

# THE CBW CHRONICLE

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*A periodic newsletter about international and domestic events related to  
the control and elimination of chemical and biological weapons*

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## **SOUTH AFRICA'S APARTHEID-ERA GERM WARFARE PROGRAM INVESTIGATED**

In October 1998, the South African Truth and Reconciliation Commission released a report containing startling revelations about human rights violations and abuses of power during the apartheid era. Amidst the 3,500 pages of testimony gathered over the course of the three-year long inquiry is a chapter on Project Coast, a clandestine chemical and biological warfare program conducted by the South African government during the 1980s and 1990s.

The Commission reached several disturbing conclusions about Project Coast. First, scientists were recruited from universities and research institutions based on their loyalty to the minority-rule regime in power at the time. Second, the program was essentially directed by a single person, Dr. Wouter Basson, a South African cardiologist now under arrest. Third, an intricate web of front companies masked the nature of the research being done, which the report described as "pedestrian, misdirected, ineffectual and unproductive." (See Box 1 on page 3 for elaboration on this point.) Finally, a certain degree of international support was critical to the development of Project Coast.

Initiated in 1983 ostensibly as a defensive research program for the South African Defense Forces, Project Coast produced equipment with legitimate defensive purposes, including masks and

protective suits. On paper the program fell under the control of the military surgeon-general, but in reality the project was headed by Basson, who came to be known as Dr. Death. Despite vehement assertions to the contrary, testimony showed that the program went well beyond a limited defensive capacity. According to key officials, Project Coast sponsored the production of chocolates laced with anthrax, umbrellas with poisoned tips, screwdrivers fitted with poison-filled cylinders, and clothing infused with lethal chemicals. Biological and

### **IN THIS ISSUE**

|   |    |
|---|----|
| South Africa's Apartheid-Era Germ Warfare Program Investigated .....  | 1  |
| Poisonous U.S. Legacy in Panama Coming to Light .....                 | 3  |
| The <i>Other</i> U.S. Chemical Weapons Disposal Program .....         | 5  |
| U.S. Bureaucracy Reorganizes to Grapple With Chem/Bio Terrorism ..... | 7  |
| Chemical Weapons Convention Update .....                              | 10 |
| 1999: Year of the BWC Protocol? .....                                 | 11 |
| Editor's Note .....   | 12 |

chemical agents were developed to make attacks appear to be the result of natural causes, thereby leaving behind no trace or suspicion of foul play. Other apparently un-executed ideas included research into drugs to render black women infertile and a plan to gradually poison South African's first post-apartheid president, Nelson Mandela, while he was still imprisoned for anti-apartheid activities.

The program was dismantled in 1993 just before the transfer of power in South Africa. The front companies, shown in Figure 1, were privatized and materials involved reportedly dumped at sea. Basson left government when Project Coast ended, moving into a position within one of the former front companies, Delta G Scientific, and serving as a consultant to other multinational firms. By October 1995, he had returned to work for Mandela's South African government.

The Commission's investigation of Project Coast accelerated after Basson was arrested in January 1997. Following a tip from the Central Intelligence Agency, Basson was taken into custody for attempting to sell undercover police 1,000 Ecstasy tablets worth an estimated \$20,000. After his arrest, authorities seized four trunks of documents related to the program from Basson's residence, a cache of information that suggested the tentacles of Project Coast stretched deep into the government. Basson, charged with obstruction of justice, conspiracy to murder, and fraud, is awaiting trial in South Africa.

In addition to documentary evidence, in June 1998, key figures involved with Project Coast appeared before the Commission, including: Dr. Jan Lourens, a bioengineer with the military-sponsored Roodeplaat Research Laboratory assigned to build some of the agent delivery devices; former Surgeon-General Niel Knobel, ostensibly the head of Project Coast; and Dr. Schalk van Rensburg, once the director of Roodeplaat. Although their high-ranking titles suggest that these individuals had a certain degree of decision-making latitude within Project Coast, they were in fact kept in the dark about the

**Figure 1: Project Coast's 3 Key Laboratories.**



program's scope and goals. Intimidation and threats were used to retain Project Coast personnel even after they began to piece together the program's true purpose. In testimony, Lourens confirmed the involvement of the security services in assassination attempts of key anti-apartheid leaders, and van Rensburg spoke to the development of the compounds that left no fingerprints.

