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# *A Chronology of Events Relating to Chemical & Biological Warfare*

**1969**  
Sample file

(Not For Quotation or Citation in Current Form)

## **IMPORTANT NOTICE**

This document is provided as a preview of work from the CBW Events website — <<<http://www.cbw-events.org.uk>>>.

As with any compilation of this size, there is always a difficulty in deciding at what point to stop collating material and organize and refine the document for publication.

This working draft is, of necessity therefore, a snapshot of the progress towards the final publication. The intention for producing working drafts is to enable reviews of the work in progress. As the final publication format has yet to be decided, sample files are being posted in the form of annual sub-sets of the draft chronologies. Those interested in reviewing or contributing to fuller drafts are encouraged to contact Richard Guthrie at <[richard@cbw-events.org.uk](mailto:richard@cbw-events.org.uk)>.

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**(WORKING COPY @ NOVEMBER 2007)**

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### **Introduction**

#### **Sources and methodology**

The information gathered for this chronology comes from open-source documentation (such as news reports, academic papers, published governmental and inter-governmental reports, and national archives). Some of the material has been gathered directly by Richard Guthrie. Much of the rest of the material has been collected by the Harvard Sussex Program (HSP) and the Stockholm International Peace Research Institute (SIPRI). As in any exercise such as this, the compilation of material has been a collective effort.

To attempt to list all of those very many individuals who have helped put together the CBW archives at HSP and SIPRI over a number of decades would be an exercise doomed to failure. With apologies for any mis-spellings, known contributors include: Joachim Badelt, Brian Balmer, Gordon Burck, Priya Deshingkar, Nicholas Dragffy, Treasa Dunworth, Rob Evans, Simon Evans, Daniel Feakes, John Hart, Peter Herby, Melissa Hersh, Mitslal Kifleyesus, Frida Kuhlau, Milton Leitenberg, Lora Lumpe, Rod McElroy, Kathryn McLaughlin, Caitríona McLeish, Rayissa Manning, Nicholas Martin, Matthew Meselson, Pamela Mills, John Parachini, Tony Randle, Sandy Ropper, Carolyn Sansbury, Jacqueline Simon, Jenny Smith, Justin Smith, Guy Stevens, Thomas Stock, Ralf Trapp, Fiona Tregonning, Emmanuelle Tuerlings, Jonathan Tucker, Simon Whitby, Henrietta Wilson, Jean Pascal Zanders, and Elisabetta Zontini. In addition to those listed above, there have been numerous people who have presented one or the other of the organizations with an interesting reference or obscure, yet valuable, article.

#### **Chronology entries**

All chronology entries are written in the present tense. Entries for the same date are put in the sequence of events that happened (if specific times are known) or are placed in the order that dawn rises around the world. This means that entries for Japan, for example, will appear before Iran, which will appear before Iraq, which will appear before Germany. Specific times for events are given in GMT/UTC, where known, and local time if that has been specified.

Holding entries are preceded by the letter 'H' to indicate this status.

VOLUME V  
1 JANUARY 1966 THROUGH 31 DECEMBER 1970  
(extract)

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1969

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690118

**H 18 January 1969** [Commonwealth Prime Ministers conference welcomes UK proposals for controls on BW — see 16 July 1968.]

690202

**Q 2 February 1969** The US Department of Defense advertises for development of a new ‘chemical cluster weapon for toxic payloads’ according to Representative Richard D McCarthy, interviewed some months later.[1]

[1] Roy Reed, ‘U.S. held planning a new nerve gas’, *New York Times*, 16 July 1969. See also *Commerce Business Daily*, 12 February 1969 [\*CHECK\*].

690204

**H 4 February 1969** [In the US, the NBC programme First Tuesday broadcasts an item on chemical weapons and the programmes to develop them in certain countries. Among the viewers is a member of the House of Representatives, Richard D McCarthy, a Democrat from Buffalo, New York. McCarthy later indicates the programme showed how little had been known in Congress about these programmes — as cited Tucker/*Nerves*, p 212-13, referencing Richard D McCarthy, *The Ultimate Folly: War by Pestilence, Asphyxiation and Defoliation*, (New York: Alfred A Knopf, 1970).]

690220

**20 February 1969** Israel deposits its instrument of accession to the 1925 Geneva Protocol with the French government, together with the following reservation: ‘The said Protocol is only binding on the State of Israel in relation to States which have signed and ratified it or have acceded thereto. The said Protocol shall *ipso facto* cease to be binding on the State of Israel in regard to an enemy State whose armed forces, or regular or irregular forces or groups or individuals operating from its territory, or the armed forces of whose Allies, fail to respect the prohibitions which are the object of this Protocol.’

690220

**H 20 February 1969** [In London, the British Ministry of Defence publishes the latest annual Defence White Paper, *Statement on the Defence Estimates 1969* — any specific mention of CBW?]

690320

**20 March 1969** In London, the House of Commons is told: ‘There is no intention that CS smoke shall be used by the police for controlling rioting crowds and no review is being made of its effects when so used. ... I should like to make it plain ... there has been no change since the statement made by the then Home Secretary to the House on 20 May 1965 [see 20 May 1965], to the effect that CS smoke would be used only

for the dislodging of armed criminals or dangerously insane persons.[1]

[1] Elystan Morgan, Under-Secretary of State for the Home Department, 20 March 1969, Oral Answers, *Hansard* (Commons), vol 780, c715, in response to questions from Tam Dalyell MP.

690407

**7 April 1969** The *New York Times* publishes an editorial on CBW issues, noting President Nixon’s ‘brief mention is one of the rare departures from the official policy of deep silence which the United States Government has maintained for many years with regard to these weapons’. The paper further notes that ‘Since 1964 it has not even been possible to determine how much money the Government is spending on these weapons. Funds for research and development have been scattered through the Defense Department budget under uninformative descriptions’ and that Representative Richard D. McCarthy ‘has raised major questions of public policy which deserve answer. Is it national policy to respond in kind to a gas attack or a biological weapon attack? Is it sound public policy to contemplate using weapons with which no country has had any operational experience? If gas and biological warfare efforts are purely defensive in nature, why have the American people never been told what to do in case of a nerve gas attack or a hallucinatory gas attack? What precautions are used in the testing and the transport of these weapons and why did these precautions fail in the Utah sheep kill?’ [See 13 March 1968.] According to the editorial, the use of ‘chemical warfare’ to defoliate jungles and destroy crops in Vietnam and the use of incapacitating gases against Communist troops there does ‘violate the spirit if not the letter of the Geneva convention [*sic*] of 1925’. Noting recent developments in Geneva and in the UN, the paper calls on action by the US: ‘But it is not necessary for the United States to wait before discharging its own responsibilities. The Nixon Administration can offer a straightforward exposition Of its policies in this field. Congress can take down the “Please Do Not Disturb” sign from this program and begin to discharge its normal functions of review and debate’.[1]

[1] [no author listed, editorial], [no title listed], *New York Times*, 7 April 1969.

690417

**17 April 1969** Lebanon deposits its instrument of accession to the 1925 Geneva Protocol with the French government.

690430

**30 April 1969** In Washington, Secretary of Defense Melvin Laird writes to the President’s Assistant for National Security Affairs Henry Kissinger: ‘I am increasingly concerned about the structure of our chemical and biological warfare programs, our national policy relating to such programs, and our public posture vis a vis chemical and biological warfare activities. It is clear the Administration is going to be under increasing fire as a result of numerous inquiries, the more notable being Congressman McCarthy’s [see 7 April] and Senator Fulbright’s.’ Laird concludes: ‘It would seem reasonable to

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have the subject brought before the National Security Council at an early date. I suggest the necessary studies and reviews be initiated immediately, to facilitate early consideration by the NSC.’[1]

[1] Copy as retrieved from: Washington National Records Center, OSD Files: FRC 330-75-0089, Box 50, 370.64 CBR. The document carries a ‘Confidential’ security marking until declassified 3 February 2003.

