

The background of the slide features the United Nations logo, which consists of a white map of the world centered on the North Pole, surrounded by a wreath of olive branches. The logo is set against a solid blue background.

Background Guide

**United Nations General Assembly- 1st Committee
(GA1)**

**The Disarmament and International Security
Committee (DISEC)**

**Topic: Measures to prohibit the use of bacteriological
and chemical weapons**

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Country Allocations

Country	Name
Afghanistan	An, Zhimeng (Brittany)
Algeria	Cai, Xingyan (Zed)
Argentina	Cao, Ruiqi (Rachel)
Australia	Cao, Shujian (Lennox)
Bahrain	Zhang, Siyuan Adrian
Brazil	Chaipatamanont, Kathaleeya (Kate)
Canada	Chen, Wenqing (Chloris)
Democratic People's Republic of Korea	Chen, Xiangyi
Egypt	Chen, Xinyu (Chris)
Estonia	Chen, Zhicheng Henry
France	Chen, Ziyang (Cherie)
Germany	Cheng, Yuhan (Kyth)
India	Cheng, Yuxiang (Jason)
Iran	Chuan, Wei-Hsin (Cindy)
Israel	Dong, Haonan (Ares)
Italy	Dou, Xinyi (Julie)
Japan	Fang, Baojun (Bruce)
Kazakhstan	Feng, Hsu-Yen (Hazel)
Myanmar	Foun, Ming Him (Oscar)

Netherland	Gao, Tianye (Alice)
Pakistan	An, Zhimeng (Brittany)
People's Republic of China	Gao, Yue (Chloe)
Russian Federation	Gong, Houjun
Saudi Arabia	Gu, Fangke (Coco)
Singapore	Gu, Jinkang (Jackie)
South Africa	Gu, Rui (Ann)
South Korea (Republic of Korea)	Gu, Xinyi (Vivian)
Sudan	Gu, Yifan (Collins)
Sweden	Guan, Chunxi (Derick)
Switzerland	Guo, Zixin
Syria	He, Chang (Christina)
Taiwan	He, Ru Alex
Turkey	Hou, Xinying (Miranda)
New Zeland	Zhang, Taoen (Elizabeth)
Ukraine	Huang, Jingyi (Yuki)
United Kingdom	Huang, Ruiyan (Maggie)
United States	Huang, Xinyi (Cynthia)
Uruguay	Zhang, Xiaohan
United Arab Emirates	Zhang, Xinyi
Yemen	Zhang, Yichi (Allen)

1 Key Terms

1.1 Biological Weapons

As the definition of biological weapons given by the United Nations:

Biological weapons are complex systems that disseminate disease-causing organisms or toxins to harm or kill humans, animals or plants. They generally consist of two parts – a weaponized agent and a delivery mechanism (UNOG, n.d.)

Geneva Protocol was signed in 1925, and *Biological Weapons Convention* (BWC) was formed in 1972 to ban the biological weapons. The BWC is the first multilateral disarmament treaty, which also covers and extends the *Geneva Protocol*. Most countries signed and ratified or accessed the BWC, while some nations, mainly in Africa and the Middle East, did not sign or signed without ratification.

Biological weapons can be used to attack not only armies but also civilians and other non-combat persons. Biological weapons can also be used as weapons to complete the assassination (the assassination of Kin Jong-Nam can be considered a typical example).

In addition to this, biological weapons can also be deployed in terrorist attacks. The Tokyo subway sarin attack, which occurred in 1995, was a typical bioterrorist attack, which claimed 12 lives and injured more than 4000 people. With the advance of the technology, the technical difficulties of producing WMD drops, therefore the likelihood for the terrorists to produce the biological weapons increases.

1.2 Chemical Weapons

Chemical weapons are weapons that contain chemical substances that can harm or kill people and other facilities. Chemical weapon usually contains gases like chlorine. They can also store toxic liquids. Chemical weapons appeared in World War I and were widely used at the front line.

