

February 11, 1970

Dr. J.H. Humphrey
National Institute for Medical Research
Mill Hill
London, N.W.7
England

Dear John,

I do not think the idea of a draft letter such as you suggest is at all crazy and would like to lend my encouragement most emphatically. However, I think the crucial component is the suggestion that scientists undertake to report any evidence of work in CBW.

I have several detailed comments on your proposed draft as follows.

- 1) Anti-plant chemical warfare should be included explicitly in the letter. This could be done by making reference to the recent United Nations General Assembly vote which would be a good idea anyway. Alternatively, you could under point 2 request states to affirm that the Geneva Protocol applies to the use in war of chemical against plants. Richard Baxter, a Professor of Law here and one of the most distinguished American authorities on the law of war, and a younger colleague of his named Thomas Buergenthal have just completed a paper about the Protocol in which they conclude that anti-plant chemicals can properly be considered to come under its scope.
- 2) If anti-plant chemicals are mentioned in some other connection than that of the recent UNGA resolution, you might still consider making reference to the resolution.
- 3) President Nixon did more than to order the destruction of American BW stocks. He also pledged the United States not to use biological weapons even in retaliation. This renunciation may actually be incorporated in our ratification of the Geneva Protocol.

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In any case, it is a step ~~be~~ beyond the destruction of existing weapons and deserves mention.

- 4) As it stands, your letter asks that scientists undertake to report any CBW preparations. I hope this can be agreed upon. If not, a compromise would be for scientists to pledge to report CBW preparations in any area that has been renounced publicly by their own ~~governments~~.
- 5) You might prepare an actual sample pledge.

I enclose a letter to the London Times from Richard Baxter and me regarding Michael Stewart's recent statement regarding CS. Aside from great disappointment with the decision, I was shocked at the incredibly low level of technical and legal thinking it represented. One expects better of the British Government. What went wrong? Surely, it is not necessary to misrepresent the Geneva Protocol merely in order to use CS for police purposes at home. If there is any help I can provide in attempting to reverse this incredible policy, please let me know.

With warm regards,

As ever,

Matthew Meselson

MMI:s

Encl.

xc: Mr. Stephen Rose