explosives as identified by the recon team) and components from the area that is allegedly affected by CW for analysis at the on-site laboratory and subsequently the designated off-site laboratories.
- (d) Investigation teams shall gather documentary evidence, video and photographic recordings of the sampling locations, samples and the sampling process.
- (e) The medical investigation section of the medical element shall, as appropriate, undertake clinical examinations and interview the CW casualties, if any. The medical interviews and examinations shall be carried out by OPCW medical staff or qualified experts assigned to the medical element.
- (f) Medical interview questionnaires shall be used for interviewing victims, treating physicians and hospital staff. Interviews may be on-going for the

entire duration of the IAU; initial interviews may reveal information, which could lead to further investigation activities.

- (g) CW casualties and the wounds suffered by them shall be recorded by means of photographs and video, whenever possible.
- (h) The interviewing team shall interview witnesses and record the interviews using audio-visual equipment in addition to hand-written notes⁷.
- (i) Biomedical sampling will be carried out by OPCW IT personnel (designated medical specialists) and/or OPCW qualified experts. If the IT deems it necessary, the ISP/RSP may be requested to assist in the collection of samples under the supervision of the OPCW medical specialist.⁸
- (j) The medical investigation team shall maintain medical confidentiality of reports of the clinical investigations
- (k) The EMO shall coordinate the management of the evidence and a daily evidence summary meeting to steer the investigation teams efforts

9.4 Avoiding evidence contamination

9.4.1 It is essential to prevent the contamination of evidence for the following reasons:

- (a) to prevent the loss/destruction of any evidentiary material;
- (b) to prevent the obliteration of any evidence; and
- (c) to prevent the addition of suspect material.

9.4.2 Contamination of evidence shall be avoided, particularly in relation to the following:

- (a) random transfer – the accidental or incidental exchange of material e.g. from an individual onto the evidence, or from the evidence onto the individual;
- (b) cross contamination – the accidental or incidental contamination of the evidential item by the introduction of foreign material onto the evidence

9.4.3 Further evidence contamination factors to be kept in mind include the following:

- (a) an inspector, who is not specifically assigned for evidence-related tasks by the ITL, must not deal with any item linked to an investigation site; and

⁷ Until the TS develops detailed procedures for interviewing and acquires the relevant skills, it is possible to seek the help of qualified experts in accordance with paragraph 8 of Part XI of Verification Annex the Convention

⁸ VA Part XI, paragraph 16 and 17. For more information see WI for the Collection of Biomedical Samples during an IAU (QDOC/INS/WI/IAU04).

- (b) evidence must be packaged, sealed, logged and stored as soon as practically possible.

10. On-site processing and assessment of evidence

10.1 The evidence collected shall be processed and assessed on-site for its relevance and utility to the investigation. Special consideration must be given to objectively thinking about whether the items of evidence tie together into a cohesive piece of investigative work. The EMO under supervision of the ITL shall lead the effort to assess the evidence on a daily basis.

10.2 The possible link(s) between various pieces of evidence collected shall be carefully examined with a view to explaining the findings and providing additional direction to the investigation.

11. Documentation, chain-of-custody, and preservation of evidence

11.1 Documentation

11.1.1 The labelling, marking, handling, packing, sealing, transporting and storage of the evidence shall be carefully planned and carried out as well as properly documented.

11.1.2 Chain-of-custody procedures shall be strictly adhered to in order to ensure and protect the integrity of the evidence (see section 11.2).

11.1.3 The documentation may be in the form of logs, note-taking, sketches, layouts, registers, transcripts of interviews, audio-visual tapes and photographs.

11.1.4 Details on documentation for chemical, biomedical, and environmental samples may be found in the respective WIs.

11.1.5 Investigation Operations Log

As described in the relevant WI, the Investigation Operations Log (handwritten and e-file(s)) is maintained by the CP. It provides a chronological description of investigation operations and may include:

- (a) time, location(s) and descriptions of activities;
- (b) paraphrased description of negotiations;
- (c) departure and return times of individuals and sub-teams;
- (d) descriptions of events;
- (e) seal and tag numbers, when applied or removed; and
- (f) any other information deemed relevant towards maintaining the investigation picture.