The Second Hague Conference in 1907, the Geneva Protocol in 1925 and later, the *Chemical Weapons Convention* (CWC) in 1993 produced crucial agreements to prohibit the proliferation of chemical weapons. Almost every nation signed and ratified or accessed the CWC, except South Sudan, DPRK, Egypt, and Palestine; Israel signed the CWC but did not ratify it.

Although the world agrees that chemical weapons should be prohibited, there are still threats to chemical weapons attacks. The evidence that ISIS does have chemical weapons the attacks toward the civilians being recorded by the Iraqi and Syrian Army frequently—has brought fear to people in the Middle East and around the world. Chemical attacks continue to occur in Syria, making the situation even more complex.

2 Existing Regulations

National and international law was identified in Chapter 2 as an essential component of the array of measures serving to protect against the hostile release of biological or chemical agents, and to help to mitigate the consequences should such a release nevertheless take place. The present chapter describes the pertinent features of that law. At the international level, the most important legal instruments are the BWC and the CWC. Both provide for international cooperation in order to prevent the use of chemical and biological weapons, and for assistance and cooperation where breaches of these treaties are suspected, especially when such weapons have been used. The chapter begins with an account of the Geneva Protocol of 1925, which for several decades was the principal international treaty in the field. The two conventions are then described in turn, the information beinisen about the international obligations that they establish and the national measures required to fulfill those obligations. The status of individual WHO Member States under the three treaties is set out in Annex 7.

2.1 The 1925 Geneva Protocol

At least since the early 1600s, international law has condemned what would nowadays be regarded as biological or chemical warfare, instances of which have been reported since antiquity. Subsequent development of that law (1) can be seen in the Brussels Declaration of 1874, which outlawed, inter alia, the use of poison or poisoned weapons, and again at the Hague Peace Conference of 1899, where agreement was reached to “abstain from the use of projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases”. The 1899 Conference also adopted a convention that enunciated in treaty form the Brussels Declaration’s prohibition of the use of poison or poisoned weapons in land warfare, a prohibition that was later included in the 1907 Hague Convention IV concerning the laws and customs of war on land. Following the extensive use of chemical weapons, such as chlorine and mustard gas, during the First World War, the international community agreed to strengthen the existing legislation on these weapons so as to prevent their future use. This led Member States of the League of Nations to sign the *Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare* (2) on 17 June 1925, during the Conference for the Supervision of the International Trade in Arms and Ammunition and in Implements of War. This treaty, which is usually referred to as the Geneva Protocol of 1925, entered into force on 8

February 1928, and France is its depositary. At the time of writing, it has 130 States Parties, including the five permanent members of the United Nations Security Council but not including 64 WHO Member States.

The Geneva Protocol prohibits “the use in war of asphyxiating, poisonous, or other gases and of all analogous liquids, materials or devices” and also “extends this prohibition to the use of bacteriological methods of warfare”. The prohibitions set out in the Protocol are now considered to have entered customary international law and are therefore binding even on states that are not parties to it. However, the Geneva Protocol prohibits only the use of such weapons, not their possession. Moreover, since many States Parties at the time reserved the right to use the weapons in retaliation against an attack with such weapons, the treaty was in effect a no-first-use agreement. Some States Parties also reserved the right to use the weapons against non-signatory states. For this reason, a comprehensive prohibition of the weapons themselves came to be considered necessary.

2.2 The 1972 Biological Weapons Convention

When discussion of biological and chemical weapons at the Geneva disarmament conference began in the late 1960s, when the first edition of this report was being prepared, there was much debate on whether the comprehensive prohibition of the weapons covered by the Geneva Protocol should be sought or, initially, the prohibition only of biological weapons. The United States, at that time not yet party to the Geneva Protocol, declared its unilateral renunciation of biological and toxin weapons during 1969–1970. This encouraged the international community to adopt the *Convention on the prohibition of the development, production and stockpiling of biological and toxin weapons and on their destruction*. Opened for signature on 10 April 1972 and entering into force on 26 March 1975, the BWC now has 146 States Parties, including the five permanent members of the United Nations Security Council but not including 48 WHO Member States.¹⁰ The United Kingdom, the United States and, the Russian Federation are the depositaries of the treaty.

