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CHEMICAL WEAPONS:

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Canada

Introduction

This pamphlet is designed to increase awareness about the danger posed by the proliferation of chemical weapons and the possible diversion of chemicals used as precursors in their manufacture.

Canada is concerned that goods and technology from Canadian industry could be diverted to produce chemical weapons. In 1984, the Secretary-General of the United Nations confirmed that chemical weapons had been used in the Gulf War. While the evidence of chemical weapons proliferation was coming to light, efforts were under way at negotiations in Geneva to conclude the International Convention on Chemical Weapons with the objective of achieving a ban on the manufacture, stockpiling and use of such weapons. This Convention would be complementary to the 1925 Geneva Protocol, which already prohibits the use of chemical weapons, and would introduce an intrusive verification system and consultation/response procedure.

To date, the outlook on successful conclusion of negotiations is good. However, it will be some time before a convention can be concluded and implemented, and in the meantime, proliferation is a very real concern. *Vigilance is required on the part of government and industry.*

Canadian Policy

Canada no longer possesses chemical weapons. Some years ago, Canada advised the international community of the destruction of the bulk usable agents stockpiled for possible retaliatory use during the Second World War, and a program is now under way to destroy the small residual quantities of toxic materials in a manner consistent with Canada's high health, safety and environmental standards.

Canada is a party to the 1925 Geneva Protocol prohibiting the use in war of chemical (and also biological) weapons. Subsequent Canadian policy statements have clearly emphasized that Canada does not intend at any time to initiate the use of chemical weapons; nor does Canada intend to develop, produce, acquire or stockpile such weapons unless they are used against the military forces or the civil population of Canada or its allies.

On a wider scale, Canada is working towards an all-nation, worldwide and everlasting ban on chemical weapons. To this end, Canada is an active participant in the Conference on Disarmament in Geneva, where there is consensus that a global ban is within reach.

Until that goal is achieved, and because of the threat proliferation poses, Canada has taken measures, in consultation with other countries, to ensure that Canadian industry does not contribute, directly or inadvertently, to the problem.

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Efforts to Counter Proliferation

Canada promotes:

- consultations with other concerned countries;
- consultations with Canadian industry;
- precautions regarding chemicals of concern; and
- precautions regarding chemical plant, production equipment and know-how.

Since 1985, Canada has held regular consultations with a group of countries on measures to be taken at a national level in response to chemical weapon use in the Gulf War and the proliferation of chemical weapons in general. Great progress has been made, during the course of these consultations, in efforts to harmonize national policies. Other participants are the EC states, Australia, Austria, Japan, New Zealand, Norway, Switzerland and the United States.

Participants in these international consultations have also initiated dialogue at the national level with industry representatives. In Canada, such exchanges have taken place over some years, commensurate with the industry's scale of production of chemicals of concern. This dialogue has confirmed the government's view that Canadian industry is determined to avoid involvement in chemical weapon proliferation, and that industry recognizes that such involvement would be detrimental to its reputation as well as to future business.

Precautions Regarding Chemicals of Concern

The chemicals of greatest immediate concern have been placed under Canadian export controls and require a licence to be exported. Now numbering 14, but subject to revision according to circumstances, these are listed at Annex A. These are chemical precursors which can be used, with further processing, to produce chemical weapons.

Also listed at Annex A are other chemicals which, it is agreed, should be treated with caution in international trade. These are not subject to export controls, but industry has been asked to consult with the Export Controls Division should procurement requests or transaction arrangements be unusual or not in keeping with established business practices. Such voluntary consultation represents the shared commitment of government and industry to safeguard Canada's reputation. (Annex B, an alert to potentially suspect circumstances, is most relevant to the following section, but should be borne in mind in all commercial chemical transactions.)

Precautions Regarding Chemical Plant, Production Equipment and Know-How

A far more complicated task is to ensure that chemical plant, production equipment and know-how are not diverted from the purpose for which they were originally contracted. It is recognized that virtually all equipment related to chemical weapon production also has legitimate civil use. Such equipment ranges from barbed wire fences to entire chemical plants, including perimeter security systems and devices, toxic gas detection systems, refrigeration systems, prefabricated storage containers, reactor vessels, pumps, valves, filters, agitators, heat exchangers and distillation columns, especially if made of corrosion-resistant materials. Attempts to focus on these specific items of equipment would, of course, be unrealistic and would present unwarranted obstacles to legitimate trade.

Instead, Canadian industry should be aware that plant and production equipment suitable for adaptation or diversion to the manufacture of chemical weapons or chemical weapon precursors may be sought by other countries aiming to develop chemical weapon capabilities. In such cases, enquiries for plant or equipment supplies or particular expertise are likely to be directed to:

- companies that either manufacture or resell equipment and that may not normally operate in the country of destination; and
- chemical engineering companies that specialize in either the design, installation or commission of chemical process equipment.

These companies should be alert to unusual enquiries. Potentially suspect elements in transactions are set out in Annex B. Obviously, more caution is called for in a situation where a number of such elements exist. Companies are encouraged to contact the Export Controls Division for advice on any unusual circumstances. The Division supports industry's desire to maintain its good reputation and will endeavour to provide assistance in a timely fashion.