690430

**H 30 April 1969** [Meselson testimony before US Senate Committee on Foreign Relations; includes quote ‘I asked a British chemist who had spent time in Cairo whether he thought that his Egyptian chemist colleagues could have produced nerve gas and he said without doubt yes’ — as quoted Tucker/*Nerves*, p 193.]

690507

**7 May 1969** In London, the House of Commons Select Committee on Science and Technology publishes its inquiry into Defence Research.[1] The report includes: ‘Suggestions have been made that the Microbiological Research Establishment and the Chemical Defence Experimental Establishment at Porton Down should be under the aegis of the Department of Health and Social Security. Our visit to Porton and the evidence we have received have convinced us, however, that the defence aspect of this work is of enormous importance to a country as vulnerable as is the United Kingdom to these types of warfare.’ Attached to the report are transcripts of evidence collected during the inquiry [see 2 May 1968, 1 July 1968 and 18 July 1968].

[1] House of Commons, Select Committee on Science and Technology, ‘Defence Research’, Second Report of session 1968-69, HC 213, 7 May 1969.

690509

**9 May 1969** Nepal deposits its instrument of accession to the 1925 Geneva Protocol with the French government.

690512

**12 May 1969** [‘The army announced today that it would delay its controversial plan to transport 27,000 tons of poison gas to the East Coast for disposal at sea until the National Academy of Sciences reviews it’ — UPI, ‘U.S. Poison Gas Shipment Put Off’, *International Herald Tribune*, 14 May 1969.]

690512

**12 May 1969** Argentina deposits its instrument of accession to the 1925 Geneva Protocol with the French government.

690528

**28 May 1969** The US National Security Council issues National Security Study Memorandum 59, entitled: ‘US Policy on Chemical and Biological Warfare and Agents’.[1] While the memorandum itself remains classified until 1975, the general nature of the study it is part of becomes public knowledge within a month.

The Memorandum reads: ‘The President has directed a study of US policy, programs and operational concepts with regards to both chemical and biological warfare and agents.

‘The study should examine present US policy and programs on CBW, the main issues confronting that policy, and the range of possible alternatives thereto. The analysis should delineate (1) the nature of the threat to the US and its Allies and possible alternative approaches in meeting this threat; (2) the utility of and circumstances for possible employment of chemical and biological agents, both lethal and incapacitating; (3) the operational concepts relating to possible use, testing and stockpiling; (4) the research and development objectives; (5) the nature of and alternative approaches to the distinction between lethal and non-lethal chemical and biological agents, including a review of current

applications of US policy relating to non-lethal agents such as chemical riot control agents and chemical defoliants; and (6) the US position on arms control, including the question of the ratification of the Geneva Protocol of 1925.

‘The study should include consideration of the effects upon international posture in general and upon relationships with Allies in particular; of the relevant legal questions; of the various cost factors; and of the environmental control and public affairs aspects of US policy.

‘The President has directed that the NSC Political–Military Group perform this study and that the addressees be included in the PMG for purposes of this study. The President has authorized the PMG to establish the necessary subgroups for special or technical aspects of this study.

‘The report of this group should be forwarded to the NSC Review Group by September 5, 1969.’

The Memorandum is signed by Henry Kissinger and the recipient list is: Secretary of State; Secretary of Defense; Director of Central Intelligence; Special Assistant to the President for Science and Technology; and Director, Arms Control and Disarmament Agency; with a cc to Chairman, Joint Chiefs of Staff.

[*Note*: this study appears to be the one that later prompts Nixon to announce new policies on CBW in November.]

[1] US National Security Council, ‘US Policy on Chemical and Biological Warfare and Agents’, National Security Study Memorandum (NSSM) 59, signed 28 May 1969 (declassified from ‘Secret’, 18 September 1975) [scanned image copy via National Security Archive website].

690601

**H 1 June 1969** [Fort Detrick Report — ‘The General Services Administration and Fort Detrick entered into a cooperative project to investigate the vulnerability of drinking water in Federal buildings to covert biological attack. After consultation with the design engineers in the GSA, the Food and Drug Administration Building in Washington, D.C., was selected for investigation. The engineers assured us that the drinking water system is typical of that installed in modern multistory [*sic*] buildings. They then proceeded to conduct two tests, one to eliminate chlorine in the water. The second test was a simulated covert test. A coliphage [*sic*] [*\*CHECK\**] was introduced into the system by a back pressure technique at a drinking fountain. This is a technique a saboteur might use. Neither the building occupants nor operating personnel were advised that such a test was planned. We were not challenged, and apparently undetected. ... From limited consultation with design engineers, it should be possible to develop simple guidelines for running an attack on a group of people that work in a building constructed with the circulating chilled drinking water system.’ — as quoted by Senator Hart on 17 September 1975 during the Church Committee hearings (see p113 of hearings volume).]

690612

**H 12 June 1969** [Press reporting on Porton LSD tests — Nicholas Soames, Minister of State for the Armed Forces, Written Answer [with letter from DERA Chief Executive John Chisholm], 18 July 1995, *Hansard (Commons)*, vol 263, c1169, in response to a question from Dr David Clark MP.]

690618

**H 18 June 1969** [Letter to McCarthy disclosing study [see 28 May] revealed in NYT — Robert B. Semple Jr, ‘Nixon Orders Study Of Policy on Germs And Gas in Warfare’, *New York Times*, 18 June 1969.]

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690625

**H 25 June 1969** [US National Academy of Sciences panel on CW disposal reports, recommending that the army detoxify its obsolete war gas at storage points where possible instead of shipping it across the country by rail or dumping it at sea, according to a DoD spokesman — WP, as in: ‘Panel Warns Army on Plan To Dump Gas’, *International Herald Tribune*, 27 June 1969; the DoD announces it will follow this advice — AP, as in: ‘Army Will Burn, Not Ship, Stock of Deadly Gas’, *New York Times*, 28 June 1969 and ‘Army Takes Scientists On Disposing of Some Gases’, *International Herald Tribune*, 28-29 June 1969; The US National Academy of Sciences recommends that ocean dumping of chemical weapons be avoided and that public health and environmental protection be emphasized. It suggests two alternatives to ocean disposal: chemical neutralization of nerve agents and incineration of mustard agents. — Taken from chronology of CW disposal attached to Statement of Henry L. Hinton, Jr., Assistant Comptroller General, National Security and International Affairs Division, before the Subcommittee on Military Procurement, Committee on National Security, House of Representatives, 11 March 1997; published as US General Accounting Office, ‘Chemical Weapons and Materiel: Key Factors Affecting Disposal Costs and Schedule’, 11 March 1997, GAO/T-NSIAD-97-118.]

690701

**H 1 July 1969** [The ‘Group of Experts’ appointed by the Secretary-General of the United Nations under UN General Assembly resolution 2454A (XXIII) [see 20 December 1968] to report ‘on chemical and bacteriological (biological) weapons and the effects of their possible use’ publishes its findings — A/7575, 1 July 1969, see also 28 December 1968. The report is circulated to UN member states and is made public the next day]

690703

**3 July 1969** In Geneva, the head of the US delegation, Ambassador James Leonard, reads a message from President Nixon to the disarmament negotiations.

The President’s text makes no reference to the British BWC proposal [see 6 August 1968 and 18 January], but states that the US ‘is prepared to examine carefully, together with other delegations, any approaches that offer the prospect of reliable arms control in this field’.[1]

Ambassador Leonard separately tells the ENDC that ‘we are not clear in our own minds whether it would be desirable to conclude a separate measure relating only to biological weapons’ but that the British proposal would be studied carefully.[2]

However, it is later noticed that a sentence — ‘the specter of chemical and bacteriological warfare arouses horror and revulsion throughout the world’ — that had been approved by the President had been accidentally omitted from the version sent to Geneva and a revised text is circulated on 31 July.[3] Washington sources speculate that this omission reflects growing US ambivalence over the whole issue.[4]

[1] ENDC/253, 23 July 1969, as reproduced in *Documents on Disarmament 1969*, pp. 300-01.

[2] William C Selover, ‘War-gas issue strains US conscience’, *Christian Science Monitor*, 12 August 1969, pp 1 & 3.

