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HUMANITARIAN AND REFUGEE LAW

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CONTROL OF WEAPONS

International humanitarian law includes basic principles and rules that govern the choice of weapons and restricts or restricts the employment of certain weapons. The ICRC plays a leading role in the promotion and development of law regulating the use of certain weapons.

From the beginning, International Humanitarian Law (IHL) has attempted to limit the suffering caused by armed conflict. To achieve this, the IHL addresses the behavior of combatants and the choice of means and methods of combat, including war.

Early treaties prevented the use of explosion projectiles at less than 400 grams (in 1868) and bullets entering the human body (in 1899). In 1925, governments adopted the Geneva Protocol, which used poison gas and bacterial methods of warfare. The treaty was updated with the adoption of the Biological Weapons Convention in 1972 and the Chemical Weapons Convention in 1993, extending the 1925 Protocol by expanding the prohibition for the development, production, acquisition, storage, retention, and transfer of both biological and chemical weapons shored up. , And their destruction is required.

“A number of conventional weapons are regulated in the 1980 Convention on Certain Conventional Weapons. This Convention prohibits the use of munitions that use fragments not detectable by X-ray and blinding laser weapons. It also limits the use of incendiary weapons as well as mines, booby traps and "other devices". The Convention is also the first treaty to establish a framework to address the post-conflict hazards of unexploded and abandoned ordnance.”

Anti-personnel landmines are prohibited under the 1997 Convention on theProhibit of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction. More than three-fourths of the world's countries have joined the Convention,

which has had a positive impact in terms of the destruction of stockpiles, mine evacuations, casualties, and aid to victims.

The Chemical Weapons Convention (CWC) is an arms control treaty that outlines the production, stockpiling,, and use of chemical weapons and their precursors. “The full name of the treaty is the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and it is administered by the Organisation for the Prohibition of Chemical Weapons (OPCW), an intergovernmental organization based in The Hague, The Netherlands. The treaty entered into force on 29 April 1997. The Chemical Weapons Convention prohibits the large-scale use, development, production, stockpiling and transfer of chemical weapons. Very limited production for research, medical, pharmaceutical or protective purposes is still permitted. The main obligation of member states under the convention is to effect this prohibition, as well as the destruction of all current chemical weapons. All destruction activities must take place under OPCW verification”.

As of May 2018, 193 states have become parties to the CWC and accept their obligations. Israel has signed the agreement, but has not ratified the agreement, while three other UN member states (Egypt, North Korea and South Sudan) have not signed nor signed the treaty. Recently, the state of Palestine submitted its means of access to the CWC on 17 May 2018. In September 2013, Syria acceded to the convention as part of an agreement for the destruction of Syria's chemical weapons.

As of November 2018, 96.62% of the world's declared reserves of chemical weapons were destroyed. The convention has provisions for systematic evaluation of chemical production facilities as well as investigations into allegations of the use and production of chemical weapons based on intelligence from other state parties.

Some chemicals that have been used extensively in war, but there are many large-scale industrial uses such as phosgene are highly regulated, however, some notable exceptions exist. Chlorine gas is highly toxic, but being a pure element and extremely widely used for peaceful purposes, is not officially listed as a chemical weapon. Some state powers

(such as Syria's Assad regime)continue to regularly manufacture and implement such chemicals in combat munitions. Although these chemicals are not specifically listed as controlled by the CWC, the use of any toxic chemical as a weapon (when used to produce fatalities solely or mainly through its toxic action) is in-and-of itself forbidden by the treaty. Other chemicals, such as white phosphorus, are highly toxic but are legal under the CWC when they are used by military forces for reasons other than their toxicity.