Basson, according to July 1998 statements, oversaw the demise of Project Coast, disposing of the agents themselves and securing the classified materials on thirteen optical computer disks, which were to be stored in a limited-access safe. However, the sheer volume of classified materials found at Basson's home arouses significant worries about the possibility that Project Coast's secrets might have been shared with states or groups of proliferation concern, as international press stories have suggested. For example, the *New York Times* reported that Libya tried to hire Basson in 1994 for his germ warfare expertise.

For months, Basson maneuvered legally to avoid testifying before the Commission, which subpoenaed him in 1997. Basson, who argued that any testimony

### Box 1: The Commission's Assessment of Project Coast.

“Inevitably, the [chemical and biological weapons] program achieved little of value or common good. . . .Tens, even hundreds, of millions of rands were squandered on ideas that had no scientific validity. At best, the programme succeeded in producing for manufacture analogues of CR and BZ incapacitants, and in making local arrangements for protective clothing for troops against mass chemical and biological attack. At worst, the programme had criminal intent.” — “Special Investigation into Project Coast: South Africa’s Chemical and Biological Warfare Program,” in *The Truth and Reconciliation Commission Final Report*, (Pretoria: 29 October 1998), Vol. 2, Chapter 6, paragraph 49.

before the Commission would compromise his case in his criminal trial, finally appeared before the Commission on its last day of public testimony, 31 July 1998. Tight-lipped, Basson portrayed himself as a loyal patriot of South Africa who had done nothing illegal. He denied involvement in any murders; the existence of any Project Coast research to influence the fertility of any race; and association with any effort to develop poisonous substances for the purpose of killing anyone.

Questions have also been raised about the extent of foreign involvement in the South African chemical and biological weapons program. Basson traveled abroad extensively, touching down in Taiwan, Israel, and Croatia. In 1983, he attended a Texas conference on chemical and biological warfare where he came in contact with U.S., German, Japanese, British, and Canadian army officers. Given Soviet influence in the region at that time, Western offers of technical military assistance and advice to South Africa were part of Cold War strategy and politics.

The discovery of Project Coast has other international implications, as South Africa is a member in biological and chemical arms control regimes. Having ratified the Biological and Toxin Weapons Convention and the Chemical Weapons Convention in November 1975 and September 1995, respectively, Pretoria has a keen interest in assuaging the concerns of the international community that have arisen in the wake of these

revelations. Under the chemical weapons treaty, South Africa has made no declaration of a chemical weapons program, past or present, to the international inspection agency in The Hague.

South Africa remains in the awkward position of being expected to take responsibility for an illicit weapons program targeted primarily at prominent members of the current government. Moreover, doubts have also been voiced as to whether the Commission’s investigation revealed the entire truth about Project Coast.

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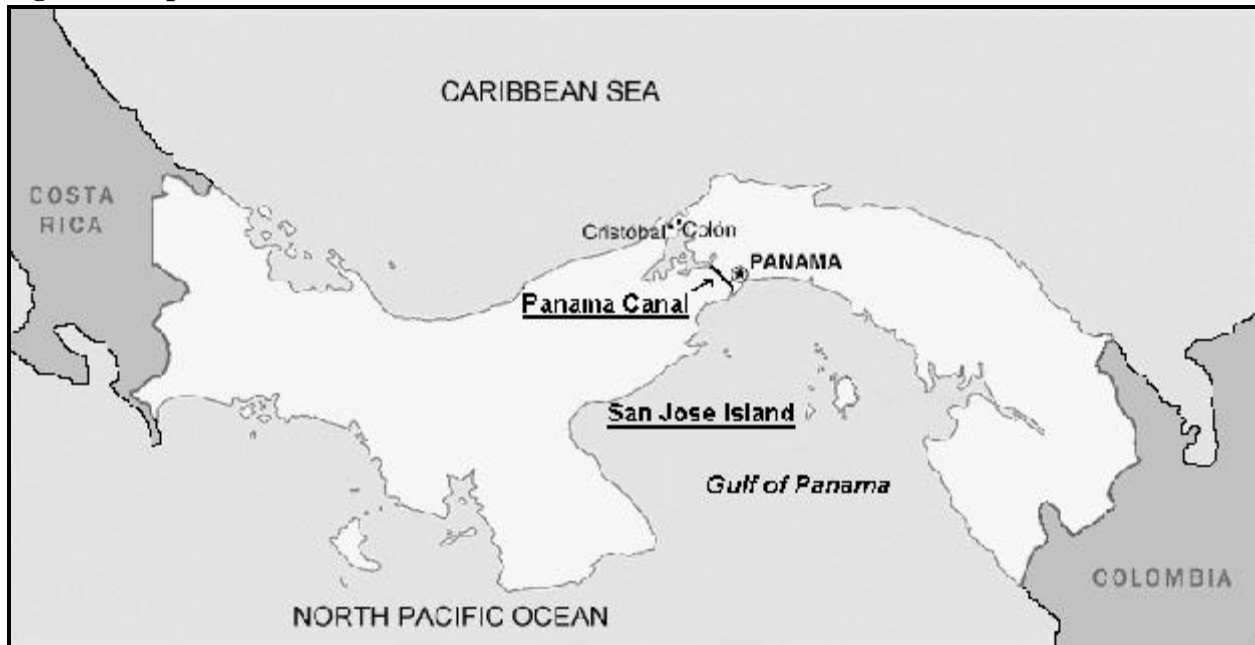
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### POISONOUS U.S. LEGACY IN PANAMA COMING TO LIGHT