2.2.1 International obligations

The BWC is designed to complement the prohibition of the use of biological weapons embodied in the Geneva Protocol. In Article I, it identifies items that each State Party “undertakes never in any circumstances to develop, produce, stockpile or otherwise acquire or retain”. As has already been noted in Chapter 3, these items are not defined simply as biological weapons or biological-warfare agents. They are instead defined as: “(1) Microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no

justification for prophylactic, protective or other peaceful purposes; (2) Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.” The scope of the Convention is thus specified according to a criterion of general purpose. Such an approach was adopted so as not to obstruct the many biomedical and other non-hostile applications of microbial or other biological agents and toxins, while at the same time enabling the Convention to cover any as-yet-unknown products of biotechnology and of scientific research that might find use as weapons. The treaty does not define either the "biological agents" or the "toxins" to which it refers. It is clear from the proceedings both of its negotiation and of its subsequent Review Conferences that the term “toxins” is not limited to microbial products but includes all toxic substances produced by living organisms even when they are actually produced synthetically. There is a description of toxins in Annex 2.

Another important obligation is set forth in Article II, which requires States Parties to destroy or divert to peaceful purposes all agents, toxins, weapons, equipment and, means of delivery. This disarmament provision must be fulfilled no later than nine months after the entry into force of the Convention for the State Party concerned. The BWC also requires States Parties to facilitate the exchange of equipment, material and scientific and technological information for the use for peaceful purposes of bacteriological (biological) agents and toxins (Article X), keeping in mind that the treaty prohibits the transfer of agents, toxins, weapons, equipment or means of delivery specified in Article I to any recipient whatsoever (Article III).

The operation of the BWC has been reviewed at intervals of five or six years. States Parties reaffirmed during their Review Conferences that the Convention was sufficiently comprehensive to encompass all new scientific and technological developments. They also instituted confidence-building data exchanges in order to strengthen the BWC by enhancing transparency. The Third Review Conference, in 1991, extended these data exchanges to include information on “past activities in offensive ... biological research and development programs [since 1 January 1946]”, and in the first year thereafter five States Parties affirmed that they had had such programs, disclosing particulars. The five states were Canada, France, the Russian Federation, the United Kingdom and, the United States. The periods of activity declared for the offensive programs all terminated before the entry of the BWC into force except for the declaration by the Russian Federation, which specified “1946 to March 1992” as the period of activity.

The Third Review Conference also established an Ad Hoc Group of Governmental Experts (VEREX) to identify and examine potential verification measures from a scientific and technical standpoint. The VEREX Report was considered by a special conference convened in 1994 for this purpose. The conference established an Ad Hoc Group “to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the convention, to be included, as appropriate, in a legally binding instrument, to be submitted for the consideration of

the States Parties”. The Ad Hoc Group worked from 1995 to 2001 without reaching consensus on such an instrument.

2.2.2 National implementation

The BWC stipulates that each State Party is obliged to take any necessary measures to implement the provisions of the Convention within its territory or any territory under its control anywhere (Article IV). Besides the basic obligations mentioned above, there are other areas where national measures are necessary if there is to be full implementation of the BWC. States have long taken measures to implement the obligation under Article III not to transfer to anyone agents, toxins or other items specified in Article I. In contrast, the implementation of Article X on measures for promoting technical cooperation in the field of biological activities has received relatively little direct attention.

Among their national measures under Article IV, some States Parties have enacted implementing legislation. For example, the United Kingdom introduced the *Biological Weapons Act* in 1974, Australia the *Crimes (Biological Weapons) Act* in 1976, New Zealand the *New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act* in 1987, and the United States the *Biological Weapons Anti-Terrorism Act* in 1989, while already in 1972, long before the BWC had entered into force in France, that country had enacted Law No. 72-467 prohibiting the development, production, possession, stockpiling, acquisition and transfer of biological or toxin weapons.

