

From Ypres to Ghouta and Back Again

A Short Story of Chemical Weapon Disarmament

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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
 - Ban on BW use in Geneva Protocol + Final Declaration of 4th Review Conference (1996)
- **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 *demand*ed 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

Prohibition	BW	CW	NW
on Use			
on Possession			 



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