

6. INTERNATIONAL SOURCES OF ASSISTANCE

The international community has made preparations through several organizations to support governments of states against which chemical or biological weapons might be used. These preparations may also be of assistance to governments of states subject to terrorist attack. The assistance available can be categorized as:

- (a) the application of international law;
- (b) practical protection against the weapons themselves (provision of equipment, material and scientific and technical information; and
- (c) medical and other assistance in order to prevent potentially massive harm to the population attacked by such weapons.

The principal organization providing political support is the **United Nations** (see pages 128–131 below). In the case of chemical attack, the **Organisation for the Prohibition of Chemical Weapons (OPCW)** (see pages 132–134 below) will also be important for its members. If in the future an organization is established under the BWC, this will play a role in the case of biological attack.

Practical assistance in providing protection against chemical weapons can be provided by OPCW (see pages 132–134 below). The BWC also requires its States Parties to come to each other's assistance in certain circumstances (see pages 134–135 below).

General medical assistance can be provided in either case by the **World Health Organization (WHO)** (see pages 135–137 below). The **Food and Agriculture Organization** of the United Nations (FAO) (see pages 137–138 below) and the **World Organisation for Animal Health (OIE)** (see pages 138–139 below) could be asked to provide assistance if an attack were made on plants (FAO) or animals (FAO and/or OIE), rather than on human targets. Where local resources are insufficient to cope

with the humanitarian aspects of the situation, it may be appropriate to call on the **United Nations Office for the Coordination of Humanitarian Affairs** (see pages 130–131 below) or the major **nongovernmental organizations**.

Each of the above-mentioned agencies is considered briefly below.

A chemical or biological attack may overwhelm the available medical resources and pose serious logistic and organizational problems. It may then be appropriate to turn to the armed forces for help, including those of other countries. In humanitarian emergencies (e.g. refugee crises or natural disasters), such forces have supported relief efforts when invited to do so under the aegis of the United Nations (see pages 130–131 below).

6.1 United Nations

The use or threat of use of chemical or biological weapons by one state against another will clearly constitute a threat to international peace and security, and will therefore fall within the responsibility of the **United Nations Security Council**, to which the facts should promptly be reported. Both the BWC and the CWC make provision for the involvement of the Security Council when there are allegations that biological or chemical weapons have been used, and arrangements have been made for these allegations to be investigated (see below).

6.1.1 *Investigation of alleged use*

The United Nations General Assembly, under its resolution 42/37C of November 1987, mandated the Secretary-General to investigate “reports that may be brought to his attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxin weapons [...] in order to ascertain the facts of the matter...”. Under the terms of the resolution, the Secretary-General has established a panel of experts available to carry out on-site investigations. A group of qualified experts, appointed pursuant to the resolution, has provided a report setting out guidance as to how such investigations might be carried out (1).

The CWC, which entered into force on 29 April 1997, obliges OPCW to investigate any alleged use of chemical weapons against a State Party. For investigations relating to allegations of the use of chemical weapons brought to the Secretary-General by a state not party to the CWC, OPCW is obliged to cooperate with the Secretary-General in accordance with Part XI, paragraph 27, of the CWC Verification Annex and with Article II.2(c) of the Relationship Agreement between the United Nations and OPCW that entered into force on 11 October 2001.

Investigations of the alleged use of chemical weapons conducted by the United Nations up to the end of 2002 can be summarized as follows:

1981–1982: Asia. Investigations took place long after the alleged attacks had occurred so that on-site visits were not possible; the results were inconclusive (2).

1984–1988: Islamic Republic of Iran. Investigations took place within days of the alleged attacks, on-site visits were made and samples taken; Iraq was identified as the perpetrator (3–10).

1987–1988: Iraq. Chemical injuries to Iraqi soldiers were verified by the investigators (6–7, 9), who reported finding no conclusive evidence of how the injuries had been caused (11).

1992: Mozambique. Investigations were made more than a month after the alleged attack; no proof was found of the use of chemical weapons (12).

1992: Azerbaijan. The investigation was requested by the state accused of resorting to chemical warfare in order to demonstrate its innocence; a timely on-site visit did not reveal any proof of use of chemical weapons (13).

1993: Iraq. Investigation of the alleged internal use of chemical weapons did not reveal any proof of such use (14).

In the period covered, the Secretary-General was not asked to conduct any investigations of the alleged use of biological weapons other than toxins. (However, one consultation concerning an alleged use was carried out under the BWC: see page 135 below.)