As the turn-of-the-century deadline approaches for completing the handover of all lands now controlled by U.S. military forces in Panama to local authorities, Washington is coming under increasing pressure to ensure that it leaves this territory in safe and habitable condition. A requirement of the 1977 Panama Canal Treaties, this pending land exchange is fanning a rift as the United States and Panama struggle to determine where responsibility lies for cleaning up after an extensive U.S. chemical weapons and explosives testing program in Panama.

A July 1998 report from the Fellowship of Reconciliation’s Task Force on Latin America and the Caribbean details the history of U.S. chemical

**Figure 2: Map of Panama.**



weapons activities in Panama and the current cleanup debate. This study urges the U.S. military to share all relevant information on chemical munitions sites in Panama with the local authorities and to supply the necessary cleanup resources, but the Pentagon has not been forthcoming with details about its activities in this Central American country of 2.7 million.

The once-secret U.S. chemical warfare program in Panama dates back to the 1930s, when the Pentagon viewed chemical weapons as part of an overall defense strategy for the canal zone. In view of the Pacific island campaign of World War II, in the 1940s the U.S. military sought an uninhabited tropical area in which to conduct tests to analyze the behavior and effectiveness of chemical agents in tropical climates, eventually selecting San Jose Island in the Gulf of Panama. (See Figure 2.) From 1944 to 1947, the Pentagon bombarded target areas on the island over 130 times, dropping munitions and firing mortars filled with live chemical agents. The early tests involved mustard gas, phosgene, and cyanogen chloride, but by the 1960s

nerve agents (e.g., VX and sarin) were being used.

The Fellowship of Reconciliation estimates that over 3,000 unexploded chemical munitions are hidden in the jungle terrain of San Jose Island alone, not to mention other areas of Panama in which U.S. forces buried or abandoned chemical munitions. The controversy over these unexploded U.S. munitions has grown in recent years as charges of a Defense Department cover-up have surfaced. Most notably, Rick Stauber, a U.S. expert on bomb disposal originally under Pentagon contract to study the Panamanian situation, reports that the Pentagon removed him from the project when he found evidence of a substantial U.S. chemical weapons testing program as well as a sizeable number of unexploded ordnance. Subsequently, Stauber has helped the Panamanian government reconstruct the history of U.S. chemical weapons activities since the 1940s.

While conceding that unexploded U.S. chemical bombs may well still exist in Panama, particularly on San Jose Island, the Pentagon has not launched any meaningful effort to identify the number and location

of such munitions, stating that much of the territory in question is under Panama's sovereign control. In addition, U.S. military officials underscore that the Panama Canal Treaties require that hazards to humans and the environment be removed inasmuch as it is *practicable*. With the dense jungle and the large number of ordnance dropped, finding and removing all of these weapons without jeopardizing the environment is a feat that the Pentagon deems technically unfeasible, not to mention the enormous expense of such a recovery effort.

