

CANADA

Definitions and Scope in a Chemical Weapons Convention

During the seminar attended by experts on 24 and 25 June much technical information was presented on the definition of chemical warfare agents. In particular papers by the Australian and Czechoslovakian experts provided excellent summaries of some of the criteria. On the other hand papers which discussed the usefulness of a toxicity criterion failed to reach a consensus, demonstrating that in this area in particular confusion remains as to the definition.

This paper will attempt to clarify these concepts and provide a further analysis of the criteria necessary to define a chemical warfare agent in relation to the scope of a convention on chemical weapons.

When the Geneva Protocol was written in 1925 a rather simple description of chemical agents in terms of asphyxiating, poisonous or other gases was used. This was thought to be sufficient because the intent not to use any such materials again in warfare was thought to be clear. However, as new types of toxic chemicals were developed differences of opinion arose in some countries as to whether they were included and it has become clear that such a general statement is not adequate and must be supplemented by other criteria which leave no doubt as to the intention of the convention.

On some occasions it has been proposed that materials to be banned could be simply listed and perhaps attached to a convention as an annex to be updated as the science of chemistry advanced. Undoubtedly experts could prepare a list very quickly which would contain all of the known chemical warfare agents, both single and dual purpose, including sarin, tabun, soman, VX, mustard, chlorine, phosgene, hydrogen cyanide, cyanogen chloride, lewisite, and so on. Even some intermediates and binary precursors could be easily included. It may still be desirable to append such a list to the convention, however it is immediately obvious that this does not solve the problem. These chemicals are merely representatives of large families of toxic substances and modern chemical science has produced many more that have not yet been associated with chemical warfare, but which have toxic properties that might be quite useful in that role. Furthermore as the more lethal materials become banned and defensive postures relax, many chemicals having lesser toxicities could become threats.

If chemical weapons are to be eliminated, they must first be so defined that there is no doubt now or in future years as to what is included. In her paper at the informal session on 24 June, the Australian expert Dr. Freenan suggested a simple definition as follows: "A militarily effective anti personnel weapon which depends on the toxic action of a chemical to render troops hors de combat". This contains many of the essentials of an adequate definition, however as it became evident later,