It is highly desirable for the request for an investigation to be made to the Secretary-General immediately after the incident concerned has taken place to minimize the likelihood of degradation of the evidence.

6.1.2 *Humanitarian assistance*

If an attack is made on a large scale with serious consequences for the population, humanitarian assistance can be sought from the United Nations. The **Emergency Relief Coordinator** of the United Nations has been mandated by General Assembly resolution A/RES/46/182 of 14 April 1992 to serve as the central focal point and coordinating official for United Nations emergency relief operations. The Coordinator is also the Under-Secretary-General for Humanitarian Affairs and is supported by the United Nations **Office for the Coordination of Humanitarian Affairs** (OCHA).

OCHA Geneva has established an emergency-response system for coordinating actions taken by the international community to deal with natural disasters and environmental emergencies, including technological accidents. It is responsible for mobilizing and coordinating international disaster response and can be contacted on a 24-hour basis in case of emergency.

In humanitarian emergencies, OCHA can:

- process requests for assistance from Member States;
- organize, in consultation with the government of the affected country, a joint interagency assessment mission;
- serve as the central coordinating body with governments, intergovernmental organizations, nongovernmental organizations and the United Nations specialized agencies concerned for all emergency relief operations;
- provide consolidated information on all humanitarian emergencies;
- actively promote, in close collaboration with the concerned organizations, the smooth transition from relief to rehabilitation.

OCHA has a Military and Civil Defence Unit (MCDU), which is the focal point in the United Nations humanitarian system for the mobilization

and coordination of military and civil-defence assistance whenever these are needed in response to humanitarian emergencies.

OCHA is also in a position to provide a United Nations Disaster Assessment and Coordination (UNDAC) team and set up an On Site Operations Coordination Centre (OSOCC) in collaboration with OPCW to facilitate the coordination of all international emergency humanitarian assistance.

Member States can send requests for information and/or international assistance in natural disasters or environmental emergencies directly to the OCHA office in Geneva, or through the United Nations Resident Coordinator in the country concerned.

The **World Food Programme (WFP)** was established in 1963 as the food aid arm of the United Nations to provide, upon request, food aid and related services to meet emergency, protracted relief and recovery, and development needs.

WFP could provide, consistent with its policies and when given resources by donors, emergency food and associated logistic services in response to humanitarian disasters arising from the use of biological or chemical weapons. These include situations where: crops or food supplies are destroyed or rendered unsafe; large-scale environmental damage affects people's livelihoods; outbreaks of debilitating diseases threaten longer-term food security; or populations are displaced. WFP could provide assistance to countries whose food security is threatened by these conditions and where the government concerned does not have the capacity to respond. This is facilitated by the presence of WFP field offices and food stocks in over 80 countries.

In the event of longer-term impacts on food security, WFP could incorporate activities to address the needs of victims of biological or chemical weapons in its recovery and development programmes. When potential threats to food security arise from the use of biological or chemical weapons, these could be factored into ongoing early warning and contingency planning exercises.

6.2 Organisation for the Prohibition of Chemical Weapons

Article X, paragraph 8, of the Chemical Weapons Convention reads as follows:

Each State Party has the right to request and, subject to the procedures set forth in paragraphs 9, 10 and 11, to receive assistance and protection against the use or threat of use of chemical weapons if it considers that:

- a) chemical weapons have been used against it;¹⁴
- b) riot control agents have been used against it as a method of warfare; or
- c) it is threatened by actions or activities of any State that are prohibited for States Parties by Article I.

Article X, paragraphs 9, 10 and 11, require the Director-General of OPCW to take immediate action on receipt of a request. He shall, within 24 hours, initiate an investigation and submit a first report within 72 hours to the Executive Council. If required, the time for the investigation can be extended repeatedly by additional 72-hour periods. A new report must be submitted after each such period. The Executive Council is required to meet within 24 hours after receiving an investigation report to consider further action, including supplementary assistance. At the first Conference of the States Parties to the CWC in May 1997, the Organisation established a voluntary fund for action under Article X and invited States Parties to inform the Technical Secretariat of the assistance that they may elect to provide in accordance with Article X, paragraph 7. As of 31 May 2002, the voluntary fund had received about one million Euros in contributions, and 33 States Parties had made more or less specific offers of assistance in kind, ranging from protective equipment to putting assistance teams of battalion strength at the disposal of OPCW.

The assistance pledged to be delivered through OPCW, on request, can be divided into two main categories: hardware (mainly protective equipment) and a variety of assistance teams.