The unexploded ordnance might not be so problematic if these lands remained isolated and unpopulated. However, urban growth is on the rise in Panama, and local residents are eager to reclaim the thousands of acres until now under American military control. As people move into these pockets of land, they could stumble upon hidden weapons. The Panamanian government asserts that already more than 20 people have died from accidental detonation of U.S. conventional — not chemical — munitions when they have encroached on areas marked as off-limits to the general public.

Additional complications arise from the requirements of another treaty, the Chemical Weapons Convention. Under the terms of this poison gas ban, countries are required to declare any chemical weapons that they dumped at sea after 1 January 1985 or buried on the territory of another state after 1 January 1977. Declarations are not required for chemical weapons abandoned prior to those dates, provided they remain buried. The U.S. declaration filed in May 1997 reportedly made no mention of chemical munitions abandoned in Panama or in any other country. Although Washington acknowledges a responsibility to clean up environmental damage to Panamanian territory as a result of its military presence there, it sees those obligations as an outgrowth of the Panama Canal Treaties rather than the Chemical Weapons Convention. The United States argues that only lands in the former canal zone are subject to clean-

up requirements, not all of Panama as the Convention would require.

Panama, which ratified the Convention on 7 October 1998, is obligated under the treaty to report abandoned chemical weapons known to be buried on its territory. The possibility that Panama will declare abandoned chemical weapons on its territory, identifying the United States as the responsible party, could formally bring a thorny bilateral dispute to the attention of the international community.

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### **THE *OTHER* U.S. CHEMICAL WEAPONS DISPOSAL PROGRAM**

The elimination of the U.S. chemical arsenal is well underway. With two facilities operating at Johnston Atoll in the South Pacific and Tooele, Utah, the Army destroyed over 4,000 tons of chemical agent by 3 January 1999. That amount represents almost 13 percent of the total chemical weapons stockpile. (For more detail, see Table 1.) Although many Americans have heard about this stockpile destruction effort, the Army's Program Manager for Chemical Demilitarization must also oversee disposal of an entirely separate category of chemical weapons materiel, an effort largely unknown to the general public.

At an estimated cost of nearly \$16 billion, the *non*-stockpile disposal program is charged with five missions. First, the Army must address binary chemical weapons — munitions wherein the two chemicals are stored separately but mixed just prior to release to produce a lethal chemical agent. The binary arsenal is comprised primarily of M687 155mm projectiles, most of which have been stored at Oregon's Umatilla Chemical Depot since 1991. These munitions consist of a projectile and an M21 canister filled with an isopropyl alcohol mixture. Canisters filled with a second chemical are stored at

**Table 1: Status of U.S. Chemical Weapons Destruction (through 3 January 1999).**

| <b>Destruction Facility</b> | <b>Tonnage Destroyed</b> | <b>Percent of Original Tonnage Destroyed</b> | <b>Total Number of Munitions and Bulk Containers Destroyed</b> | <b>Percent of Original Munitions Destroyed</b> |
|-----------------------------|--------------------------|--|--|--|
| Johnston Atoll              | 1,557                    | 76.70%                                       | 307,073  | 74.42%   |
| Tooele, Utah                | 2,504                    | 18.39%                                       | 73,651   | 6.47%  |
| <b>TOTAL</b>                | <b>4,061</b>             | <b>12.89%</b>                                | <b>380,724</b>   | <b>11.06%</b>                                  |

Source: U.S. Army Program Manager for Chemical Demilitarization, Public Outreach and Information Office

a separate facility in Arkansas. As of 6 January 1999, some 202,000 M687 projectiles had been destroyed at a recycling facility at Nevada's Hawthorne Army Depot, in compliance with an April 1999 Chemical Weapons Convention deadline. The remaining 57,000 M687s will be destroyed no later than 2007, ten years after the entry into force of the Convention.

A second element of the non-stockpile program is the dismantling of former chemical weapons production facilities in Arkansas, Indiana, and Maryland. Demilitarization is either in the planning stages or underway at each of the sites. For instance, demolition of the VX production facility in Newport, Indiana, began in August 1998. The first piece of specialized production equipment from this facility is slated to be destroyed in mid-January 1999. This eight-year project is expected to cost nearly \$75 million.

