

### III. Allegations of chemical and biological weapon programmes

JOHN HART

Allegations of activity related to chemical and biological weapons (CBW) continued in 2011 with little official or otherwise authoritative reporting to clarify these contentions.

A report written by a doctor for the World War II Japanese military, which was uncovered in October 2011 in 'a local office' of the National Diet Library in Kyoto Prefecture, states that 25 946 people were infected by the Japanese military's biological weapons during the 1937–45 Second Sino-Japanese War. The report states that the Imperial Japanese Army's Unit 731 released plague-infected fleas in six operations between 1940 and 1942 in several provinces including Jiangxi, Jilin and Zhejiang.<sup>1</sup>

#### North Korea

In May 2011 China voted not to allow the UN Security Council to release a report on sanctions on the Democratic People's Republic of Korea (DPRK, or North Korea) under Security Council Resolution 1874.<sup>2</sup> According to the leaked text of the report, North Korea is 'suspected to possess a large stockpile of chemical weapons, and of maintaining a biological weapons programme to independently cultivate and produce agents such as the bacteria of anthrax, smallpox and cholera since the 1980s'.<sup>3</sup> It also stated that 'it is broadly believed' that North Korea possesses 2500–5000 tonnes of chemical weapons, including phosgene, sarin, sulphur mustard, tabun, unspecified blood agents and other persistent organophosphorus nerve agents; and that North Korea has at least eight chemical weapon production facilities, including at the Chungsu and the Eunduk chemical plants.<sup>4</sup> An unnamed UN member state told the panel that the Second Economic Committee of the National Defence Commission (via its Fifth Machine Industry Bureau and the Second Academy of Natural Sciences) are 'believed to play leading roles in activities related to the production, import and export' of North

<sup>1</sup> 'Report shows Japanese Imperial Army used bioweapons during Sino War', Jiji Press, 15 Oct. 2011. For background see Harris, S., *Factories of Death: Japanese Biological Warfare, 1932–1945, and the American Cover-up*, revised edn (Routledge: London, 2002).

<sup>2</sup> Kan, S. A., *China and Proliferation of Weapons of Mass Destruction and Missiles: Policy Issues*, Congressional Research Service (CRS) Report for Congress RL31555 (US Congress: Washington, DC, 9 Nov. 2011), p. 29. See also chapter 8, section IV, and chapter 10, section III, in this volume.

<sup>3</sup> Panel of experts established pursuant to Resolution 1874 (2009), Report, para. 74. The leaked report is available at <<http://www.scribd.com/doc/55808872/UN-Panel-of-Experts-NORK-Report-May-2011>>. The report was partly informed by South Korean Ministry of National Defense (MND), *2010 Defense White Paper* (MND: Seoul, 2011).

<sup>4</sup> Panel of experts established pursuant to Resolution 1874 (note 3), para. 75.

Korea's CBW programme. The panel also stated that the Green Pine Associated Company is 'deeply engaged in the illicit procurement of chemical material and other specialty items abroad'.<sup>5</sup>

Additionally, in 2011 diplomats were quoted as saying that in 2009 Greece had seized almost 14 000 chemical protection suits from a North Korean ship that was possibly headed for Syria. The UN Security Council considered the information on the seizure during its deliberations on ongoing sanctions against North Korea in 2011.<sup>6</sup>

### **Iran and Libya**

The United States reportedly investigated whether Iran had supplied the Libyan regime of Muammar Gaddafi with 'hundreds of special artillery shells for chemical weapons that Libya kept secret for decades'. The suspected shells were filled with sulphur mustard and were those uncovered by Libyan rebel forces in late 2011 (see section II above).<sup>7</sup> The former Libyan regime had declared air bombs as the only chemical munitions in its stockpile.

Donald A. Mahley, a retired US Army colonel and State Department official who was involved in the discussions in 2003 between Libya, the United Kingdom and the USA on the modalities for Libya to verifiably renounce nuclear and chemical weapons and long-range ballistic missiles and who also served as head of the US delegation that negotiated a draft protocol to the Biological and Toxin Weapons Convention in the 1990s, stated that 'we will have to think very seriously about finding inspectors with a different skill set, and about more intelligence-sharing, and about looking widely, not just at declared sites'.<sup>8</sup>

The Iranian Ministry of Foreign Affairs denied that Iran had provided such shells and attributed motivation for the story to a form of 'soft warfare'.<sup>9</sup> The Organisation for the Prohibition of Chemical Weapons (OPCW) did not publicly react on the matter. The ability of the OPCW to verify locations outside declared facilities is partly dependent on the willingness of the parties to implement the 1993 Chemical Weapons Con-

<sup>5</sup> Panel of experts established pursuant to Resolution 1874 (note 3), para. 76.

<sup>6</sup> Agence France-Presse, 'Greece seizes N. Korea chemical weapons suits: diplomats', *Korea Herald*, 17 Nov. 2011.

<sup>7</sup> Smith, R. J., Warrick, J. and Lynch, C., 'Iran may have sent Libya shells for chemical weapons', *Washington Post*, 21 Nov. 2011. In Jan. 2012 an OPCW official erroneously stated that the shells were not filled. The OPCW subsequently issued a clarification to the effect that they were.

<sup>8</sup> See Hart, J. and Kile, S. N., 'Libya's renunciation of NBC weapons and longer-range missile programmes', *SIPRI Yearbook 2005*, pp. 629–48. For Mahley's remarks see Smith et al. (note 7).

<sup>9</sup> 'Iran denies claims of supplying chemical weapon parts to Al-Qadhafi regime', Islamic Republic of Iran News Network Television, 22 Nov. 2011, 9:33:05, Open Source Center transcript. The media does not appear to have addressed the question of whether the shells, whatever their origin, were empty when (or if) shipped to Libya.

vention's challenge inspection procedures (which have not been used).<sup>10</sup> The OPCW nevertheless continues to train to carry out such an inspection should one be requested.

## Syria

US intelligence services reportedly believe that Syria possesses sarin, VX and sulphur mustard, as well as missile and artillery shells for their delivery.<sup>11</sup> Anonymous current and former US officials have been cited as saying that Syria has 'at least five sites where it produces chemical-weapons agents, including mustard gas, Sarin and VX'.<sup>12</sup> The officials stated that these facilities are located in Aleppo, Damascus, Hamah and Lattakia, among other places, and that some chemical weapon production facilities are located at military sites that also store Scud missiles.<sup>13</sup> In response to the question of whether Syria possesses such weapons, the US Department of State stated:

We have long called on the Syrian Government to give up its chemical weapons arsenal and to join the Chemical Weapons Convention . . . we do believe that Syria's chemical stockpile remains under government control and that there is no change in the lockdown status of those weapons. Syria has a stockpile of nerve agent and some mustard gas, and we will continue to work closely with likeminded countries to ensure that there is no proliferation of that material.<sup>14</sup>

<sup>10</sup> See Chemical Weapons Convention, Article IX, paras 8–25; and Verification Annex, parts X–XI.

<sup>11</sup> Solomon, J., 'U.S., Israel monitor suspected Syrian WMD', *Wall Street Journal*, 27 Aug. 2011.

<sup>12</sup> Solomon (note 11).

<sup>13</sup> Solomon (note 11).

<sup>14</sup> US Department of State, 'Daily press briefing', 30 Aug. 2011, <<http://www.state.gov/r/pa/prs/dpb/2011/08/171281.htm>>.