

# Action on weapons of mass destruction

Iraq is being condemned for developing weapons of mass destruction, yet there are many other nations which hold stockpiles of chemical, biological and nuclear weapons, as well as massive arsenals of conventional weapons. International treaties on disarmament and human rights will only work if they are applied equally, without fear or favour.

We believe that not just Iraq but all Middle East states must abolish their chemical, biological and nuclear weapons programs (including Israel, which already has chemical weapons and over 200 nuclear weapons). All the nuclear powers must uphold commitments made to the United Nations and international disarmament summits – especially the five permanent UN Security Council members: USA (12,000 nuclear warheads) Russia (20,000), China (400), France (450) and the UK (250).

In 1996 the International Court of Justice unanimously concluded that under the Nuclear Non-Proliferation Treaty (NPT): "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control." But today, many powers holding chemical, biological and nuclear weapons refuse to abide by international disarmament treaties:

- Israel, India and Pakistan are now the only states that refuse to sign the NPT.
- The United States withdrew from the 1972 Anti-Ballistic Missile (ABM) Treaty in June 2002 and refuses to ratify the 1996 Comprehensive Test Ban Treaty (CTBT) and 1997 Mine Bans Treaty.
- Israel has not ratified and North Korea, India and Pakistan have not signed the Chemical Weapons Convention.
- All the nuclear powers have failed their NPT obligations to start negotiating a Nuclear Weapons Convention.

**CHECK THIS!** "I am strongly in favour of using poisoned gas against uncivilised tribes. It is simply the application of modern science to warfare, and we cannot deny ourselves any weapon that might be used to put down disturbances on the frontier." — British Prime Minister Winston Churchill responding to a Royal Air Force request to use mustard gas "against recalcitrant Arabs as an experiment", in Mesopotamia (Iraq), 1920.

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## A history of hypocrisy

Iraq has rightly been condemned for its use of chemical weapons during the 1980-88 Iran-Iraq war, especially for the attack on the Kurdish town of Halabja which killed 5000 people. But today's denunciations by the nuclear powers ring hollow – the US and UK governments gave diplomatic and intelligence support to Iraq at the time it was using these weapons.

At the time, the US and UK governments blocked condemnation of Iraq's chemical weapons attacks at the UN Security Council. No resolution was passed during the 1980-88 Iran-Iraq war that specifically criticised Iraq's use of chemical weapons, despite the wishes of the UN majority to condemn this use.

On 21 March 1986, a UN Security Council Presidential statement stated that "chemical weapons on many occasions have been used by Iraqi forces against Iranian forces" – the United States was the sole country to vote against this statement in the UN Security Council, while the United Kingdom abstained.

Iraq's biological weapons program drew on materials supplied by the USA during the 1980s, when its government supported the Iraqi regime as a bulwark against Iran. The US Department of Commerce licensed 70 biological exports to Iraq between 1985 and 1989, including at least 21 batches of lethal strains of anthrax. Researchers at the Rockville, Maryland lab of the American Type Culture Collection sent three strains of anthrax via mail order to Iraq. In 1985, the US Center for Disease Control sent samples of a strain of West Nile virus to a microbiologist at the Basra University in Iraq. In addition, Iraq received other toxins and bacteria, including botulism and E. coli. ("US helped Saddam build bioweapons", *The Australian*, 2 October 2002).

In 1984, the US gave Iraq access to intelligence information that allowed Iraq to "calibrate" its mustard gas attacks on Iranian troops, and in 1988 approved technological exports to Iraq's missile procurement agency to extend their missiles' range. More than 60 US Defense Intelligence Agency officers provided Iraq with critical battle planning assistance at a time when American intelligence agencies knew that Iraqi commanders would employ chemical weapons in the Iran-Iraq war (New York Times, 17 August 2002).

# International treaties on Weapons of Mass Destruction

International disarmament treaties are first signed, and then need to be ratified by individual countries, which often needs a vote in their parliament. The treaty is not binding on the country until it has ratified; and many treaties include a provision that they will not be binding for any country until a certain number of countries have ratified.