Miscellaneous chemical warfare materiel is the third category of the non-stockpile inventory and consists mainly of empty ton containers previously used to store chemical agents, components filled with inert material, various metal parts, and chemical samples. Fourth, recovered chemical materiel unearthed during range clearing operations also falls under the jurisdiction of the non-stockpile program. At the moment, recovered range munitions represent a small amount of agent – just a few hundred tons –

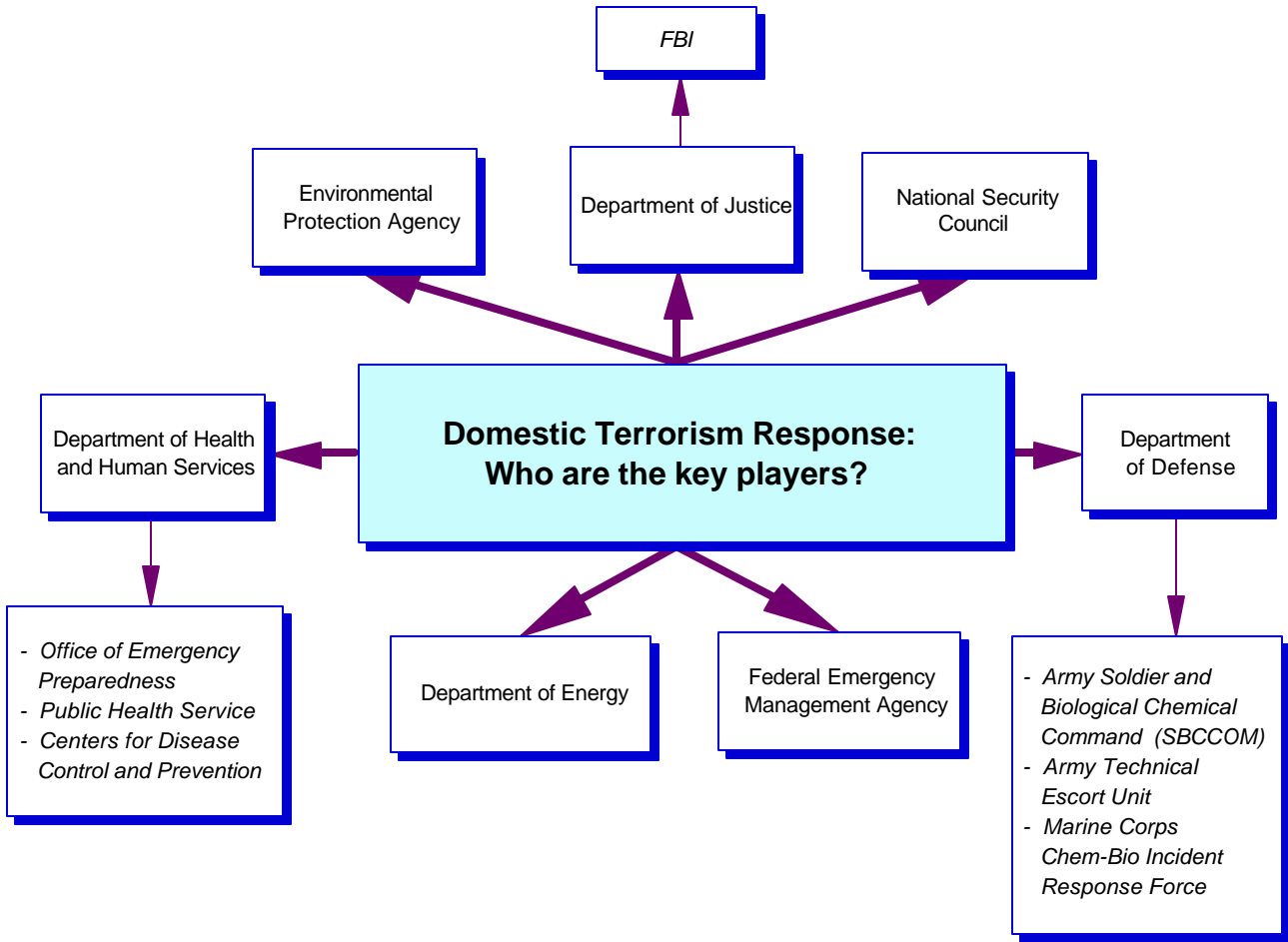
although that figure is sure to increase as more buried weapons are discovered.