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Annex A

List of Chemical Weapons Precursors

Items 1 to 14: Controlled under item 1701 of the
Canadian Export Control List

Items 15 to 50: Warning List

Chemical Compound	Harmonized System Tariff Numbers*
1. Thiodiglycol	2930.90.00.19
2. Phosphorus Oxychloride	2812.10.10.20
3. Dimethyl Methylphosphonate	2931.00.90.99
4. Methyl Phosphonyl Difluoride	2931.00.90.99
5. Methyl Phosphonyl Dichloride	2931.00.90.99
6. Dimethyl Phosphite	2920.90.90.99
7. Phosphorus Trichloride	2812.10.10.10
8. Trimethyl Phosphite	2920.90.90.99
9. Thionyl Chloride	2812.10.90.20
10. 3-Hydroxy-1-Methylpiperidine	2933.39.00.19
11. N, N-Diisopropyl- β -Aminoethyl Chloride	
12. N, N-Diisopropyl- β -Aminoethane Thiol	2930.90.00.19
13. 3-Quinuclidinol	2933.39.00.90
14. Potassium Fluoride	2826.19.00.10
15. 2-Chloroethanol	2905.50.00.10
16. Dimethylamine	2921.11.00.20
17. Diethyl Ethylphosphonate	2931.00.90.99
18. Diethyl-N, N-Dimethylphosphoramidate	2931.00.90.99
19. Diethyl Phosphite	2920.90.90.99
20. Dimethylamine Hydrochloride	2921.11.00.40
21. Ethyl Phosphinyl Dichloride	2931.00.90.99
22. Ethyl Phosphonyl Dichloride	2931.00.90.99
23. Ethyl Phosphonyl Difluoride	2931.00.90.99
24. Hydrogen Fluoride	2811.11.00.00
25. Methyl Benzilate	2918.19.90.90
26. Methyl Phosphinyl Dichloride	2931.00.90.99

Chemical Compound	Harmonized System Tariff Numbers*
27. N, N-Diisopropyl- β -Amino Ethanol	2922.19.00.19
28. Pinacolyl Alcohol	2905.19.00.90
29. QL (O-Ethyl-2-Diisopropylaminoethyl Methylphosphonite)	2931.00.90.99
30. Triethyl Phosphite	2920.90.90.99
31. Arsenic Trichloride	2812.10.90.90
32. Benzilic Acid (2,2-Diphenyl-2-Hydroxyacetic Acid) (2,2-Diphenylglycolic Acid)	2918.19.90.19
33. Diethyl Methylphosphonite	2931.00.90.99
34. Dimethyl Ethylphosphonate	2931.00.90.99
35. Ethyl Phosphinyl Difluoride (Ethyl Phosphorous Difluoride)	2931.00.90.99
36. Methyl Phosphinyl Difluoride (Methyl Phosphorous Difluoride)	2931.00.90.99
37. 3-Quinuclidone	2933.39.00.19
38. Phosphorus Pentachloride	2812.10.10.20
39. Pinacolone (3,3-Dimethyl-2-Butanone)	2914.19.00.90
40. Potassium Cyanide	2837.19.00.20
41. Potassium Hydrogen Fluoride (Potassium bifluoride)	2826.19.00.90
42. Ammonium Hydrogen Fluoride (Ammonium bifluoride)	2826.11.00.10
43. Sodium bifluoride (Sodium Hydrogen Fluoride)	2826.11.00.90
44. Sodium Fluoride	2826.11.00.20
45. Sodium Cyanide	2837.11.00.10
46. Tri-ethanolamine	2922.13.00.10
47. Phosphorous pentasulfide	2813.90.00.00
48. Di-isopropylamine	2921.19.00.90
49. Diethylaminoethanol	2922.19.00.19
50. Sodium Sulphide	2830.10.00.90

* Chemical abstract service registry numbers are available on request from the Export Controls Division (see address at back of this leaflet).

Annex B

Potentially Suspect Circumstances in Transactions

- An approach from a previously unknown customer (includes those requiring technical assistance) whose identity is not clear.
- A transaction involving an intermediary agent or final consignee that is unusual in light of their regular business.
- A customer gives insufficient explanation or provides evasive responses to enquiries about chemicals to be produced with equipment and purpose or use of those chemicals.
- A customer is reluctant to provide information on location of the plant/place equipment is to be installed.
- A customer gives insufficient explanation of the chemical raw materials to be used with equipment.
- A customer is reluctant to provide clear answers to commercial or technical questions that are routine in commercial negotiations.
- A different approach from a customer usually involved in military business, e.g., a customer under control of a defence ministry or the armed forces.
- A customer provides an unlikely reason for the equipment request in view of customer's usual business or technological needs.

- Equipment is to be installed in an area under strict security control, e.g., an area close to military facilities or an area that has severely restricted access.
- Equipment is to be installed in a location that is unusual in light of the type of equipment.
- An unusual request from a customer concerning shipment or labelling of goods.
- Unusually favourable payment terms, e.g., a higher price or better interest rate than in prevailing market, or a lump-sum cash payment.
- A request from a customer for excessive confidentiality regarding final destination or details of products to be delivered.
- An order for safety or security devices/ measures that are excessive in light of the nature of equipment.
- Requests for devices not usually necessary, e.g., excess spare parts, or lack of request for devices usually needed if either are without convincing explanation for deviation from regular demands.
- A lack of request for a performance guarantee, warranty or service contract.
- A lack of usual request for technical experts' assistance or training for the installation or operation of equipment.

- A customer requests completion of a partly finished project.
- A contractor is refused access to parts of the plant not related to the contract.
- A contract for construction or revamping of a plant is divided by a customer without adequate information on the complete scope of work and/or final destination of the plant.
- Packaging or packaging components are inconsistent with the shipping mode or stated destination.
- Modifications are made to a plant or equipment in an existing or planned operation which change production capability significantly and could facilitate the manufacture of chemical weapons or chemical weapon precursors.

For Assistance or Advice
Contact

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