Key points of this convention

- Prohibition of production and use of chemical weapons
- Destruction (or monitored conversion to other functions) of chemical weapons production facilities
- Destruction of all chemical weapons (including chemical weapons abandoned outside the state parties territory)
- Assistance between State Parties and the OPCW in the case of use of chemical weapons
- An OPCW inspection regime for the production of chemicals which might be converted to chemical weapons
- International cooperation in the peaceful use of chemistry in relevant areas

Manufacturing substances should be controlled

- The convention distinguishes three classes of controlled substances, chemicals that can either be used as weapons themselves or used in the manufacture of weapons. The classification is based on the quantities of the substance produced commercially for legitimate purposes. Each class is divided into part A, which are chemicals that can be used directly as weapons, and part B, which are chemicals useful in the manufacture of chemical weapons. Separate from the precursors, the convention defines toxic chemicals as " any chemical which through its chemical action on life processes can cause death, temporary inefficiency or permanent harm to humans or animals through their chemical action on life processes. This includes all such chemicals, regardless of their origin or of their method of production, and regardless of whether they are produced in facilities, in munitions or elsewhere."

- Schedule 1 chemicals have few, or no uses outside chemical weapons. These may be produced or used for research, medical, pharmaceutical or chemical weapon defence testing purposes but production at sites producing more than 100 grams per year must be declared to the OPCW. A country is limited to possessing a maximum of 1 tonne of these materials. Examples are sulfur mustard and nerve agents, and substances which are solely used as precursor chemicals in their manufacture. A few of these chemicals have very small scale non-military applications, for example milligram quantities of nitrogen mustard are used to treat certain cancers.

- Schedule 2 chemicals have valid small scale applications. Construction must be declared and there is a ban on exports to countries that are not CWC signatories. An example is thiodiglycol which can be used in the manufacture of mustard agents, but is also used as a solvent in inks.

- Schedule 3 “chemicals have large-scale uses apart from chemical weapons. Plants which manufacture more than 30 tonnes per year must be declared and can be inspected, and there are restrictions on export to countries which are not CWC signatories. Examples of these substances are phosgene (the most lethal chemical weapon employed in WWI), Which has been used as a chemical weapon, but is also a precursor in the manufacture of many legitimate organic compounds (such as pharmaceutical agents and many common pesticides), and triethanolamine, used in the manufacture of nitrogen mustard, but is commonly Also used in toiletries and detergents. .

A treaty party may declare a "single small-scale facility" that produces 1 ton of Schedule 1 chemicals each year for research, medical, pharmaceutical or protective purposes, and another facility per year for protective testing purposes. Can produce 10 kilograms. An unlimited number of other facilities may produce Schedule 1 chemicals, which are subject to a total 10 kg annual limit for research, medicine or pharmaceutical purposes, but any facility producing more than 100 grams must be declared .

Pact also deals with carbon compounds called pact "discrete organic chemicals", most of which exhibit moderate-to-high direct toxicity or are easily converted into compounds with toxicity for practical use as chemical weapons Can. These are any carbon compounds other

than long chain polymers, oxides, sulfides, and metal carbonates, such as organophosphates. The OPCW must be informed, and inspected, of any plant producing (or expected to produce) more than 200 tons per year, or 30 tons if the chemical contains phosphorus, sulfur or fluorine, unless the plant solely produces explosives or hydrocarbons.

Progress of destruction

As of October 2017, 69,610 of 72,304 (96.27%) metric tonnes of chemical agent have been verifiably destroyed. More than 57% (4.97 million) of chemical munitions and containers have been destroyed.

Seven state parties, namely Albania, an unspecified state party (believed to be South Korea), India, Iraq, Libya, Russia, and Syria have destroyed their declared stockpiles. The United States is in the process of destruction and is scheduled to be completed in 2023. Libya's Category 1 chemical weapons destruction was completed in 2014; The destruction of its chemical weapon precursors was completed in November 2017.

In October 2010, Japan and China began destroying World War II-era chemical weapons, which were released by Japan through mobile destruction units in China and reported the destruction of 35,203 chemical weapons (75% of Nanjing reserves).

Fourteen states parties have declared chemical weapons production facilities:

Herzegovina, China, France, Bosnia, India, Iran, Iraq, Japan, United Kingdom, Libya, Russia, Serbia, Syria and United States

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