[3] Thomas J Hamilton, ‘Criticism of germ warfare deleted from Nixon’s text’, *International Herald Tribune*, 1 August 1969, p 5.

[4] William C Selover, ‘War-gas issue strains US conscience’, *Christian Science Monitor*, 12 August 1969, pp 1 & 3.

690710

**10 July 1969** In Geneva, Fred Mulley, Minister of State, Foreign and Commonwealth Office, introduces, on behalf of the British Government, a ‘Draft Convention for the

Prohibition of Biological Methods of Warfare and Accompanying Security Council Resolution’.[1] The texts are also included in a White Paper presented to Parliament the next day.

The text of the draft convention reads: ‘THE STATES CONCLUDING THIS CONVENTION

‘hereinafter referred to as the ‘Parties to the Convention’,

‘RECALLING that many States have become Parties to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,

‘RECOGNISING the contribution that the said Protocol has already made, and continues to make, to mitigating the horrors of war,

‘RECALLING FURTHER United Nations General Assembly Resolutions 2162B (XXI) of 5 December, 1966 [see 5 December 1966], and 2454 A (XXIII) of 20 December, 1968 [see 20 December 1968], which call for strict observance by all States to the principles and objectives of the Geneva Protocol and invited all States to accede to it,

‘BELIEVING that chemical and biological discoveries should be used for the betterment of human life,

‘RECOGNISING nevertheless that the development of scientific knowledge throughout the world will increase the risk of eventual use of biological methods of warfare,

‘CONVINCED that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimise this risk,

‘DESIRING therefore to reinforce the Geneva Protocol by the conclusion of a Convention making special provision in this field,

‘DECLARING their belief that, in particular, provision should be made for the prohibition of recourse to biological methods of warfare in any circumstances,

‘HAVE AGREED as follows:

‘ARTICLE I

‘Each of the Parties to the Convention undertakes never in any circumstances, by making use for hostile purposes of microbial or other biological agents causing death or disease by infection or infestation in man, other animals, or crops, to engage in biological methods of warfare.

‘ARTICLE II

‘Each of the Parties to the Convention undertakes:

‘(a) not to produce or otherwise acquire, or assist in or permit the production or acquisition of:

‘(i) microbial or other biological agents of types and in quantities that have no independent peaceful justification for prophylactic or other purposes:

‘(ii) ancillary equipment or vectors the purpose of which is to facilitate the use of such agents for hostile purposes;

‘(b) not to conduct, assist or permit research aimed at production of the kind prohibited in sub-paragraph (a) of this Article; and

‘(c) to destroy, or divert to peaceful purposes, within three months after the Convention comes into force for that Party, any stocks in its possession of such agents or ancillary equipment or vectors as have been produced or otherwise acquired for hostile purposes.

‘ARTICLE III

‘1. Any Party to the Convention which believes that biological methods of warfare have been used against it may lodge a complaint with the Secretary-General of the United Nations, submitting all evidence at its disposal in support of the complaint, and request that the complaint be investigated

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and that a report on the result of the investigation be submitted to the Security Council.

‘2. Any Party to the Convention which believes that another Party has acted in breach of its undertaking under Articles I and II of the Convention, but which is not entitled to lodge a complaint under Paragraph 1 of this Article, may similarly lodge a complaint with the Security Council and request that the complaint be investigated.

‘3. Each of the Parties to the Convention undertakes to co-operate fully with the Secretary-General and his authorised representatives in any investigation he may carry out, as a result of a complaint, in accordance with Security Council Resolution No \_\_\_\_\_

### ‘ARTICLE IV

‘Each of the Parties to the Convention affirms its intention to provide or support appropriate assistance, in accordance with the United Nations Charter, to any Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party.

### ‘ARTICLE V

‘Each of the Parties to the Convention, undertakes to pursue negotiations in good faith on effective measures to strengthen the existing constraints on the use of chemical methods of warfare.

### ‘ARTICLE VI

‘Nothing contained in the present Convention shall be construed as in any way limiting or derogating from obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June, 1925.

### ‘ARTICLE VII

‘[Provisions for amendments.]

### ‘ARTICLE VIII

‘[Provisions for Signature, Ratification, Entry into Force, etc.]

### ‘ARTICLE IX

‘1. This Convention shall be of unlimited duration.

‘2. Each Party shall in exercising its national sovereignty have the right to withdraw from the Convention, if it decides that extraordinary events, related to the subject matter of this Convention, have jeopardised the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardised its supreme interests.

### ‘ARTICLE X

‘[Provisions on languages of texts, etc.]’

[*Note: the square-bracketed text in articles VII, VIII and X is as appears in the original.*]

The draft Security Council resolution reads: ‘THE SECURITY COUNCIL,

‘WELCOMING the desire of a large number of States to subscribe to the Convention for the Prohibition of Biological Methods of Warfare, and thereby undertake never to engage in such methods of warfare; to prohibit the production and research aimed at the production of biological weapons; and to destroy, or divert to peaceful purposes, such weapons as may already be in their possession,

‘NOTING that under Article III of the Convention, Parties will have the right to lodge complaints and to request that the complaints be investigated,

‘RECOGNISING the need, if confidence in the Convention is to be established, for appropriate arrangements to be made in advance for the investigation of any such

complaints, and the particular need for urgency in the investigation of complaints of the use of biological methods of warfare,

‘NOTING further the declared intention of Parties to the Convention to provide or support appropriate assistance, in accordance with the Charter, to any other Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party,

‘1. Requests the Secretary-General

‘(a) to take such measures as will enable him

‘(i) to investigate without delay any complaints lodged with him in accordance with Article III.1 of the Convention;

‘(ii) if so requested by the Security Council, to investigate any complaint made in accordance with Article III.2 of the Convention:

‘and

‘(b) to report to the Security Council on the result of any such investigation.

‘2. Declares its readiness to give urgent consideration

‘(a) to any complaint that may be lodged with it under Article III.2 of the Convention; and

‘(b) to any report that the Secretary-General may submit in accordance with operative paragraph 1 of this Resolution on the result of his investigation of a complaint;

‘and, if it concludes that the complaint is well-founded, to consider urgently what action it should take or recommend in accordance with the Charter.

‘3. Calls upon Member States and upon Specialised Agencies of the United Nations to co-operate as appropriate with the Secretary-General for the fulfilment of the purposes of this Resolution.’

[1] United Kingdom, ‘Draft Convention for the Prohibition of Biological Methods of Warfare and Accompanying Security Council Resolution’, ENDC/255, 10 July 1969 [reproduced in *The Disarmament Negotiations 1969*, Cmdd 4399, July 1970, pp 89-92.]

690711

**Q 11 July 1969** In London, a White Paper[1] is laid before Parliament containing the text of the British draft convention on prohibiting biological methods of warfare tabled in Geneva the previous day [see 10 July]. As well as containing the texts put forward in Geneva, the paper includes the following introduction: [*\*edit down??\**] ‘The most important international arms control agreement in the field of chemical and biological warfare is the 1925 Geneva Protocol, which prohibits the use in war of asphyxiating, poisonous or other gases and of all analogous liquids, materials or devices, and extends the prohibition to cover the use of bacteriological methods of warfare. More than 60 states, including the United Kingdom, are parties to the Protocol.

‘2. In a speech to the Conference of the Eighteen-Nation Committee on Disarmament (ENDC) in Geneva on 16 July 1968 [see 16 July 1968] the Minister of State with special responsibility for disarmament (Rt. Hon. Fred Mulley, MP) in the Foreign Office, pointed to certain inadequacies of the 1925 Geneva Protocol and suggested that there was a strong case for trying to negotiate additional instruments to strengthen the Protocol, while keeping this in being. Since the problems involved in seeking to go beyond the Protocol appeared greater, and international opinion less clear, in the field of chemical weapons than in the field of biological warfare, Mr. Mulley proposed that the two be considered separately.

‘3. So far as chemical weapons were concerned, Mr. Mulley suggested that the Secretary-General of the United Nations should be asked to produce a report on the nature and possible effects of such weapons, with a view to providing the ENDC with an international scientific basis for future

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consideration of further measures for their limitation and control, as well as focusing public opinion on the issues involved. This suggestion was later taken up by the United Nations General Assembly and extended to include biological weapons as well. The report was issued by the United Nations Secretary-General on 1 July 1969 [see 1 July].

