

1.0 Introduction

"There are no international procedures within the framework of the United Nations and in accordance with it's charter to investigate allegations of the use of CB weapons"¹⁾, and yet, the public debate appears to be demanding a quasi-judicial procedure in which the perpetrator(s) and the weapons used are clearly identified.

Acknowledging the fact that there are no internationally recognized procedures, one could turn to the procedures in use in forensic cases. Under criminal law, an accusation has to be proven **beyond reasonable doubt**, whereas under civil law, it is only necessary to show that, **on the balance of probabilities**, damage was sustained by the action (e.g., damage to health or environment, or whatever is claimed).

While it would be rather helpful to be able to prove beyond reasonable doubt that CBW agents were used, this appears to be next to impossible under the circumstances of events either taking place in an inaccessible place, or where events are reported to have occurred earlier and samples are produced which are supposed to originate from the site of an attack.

It appears to be more prudent to apply the procedures of civil law, i.e., to collect as much evidence and as much information as possible, weigh the evidence (pro and con), to arrive at a situation where, on the balance of probabilities, there is a causative relationship.

¹⁾ Ezz, E.A. Carleton Symposium, June 1983.