Buried chemical materiel, the final leg of the non-stockpile mission, is causing the greatest concern. A logistically complicated effort, the Army must not only find the burial areas, but also determine the nature of the materiel buried there and identify the safest possible method of extracting it. One General Accounting Office report estimated that the buried chemical materiel mission would eat up 95 percent of the total non-stockpile program budget. Figure 3 shows the states wherein over 60 chemical warfare materiel sites have been identified. These sites include test ranges with dud or possibly live munitions and deliberate burial sites dating back to the 1950s, when burial was the accepted disposal method. So extensive is the buried chemical weapons conundrum that the Army estimates it will not be resolved until the year 2033.

One of the most vexing problems is the buried Chemical Agent Identification Sets, widely used by the Army until 1969 to train personnel in the proper methods of handling, identifying, and decontaminating chemical agents. These kits hold glass vials and bottles containing chemical agents, including phosgene, mustard, cyanogen chloride, and chloropicrin. Approximately 110,000 of them were produced, but only a fraction of that number has been recovered.



**Figure 4: Some Important Federal Actors Responding to a Domestic Chem/Bio Terrorist Incident.**



Investigation (FBI), is tasked with providing overall coordination to the ongoing drive to prepare America to cope with terrorist attacks using unconventional weapons.

Established in the 1997 Defense Authorization Bill, the Defense Department was originally charged with leading the Domestic Preparedness Program.

Also sometimes referred to by the names of its three principal legislative sponsors — Senators Sam Nunn (D–Georgia, ret.), Richard Lugar (R–Indiana), and Pete Domenici (R–New Mexico) — the Domestic Preparedness Program calls for technical training of local “first responders” to enable them to react appropriately to a nuclear, biological, or chemical attack. Thus, policemen, fire fighters, and medical

personnel in the 120 largest U.S. cities are to receive training from specialists knowledgeable in the dangers and effects of these weapons. In addition, five other federal agencies were tagged for supportive roles: the Federal Emergency Management Agency (FEMA), the Environmental Protection Agency, and the Departments of Energy, Justice, and Health and Human Services. (Figure 4 outlines the conglomeration of federal actors involved.) To date, approximately one-third of the training courses have taken place.

The General Accounting Office (GAO) recently critiqued the guidelines used to determine the locations picked to receive Domestic Preparedness Program training: Population was the critical criterion for inclusion in the program, which meant

that 12 states without sufficient population concentrations did not qualify at all. This approach also resulted in a clustering of program cities, with 37 percent of the selected cities within 30 miles of another site receiving training. California and Texas alone contain 25 percent of the selected cities. To further complicate matters, no analysis was undertaken to examine whether all the selected cities are at risk of a terrorist attack or whether some metropolitan areas face a sizeable terrorist risk but fail to clear the population hurdle.

The GAO also pointed to the program's lack of coordination among participating federal agencies, circumstances that forced local officials to seek advice and assistance from over a dozen separate federal offices. In contrast, the National Domestic Preparedness Office is supposed to provide local authorities centralized access to financial assistance for the acquisition of special equipment, training courses, and technical assistance pertaining to terrorist incidents. The intent behind this office, observed Richard Clarke, who in May 1998 began coordinating federal terrorism policy from the Office of the National Coordinator for Security, Infrastructure Protection and Counterterrorism in the National Security Council, is to give state and local personnel "one-stop shopping."

One of the benefits of vesting these responsibilities with the Department of Justice is that it allows the federal government to capitalize on already existing relationships between Justice

personnel and state and local officials. Also, the shift to a Justice lead extracts the Pentagon from the uncomfortable tension with its Constitutional limits regarding the domestic activities in which it can participate. The military is prohibited from engaging in domestic law enforcement activities by the Posse Comitatus Act of 1878.

The March 1995 release of sarin in a Tokyo subway has prompted the nation's leaders, including President Bill Clinton, to assign greater priority and visibility to unconventional terrorist threats. Signed by Clinton in June 1995, Presidential Decision Directive 39 designates the FBI to head crisis management — the immediate law enforcement actions taken to contain and assess the threat and develop an ensuing criminal case. The decontamination of the area and general maintenance of public health and safety, known as consequence management, are in FEMA's hands. Depending on the nature of the attack, the FBI and FEMA can call upon other national assets, such as the Army's Technical Escort Unit, the Marine Corps' Chemical and Biological Incident Response Force, and the Public Health Services' National Medical Response Teams. The National Guard also recently established ten Rapid Assessment and Initial Detection Teams each with 22 full-time personnel that are theoretically capable of deploying to the scene of an attack within four hours.

