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*Philip Heymann, Matthew Meselson and Richard Zeckhauser*

## Criminalize the Traffic in Terror Weapons

We must learn from our experience with Iraq. Iraq has sought to acquire biological weapons since 1974 and has received much assistance from companies and individuals outside the country. We cannot let this form of collusion take place again.

The governments of the world were largely silent when Saddam Hussein used chemical weapons in violation of international law. We cannot ignore such a violation again. Greed, indifference and acquiescence have been partners to the secret efforts that have created an international crisis. What can be done to prevent the occurrence of such a situation?

The existing treaties that prohibit biological and chemical weapons apply to states, not to individuals. What is needed in addition is a new treaty that creates international criminal law, applicable to individual offenders. Such a treaty would help greatly to deter national leaders from seeking to develop biological weapons, would discourage businesses and nations from assisting them and would keep leading nations from looking the other way in the face of violations.

All of these benefits would flow in some significant measure from an

international treaty declaring it a universal crime, triable and punishable anywhere in the world or before an appropriate international tribunal, for any person to develop, manufacture, threaten to use or use biological weapons. Such treaties, already in effect, deter airplane hijacking, nuclear theft and several other crimes of great international concern. We need a similar treaty for biological and chemical weapons.

The reach of the necessary treaty to criminalize these weapons would include government officials and others who order or direct such illegal activities and all persons who knowingly provide substantial assistance, wherever they may be. If such a treaty had existed and been supported by the United States in the 1980s, when Iraq was using poison gas and developing biological weapons, the European and other suppliers and advisers on whom Saddam Hussein depended heavily could have been deterred or brought to trial. And the international legal cooperation facilitated by such a convention could have aided in their detection and apprehension.

Similarly, national leaders and other officials responsible for biological weapons activities would risk apprehension and trial should they leave

their countries or fall from power. Even if not, they could be indicted as international criminals, to face the kind of delegitimization that is marginalizing the indicted Bosnian Serb hard-liner Radovan Karadzic.

Few individuals or corporations would feel comfortable selling dangerous knowledge, ingredients or equipment to a leader who had been branded an international criminal and fugitive. Nations would not be able to look the other way when an indicted international criminal threatened or used chemical or biological weapons on a neighbor or his own citizens.

The facilities needed to make biological weapons can be hidden. The difficulty is compounded by the fact that the equipment and ingredients can serve legitimate purposes as well as internationally forbidden ones. The people who know best where and when and what biological weapons are being made are those who are working on them. The United States should offer a large standing reward and a promise of immunity and family relocation within a sanctuary country to anyone who provides accurate information about such weapon programs to the United States or an appropriate international body. The offer has to be broadly advertised.

The effectiveness of either of these two measures in dealing with a stubborn, entrenched Saddam Hussein is questionable. But in combination, they would be enough to give serious pause to a future national leader contemplating the development of biological weapons. He would have to anticipate significant risks of revelation followed by great personal and national costs, with the nation's leaders unable to travel freely or to be received as respected members of the international community.

The prospects of success would also be diminished, since individuals and corporations in other countries whose assistance was sought would fear that the same charges might be brought against them. Forgoing the weapons would be the sensible course to escape the condemnation of the nations and leaders of the world.

*Philip Heymann, a former deputy attorney general in the Clinton administration, is a law professor at Harvard. Matthew Meselson is a professor of biotechnology there, and Richard Zeckhauser is a professor of political economy at Harvard's Kennedy School.*