

REPRESENTATIVE OF THE RUSSIAN
FEDERATION TO THE CONFERENCE
ON DISARMAMENT

Батсанов
ПРЕДСТАВИТЕЛЬ РОССИЙСКОЙ ФЕДЕРАЦИИ
НА КОНФЕРЕНЦИИ ПО РАЗОРУЖЕНИЮ

4 chemin du Champ de Ble
1292 Chambesy, Geneva
Tel. No 758.10.12
Fax (022)758.06.20

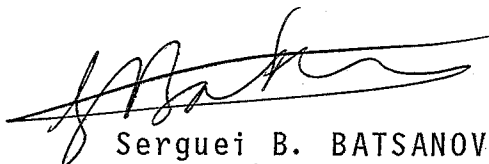
Mr. Matthew Meselson
Dept. of Biochemistry
7 Divinity Ave.
Harvard University
Cambridge, MA 02138
USA

Geneva, 16 March 1992

Dear Professor Meselson,

Please, find attached answers to the questions on the US position concerning riot control agents. I am sure you would understand that in providing my answers I have to give consideration to various aspects of this issue, in general.

Sincerely,


Serguei B. BATSANOV
Ambassador

Answers to questions regarding
the US position on riot control agents in the CWC

Introduction

Some questions are intended to determine what the US should or should not do or deal with the interpretation of the US position. In my official capacity, I cannot but approach these questions with extreme caution, therefore, the comments below should be viewed as being of very personal nature.

Answer to Q. No. I: Strictly speaking, the US Executive Order II850 does not seem to require complete exemption of riot control agents from the CWC. However, it should be kept in mind that other less radical solutions (short of complete exemption) may lack legal clarity and, therefore, appear to be insufficient in terms of protecting the US position as formulated in this Order.

Answer to Q.No.2: Such a risk may exist.

Answer to Q.No.3: Geneva Protocol of 1925, UN GA and SC resolutions.

Answer to Q-s. 4,5 and 6: Complete exemption would not outweigh the international loss of confidence in the CWC, the risk of weakening international restraints on the use of CBW or long-term interest of society in proscribing hostile uses of future advances in biotechnology. However, this might not be the case with a more carefully formulated exemption which would take into account concerns expressed in questions 4 to 6.

Answer to Q.No.7: Such a conflict or ambiguity is possible.

Answer to Q.No.8: Such an exemption can gain some support.

Answer to Q.No.9: If the proposed exemption is not introduced in the Convention, the US attitude should depend on eventual formulations concerning this subject.

Answer to Q.No.10: Probably not.

General comment: I do not consider it to be a life-or-death issue. In my view, complete exemption is not the best option for reasons that are very clearly indicated in questions 2, 4, 5, 6 and 7. However, simple inclusion of riot control agents in the definition of CW would be even worse. Thus, the exemption should be accompanied by other "balancing" provisions like the requirement to have specific agents and general types of munitions approved by the Organisation for PCW (eg CS; hand grenades) for domestic law enforcement and internal riot control purposes.