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Messrs M Meselson and J P P Robinson  
Harvard Sussex Program on CBW  
Armament and Arms Limitation  
c/- Dept. of Biochemistry  
7 Divinity Avenue  
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Cambridge MA 02138  
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Dear Messrs Meselson and Robinson,

I am sorry that it has taken me so long to respond to your note of 28 February concerning the issue of riot control agents, and obligations to be assumed under the Chemicals Weapons Convention. My major preoccupations for the last few weeks have concerned a certain Senator Evans and his initiative to accelerate the CWC negotiations! If it is not too late, I offer the following personal observations.

I can only agree with the central point in your paper, that a blanket exemption in the CWC for non-lethal chemicals could leave a loophole for the development, production, stockpiling and use of new generation incapacitating CW for employment in both riot control and battlefield environments.

CD/1143 of course does contain an express broad exemption for RCA in para 2 of its Definitions Article—and this clearly does not meet your concerns. It is just as clear however that if the development of third generation incapacitating CW based on non-lethal chemicals is to be prohibited in the CWC, while at the same time retaining the option for "legitimate" RCA use, then the question of the scope of the use of such non-lethal chemicals will need to be addressed in the Convention. Taking the language of CD/1143 as a basis, the scope of use of non-lethal chemicals could be constrained by inserting the word "exclusively" before "used" in the first line of the definition. Alternatively, using the language taken to deal with herbicides, the words "as long as they are used as such" could be added at the end.

Both of these possibilities however would require the U.S. to modify their current policy for RCS use in war. The only other way I can identify to restrict development of new CW without restricting the scope of its use would be to change CD/1143's current illustrative listing of RCA types into a restricted definitive list. However, existing RCA have already proven to be useful battlefields weapons and development efforts could easily switch from chemical types to the development of munitions and delivery modes for existing RCA.

In short, I agree with your view that if all chemicals are to be banished for all time from the battlefield this will need to be spelt out in the Convention. CD/1143, as currently structured, does not do this, but it could be adjusted slightly to do so, if all of our negotiating partners were to agree (not least the United States).

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'R S Morris', written in dark ink on a white background.

R S Morris