Information on national measures is the subject of one of the confidence-building exchanges that BWC States Parties have agreed during Review Conferences, and the declarations made in accordance with it constitute the only readily available synoptic reference on the topic. Adopted by the Third Review Conference in 1991, it asks States Parties to provide annual returns of information about “legislation, regulations or other measures” on three different topics, namely, activities prohibited under Article I of the BWC, exports of pathogenic microbial agents and toxins, and imports of the same. Between 1992 and 1997, 46 (one-third) of the States Parties provided such information, 37 of them declaring the existence of specific measures in at least one of the three areas, and 26 declaring that they had enacted legal measures in all three areas. Examples of such legislative measures are given in Appendix 5.1.

2.3 The 1993 Chemical Weapons Convention

The CWC was negotiated over a period of more than 20 years, during which time related agreements were also concluded, notably the restrictions on warfare conducted with chemicals

toxic to plant life set out in the 1977 *Convention on the prohibition of military or any other hostile use of environmental modification techniques*, and the reaffirmation of the Geneva Protocol by the 149 states represented at the Paris Conference of 1989 on the Prohibition of Chemical Weapons. The *Convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction* (4) was opened for signature on 13 January 1993, entered into force on 29 April 1997 and, as of October 2002, had 147 States Parties,¹¹ including the five permanent members of the United Nations Security Council but not including 47 WHO Member States.¹² The CWC creates an elaborate regime to ensure compliance, and specifies in detail how its obligations are to be implemented; it also establishes an international organization (OPCW) to oversee its operation.

2.3.1 International obligations

The CWC prohibits the development, production, acquisition, stockpiling, retention, transfer and, use of chemical weapons. It also forbids States Parties to assist, encourage or induce anyone to be involved in such outlawed activities. Like the BWC, the CWC uses a general purpose criterion to define its scope,¹³ so that States Parties have the right to conduct activities involving toxic chemicals for purposes not prohibited under the CWC. Similarly, the provisions of the CWC must also be implemented in such a way as to avoid hampering the economic and technological development of the States Parties.

The CWC stipulates that the States Parties must totally destroy their existing stockpiles of chemical weapons and the related production facilities located on their territory or under their jurisdiction or control within 10 or, under certain conditions, 15 years after the CWC's entry into force. This destruction process must be completed in such a way as to ensure the safety of the population and the protection of the environment.

Finally, the CWC establishes an international system for verifying compliance which relies on several types of verification techniques and methods that allow for the protection of national security. This verification machinery, which includes declarations by the States Parties, routine inspections as well as means (such as challenge inspections) to investigate allegations of violations of the treaty, is operated by OPCW. The main element of the system is factual information obtained through verification procedures in accordance with the Convention that is independently conducted by the OPCW Technical Secretariat, the sufficiency of such information being essential for successful operation.

While fewer than 40% of the States Parties are directly affected by the routine verification regime, all States Parties participate in the security benefits conferred by the Convention. Accordingly, arrangements are in place for the delivery to OPCW of the Member States of

assistance against the use and threat of use of chemical weapons (see Chapter 6). Such international cooperation is agreed between OPCW and the United Nations and will be extended to other international organizations. Cooperative measures in accordance with the CWC also extend to advice on the implementation of the Convention and in those areas in which the Technical Secretariat of OPCW has considerable expertise (6).

5.3.2 National implementation

The CWC requires its States Parties to promulgate implementing legislation. Under Article VII, paragraph 4, States Parties are required to establish a National Authority. The twin pillars of the Convention's verification regime are thus (1) the OPCW Technical Secretariat (through which compliance is verified) and (2) the National Authority (through which compliance is demonstrated, including compliance with those obligations not overseen by the Technical Secretariat). The National Authority is essential to the success of the verification regime. As the national focal point for liaison with OPCW and with other States Parties, the national collection point of data and the facilitator of national implementation, effective National Authorities are essential to the effectiveness of the Convention itself. To meet its basic obligations, a State Party must be in a position to carry out the following eight fundamental functions, all of which involve its National Authority to a greater or lesser extent: (1) submit all the required declarations; (2) communicate with OPCW; (3) cooperate with other States Parties; (4) facilitate OPCW inspections; (5) respond to OPCW requests for assistance; (6) protect the confidentiality of classified information; (7) monitor and enforce national compliance; and (8) cooperate in the field of chemical activities for purposes not prohibited under the Convention, including the international exchange of scientific and technical information, and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under the Convention.