Quantitative evidence of the growing domestic terrorist threat was made public in October 1998

### **Box 2: Recent Anthrax Hoaxes.**

- < Southern California (December 1998/January 1999): Series of more than 20 threats received at locations including courthouses, a department store, a nightclub, and a high school.
- < Fort Worth, Texas (December 1998): Vial labeled as anthrax found in U.S. Postal Service mail center employing 1,800 people.
- < Indianapolis, Indiana (November 1998): Letters claiming to be laced with anthrax received at abortion clinics. Similar letters received at clinics in Tennessee, Kansas and Kentucky. Letter threats also prompted evacuations at an Indianapolis elementary school and a church in Rochester, New York.

## CHEMICAL WEAPONS CONVENTION UPDATE

|  | <i>Number of<br/>Inspection<br/>s</i> | <i>Number of<br/>Sites</i> |
|--|---------------------------------------|----------------------------|
| <i>COMPLETED INSPECTIONS</i>           |                                       |                            |
| Abandoned chemical weapons sites       | 9                                     | 9                          |
| Chemical weapon destruction facilities | 78                                    | 10                         |
| Chemical weapon production facilities  | 92                                    | 61                         |
| Chemical weapon storage facilities     | 57                                    | 33                         |
| Old chemical weapons facilities        | 19                                    | 19                         |
| Schedule 1 facilities                  | 37                                    | 25                         |
| Schedule 2 facilities                  | 72                                    | 72                         |
| Schedule 3 facilities                  | 13                                    | 13                         |
| <b>Subtotal</b>                        | 377                                   | 242                        |
| <i>ONGOING INSPECTIONS</i>             |                                       |                            |
| Chemical weapon destruction facilities | 6                                     | 3                          |
| Chemical weapon production facilities  | 3                                     | 3                          |
| <b>Subtotal</b>                        | 9                                     | 6                          |
| <b>Total</b>                           | <b>386</b>                            | <b>248</b>                 |

The Chemical Weapons Convention now has 121 members, gaining a 20 percent boost in adherents in one year. Inspections under the treaty have accelerated in recent months, with 28 States Parties having been inspected through December 1998, requiring over 24,000 inspector days in the field. Ten chemical weapons production facilities have been certified as completely destroyed, with an additional 10 to 12 expected to receive similar status during 1999. By December 1998, some 40 member states had enacted implementing legislation as well, including the United States. In October of last year, the U.S. Congress passed the Chemical Weapons Convention Implementation Act as part of the Omnibus Appropriations Bill.

Source: Technical Secretariat of the Organization for the Prohibition of Chemical Weapons (18 December 1998).

testimony before the Subcommittee on National Security, International Affairs, and Criminal Justice of the House Government Reform and Oversight Committee. Robert Blitzer, manager at that time of the FBI's domestic terrorism and counterterrorism planning unit, said that in 1997 the FBI initiated 68 investigations into the use or threatened use of weapons of mass destruction. Through the first nine months of 1998, Blitzer noted that the FBI launched

86 similar investigations. As Box 2 shows, a series of anthrax threats — all apparently hoaxes — attracted national media attention in the latter half of 1998. Not surprisingly, this burgeoning threat has been met with a parallel expansion in program initiatives within the U.S. government. Since no single federal or local agency is capable of coping with all of the consequences of a chemical or biological terrorist strike, an unprecedented degree

of coordination among law enforcement, emergency response, military, and public health players at various levels is required. While it is easy to draw a line between crisis and consequence management on paper, in reality these efforts will take place concurrently. Thus, tremendous room for confusion at the scene of an incident exists.

In spite of its glitches, experts agree that the Nunn-Lugar-Domenici program has gotten the federal government and its local counterparts moving in the right direction. This program recognizes the critical role that first responders would play in the aftermath of an unconventional terrorist attack and the valuable technical assets that the federal level has to offer state and local officials. The Domestic Preparedness Program has also begun to open important lines of communication. Ultimately, the degree to which America will be able to respond decisively to a domestic terrorist attack involving chemical or biological weapons will rely directly on these relationships.