11.1.6 Evidence/exhibits book

- (a) An evidence/exhibits book shall be prepared for the investigation. The book shall provide control, accountability and accurate descriptions, photographs and/or diagrams of the evidential items to enable the examination of items without actual handling. It is the responsibility of the EMO delegated by the ITL to maintain this.
- (b) This book shall be recorded in the On-site Inspection Confidential Material Register (OICMR) and handled in accordance with OPCW confidentiality procedures.
- (c) The evidence/exhibits book may take the form of evidence registration forms, and shall include the following information for each piece of evidence:
 - (i) entry number;
 - (ii) description of item;
 - (iii) evidence reference number;
 - (iv) where the evidence/exhibit was found;
 - (v) by whom the evidence/exhibit was found;
 - (vi) time and date the evidence/exhibit was found; and
 - (vii) seal number(s) on the evidence container/packet.
- (d) The evidence/exhibits book shall also contain the items of evidence in relation to the depositing of evidence in the secure storage room, including the following information:
 - (i) time/date of depositing the evidence;
 - (ii) name of inspector depositing the evidence;
 - (iii) location where the evidence is being stored;
 - (iv) movement of the evidence;
 - (v) time/date of taking out the evidence;
 - (vi) reason for taking out the evidence;
 - (vii) name of inspector taking out the evidence;
 - (viii) time/date of returning the evidence; and
 - (ix) daily evidence review findings
 - (x) authorised disposal of evidence (including time/date, authorised by whom and destroyed by whom).
- (e) Each evidence container/packet shall be properly sealed and labelled with the minimum information necessary for the identification of the item. The necessary information for the label includes evidence reference number, an "OPCW EVIDENCE" marking and signatures of all persons who handled the evidence. The label must not contain any information related to the investigation, the ISP/RSP and/or the inspected site. The detailed information on the evidence shall be entered into the evidence/exhibits book as described above.

11.2 Chain-of-custody

11.2.1 Chain-of-custody procedures must be strictly adhered to in the handling of all evidence regardless of type collected during an IAU. Maintaining the chain of custody ensures the integrity of the evidence, and provides continuity and safe-keeping of the evidence and accompanying records, particularly during transportation between the IAU site to the TS of the OPCW. For more details on chain-of-custody procedures for biomedical, chemical, and environmental samples, refer to the respective WIs.

11.2.2 The following conditions characterise breaking the chain of custody and must, therefore, be avoided:

- (a) leaving evidence unattended, unless secured so that only the person in-charge of it can have access to it (EMO), or secured and sealed in such a way that any tampering is immediately apparent;
- (b) receiving or handing-over evidence without recording the hand-over;
- (c) using an improperly sealed bag/container to transport or store evidence; and
- (d) inappropriate or unrecorded breaking of a seal on a bag/container containing evidence.

11.2.3 To transfer evidence from one person to another, the transfer must be recorded in detail, and include the following actions:

- (a) The transfer must be entered in the evidence/exhibits book whenever receiving or handing over chain-of-custody, the EMO shall be present for these activities.
- (b) The label or accompanying form must contain the signatures of the person handing over and the person taking over.
- (c) The evidence must remain in the physical possession of the person taking charge of it, and either be secured so that only the person in-charge of it can have access to it, or be secured and sealed in such a way that any tampering is immediately apparent.

11.3 Preservation of evidence

11.3.1 The evidence collected may need to be preserved for a long time. Evidence should, whenever possible, be stored in a secure storage room with a properly working alarm system, or in a secure room with tamper-indicating seals. Certain types of evidence may require special treatment, such as freezing or storage in a dark area.

11.3.2 Access to the evidence storage room shall be controlled by the EMO appointed by the ML, and that officer shall maintain a written record, including the names, dates/times and signatures, of those accessing the secure storage room and the justification for the access.