Implementing legislation is normally necessary in order to enforce the prohibitions imposed on states by Article I of the CWC, to compel the submission of the information needed for an accurate national declaration, and for export/import controls. The requirements are described further in Appendix 5.2. Experience in the first five years of implementation has shown that comprehensive implementing legislation is essential to the reporting of reliable, complete information by States Parties. A survey of national implementing legislation showed that, in addition to the areas specified in Article VII, paragraph 1 (prohibitions, penal measures, extraterritorial application to nationals), several States Parties have found it necessary to enact legislation in 15 other areas (legal assistance; definition of chemical weapons; declaration obligations; the regime for scheduled chemicals – regulation of Schedule 1 production/use; criteria for Schedule 2 and 3 declarations; import/export controls; mixtures – licensing of industry; access to facilities; inspection equipment; application of inspectors' privileges and immunities; confidentiality; liability; mandate of the National Authority; enforcement powers of the National Authority; samples; environmental measures; and primacy of the Convention) (7–8).

Five years after the entry into force of the CWC, 43% of States Parties had met their obligation to inform OPCW of the legislative and administrative measures taken to implement the Convention. At its fifth session (May 2000), the Conference of the States Parties encouraged States Parties that are in a position to do so to offer assistance to other States Parties in their efforts to fulfill obligations under Article VII (9). In December 2001, the OPCW Executive Council identified full implementation of the legislative measures required by Article VII as one of the five priority areas to be focused upon in OPCW's contribution to global anti-terrorism efforts.

2.4 Conclusion

Through its contribution both to preventing the release of biological or chemical agents for hostile purposes and to mitigate consequences should such release nevertheless occur, the legal regime just described stands alongside the measures of protective preparation described in Chapter 4. A complementarity is evident. Civilian populations are vulnerable to deliberate releases of biological and chemical agents to such a degree that this complementarity needs to be strengthened. Clearly, prevention and protection can be no substitute for one another but can, instead, be mutually reinforcing. The conclusion must be, then, that an emphasis on the one should not become a detractor from the other, for a danger is bound to exist that confidence in protective preparation may seem to diminish the value of preventive preparation. Full and complete implementation of the 1972 and 1993 Conventions is the, therefore, objective that needs continual affirmation and national support.

3 Current Situation

The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction (Chemical Weapons Convention, CWC) came into effect on 29 April 1997. Nowadays, 193 countries have participated in the Convention. It has been signed, but it has not yet been ratified by one country (Israel); and, three countries have not yet signed the Convention (Egypt, South Sudan, the Korean People's Democratic Republic). By signing this convention, each contractual country undertakes not to develop, produce, otherwise acquire, accumulate, keep and transfer chemical weapons in any situation. The contractual country is obliged not to use chemical weapons, not to perform any preparation for their military use and to destruct its own chemical weapons and the facilities for their production are under its jurisdiction and control.

Despite years of progress which resulted in the destruction of 96 percent of the world's stockpile of chemical weapons, the list of groups who could use chemical weapons remains long enough to worry about.

On the less worrisome end sit the several countries that are known to maintain the weapons, but which have either (1) claimed compliance with the CWC or (2) say they're committed to getting there. The Organisation for the Prohibition of Chemical Weapons (OPCW)—which oversees the weapons' destruction under the CWC—announced in recent months that Libya and Iraq had successfully destroyed their stockpiles, for instance. Russia claims to already have—though U.S. authorities are skeptical—and the United States itself will take through 2023 to complete the destruction of its remaining stores.

That leaves Syria, which had joined the CWC in 2013 yet has been shown to still possess and use chemical weapons, and all the countries that never agreed to the Convention in the first place. Those include Egypt, Israel, North Korea, and South Sudan, and independent terrorist organizations such as Al Qaeda and the Islamic State.

