

1.0 Introduction

The Conference on Disarmament (CD) has been negotiating for many years to develop a structure for a chemical weapons convention (CWC), and it appears that a CWC could be concluded in the not-too-distant future.

Not surprisingly, the definition of chemical weapons and the role of the international "machinery" required to monitor a CWC have required much time and effort. Although not all contentious issues have been resolved, there is now tentative agreement on the various organs to be created and on many of the functions to be carried out. In particular, the issues of verification of declaration, storage, destruction and transfer of existing chemical weapons (Art. III and IV); declaration, cessation/closure, destruction/dismantling, temporary conversion/destruction of chemical weapons production facilities (Art. III and V); and activities not prohibited by the convention (Art. VI) all appear close to the point of substantial agreement.

Despite this progress, how a CWC would deal with a situation where a novel chemical agent were to be developed and used for warfare purposes is less clear. In the case of development of novel chemicals, guidelines are being developed which would allow such chemicals to be added to existing schedules of chemicals of concern. With regard to the unexpected use, or allegation of use, of novel chemicals not appearing on any schedule, further consideration will be required in due course.

This study paper considers aspects of the potential use of novel chemical warfare agents that do not fall under the current schedules of chemicals deemed to be of particular concern to the CWC. For the purpose of this paper, which focuses on investigations of use, a novel chemical warfare agent may be a newly discovered or existing chemical which, because of its toxic properties, has been used for the first time to produce casualties.