Over 40 federal agencies are involved in the counterterrorism campaign, a complicated web of relationships that until recently had little oversight. Only time will tell whether these latest streamlining and coordination efforts can reduce duplication and enable federal, state, and local police and emergency, medical, and military personnel to mount a prompt, effective response should the unthinkable occur.



### **1999: YEAR OF THE BWC PROTOCOL?**

A new round of negotiations for a verification protocol to the 1972 Biological and Toxin Weapons Convention (BWC) opened on 4 January 1999 in Geneva. Scheduled to run through 22 January, this first meeting of the year for the BWC Ad Hoc Group of the Conference on Disarmament faces a formidable challenge if an agreement is to be

concluded prior to the next BWC Review Conference in 2001.

The Ad Hoc Group, created in 1994 to consider possible ways of strengthening the BWC, was called upon at the Fourth Review Conference in 1996 to complete a verification protocol within five years. However, even with the additional four negotiating sessions planned for 1999, negotiators will be hard pressed to iron out the details of an agreement. (Refer to Box 3 for the 1999 BWC Ad Hoc Group negotiating schedule.) Prior to the 2001 BWC Review Conference, a special conference must first be convened to consider the agreement. Therefore, the Ad Hoc Group realistically must complete the bulk of its work by the end of this year in order to allow home governments sufficient time to examine the final protocol text before the special session. Some officials are hopeful that a protocol can be concluded within this tight time frame, while others remain skeptical.

A number of outstanding issues remain. Rolling text, first unveiled in June 1997, has since expanded and remains filled with thousands of brackets of language yet to be agreed upon by participating states. Sticking points linger on a wide spectrum of issues, including declaration triggers, definitions of the scope of the protocol, and the types of inspections to be incorporated into an on-site inspection regime. In addition, some developing countries are making their support of an agreement contingent upon improved technical cooperation and exchanges under Article X of the treaty, as well as a loosening of export controls on dual-use technologies.

#### **Box 3: Ad Hoc Group Meetings in 1999.**

|                           |
|---------------------------|
| 4 January - 22 January    |
| 29 March - 9 April        |
| 28 June - 23 July         |
| 13 September - 8 October  |
| 22 November - 10 December |

In a speech at the October 1998 Ad Hoc Group meeting, John Holum, the Acting Under Secretary of State for Arms Control and International Security Affairs, urged parties to redouble their efforts this year, saying, "1999 should be the year of the BWC Protocol." Negotiators will have to march swiftly through a full agenda and a tight schedule to achieve that goal.

### EDITOR'S NOTE

Some things are quite predictable. Every night brings a new day; every December 31<sup>st</sup> another year. In a similar vein, one could confidently project that *at some point* after the Senate ratified the Chemical Weapons Convention on 24 April 1997, Congress would pass legislation to implement this accord. Indeed, President Bill Clinton signed implementing legislation into law the very day that Congress finished voting upon it, 21 October 1998. Why, then, has the Clinton Administration yet to publish the regulations stemming from this legislation?

Since Congress acted later rather than sooner, government officials benefitted from almost 1 ½ years to draft regulations and straighten out any difficulties associated with their publication. Yet, a bureaucratic Keystone Cops act occurred in the final quarter of 1998, with one agency differing from another about details of the regulatory publication process. The U.S. chemical industry, which reportedly has vetted the draft regulations, could do little save wait for their reporting and inspection requirements under the treaty to be promulgated.

Internationally, this situation has created still another in a series of embarrassments Washington has suffered pertaining to the Convention. This avoidable delay will apparently render the U.S. government incapable of filing an industry declaration until the Fall of 1999, longer if the situation is not promptly remedied. Hence, the United States, which was tardy in ratifying the Convention and passing implementing legislation, will remain in violation of the treaty perhaps even at the turn of the century.

### About the Newsletter, the Stimson Center, and Its CBW Programming

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The Henry L. Stimson Center was founded in 1989 as a non-profit, nonpartisan institution devoted to public policy research. The Stimson Center concentrates on particularly difficult national and international security issues where policy, technology, and politics intersect.

For more information about the project, see the web site at [www.stimson.org](http://www.stimson.org) or contact Amy Smithson or Leslie-Anne Levy.

11 Dupont Circle, N.W. Ninth Floor Washington, DC 20036 tel: 202/223-5956 fax: 202/238-9604