4 Positions of Member States

4.1 Overall

4.1.1 United States

The United States havehasays been quite strongly committed to prohibiting the use of bacteriological and chemical weapons. Having signed the treaty then banned the possession as well as the use the of all biological and chemical weapons. However, the United States arsenal has never been thoroughly checked by UN officials for such weapons. To make things worse the Trump administration havehasn accused by Russia as falsely claiming that the Syria Assad Regime used chemical weapons on civilians just as an excuse to help the Free Syrian Army in the civil war. It's actions of an unwarned missile strike at a base where the US. Claims the chemical weapons to have been stored was also widely condemned by the international community. Finally, Russia claims, in return that it's the US. Backed free Syrian Army who had used those weapons.

4.1.2 Russian Federation

Russia is currently under huge international pressure because of its of annexation of Crimea and its firm support to the Assad Regime in Syria. Russia claims that it's the Free Syrian Army who actually carried out the chemical attacks on civilians. This claim, however, has been proven false since reports from a UN task force sent to invethe stigation have produced conclusive results indicating that the Assad Regime is responsible for the attacks. This is a huge blow to Russia's

international reputation and credibility. Many suspects that Russia, too, possesses will use biological as well as chemical weapons if they deem it necessary. Despite also being a signatory of Treaty, just like the US., Russia's arsenal has not been thoroughly inspected.

4.1.3 China

China has developed and possessed the weapon of mass destruction that includes chemical weapons and nuclear weapons (China is assumed to possess biochemical weapons). Now China has signed the *Chemical Weapons Convention (CWC)* in 1993, *Biological Weapons Convention (BWC)*, and accessed the *Treaty on the Non-Proliferation of Nuclear Weapons* in 1992. As the delegates of China repetitively expressed in different conventions of the United States, China will not use any kind of weapons of mass destruction, especially nuclear weapons.

The People's Republic of China is the only state of the five states in the list of the Nuclear Weapons States (NWS) which promised not to use any kind of nuclear weapons to the countries which do not possess the nuclear weapons as the country stated "China undertakes not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free states at any time or under any circumstances." on 5th April 1995 at United Nations. China stated that the government "would not be the first to use [nuclear] weapons at any time and in any circumstance" in a white paper in 2005 which emphasizes that China will always follow the "no first use rule".

For chemical weapons, China stated that it used to develop and possess chemical weapons, but had destroyed them before signing the CWC. China also stated that it has never developed biochemical weapons, but China was assumed to have biochemical weapons.

4.1.4 European Countries

Among European countries, the United Kingdom and France are on the list of the Nuclear Weapon States. Most European countries, such as Germany, the Netherlands, and Spain, are among the list of nations that produce compounds that can be used to produce chemical weapons and other WMD. As all European countries hold similar opinions and positions on the issues of WMD, they all signed the *Treaty on Non-Proliferation of Nuclear Weapons*. Thus, these countries support the suppression of nuclear weapons, chemical weapons, and biological weapons. They are also in favor of disarmament of these types of weapons.

France reduces the amount of WMD (nuclear weapons) and uses computer simulation to study nuclear weapons. The UK renews its nuclear weapons and still possesses a great amount of them. It is unlikely for European Countries to deploy WMD, especially nuclear weapons, but countries like the UK and France haven't announced the prohibition of use of nuclear weapons right after the deploying order.

4.1.5 Israel

Located in the Middle East, Israel is believed to be the sixth country in the world to develop nuclear weapons, and the first country to develop nuclear weapons in the Middle East. A non-signatory to the *Treaty on the Non-Proliferation of Nuclear Weapons*, Israel hasn't officially acknowledged its nuclear forces. Engaging in strategic ambiguity, Israel acclaims that it isn't the first country to "introduce" nuclear weapons and refuses to refuse or deny its procession of nuclear arsenals, as the Israeli Ambassador to the United States, Yitzhak Rabin, affirmed to the United States State Department that Israel would "not be the first to introduce nuclear weapons into the Middle East." He also stated that "an unadvertised, untested nuclear device wasn't really a nuclear weapon." It's widely believed that his words can be interpreted as that Israel can acquire nuclear weapon without "introducing" it, as long as the weapon isn't "tested", and as long as it is "unadvertised".

