

Law School of Harvard University

Cambridge, Mass. 02138

8 March 1971

Professor Matthew S. Meselson  
Biological Laboratories A-411

Dear Matt:

I enclose a list of the members of the International Court together with some biographical data on each. I have jotted down a guess about how each might vote on whether the Protocol covers tear gas and herbicides. These are really only guesses; for example, knowing that Jimenez de Arechaga was Minister of the Uruguay during some of the recent troubles there, I have hazarded that he might be favorably disposed toward the use of tear gas -- at least in domestic disorder. The predicted vote comes out fairly heavily in favor of the prohibition of both, although I have leaned over backward to count negative votes.

I also enclose a copy of Article 55 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, signed at Geneva, August 12, 1949. The United States and more than 125 other countries are parties. I must remind you that Article 55 applies only to occupied areas and that the argument would have to run that the use of herbicides for crop destruction in enemy territory later to be occupied might undermine the policy of providing for the feeding of the civilian population, reflected in Article 55.

With kind regards,

Yours sincerely,

Dick

R. R. Baxter

Enclosures