¹⁴ This provision does not specify the source of the attack, which could either be another state or a non-state entity such as a terrorist group.

Hardware offered by Member States consists largely of personal protective equipment, especially for use by civilians. The delivery of such equipment to a requesting State Party will, at best, take several days, possibly more than a week, after which the State Party concerned will have to distribute the equipment within the country.

The use of personal protective equipment requires training. To facilitate such training, a series of courses has been arranged for chief instructors by the Swiss Government in collaboration with OPCW. Such chief instructors should then be able to train local instructors who, in turn, can train the exposed population in the appropriate use of personal protective equipment.

Other assistance-related training courses are also being arranged by the Technical Secretariat of OPCW, in cooperation with various Member States. These include, for example, courses for medical personnel, courses in the use of analytical equipment, and courses on the conduct of emergency assistance and rescue operations. Information on such courses, and how to apply to attend them, is available on the OPCW web site.

Assistance teams that can be made available by Member States to assist in case of need include, *inter alia*, medical teams, detection teams, decontamination teams and teams for providing the necessary infrastructure support for assistance operations. Some air transport has also been offered; however, it is expected that the costs of transporting the teams may have to be covered to some extent by the Voluntary Fund for Assistance.

Article X, paragraph 5, requires the OPCW Technical Secretariat to establish and maintain a databank for the use of any requesting State Party, containing freely available information on protection against chemical weapons as well as such other information as may be provided by States Parties. This databank has now been established, and is indexed by a database using the CDS-ISIS database software developed by UNESCO. At present, requests for information from the databank have to be addressed directly to the OPCW Technical Secretariat, but it is planned to make the database available through the Internet.

Article X, paragraph 5, further requires the Technical Secretariat to provide expert advice on how a State Party can improve its protection against chemical weapons. This provision affords an opportunity to ask for assistance without having to accuse any state of using chemical weapons. To implement this provision, a protection network has been established, currently consisting of approximately 40 specialists on various aspects of chemical protection who are nationals of some 20 Member States. A State Party can request help from the protection network free of charge: specialists will be paid by the Member States putting them at the disposal of OPCW, which will cover the travel costs.

Within the framework of Article X, paragraph 5, the Secretariat can also, on request, arrange national or regional courses on protection, workshops, etc.

6.3 Biological Weapons Convention

Article VI of the Biological Weapons Convention reads as follows:

- (1) Any State Party to this Convention which finds that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible evidence confirming its validity, as well as a request for its consideration by the Security Council.
- (2) Each State Party to this Convention undertakes to cooperate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Convention of the results of the investigation.

The provision of assistance is provided for under Article VII of the Convention, which reads:

Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council

decides that such Party has been exposed to danger as a result of violation of the Convention.

Although this provision has so far not been invoked, the States Parties at their Review Conferences have reaffirmed their undertaking to provide or support assistance. They have also said that, should this Article be invoked, they consider that the United Nations, with the help of appropriate international organizations such as WHO, could play a coordinating role.

Provision for consultation is made in Article V, which reads:

The States Parties to this Convention undertake to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the applications of the provisions of, the Convention. Consultation and cooperation pursuant to this Article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

At their second Review Conference in 1986, the States Parties established a procedure for convening a formal consultative meeting to facilitate any such cooperation and thus improve the implementation of this article. At their third Review Conference, in 1991, they expanded the procedure. A consultative meeting of this type was convened in 1997 to address a problem in which Cuba had alleged that, in October 1996, phytophagous insects had been released over Cuba by the United States (15).

6.4 World Health Organization

WHO is a specialized agency of the United Nations with 192 Member States. Its Secretariat includes a headquarters in Geneva, six regional offices and 141 country offices. According to its Constitution, the functions of the Organization are, *inter alia*, to:

- act as the directing and coordinating authority on international health work;
- furnish appropriate technical assistance and, in emergencies, necessary aid upon the request or acceptance of governments;

- **provide information, counsel and assistance in the field of health;**
- **develop, establish and promote international standards with respect to food, biological, pharmaceutical and similar products.**

The use of chemical or biological weapons may result in extremely serious public health and medical emergencies, including a sudden and significant increase in numbers of cases, and deaths from a variety of diseases. In view of its mandate outlined above, WHO would play a critical role in dealing with any such emergency.