TREATY	PROVISIONS	COMPLIANCE
<b>Nuclear Non-Proliferation Treaty (NPT)</b>	<p>The NPT permits two categories of member states:</p> <ul style="list-style-type: none"> <li>• Non-nuclear weapon states that are prohibited from acquiring, manufacturing or transferring nuclear weapons</li> <li>• Nuclear weapons states, which agree to “pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date, and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.”</li> </ul>	<ul style="list-style-type: none"> <li>• 188 states are members of the NPT.</li> <li>• Israel, India and Pakistan are now the only states that refuse to sign the NPT.</li> <li>• Current US policy means that the United States is refusing to comply with its NPT obligations for negotiations on general and complete disarmament.</li> <li>• The 2002 US Nuclear Posture review states that the US plans for maintenance of large and modernised nuclear forces for the indefinite future.</li> </ul>
<b>Anti-Ballistic Missile (ABM) Treaty</b>	<p>Parties agree to limit ABM systems to one missile defence site each. The treaty puts limits on technological developments of missile defence to maintain strategic balance between the US and Russia.</p>	<p>The United States withdrew from the 1972 ABM Treaty in June 2002, to pursue construction of Ballistic Missile Defence (BMD) systems, having revised its policy to include a ‘first-strike’ capacity, including the use of nuclear weapons.</p>
<b>Biological Weapons Convention (BWC)</b>	<p>States are prohibited from developing, producing, stockpiling, acquiring or retaining:</p> <ul style="list-style-type: none"> <li>• Microbial or other biological agents or toxins, whatever their origin, or their method of production.</li> <li>• Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.</li> </ul>	<ul style="list-style-type: none"> <li>• There are no verification procedures under the BWC treaty. After a seven-year effort by BWC members to create a verification protocol to allow inspections, the US government opposes the creation of any internationally binding obligations to strengthen the treaty.</li> <li>• US biowar research may have violated the BWC prohibition against making bio-weapons.</li> </ul>
<b>Chemical Weapons Convention (CWC)</b>	<ul style="list-style-type: none"> <li>• State parties agree to never develop, acquire, store or use chemical weapons or transfer them to anyone.</li> <li>• State parties agree to destroy existing weapons production facilities and stockpiles.</li> <li>• State parties must declare any chemical weapons facilities or stockpiles.</li> <li>• Parties must allow routine inspection of “dual use” chemicals and production facilities that could be used in a manner prohibited by CWC.</li> </ul>	<ul style="list-style-type: none"> <li>• Israel has signed but not ratified the CWC.</li> <li>• Significant non-signing states included Iraq, Egypt and Syria.</li> <li>• The United States says it supports the CWC, but has imposed some limits on inspections of its facilities that are contrary to the treaty, including reserving the right for the US President to block inspections and limiting what facilities may be inspected. Other countries are now trying to follow the US policy to limit inspection.</li> </ul>
<b>Comprehensive Test Ban Treaty (CTBT)</b>	<ul style="list-style-type: none"> <li>• CTBT bans all nuclear explosions for any purpose – warlike or peaceful.</li> <li>• In order to enter into force, the CTBT must be signed and ratified by 44 countries that have some form of nuclear technology capability, including the United States, Israel, India and Pakistan.</li> </ul>	<ul style="list-style-type: none"> <li>• The CTBT has been signed by 160 countries and ratified by 93 countries to date.</li> <li>• Of the five major nuclear powers, the United States has refused to ratify the CTBT. On 13 October 1999, the US Senate voted to reject it.</li> <li>• Britain, France and most recently Russia have signed and ratified. China has signed and is in the process of ratification. Israel has not ratified; North Korea, India and Pakistan have not signed.</li> </ul>
<b>International Criminal Court (ICC)</b>	<p>The ICC came into being on 1 July 2002 as the world’s first permanent criminal court. It will try individuals for genocide, war crimes, crimes against humanity and aggression, committed in the territory of state parties or by nationals of state parties. The ICC will only have jurisdiction over a case if the state that has jurisdiction is unwilling or unable to prosecute.</p>	<p>Iraq has refused to sign the ICC statute. Israel and the United States signed on 31 December 2001, the last possible day that you could sign on and still participate in debating the structure, mandate and membership of the Court. However both the US and Israel have publicly stated that they will not ratify, and both countries have signed Article 98 agreements, so they won’t hand over nationals of the other signatory if the court seeks them.</p>
<b>Mine Ban Treaty (1997)</b>	<p>The Treaty bans anti-personnel landmines. State parties must report to the UN on plans to destroy stockpiles within four years, and to destroy mines in the ground within ten years.</p>	<p>139 countries have signed and 107 have ratified (2000 figures). Major countries refusing to sign include the United States, China, India, Iraq, Iran, Pakistan.</p>