From Ypres to Ghouta and Back Again

A Short Story of Chemical Weapon Disarmament

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The Trench

Workshop: Instruments of Arms Control
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Main prohibitions against CBW

- **1925 Geneva Protocol**
  - Prohibits the use in war of CBW

- **1972 Biological and Toxin Weapons Convention (BTWC)**
  - Comprehensive ban on development, production and possession of BW and toxins

- **1993 Chemical Weapons Convention (CWC)**
  - Comprehensive ban on development, production, possession, and use of CW (including toxins)
The 1925 Geneva Protocol

- **Prohibits the use of CBW in armed conflict**
  - Limited to contracting parties
  - Void as soon as breach → right of retaliation (made explicit by some states in reservations)

- **Part of the Laws of War / Humanitarian Law**
  - No restriction on CBW acquisition / possession

- **Today: Basis for UN Secretary-General’s investigations into alleged use of CBW**
  - Mechanism was activated in Syria in March 2013
  - UN team confirmed use of sarin in Ghouta (Damascus)
Was the Geneva Protocol relevant when it mattered?

- Colonial wars after World War 1
- Italy–Abyssinia (1935–36)
- Eve of World War II
  - Balance of terror between British and Germany → threat of strategic bombing with CW
  - Churchill & Roosevelt warning against Germany and Japan based on Geneva Protocol
  - No major CW attacks during World War II (causes are diverse)
- Egyptian CW use in Yemen (1960s)
- 1980-88 Iran–Iraq war
  - Major violation of the Geneva Protocol; limited response from the international community
  - 1989 Paris Conference to restore the authority of the Geneva Protocol
  - Added urgency to the CWC negotiations
  - Because of CW use against Kurds, the Geneva Protocol now applies to internal armed conflicts too
- Syrian civil war
  - UN investigation confirms CW use in Ghouta in August 2013
  - Allegations of chlorine use in first half of 2014
Foundation for Disarmament

- The Geneva Protocol suffered several major violations
  - But not in BW area

Impact:
- Violations of the Geneva Protocol demanded international response and continued to remind the world of unfinished business

- It established a strong moral norm
  - Proponents always had to go the extra mile to justify CW
  - Prevented far-reaching assimilation of CW into military doctrines, which in turn hampered CW armament
  - Prevented further ‘conventionalisation’ of CW use after World War 1 → special authority for use always required
  - Hence, it laid the foundation for comprehensive disarmament
Core components of the CWC

- **Prohibitions on**
  - Possession, acquisition, and use
  - Proliferation (= technology transfers for illicit purposes)
  - Based on ‘General Purpose Criterion’ to deal with dual-use technology

- **Verification tools**
  - (National technical means)
  - Confidence-building measures
  - International organisation / National authorities
  - Reporting
  - On-site inspections and monitoring

- **Conflict resolution mechanisms**
- **Investigation of alleged use and emergency assistance**
  - Today applied with respect to chlorine use allegations in Syria
  - ‘Non-security’ clauses (cooperation for peaceful purposes)
### Different legal status of NBC weapons

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