WHO became officially engaged with the subject of biological and chemical weapons in 1969, in response to a request from the Secretary-General of the United Nations to cooperate with the United Nations Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons in the preparation of a report on this subject.¹⁵

A number of WHO programmes provide technical assistance on various relevant aspects of public health, such as: preparedness for, and response to, natural and man-made disasters, earthquakes being an example of the former; chemical or radiological accidents; complex humanitarian emergencies; surveillance of communicable diseases, including global outbreak alert and response; chemical safety; food safety; and mental health. These programmes rely heavily on the technical and scientific support of WHO's network of collaborating centres.

WHO contributes to global health security in the specific field of outbreak alert and response by: (i) strengthening national surveillance programmes, particularly in the field of epidemiology and laboratory techniques, preparedness for deliberate epidemics and laboratory biosafety; (ii) disseminating verified information on outbreaks of diseases and, whenever needed, following up by providing technical support for response; and (iii) collecting, analysing and disseminating information on diseases likely to cause epidemics of global importance. Several epidemic diseases coming within the scope of WHO's surveillance and response programme have been associated with biological warfare. Guidelines on specific epidemic diseases, as well as on the management of surveillance programmes, are available in printed and electronic forms; an updated listing of these documents is accessible

¹⁵ See section 1.2.

through the World Wide Web. WHO is responsible for the administration of the International Health Regulations (IHR), a global framework (politically neutral and technically competent) within which national and global surveillance and response networks can operate in a timely and coordinated way. A revised version of the IHR is in preparation that will take account of global developments during the last 30 years of the twentieth century.

The International Programme on Chemical Safety (IPCS), a joint venture of the United Nations Environment Programme (UNEP), the International Labour Organization (ILO) and WHO, which was established to carry out and disseminate evaluations of the effects of chemicals on human health and the quality of the environment, produces guidelines and training material on preparedness for, and response to chemical incidents of technological origin, that would also be applicable if chemical agents were released deliberately. IPCS provides technical support for national chemical safety programmes, including the establishment or strengthening of chemical information centres able to provide advice on chemicals and toxic exposure on a 24-hour basis. The INTOX programme of IPCS, which includes an electronically linked network of about 120 centres in 70 countries, allows rapid access to toxicological, analytical and clinical expertise. Such a mechanism will also be useful in the identification of, and response to incidents involving chemical agents used in warfare.

6.5 Food and Agriculture Organization of the United Nations

FAO is an autonomous agency of the United Nations system with 175 Member States, and of which the European Union is also a member organization. Its Constitution requires, *inter alia*, that FAO shall furnish such technical assistance as governments may request, and organize, in collaboration with the governments concerned, such missions as may be needed to assist them to fulfil the obligations arising from their acceptance of the recommendations of the United Nations Conference on Food and Agriculture and the Constitution of FAO.

FAO has not formally been involved in the control of biological and chemical weapons, but is, however, prepared to play an active part

within its broad mandate in providing technical and humanitarian assistance. In recent years, FAO has contributed significantly in emergency relief and rehabilitation when droughts, floods, earthquakes, hurricanes, locust swarms, livestock plagues, war, civil strife, and natural and man-made disasters have caused immense suffering to the populations affected.

6.6 World Organisation for Animal Health (OIE)

The World Organisation for Animal Health is composed of the official veterinary services of 157 countries. Its three main goals, established since its foundation in 1924, are: (i) to inform governments of the occurrence and course of animal diseases worldwide, and of ways to control these diseases; (ii) to provide international coordination of research on, and control of, important animal diseases; and (iii) to work towards the harmonization of trade regulations for animals and animal products.

Although OIE has no programmes or activities with the specific objective of preventing or reacting to biological warfare, the ongoing sharing of information on the occurrence, prevention and control of animal diseases, including zoonoses, is relevant to this objective. Senior animal health officials from all countries meet annually to discuss recent scientific developments and to agree on matters of international importance affecting public veterinary services.

OIE has established an information system to collect and disseminate information on outbreaks of animal diseases that are the most serious from the animal and public health viewpoints. The urgency of dispatching information varies according to an internationally agreed classification of disease as List A and List B diseases.¹⁶

OIE has an emergency fund that is available for sending missions to developing countries in need of urgent technical assistance to investigate and control outbreaks of animal diseases. Such assistance

¹⁶ *List A diseases* are transmissible diseases that have the potential for very serious and rapid spread, irrespective of national borders, which are of serious socioeconomic or public health consequence and of major importance in the international trade of animals and animal products. *List B diseases* are transmissible diseases that are considered to be of socioeconomic and/or public health importance within countries and that are significant in the international trade of animals and animal products.

is usually provided in cooperation with other international organizations such as FAO and WHO.