'4. As regards biological weapons, Mr. Mulley suggested that it was possible now to conclude an instrument going beyond the Geneva Protocol. Subsequently, on 6 August, 1968, [see 6 August 1968] Mr. Mulley tabled a working paper at the ENDC calling for the early conclusion of a new convention which would prohibit the biological methods of warfare. This would supplement, but not supersede, the 1925 Geneva Protocol by prohibiting not only the use, but also the production and possession of biological agents for hostile purposes.

'5. This Protocol aroused interest both in the ENDC and outside the Committee. The communiqué issued on 18 January, 1969, [see 18 January] at the end of the meeting of Commonwealth Prime Ministers in London, welcomed the British proposal for a new Convention.

'6. On 10 July, 1969, [see 10 July] at the ENDC in Geneva, Mr. Mulley formally tabled on behalf of HMG a draft Convention for the Prohibition of Biological Methods of Warfare, together with an associated draft Security Council resolution, and invited the comments of members of the Committee on the drafts.

'7. Because of public interest in this subject, HMG have taken the step of publishing the drafts in this White Paper. It should, however, be noted that these drafts represent only one step in the process of negotiation and that HMG will be ready to consider changes in the drafts as the negotiations develop.

[1] 'Draft Convention for the Prohibition of Biological Methods of Warfare with Associated Draft Security Council Resolution tabled by the United Kingdom in the Conference of the Eighteen-Nation Committee on Disarmament in Geneva on 10 July, 1969', Cmnd 4113, 11 July 1969, 7 pp.

690718

**18 July 1969** Press reports reveal a leak of nerve gas stored at a US base on Okinawa which injures 24 US personnel.[1] The reports prompt protests against the basing of the gas,[2] there having previously been no confirmation of such storage there. Within a week it is announced that the gas will be removed in due course.[3]

The stockpile, held at Chibana Ammunition Depot, is later reported to consist of some 13 000 tons of weapons containing 4320 tons of chemical warfare agents,[4] consisting of 2865 tons of mustard weapons, 8322 tons of sarin weapons and 2057 tons of VX weapons.[5]

[1] [no author listed], 'Okinawa mishap bares overseas deployment of chemical weapons', *Wall Street Journal*, 18 July 1969; and William C Selover, 'War-gas issue strains US conscience', *Christian Science Monitor*, 12 August 1969, pp 1 & 3.

[2] [no author listed], 'Protest is strong in Japan, Okinawa', *New York Times*, 19 July 1969.

[3] [no author listed], 'US will remove nerve-gas arms at Okinawa base', *New York Times*, 23 July 1969.

[4] [no author listed], 'Okinawa nerve gas not going to Ore', *Japan Times*, 25 May 1970.

[5] [no author listed], 'U.S. complete gas transfer' *Japan Times*, 10 September 1971.

6907xx

**Q XX July 1969** In Geneva, the Soviet representative, Alexei Roshchin, addresses the ENDC. He states that the British proposal to have a separate convention banning only germ warfare [see 10 July] was unacceptable. He comments that to divide the chemical and biological warfare problem into two, as with the British suggestion, amounted to postponing a complete ban on chemical weapons indefinitely and might

even lead to an intensified chemical arms race, increasing the danger that they might be used.[1]

[1] [no author listed], 'Chemical and germ warfare a single problem', *Soviet Weekly*, 2 August 1969.

690725

**Q 25 July 1969** In the United States, former President Harry S Truman writes 'Dear Congressman Kastenmeier, In reply to your letter of July 11th[\*get\*], I wish to state categorically that I did not amend any Presidential Order in force regarding biological weapons nor did I at any time give my approval to its use. With all good wishes, Sincerely yours, [signature]'. [1]

The letter is prompted by the continuing allegations that the US had made preparations to be the first to use biological weapons in the war with Japan [see 3 January 1946] and is taken to be a clear denial by Truman of allegations that he might have secretly revoked President Roosevelt's 'no-first-use' policy for chemical and biological weapons prior to the end of the war in the Pacific.[2]

[Note: A debatable point is that as these allegations related to actions taken in the last months of the war, at a time when the US was aware of allegations of biological warfare by Japanese forces against Chinese nationalist forces and civilians, that the US could have been in a position to argue any use of biological warfare against the Japanese would not be a 'first use'.]

[1] As reproduced in: Simon M Whitby, *Biological Warfare against Crops*, Basingstoke: Palgrave, 2002, p 223. [\*get original\*]

[2] See, for example, Simon M Whitby, *Biological Warfare against Crops*, Basingstoke: Palgrave, 2002, p 240-1, fn 28.

690731

**31 July 1969** In Bonn, the West German government announces that a 'limited amount' of chemical weapons are stored by US forces in West Germany.

A government spokesman is reported as stating that the FRG government knows the locations of the chemical weapons storage sites and that there are no bacteriological weapons stored.

The *International Herald Tribune* comments that this is the first acknowledgement by the United States or West Germany that poison weapons are being stored on West German soil.[1]

[1] [no author listed], 'Bonn affirms poison gas stored by US', *International Herald Tribune*, 1 August 1969, p 5.

6908xx

**H XX August 1969** [New Pentagon manual — *Sunday Times*, 24 August 1969, p 6.]

690801

**1 August 1969** In New York, Cambodia alleges to the United Nations Security Council that aircraft from the United States and South Vietnam scattered 'poisonous yellow powder' along its frontiers with South Vietnam in May and June. The Cambodian ambassador tells the Council that this powder 'caused cases of vomiting and illness, having symptoms similar to those of influenza among the population of these places'. [1] The letter, when published a few days later, attracts some press attention. [2] [Note: This is similar to later incidents ascribed to attacks using 'Yellow Rain'.]

[1] *Letter Dated 1 August 1969 from the Permanent Representative of Cambodia Addressed to the President of the Security Council*, UN document S/9734, 4 August 1969, 2 pp.

[2] [no author listed], 'US "spread poison"', *Guardian*, 6 August 1969, p 3.

690801

**1 August 1969** In a letter to *Science*, two zoologists who have recently returned from Vietnam comment on use of defoliants by US forces, responding to an letter published on 25 April.[1]

## Not for quotation or citation

The authors state they were told by chemical operations officers in Saigon that increased use of agent White (picloram and 2,4-D) instead of agent Orange (2,4-D and 2,4,5-T) was due to drifting of highly-volatile agent Orange used against targets near Saigon onto crops and fruit in 'friendly areas'. 'White is now being used almost exclusively because it is less volatile than Orange and thus does not drift. In regions where there is little agriculture, however, Orange is preferred because it is more economical.'

The authors go on to state that they were informed by US Army sources that in Vietnam 'Orange constitutes about 50 percent of the total herbicides used, White 35 percent, and Blue (cacodylic acid) 15 percent. For whatever reasons, it is certain that use of White for defoliation in Vietnam is increasing despite the threat to Vietnamese agriculture by its persistence in the soil.'

[1] GH Orians, Department of Zoology, University of Washington, and EW Pfeiffer, Department of Zoology, University of Montana, *Science*, Vol 165, 1 August 1969, p 442.

690802

**2 August 1969** In Sweden, *Svenska Dagbladet* reports that two more fishermen have been injured severely by mustard gas leaking from an object pulled up on deck after being caught in the trawl net. The incident followed injuries to two other fishermen in roughly the same area near Rönne a few days earlier. The article also states that approx 12,000 tons of munitions containing mustard gas were dumped in the area of the island of Bornholm.[1]

The London *Daily Telegraph* reports that captured German mustard gas munitions were dumped about 20 nautical miles off Bornholm by the Russian Navy after the Second World War.[2]

[1] [no author listed], 'Senapsgas skadade ytterligare två svårt [Two more injured by mustard gas]', *Svenska Dagbladet*, 2 August 1969.

[2] [no author listed], 'Baltic mustard gas burns 2', *Daily Telegraph*, 2 August 1969.