The US Congress Office of Technology Assessment has recorded Israel as having undeclared chemical warfare capabilities, and an offensive biological warfare program. Having signed but not ratified the *Chemical Weapon Convention (CWC)*, Israel is reported by CIA as "after finding itself surrounded by frontline Arab states with budding CW capabilities, became increasingly conscious of its vulnerability to chemical attack... undertook a program of chemical warfare preparations in both offensive and protective areas... In late 1982 a probable CW nerve agent production facility and a storage facility were identified at the Dimona Sensitive Storage Area in the Negev Desert. Other CW agent production is believed to exist within a well-developed Israeli chemical industry." (National Intelligence Estimate, 1983)

The same as chemical weapons, biological weapons are believed to be developed by Israel. Again, the US Congress Office of Technology Assessment declared Israel as possessing a long-term, undeclared biological warfare program. Not a signatory to the *Biological Weapon Convention*, Israel is assumed to develop vaccines and antidotes for warfare in Israel Institute of Biological Research. Though we cannot conclude Israel currently maintains an offensive biological program, it's still believed that this country is capable of producing biological weapons.

For countries whose weapons are highly developed and who already possess weapons of mass destruction that can protect them with deterrence, disarmament will bring more benefits than the loss of their own military forces, since they won't lose their already-built deterrence while eliminating their economic burdens and threatens from other similar countries.

But for countries like India, Pakistan, and Israel, the situation will be different- while the relationship between India and Pakistan is in stalemate, and Israel is located in an important spot in the Middle East area, they will need mass-destructive weapons, even nuclear weapons to reinforce their protection to ensure their security and deterrence. Thus, Israel will restrain the development of weapons of the countries that haven't developed them yet. It is also believed that Israel will stand against the *Comprehensive Nuclear Test Ban Treaty*.

4.1.6 Australia

The Australian Government is cooperating closely with key partners, particularly in South- East Asia, to combat terrorism. Australia's substantial international counter-terrorism efforts are focused on law enforcement, intelligence, border and transport security, diplomacy, defense, terrorist financing, building counter-terrorism capacity in region, countering violent extremism and countering the threat of chemical, biological, radiological and nuclear terrorism (Department of Foreign Affairs and Trade Australia, n.d.). Terrorism continues to pose a serious security challenge to Australia, and the world mass destruction terrorism is a great threat to Australia. The Australian Government remains resolute in its commitment to protect its country, its people and interests from this threat. The Government is committed to concrete action to combat terrorism. Australia will continue to ensure that agencies are appropriately resourced, that responses are agile and can meet changing threats, and that all necessary and practical action is taken to protect Australia and its citizens (Department of the Prime Minister and Cabinet Australia, 2014). Australian government states that "No government can guarantee that Australians will be free from the threat of terrorist attack. But this Government can guarantee that we will take all necessary and practical measures to combat the threat."

4.2 Biological Weapons Convention Enforcement

Article IV of the Biological Weapons Convention(BWC) provides that each State Party shall take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and, means of delivery specified within Article I of the Convention. It further requires that these measures apply within the territory of the State or any territory under its jurisdiction or under its control anywhere. At subsequent Review Conferences, States Parties have been invited to consider the application of

such measures also to actions taken anywhere by natural persons possessing its nationality. For consistency with the Convention, the national legislation or measures should incorporate the definition of biological weapons as contained in the Convention. The fulfillment of these obligations will contribute significantly to the achievement of the object and purpose of the Convention, namely to prevent the use of biological and toxin weapons as a means of warfare or as a terrorist threat.

Examples are provided below of the relevant language in the legislation enacted by three of the States.

4.2.1 Australia

Crimes (Biological Weapons) Act 1976

The Act makes it unlawful for Australians to develop, produce, stockpile or otherwise acquire or retain microbial or other biological agents or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes; or weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

The Act extends to the acts of Australian citizens outside Australia. Contravention of the Act is an indictable offense

4.2.2 New Zealand

New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987

Section 8 of the Act states:

“Prohibition of biological weapons – No person shall manufacture, station, acquire or possess, or have control over any biological weapons in the New Zealand Nuclear Free Zone.”

