

also in full accord with the "general purpose criteria" of the future convention. At the same time it can suitably resolve the differences of opinion on herbicides and irritants, that is, their use for fighting purposes should be prohibited while allowing their use for the purposes of peace and law-enforcement. And obviously, activities which are in conformity with these two purposes such as development and production, etc. are also legal.

IV

The best way of bringing the two prohibition regimes in line with each other is to use the concept of "chemical warfare agents" in the definition of chemical weapons to be included in the future convention; and to also include a definition of "chemical warfare agents" itself.

The concept of "chemical warfare agents" centers on the most fundamental characteristics of chemical weapons and also reflects the content of the "general purpose criteria". As such it can aptly serve as the basis for unifying the two prohibition regimes.

It can be said that it is precisely the term "chemical warfare agents" which sums up most precisely and appropriately the fundamental characteristics of the prohibition contained in the Geneva Protocol (here no reference is made to biological warfare either), and which embodies the kernel prohibition by the future convention, whether it refers to super-toxic, lethal, other harmful substances or any other types of chemicals so long as they are used for fighting purposes.

V

In document CD/CW/CRP 62, definitions of "chemical weapons" and "chemical warfare agents" are given as follows:

"The chemical weapons ... refer to those weapons the casualty capabilities of which are based on the toxicity of chemical substances. They include:

- (a) chemical warfare agents and their precursors which produce a direct toxic effect on the target.
- (b) munitions or devices specially designed for filling with chemical warfare agents or their precursors and dispersing them in a combat state;
- (c) equipment specially designed for the purpose of the direct use of such munitions or devices."

"Chemical warfare agents are all toxic chemical substances whose types and quantities accord with hostile and military purposes and whose toxic effects are used to interfere directly with the normal functions of men, animals and plants in such a way as to lead them to death, temporary incapacitation or permanent injury. In accordance with the toxicity criteria, chemical warfare agents can be divided into the following three categories: ..."