

1. SCOPE OF PROHIBITION

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INTRODUCTION

This paper presents current United States views on the contents of a chemical weapons convention. It is subject to further modification and refinement.

(a) not to use chemical weapons in any circumstances where use is not already prohibited by the 1925 Geneva Protocol. According to the terms of the Protocol, its provisions apply, for example, only in war and only between States.

The provisions of the Convention should cover super-toxic lethal, other lethal, other harmful chemicals (such as incapacitating agents), and their precursors, chemicals, and other riot-control agents or derivatives. Agents would be included implicitly since they are toxic chemicals.

Non-Transfer/Non-Assistance

The Convention should prohibit:

- (a) transfer to anyone, directly or indirectly, of any chemical weapons;
- (b) transfer to anyone, directly or indirectly, other than under strict security super-toxic lethal chemical or its precursor produced or otherwise obtained for protective purposes. Transfers would be limited to quantities of 100 grams in any 12-month period. Advance notification to the Depository (as specified in an annex) of any transfers of such a super-toxic lethal chemical or its precursor should be required.
- (c) assisting, encouraging, or inducing, directly or indirectly, anyone to engage in activities prohibited to a party under the Convention.

Terminology

Key terms used in the Convention should be carefully defined to ensure that the Convention's provisions are clear and precise. Important terms that need to be defined and the United States understanding of them, are given below.

The term "chemical weapons" should be used to mean:

(a) super-toxic lethal, other lethal, and other harmful chemicals, and their precursors, chemicals, regardless of the nature of production, except for those intended for permitted purposes so long as the time and quantities involved are consistent with such purposes;

(b) equipment or devices specifically designed or adapted to store, transport, or use through the toxic properties of chemicals released as a result of the employment of any munitions and devices;

(c) any equipment or chemical specifically designed for use directly in connection with the employment of such munitions or devices.