690804

**4 August 1969** In Tokyo, *Japan Times* reports that the Foreign Ministry has started to study whether Japan should ratify the Geneva Protocol and that it is possible that the government will seek Diet approval at the next session which is to be opened in December.[1]

[1] [no author listed], 'Germ war protocol being studied', *Japan Times*, 4 August 1969.

690804

**Q 4 August 1969** The Soviet Union has at least 350,000 tons of chemical munitions ready for immediate use according to NATO estimates, so the London *Times* reports, citing *Die Welt* [*\*worth getting??\**] of 2 August. The report notes claims by NATO experts that the USSR has a minimum of 25 institutes where research work on chemical warfare is done.[1]

[1] [no author listed], 'Russia's warfare chemicals', *The Times*, 4 August 1969, p 6.

690804

**H 4 August 1969** [US Secretary of Defense staff meeting; section 13 of the minutes, entitled 'chemical warfare/biological research' reads: 'Mr. Laird said he would like to discuss guidance on these programs. He feels that it is important to discontinue the use of the CBW term as such. This has all of the various programs lumped together. He feels they should be broken down to two separate programs -- one for chemical warfare and one for biological research. There are a number of differences between these programs on what we are trying to accomplish. The complete term puts us on the defensive much more than we have to be. Dr. Foster said it was a correct and straight forward way to go. Dr. Seism said there is no "biological warfare program." Mr. Beal said we

should realize, however, that we are producing some biological warfare agents, although these are not being produced in the form of munitions. Mr. Warner suggested that we use the term chemical ordnance. Dr. Selin said we spend more on defense against chemical weapons. Mr. Laird said we do not want to limit the term to ordnance. Ordnance sounds like too much emphasis on the offensive use which is not a major concern.']

690805

**Q 5 August 1969** In Geneva, the Swedish delegate, Alva Myrdal, addresses the ENDC and proposes that the disarmament conference studies ways of eliminating chemical and germ weapons. She suggests that the British BWC proposal should serve as the basis for the study and that the ENDC should go forward to the United Nations 'with a two-pronged approach: (1) a declaration in the form of a draft contained in the report of this Committee, confirming the ban on use in war of all B and C weapons, binding on all nations; (2) a proposal to continue to study in the [ENDC] the total elimination of these weapons, starting to work on the basis of the United Kingdom draft convention on biological warfare.'[1]

The speech receives some press coverage.[2]

[1] [*\*primary source??\**]

[2] [no author listed], 'Outlawing of germ warheads', *Guardian* (London), 6 August 1969, p 3.

690806

**Q 6 August 1969** In London, Sir Solly Zuckerman, Chief Scientific Adviser to the British Government writes to Fred Mulley, a Minister of State in the Foreign and Commonwealth Office, about the legal interpretation of rules regarding the use of riot-control agents as a method of war.[1]

The letter is prompted by a meeting between Zuckerman and Professor Matthew Meselson of Harvard University and reads: 'Meselson came to see me last week ... to urge me to use what influence I have to see it becomes declared UK policy to prohibit the use of harassing agents in warfare. ... the UK Government in the 1930s took a firm stand in line with what Meselson is now advocating, and he is firm in the view that were we to take a lead here now, we should have a considerable effect on US policy. We could do this without in any way inhibiting support which we are seeking for our Treaty on Biological Weapons.'

After some discussion about the use of CS weapons in Vietnam, the letter continues: 'Meselson's point, with which I agree, is that our overriding interest in the CBW field is to stop further proliferation and to bring about an effective ban. So far as warfare goes, the latter would include harassing agents, which in the circumstances of hostilities are a potential step on the ladder of escalation. With the disengagement from Vietnam, there is a real chance of persuading the US along these lines.'

The letter concludes: 'Oughn't we to restate our 1930 position about so-called non-lethal agents during the course of the debate in which you are now engaged?'

[1] From Public Record Office file CAB164/789 [*\*full ref\**]

690811

**11 August 1969** In Washington, Department of State spokesman Carl Bartch makes a statement on deployment of US chemical weapons overseas [see 18 and 31 July]. He states that: 'The United States does not have lethal chemical weapons stored in any foreign nation other than West Germany and Okinawa'. He also states that 'Okinawa is in US jurisdiction and no further authority or consultation was required in that case.'

## Not for quotation or citation

He also notes that the Defense Department 'has already made it clear that there are no biological weapons stored in any foreign country'.[1]

[1] As sent from US Embassy, Stockholm, to SIPRI on 13 August 1969.

690811

**Q 11 August 1969** In Washington, [Senate CBW controls voted on by 91-0] [\*12th?\*

The amendment was put forward by Senator Thomas J McIntyre, a member of the Armed Services Committee and does not directly affect expenditure but imposes controls on activities. Key aspects are:

- no funds to be used for 'delivery systems specifically designed to disseminate lethal chemical agents, disease producing biological micro-organisms or biological toxins';
- lethal biological or chemical agents cannot be stored in a foreign country without notice to that country and to congressional committees;
- peacetime transport of biological or chemical agents outside military installations must be subject to the Surgeon General determining this constitutes no hazard and Governors of relevant states being informed;
- no storing or testing agents outside the US unless the Secretary of State determines there will be no violation of international law; and
- no open-air testing of lethal biological or chemical agents unless subject to the Surgeon General determining this constitutes no hazard and the Secretary of Defense determining such tests are necessary for national security.

690812

**Q 12 August 1969** In Britain, details of precautions for transporting consignments of nerve gas from Nancekuke in Cornwall to Porton Down in Wiltshire are made public. The details are contained in a letter from John Morris, Minister of Defence for Equipment, to Eric Lubbock MP.[1] [\*is he still on S&T cttee at this time??\*

The letter states that material is carried in specially designed bottles holding less than one litre and that each bottle 'is packed in charcoal inside a three-quarter-inch thick steel container with a bolted lid, the charcoal being sufficient to absorb the contents of the bottle. The cylinder is placed in another container, usually a commercial-type 40-gallon drum of pressed steel, which is also packed with charcoal.'

The letter also gives details of impact testing for the cylinders and containers and notes that 'Only a fire of very great intensity could rupture the inner vessel containing nerve gas; if it did the contents would burn away immediately.' Combustion products in such circumstances would be 'relatively harmless' [see also 30 May 1968 and 21 June 1968 on the transport of CS from Nancekuke].

[1] [no author listed], 'Assurance on nerve gas transport', *The Times* (London), 13 August 1969; and David Fairhall, 'Foggy answers on nerve gas', *The Guardian* (London), 13 August 1969, p 9.

690812

**Q 12 August 1969** In Northern Ireland, CS gas is used for the first time by the Royal Ulster Constabulary (RUC) just before midnight during violence in the Bogside area of Derry/Londonderry following the annual Apprentice Boys parade. The violence spreads across the province. Over 1000 CS canisters are said to be used. After two days of violence, the government of Northern Ireland requests permission to allow British troops to be deployed on the streets to support the RUC.[1]

Some days later a local doctor, Raymond McLean, who has treated some 200 patients suffering ill effects from exposure to CS asks for more information on the long-term

effects. He expresses most concern about individuals who had been exposed to CS for about 24 hours. 'I want to know if this acute concentration will have ill effects', he said. 'It is possible that the liver and kidneys may be damaged. The trouble is there is scanty medical knowledge on this'. Most patients had recovered fairly quickly, but some were still suffering two or three days afterwards.[2]

[Note: see also 20 March — assurance that CS would not be used to control riots by the police.]

[1] [\*source\*]

[2] [no author listed], 'Gas plea by doctor', *The Times* (London), 21 August 1969.

690814

**H 14 August 1969** [In Geneva, Polish statement.]

690814

**H 14 August 1969** [Meselson & Robinson in *New Scientist* on incapacitants.]

690814

**Q 14 August 1969** 'Britain maintained a substantial stockpile of chemical warfare ammunition for 10 years after the war. It consisted of about 25,000 tons of ammunition ... at a disused airfield at Llanwrog, a few miles south of Caernavon', so writes an unnamed 'Defence Correspondent' of *The Times*. [1]

The article goes on to state that the decision was taken in 1955 to dump 25,000 tons of phosgene and mustard ammunition at sea between 1955 and 1957 and notes that this followed a much larger dumping operation carried out between 1945 and 1948 in which 175,000 tons of ammunition was dumped at sea, as the House of Commons had been informed some time earlier [see 31 March 1960].