6.7 Nongovernmental organizations

Nongovernmental organizations are non-profit-making, voluntary citizens' groups at the local, national or international level, including scientific bodies and professional associations. Task-orientated and driven by people with a common interest, they perform a variety of services and humanitarian functions, bring citizens' concerns to the attention of governments, monitor policies, and encourage political participation at the community level. They provide analysis and expertise, serve as early warning mechanisms and help to monitor and implement international agreements. Some are organized around specific issues, such as human rights, the environment or health. Their possible involvement in the prevention and control of the health consequences of chemical and biological weapons will depend on their goals, their location, their mandate and their resources. If an accident or incident involving chemical/biological agents occurs, it is very likely that, in addition to the local administrations, they will be actively involved in providing care to the affected populations.

6.8 Contact information

Food and Agriculture Organization of the United Nations

Viale delle Terme di Caracalla – I-00100 Rome, Italy

Telephone: + (39) 06 57051

Facsimile: + (39) 06 5705 3152

Internet: <http://www.fao.org>

OCHA New York

United Nations Office for the Coordination of Humanitarian Affairs

United Nations, New York – NY 10017, USA

Telephone: + (1) 212 963 1234

Facsimile: + (1) 212 963 1312

E-mail: ochany@un.org

Internet: http://www.reliefweb.int/ocha_ol/index.html

OCHA Geneva

United Nations Office for the Coordination of Humanitarian Affairs
United Nations, Palais des Nations – CH-1211 Geneva 10,
Switzerland

Telephone: + (41) 22 917 1234

Facsimile: + (41) 22 917 0023

E-mail: ochagva@un.org

[Outside official working hours, the Duty Officer of the OCHA office in Geneva can be reached at any time through the emergency telephone number + (41) 22 917 2010]

World Organisation for Animal Health (OIE)

12, rue de Prony – F-75017 Paris, France

Telephone: + (33) 1 44 15 18 88

Facsimile: + (33) 1 42 67 09 87

E-mail: oe@oie.int

Internet : <http://www.oie.int>

Organisation for the Prohibition of Chemical Weapons

Johan de Wittlaan 32 – NL-2517 JR The Hague, Netherlands

Telephone: + (31) 70 416 3300

Facsimile: + (31) 70 306 3535

Internet: www.opcw.org

World Food Programme

Via C.G. Viola 68, Parco dei Medici – I-00148 Rome, Italy

Telephone: + (39) 06 65131

Facsimile: + (39) 06 6513 2840

E-mail: wfpinfo@wfp.org

Internet: <http://www.wfp.org>

World Health Organization

Avenue Appia 20 – CH-1211 Geneva 27, Switzerland

Telephone: + (41) 22 791 2111

Facsimile: + (41) 22 791 3111

Internet: <http://www.who.int>

REFERENCES

1. United Nations General Assembly document. A/44/561, 4 October 1989.
2. United Nations General Assembly document A/37/259, 1 December 1982.
3. United Nations Security Council document S/16433, 26 March 1984.
4. United Nations Security Council document S/17127, 24 April 1985, plus Add.1, 30 April 1985.
5. United Nations Security Council document S/17911, 12 March 1986, plus Add.1 and Corr.1, dated 14 March 1986, and Add.2, 16 April 1986.
6. United Nations Security Council document S/18852, 8 May 1987, plus Add.1, 18 May 1987, and Corr.1, 26 May 1987.
7. United Nations Security Council document S/19823, 25 April 1988, plus Add.1, 10 May 1988, and Corr.1, 17 May 1988.
8. United Nations Security Council document S/20060, 20 July 1988, plus Add.1, 2 August 1988.
9. United Nations Security Council document S/20063, 25 July 1988, plus Add.1, 2 August 1988.
10. United Nations Security Council document S/20134, 19 August 1988.
11. McCormack TLH. International law and the use of chemical weapons in the Gulf War. *California Western International Law Journal*, 1990–1991, 21(1):1–30.
12. United Nations Security Council document S/24065, 12 June 1992.
13. United Nations Security Council document S/24344, 24 July 1992.
14. United Nations Special Commission for the destruction of Iraqi weapons of mass destruction, *Executive Summary of UNSCOM 65: Chemical Weapons Inspection No. 12, 10–22 November 1993*, transmitted to the UN Secretary-General on 7 December 1993.
15. *Report of the formal consultative meeting of States Parties to the convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction*. Formal Consultative Meeting of States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction. BWC/CONS/1, 29 August 1997.