Twelfth special session
AD HOC COMMITTEE OF THE TWELFTH SPECIAL SESSION
Agenda item 11

IMPLEMENTATION OF THE DECLARATION OF THE 1980s AS THE SECOND DISARMAMENT DECADE AND CONSIDERATION OF INITIATIVES AND PROPOSALS OF MEMBER STATES

Note verbale dated 25 June 1982 from the Permanent Mission of France to the United Nations addressed to the Secretariat

The Permanent Mission of France presents its compliments to the Secretariat of the United Nations and has the honour to request it to arrange to have circulated, as a document of the twelfth special session of the General Assembly, under agenda item 11, the attached proposal on possible fact-finding arrangements for use in cases of suspected violation of the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.
Annex

Specific fact-finding arrangements for use in cases of suspected violation of the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare

1. The importance of the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare was recognized in the final document of the first special session devoted to disarmament.

2. The fact that the Protocol was signed and ratified by the great majority of States is evidence of their concern that the use of such weapons in war should be forever banned.

3. However, there is some cause to fear that certain allegations concerning the use of such weapons might result in a weakening of the authority of the 1925 Protocol if the international community in general and the signatories of the 1925 Protocol in particular should be unable to agree on international procedures for investigating alleged instances of use so as to make the relevant information available to all parties to the Protocol.

4. There is a need therefore to establish specific arrangements for identifying as speedily as possible phenomena the symptomatology of which requires the use of the specialized techniques of medical science and, more specifically, of epidemiology.

5. The World Health Organization possesses the requisite experience in such areas and an international network enabling it to take the prompt action that is necessary to make an objective preliminary determination of the facts. It should therefore be called upon to play a major role in the procedure that is envisaged. In that connexion, it should be recalled that, under the terms of Article 2 of its Constitution, WHO may furnish appropriate technical assistance and, in emergencies, necessary aid upon the request or acceptance of Governments. The investigations which WHO has already carried out in the past give a good idea of what such a fact-finding procedure might be like as applied to cases of poisoning which could be the result of the use of chemical or biological weapons.

6. Such weapons affect the health of groups and have an indisputable epidemiological aspect. Accordingly, an investigation relating to such weapons would entail the usual procedures developed by WHO. The experts asked to carry out such investigations would primarily be clinicians who would assess the symptomatology exhibited by suspected victims and compare their observations with information on the pathological profile and the epidemiology of the region.

7. WHO has competent experts in all parts of the world. Those experts could easily acquire the knowledge necessary to diagnose poisoning from a chemical agent. In fact, the symptomatology caused by such substances follows very clear-cut patterns with very few variations, and, since a group phenomenon is involved, there can be very little doubt about the aggregate of symptoms.
8. The identification of agents through the analysis of samples collected on the spot and taken from individuals entails simple techniques available to any modern laboratory. WHO could draw up a list of institutions which could be called upon to make such analyses.

9. In the light of the provisions of the agreement between the United Nations and WHO, in particular article V, paragraph 2 (b), and article VII, the French Government proposes that the Secretariat should undertake, with the assistance of competent experts, including a representative of WHO, a study of specific fact-finding arrangements which might be used in cases of the alleged use of asphyxiating, poisonous or other gases, and of other bacteriological agents, or of suspected violations of the 1925 Protocol prohibiting the use of such agents in war.