[Note: The materials stored at Llandwrog were filled with Tabun, according to other official sources, and were dumped at sea in 1955-56 — see XX October 1946-13 July 1947 and XX Xxxx 1955-XX Xxxx 1956] [\*recheck sources\*]

[1] [no author listed], 'Gas shells held for 10 years after war', *The Times* (London), 14 August 1969, p 2.

690815

**Q 15 August 1969** Canadian customs officials refuse entry into their country of a train carrying phosgene from the US Army's Rocky Mountain Arsenal in Colorado to Lockport in New York state. The train is re-routed via Indiana and Ohio. Another shipment is on its way from Rocky Mountain to Geismar in Louisiana, and the shipments total 300 tons of material.[1]

The existence of the shipments had been disclosed by Representative Richard D McCarthy the day before. He had previously disclosed plans to transport chemical munitions from Colorado to the east coast for dumping in the Atlantic Ocean [see [\*insert ref\*]].

[1] Jerry M Flint, 'Canadians block poison-gas train', *New York Times*, 16 August 1969, p 12.

690819

**H 19 August 1969** [White House response to letter from McCarthy to Nixon: 'The U.S. delegation at Geneva is giving serious study to the U.K. proposal and has urged other delegations to do so.//As you indicate, the proposed methods of verifying compliance deserve the most careful consideration. Serious problems arise from the need to verify a ban on the production and possession of biological agents. On several occasions, the U.S. delegation has recommended that a working group be formed to study this program. Should a working group be formed, the U.S. is prepared to participate actively in the search for effective complaint and verification procedures and can contribute the products of research in this area.//While the U.S. supports the objective of the U.K. draft convention, a decision on whether or not to support the

## Not for quotation or citation

specific U.K. proposal cannot be made prior to completion of the comprehensive Executive Branch review of U.S. policy in this field. Meanwhile, we will continue our careful examination of this and other possible approaches to the effective control of these weapons.' – McCarthy, *Ultimate Folly*, p 150.]

690826

**Q 26 August 1969** In Geneva, the Eighteen Nation Committee on Disarmament (ENDC) formally decides to rename itself the Conference of the Committee on Disarmament (CCD) and widen the membership. The decision is to take effect from ... [*\*it's the small yet important details that often go missing!\**] The new membership is ...

690826

**Q 26 August 1969** In Geneva, Working Papers are introduced to the ENDC.

The United Kingdom introduces a 'Revised Draft Convention for the Prohibition of Biological Methods of Warfare and Accompanying Security Council Resolution'[1] [see 10 July]. In this revised text, the undertaking by a party not to engage in biological methods of warfare (Article I) is now qualified by the clause: "insofar as it may not already be committed in that respect under Treaties or other instruments in force prohibiting the use of chemical and biological methods of warfare". The purpose of this amendment is to make it clear that existing commitments under the Geneva Protocol and other agreements would not be affected by the draft convention; some countries in becoming parties to the convention would undertake additional commitments under Article I other would not. The ban was extended to cover microbial or other biological agents causing damage in addition to those causing 'death or disease' (Article I). [*\*more, including from speech\**]

A Working Paper is introduced by Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, United Arab Republic and Yugoslavia entitled 'A proposed declaration by the United Nations General Assembly regarding prohibition of the use of chemical and biological methods of warfare'[2] [see also 5 August].

The concluding paragraph of the draft declaration reads: 'Condemns and declares as contrary to international law the use in international armed conflicts of any chemical agents of warfare: chemical substances, whether gaseous liquid, or solid, which might be employed because of their direct toxic effects on man, animals or plants, and any biological agents of warfare: living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.'

[1] ENDC/255/Rev.1, 26 August 1969 [reproduced in *The Disarmament Negotiations 1969*, Cmnd 4399, July 1970, pp 93-96.]

[2] ENDC/265, 26 August 1969 [reproduced in *The Disarmament Negotiations 1969*, Cmnd 4399, July 1970, pp 97-98.]

690912

**H 12 September 1969** [FRG paper to CD on CBW ban — referred to in FRG Defence White Paper 1970]

690919

**19 September 1969** In New York, a group of 9 socialist states — Bulgaria, Byelorussian SSR, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian SSR and the USSR — submits to the UN General Assembly a 'Draft convention on the prohibition of the development, production and stockpiling of chemical and biological (bacteriological)

weapons and on the destruction of such weapons'.[1] The full text reads:

'The States Parties to this Convention,

'Convinced of the immense importance and urgent necessity of eliminating from the arsenals of States such dangerous weapons of mass destruction as chemical and bacteriological (biological) weapons,

'Guided by the desire to facilitate progress in the achievement of the objectives of general and complete disarmament,

'Desiring to contribute to the strengthening of confidence between peoples and the general improvement of the international atmosphere,

'Believing that scientific discoveries in the field of chemistry and bacteriology (biology) must in the interests of all mankind be used solely for peaceful purposes,

'Recognizing the important significance of the Geneva Protocol of 17 June 1925 for the Prohibition of the Use in War of Asphyxiating, Poisonous and Other Gases and of Bacteriological Methods of Warfare, an instrument which embodies generally recognized rules of international law,

'Reaffirming their adherence to the purposes and principles of that Protocol and calling upon all States to comply strictly with them, Recalling General Assembly resolutions 2162 B (XXI) and 2454 A (XXIII) which condemned all actions contrary to the Geneva Protocol of 17 June 1925,

'Noting the conclusions contained in the report submitted to the United Nations General Assembly and the Disarmament Committee on the grave consequences for mankind that might result from the use of chemical and bacteriological (biological) weapons,

'Expressing their desire to contribute to the implementation of the Purposes and Principles of the Charter of the United Nations,

'Have agreed as follows:

'ARTICLE 1

'Each State Party to this Convention undertakes not to develop, produce, stockpile or otherwise acquire chemical and bacteriological (biological) weapons.

'ARTICLE 2

'Each State Party to this Convention undertakes to destroy within a period . . . . — observing all the necessary precaution — or to divert to peaceful uses all previously accumulated chemical and bacteriological (biological) weapons in its possession.

'ARTICLE 3

'Each State Party to the Convention undertakes not to assist, encourage or induce any particular State, group of States or international organizations to develop, produce or otherwise acquire and stockpile chemical and bacteriological (biological) weapons.

'ARTICLE 4

'Each State Party to the Convention shall be internationally responsible for compliance with its provisions by legal and physical persons exercising their activities in its territory, and also by its legal and physical persons outside its territory.

'ARTICLE 5

'Each State Party to the Convention undertakes to take as soon as possible, in accordance with its constitutional procedures, the necessary legislative and administrative measures to prohibit the development, production and stockpiling of chemical and bacteriological (biological) weapons and to destroy such weapons.

'ARTICLE 6

## Not for quotation or citation

'The States Parties to the Convention undertake to consult one another and to co-operate in solving any problems which may arise in the application of the provisions of this Convention.

### 'ARTICLE 7

'1. This Convention shall be open for signature by all States. Any State which does not sign the Convention before it enters into force in accordance with paragraph 3 of this article may accede to it at any time.

'2. This Convention shall be subject to ratification by States which have signed it. The instruments of ratification and instruments of accession shall be deposited with the Governments of which are hereby designated the depositary Governments.

'3. This Convention shall enter into force after the deposit of the instrument of ratification by a Government, including the instruments of ratification of the Governments of States which are permanent members of the United Nations Security Council and of other Governments designated as depositaries of the Convention.

'4. For States whose instruments of ratification or accession are deposited after the Convention enters into force, the Convention shall enter into force on the date on which their instruments of ratification or accession are deposited.