“Biological weapon” is defined as “an agent, toxin, weapon, equipment or means of delivery referred to in Article I of the Convention”.

4.2.3 United States

Biological Weapons Anti-Terrorism Act of 1989

4.3 Status in exporting raw material that could be used to make biochemical weapons

Article III of the BWC provides that each State Party undertakes not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage or induce any State, group of States or international organizations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment and means of delivery specified within Article I of the Convention. At subsequent Review Conferences, it has been stated that States Parties should also consider ways and means to ensure that individuals or subnational groups are effectively prevented from acquiring, through transfers, biological agents and toxins for other than peaceful purposes.

4.3.1 Australia

The Quarantine Act (1908) and Regulations, the Biological Control Act (1984) and Regulations, and the Therapeutic Goods Act (1989) and Regulations

The Quarantine Act 1908 and Regulations require prior permission before a biological agent may be imported. Under the provisions of Section 13 of the Act, goods of biological origin, including human pathogenic microorganisms and toxins, may only be imported into Australia if approval has been given by the Director of Human Quarantine. Import conditions vary, depending on the nature of the organisms and the risks involved. High-risk organisms, such as serious pathogens of humans, animals and, plants which might be considered as potential biological weapons, will only be permitted under the most stringent high-security conditions. Very few imports are approved and these will generally be needed for diagnostic research in preparation for emergency responses to specific serious exotic disease incursions. Penalties for the importation of controlled goods without a permit, and for breaches of permit requirements, are severe and may include a fine or imprisonment or both.

Biological Control Act (1984) and Regulations

"This Act ... provides powers additional to those of the Quarantine Act in order to regulate the release of biological agents for the control of pests, diseases and, weeds."

Therapeutic Goods Act (1989) and Regulations

The Act covers the import and export of therapeutic goods and will include pathogenic microorganisms where these are included in vaccines for human use.

4.3.2 Brazil

Law no. 9.112 (1995) (unofficial translation)

Article 1 – This Law regulates transactions related to the export of sensitive goods and services directly related to such goods.

5 Past Incidents

5.1 Use of Chemical Weapons in Syria

Since the uprising began in Syria in March 2011, more than 100,000 people have been killed, 1.6 million people have fled the country becoming refugees, and 4.25 million people are internally displaced. President Assad faces opposition from the Free Syrian Army as well as a coalition opposition group called the Syrian National Coalition. The United States military believes that there are 50 chemical weapon and production sites across the country with one of the main centers at Al Safir that could be at risk. The will of Assad's forces to fight is still there, but they are struggling to combat the Syrian rebel's gains until recently. It is believed that the Alawites, the minority ruling party led by president Bashar al-Assad, were desperate enough to use anything in their power to stay the ruling government, including the use the of any of the binary gases which were were case this past March through May. With this constant uncertainty of which party, faction, or militia will hold Syria's vast chemical weapons stores, it is important to review Syria's chemical weapons history and development to understand where the chemical and biological weapons are being stored and used today.

Since September 11, the Bush administration has responded to concerns about the use of chemical or biological weapons against the United States with a variety of proposals to defend against and manage the consequences of such attacks. The administration has asked for \$4.5 billion in new bioterrorism funds for fiscal year 2003 alone to strengthen state and local health systems, increase the national pharmaceutical stockpile, improve coordination among federal, state, and local agencies in an attack, and develop new vaccines, medicines, and diagnostic tests.

The dangers posed by national chemical and biological weapons programs, however, require a response based on more than just defense. New prevention efforts also are needed—to reinforce the international norm against chemical and biological weapons and to impede the acquisition of such weapons by those who would use them. Such a strategy should include: strengthening treaties that outlaw chemical and biological weapons, tightening international controls over chemical and biological materials, expanding nonproliferation efforts in the former Soviet Union, and criminalizing chemical and biological weapons activities by individuals.

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