

FRANCE

Criteria for the Definition of Chemical Warfare Agents

As long as international agreements were designed merely to prohibit the "use" of chemical warfare agents, the problem of their precise definition was a marginal one: the formula used in the Geneva protocol was sufficiently general to cover all chemical substances because of their toxicity as soon as they were intentionally used in military operations.

No preventive control was provided for; the only criterion used was that of effects and it was actual use that constituted an offence.

The same is no longer true once the prohibition is extended to the development, production and stockpiling of chemical warfare agents. A more precise definition based on unambiguous criteria becomes indispensable, since this definition will serve as a basis for the establishment of the monitoring and control procedures necessary for constant verification to ensure that the clauses of the agreement are in fact being observed.

The criterion of destination which served as the basis for the prohibition of biological weapons cannot be the sole criterion in the case of chemical weapons. This criterion can only serve as the sole criterion in the case of single-purpose agents.

The criterion of destination must therefore be supplemented by one or preferably several other criteria. The factors governing the choice of these new criteria must make it possible to classify the agents not in accordance with their effects or military characteristics but in accordance with special rules to which they must be subject within the context of an agreement prohibiting their production.

The following categories can thus be distinguished:

Single-purpose agents: very toxic, these agents belong to a small number of groups/organophosphorous compounds, carbamates, yperites.

Dual-purpose agents: less toxic than the previous category, these belong to very different families.