'5. The depositary Governments shall promptly inform all States which have signed and acceded to this Convention of the date of each signature, the date on which each instrument of ratification or accession is deposited and the date on which the Convention enters into force, and shall transmit other notifications to them.

'6. This Convention shall be registered by the depositary Governments in accordance with Article 102 of the Charter of the United Nations.

### 'ARTICLE 8

'This Convention, of which the Russian, English, French, Spanish and Chinese texts are equally authentic, shall be deposited in the archives of the depositary Governments. Duly certified copies of the Convention shall be transmitted by the depositary Governments to the Governments of States which have signed the Convention and acceded to it.

'In witness whereof, the undersigned, duly authorized thereto, have signed this Convention.

'DONE in . . . . . copies at . . . . . , this . . . . . day of . . . . . ,

[1] A/7655, 19 September 1969, as reproduced in *Documents on Disarmament 1969*, pp. 455–57.

690925

**Q 25 September 1969** In London, the Overseas Policy and Defence (OPD) Committee of the British Cabinet discusses a proposal by the Foreign Office Minister of State, Fred Mulley, to restate a British Government position, contained in Memorandum OPD(69)43 [*\*get copy\**], on the legal status of riot-control agents in warfare [see 6 August].

The Committee decides not to follow the recommendations, but leaves it open to the Foreign and Commonwealth Secretary to put the issue to the Cabinet.[1]

[1] Letter from the Chief Scientific Adviser (Sir Solly Zuckerman) to the Prime Minister (Harold Wilson), dated 26 November 1969 and contained within Public Record Office file CAB164/789.

6910xx

**Q XX October 1969** The first volume of the Himsworth Committee enquiry into use of CS in Derry/Londonderry [see 12 August] is published.[1] [*\*more??\**]

It is nearly another two years before the second volume is published.

[1] Report of the enquiry into the Medical and Toxicological aspects of CS orthochlorobenzylidene malononitrile. Part I. Enquiry into the medical

situation following the use of CS in Londonderry on 13th and 14th August 1969, (Himsworth Committee) October 1969, Cmnd 4173.

6911xx

**H XX November 1969** [Re: Dugway VX spraying incident [see 13 March 1968] 'The U.S. Congress Committee on Government Operations conducted hearings on the incident and issued a report in November 1969 which concluded that open-air testing of nerve gas caused death and injury to the sheep.' — *Final Environmental Impact Statement for Activities Associated with Future Programs at U.S. Army Dugway Proving Ground*, Volume II, August 31, 2004, pp I-16-17.]

691119

**H 19 November 1969** [PL 91-121 passed — 'Section 409 (a) of PL 91-121 is as follows: "The Secretary of Defense shall submit semiannual reports to the Congress on or before January 31 and on or before July 31 of each year setting forth the amounts spent during the preceding six-month period for research, development, test and evaluation and procurement of all lethal and nonlethal chemical and biological agents. The Secretary shall include in each report a full explanation of each expenditure, including the purpose and the necessity therefore." The law also requires that Congress receive 30 days' notice of any open-air testing of lethal agents.' — SIPRI II, p 197. Law also imposes controls on the testing and transport of chemical agents within the United States; and the storage, testing, and disposal of agents outside the United States [*\*get original, CHECK if related to 11 August\**].]

691125

**Q 25 November 1969** In the United States, President Nixon announces a number of new policies, including: the renunciation of first-use of chemical incapacitants; the renunciation of biological methods of warfare; support for the UK draft Biological Weapons Convention [see 26 August]; and future submission to the Senate of the Geneva Protocol for ratification. The policies appear to be prompted by the results of the study initiated under National Security Study Memorandum 59 [see 28 May]

The President issues a 'Statement on Chemical Defense Policies and Programs'[1] in a public ceremony in the Roosevelt Room of the White House. He enacts the new policies through a classified National Security Decision Memorandum, NSDM 35.[2]

The Statement reads: 'Soon after taking office I directed a comprehensive study of our chemical and biological defense policies and programs. There had been no such review in over 15 years. As a result, objectives and policies in this field were unclear and programs lacked definition and direction. ... This study has now been completed and its findings carefully considered by the National Security Council.'

On chemical weapons, the Statement says: 'As to our chemical warfare program, the United States:

'Reaffirms its oft-repeated renunciation of the first use of lethal chemical weapons.

'Extends this renunciation to the first use of incapacitating chemicals.'

On biological weapons, the Statement says: 'Biological weapons have massive, unpredictable and potentially uncontrollable consequences. They may produce global epidemics and impair the health of future generations. I have therefore decided that:

'The United States shall renounce the use of lethal biological agents and weapons, and all other methods of biological warfare.

## Not for quotation or citation

‘The United States will confine its biological research to defensive measures such as immunization and safety measures.

‘The Department of Defense has been asked to make recommendations as to the disposal of existing stocks of bacteriological weapons.

‘In the spirit of these decisions, the United States associates itself with the principles and objectives of the United Kingdom Draft Convention which would ban the use of biological methods of warfare. We will seek, however, to clarify specific provisions of the draft to assure that necessary safeguards are included.

‘Neither our association with the Convention nor the limiting of our program to research will leave us vulnerable to surprise by an enemy who does not observe these rational restraints. Our intelligence community will continue to watch carefully the nature and extent of the biological programs of others.’

The Statement concludes: ‘These important decisions, which have been announced today, have been taken as an initiative toward peace. Mankind already carries in its own hands too many of the seeds of its own destruction. By the examples we set today, we hope to contribute to an atmosphere of peace and understanding between nations and among men.’

During remarks at the ceremony, the President notes that, up to this point, only Canada has indicated support for the UK Convention. *[\*when/how did Canada do this?\**]

Some time later NSDM 35 is declassified and published. It reads: ‘1. The term Chemical and Biological Warfare will no longer be used. the reference henceforth should be to the two categories separately — The Chemical Warfare Program and The Biological Research Program.

‘2. With respect to Chemical Warfare:

‘a. The objectives of the US program will be to deter the use of chemical weapons by other nations and to provide a retaliatory capability if deterrence fails.

‘b. The renunciation of the first use of lethal chemical weapons is reaffirmed.

‘c. This renunciation is hereby applied to incapacitating chemical weapons as well.

‘d. This renunciation does not apply to the use of riot control agents or herbicides. A special NSDM on authorization for their use will be issued.

A number of further sub-paragraphs of paragraph 2 remain classified, although details of one of these is published in a later article.[3] ‘e. The Administration will submit the Geneva Protocol of 1925...to the Senate for its advice and consent to ratification. An appropriate interpretative statement will be prepared by the Department of State ... to the effect that the United States does not consider that the Protocol prohibits the use of chemical herbicides or riot control agents, widely used domestically in war.’

The last sub-paragraph of 2 reads ‘i. The Under Secretaries Committee shall conduct an annual review of United States Chemical Warfare Programs and public information policy, and will make recommendations to the President.’

The memorandum provides some clarification on policy regarding biological incapacitants: ‘3. With respect to Bacteriological/Biological Programs:

‘a. The United States will renounce the use of lethal methods of bacteriological/biological warfare.

‘b. The United States will similarly renounce the use of all other methods of bacteriological/biological warfare (for example, incapacitating agents).’

Paragraph 3 continues with sub-paragraphs to give effect to other matters included in the President’s Statement, although 3g remains classified. Paragraph 3h, the final part of the Memorandum, reads: ‘The Under Secretaries Committee shall conduct an annual review of United States Bacteriological/Biological Research Programs and public information policy, and will make recommendations to the President.’

The recipient list for the Memorandum is: Vice-President; Secretary of State; Secretary of Defense; Director, Central Intelligence Agency; Director, Arms Control and Disarmament Agency; Director, Office of Emergency Preparedness; and Director, Office of Science and Technology; with a cc to Chairman, Joint Chiefs of Staff.

*[\*more/update?\**]

[1] *[\*source?\**]

[2] United States of America, National Security Council, National Security Decision Memorandum 35, Subject: United States Policy on Chemical Warfare Program and Bacteriological/Biological Research Program, 25 November 1969, originally marked ‘Top Secret/NODIS’ but declassified with deletion 19 September 1977.

[3] The language quoted here for paragraph 2e is from Dale van Atta, *The Investigator*, November 1981.

691126

**H 26 November 1969** [In London, Sir Solly Zuckerman, Chief Scientific Adviser to the British Government writes to the Prime Minister, Harold Wilson, about the legal interpretation of rules regarding the use of riot-control agents as a method of war — From Public Record Office file CAB164/789]

691128

**H 28 November 1969** [World Health Organization group of consultants submits to the UN Secretary-General a report on ‘Health Aspects of Chemical and Biological Weapons’ [see 20 December 1968].]

691202

**2 December 1969** In London, Defence Minister John Morris gives an assurance that anyone who complains of illness through working at the Chemical Defence Establishment at Nancekuke could have their case considered by an independent tribunal. The Minister gives this assurance to John Pardoe MP, the local Member of Parliament, at a meeting held at the Ministry of Defence. The Minister accepts the suggestion that an independent statistical analysis be carried out on patterns of illness and mortality among those who have worked at the site.[1]

[1] [no author listed], ‘Nerve gas pledge by Minister’, *Daily Telegraph* (London), 3 December 1969; [no author listed], ‘Promise on nerve gas’, *The Times* (London), 3 December 1969.

691203

**3 December 1969** In London, *The Times* publishes a letter[1] from one of the members of the British delegation to the negotiations that concluded the 1925 Geneva Protocol on the announcement by US President Nixon that he will ratify the Protocol, but will reserve the right to use CS gas, defoliants and herbicides [see 25 November]. Philip Noel-Baker, now a Labour MP, writes: ‘I was in Geneva while it was being drafted in 1925; everyone agreed that every kind of CB weapon must be abolished, and that the Protocol did that. They used to say “Perhaps some day a criminal lunatic will invent something that destroys animals and crops.” It seemed unthinkable wicked in 1925.’

He continues: ‘I helped to draft the British Government Memorandum which Lord (Robert) Cecil laid before the League Preparatory Commission on November 18, 1930. This reasserted that the Protocol forbade *all* chemical weapons, including tear gases. Only Mr Hugh-Gibson of the

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United States made objection. Throughout the Disarmament Conference of 1932-33 the Memorandum's view was accepted, and a little later, a new United States delegate, Mr Hugh R Wilson, endorsed the Memorandum and the Conference view. President Nixon's proposal is indubitably inconsistent with the Protocol.'

[1] Philip Noel-Baker, 'US reservation on chemical warfare', letter to the editor, *The Times* (London), 3 December 1969.

691209

**H 9 December 1969** [In London, the Secretary of State for Foreign and Commonwealth Affairs, Michael Stewart, presents a memorandum, OPD(69)65, to Cabinet entitled 'The Geneva Protocol and the Use of Riot Control Agents in War' — From Public Record Office file CAB164/789]

691211

**H 11 December 1969** [Leaking nerve gas necessitates the evacuation of the US Army's Chemical Warfare Test Center near Dugway, Utah — <http://www.workingforchange.com/article.cfm?ItemID=16074>]

691212

**Q 12 December 1969** The US Army trained 19 Iraqi military officers in the United States in offensive and defensive chemical, biological and radiological warfare from 1957 to 1967, so an official letter to Representative Robert Kastenmeier states.[1] The letter, from Army Chief of Legislative Liaison Col. Raymond Reid states that Iraqi officers took two types of courses: 'Chemical Officer Orientation' which provided general military education training such as map reading, weapons familiarization and also 'unconventional warfare' including 'principles of CBR [chemical, biological and radiological weapons] employment', 'conducting CBR training', 'calculation of chemical munitions requirements', intelligence organization and operations, and various CBR protective instruction; and 'Chemical Officer Career Associate' which included 'all categories of training'. Despite the small percentages of offensive instruction, the letter notes a difficulty in differentiating between offensive and defensive instruction: 'As you will note from the course descriptions, the emphasis is on defensive aspects. However, it is not possible to separate offensive tactics from defense since some knowledge of the offense is necessary to prepare an adequate defense', and continues: 'In addition, there can be no absolute guarantee that defensive tactics will not have some utility in framing offensive tactics'.

The letter prompts criticism from Kastenmeier: 'I am disturbed over some of the more specific implications of the facts provided me by the Army, and I question the overall utility of continuing to disseminate offensive expertise in these forms of warfare so widely', he says on the House floor later in December[\*get\*].

[1] David Ruppe, 'Army gave chem-bio warfare training to Iraqis', *Global Security Newswire*, 28 January 2003, [http://www.nti.org/d\\_newswire/issues/newswires/2003\\_1\\_28.html#1](http://www.nti.org/d_newswire/issues/newswires/2003_1_28.html#1) [\*move to IQ??\*] Article says letter published later in December in Congressional Record [\*get original — article says letter published later in December in Congressional Record\*]. ]

691216

**16 December 1969** The United Nations General Assembly adopts resolution 2603 A (XXIV) entitled 'The interpretation of the Geneva Protocol'. [1] The resolution includes the following text:

'Recalling that successive international instruments have prohibited or sought to prevent the use of such methods of warfare,

'Noting specifically in this regard:

'(a) That the majority of States then in existence adhered to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,

'(b) That since then further States have become Parties to that Protocol,

'(c) That yet other States have declared that they will abide by its principles and objectives,

'(d) That these principles and objectives have commanded broad respect in the practice of States,

'(e) That the General Assembly, without any dissenting vote, has called for the strict observance by all States of the principles and objectives of the Geneva Protocol

'Recognizing therefore, in the light of all the above circumstances, that the Geneva Protocol embodies the generally recognized rules of international law prohibiting the use in international armed conflicts of all biological and chemical methods of warfare, regardless of any technical developments, ...

'Declares as contrary to the generally recognised rules of international law, as embodied in the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925 the use in international armed conflict of: (a) any chemical agents of warfare — chemical substances, whether gaseous liquid, or solid — which might be employed because of their direct toxic effects on man, animals or plants; (b) any biological agents of warfare — living organisms, whatever their nature, or infective material derived from them — which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.'

Voting on the resolution is: 80 for, 3 against (Australia, Portugal, and USA), and 36 abstentions. The text of the resolution is based on the proposal contained in ENDC working paper ENDC/265 [see 26 August 1969].

[1] United Nations General Assembly resolution A/RES/2603 A (XXIV), 16 December 1969 [reproduced in *The Disarmament Negotiations 1969*, Cmnd 4399, July 1970, pp 158-59.]

691231

**31 December 1969** The US National Security Council issues National Security Study Memorandum 85, entitled: 'US Policy on Toxins'. [1]

The Memorandum reads: 'As a follow-up to National Security Study Memorandum 59 [see 28 May], and in light of the decisions set forth in National Security Decision Memorandum 35 [see 25 November], the President has directed a study of all aspects of United States policy and programs with respect to toxins.

'The review should consist of a presentation of current and alternative United States policies and programs with respect to toxins and the pros and cons of each. It should include discussion of research and development programs and objectives, production methods, current capabilities, the military utility of toxins, and the effects upon the United States international position.

'The President has directed that the NSC Interdepartmental Political-Military Group (IPMG) perform this study and that the addressees be included in the IPMG for purposes of this study.

'The report of the IPMG should be forwarded to the NSC Review Group by January 16, 1970.'

The recipient list for the Memorandum is: Secretary of State; Secretary of Defense; Director, Office of Science and

**Not for quotation or citation**

Technology; and Director, Arms Control and Disarmament Agency; with a cc to Director of Central Intelligence; and Chairman, Joint Chiefs of Staff. The study results in the adoption of a new National Security Decision Memorandum.[2]

[1] US National Security Council, 'US Policy on Toxins', National Security Study Memorandum (NSSM) 85, signed 31 December 1969 (declassified from 'Secret', 18 September 1975) [scanned image copy via National Security Archive website].

[2] US National Security Council, 'United States Policy on Toxins', National Security Decision Memorandum (NSDM) 44, signed 20 February 1970 (declassified from 'Secret', 18 September 1975) [scanned image copy via National Security Archive website].