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The U.S. and Chemical Weapons: No Leg to Stand On

The United States is in no position to take leadership in response to any use of such weaponry by Syria

If, as alleged, the Syrian regime has used chemical weapons, it would indeed be a serious development, constituting a breach of the Geneva Protocol of 1925, one of the world's most important disarmament treaties, which banned the use of chemical weapons.



In 1993, the international community came together to ratify the Chemical Weapons Convention, a binding international treaty that would also prohibit the development, production, acquisition, stockpiling, retention, and transfer or use of chemical weapons. Syria is one of only eight of the world's 193 countries not party to the convention.

However, U.S. policy regarding chemical weapons has been so inconsistent and politicized that the United States is in no position to take leadership in response to any use of such weaponry by Syria.

The controversy over Syria's chemical weapons stockpiles is not new. Both the Bush administration and Congress, in the 2003 Syria Accountability Act, raised the issue of Syria's chemical weapons stockpiles, specifically Syria's refusal to ratify the Chemical Weapons Convention. The failure of Syria to end its chemical weapons program was deemed sufficient grounds by a large bipartisan majority of Congress to impose strict sanctions on that country. Syria rejected such calls for unilateral disarmament on the grounds that it was not the only country in the region that had failed to sign the CWC—nor was it the first country in the region to develop chemical weapons, nor did it have the largest chemical weapons arsenal in the region.

Indeed, neither Israel nor Egypt, the world's two largest recipients of U.S. military aid, is a party to the convention either. Never has Congress or any administration of either party called on Israel or Egypt to disarm their chemical weapons arsenals, much less threatened sanctions for having failed to do so. U.S. policy, therefore, appears to be that while it is legitimate for its allies Israel and Egypt to refuse to ratify this important arms control convention, Syria needed to be singled out for punishment for its refusal.

The first country in the Middle East to obtain and use chemical weapons was Egypt, which used phosgene and mustard gas in the mid-1960s during its intervention in Yemen's civil war. There is no indication Egypt has ever destroyed any of its chemical agents or weapons. The U.S.-backed Mubarak regime continued its chemical weapons research and development program until its ouster in a popular uprising two years ago, and the program is believed to have continued subsequently.

Israel is widely believed to have produced and stockpiled an extensive range of chemical weapons and is engaged in ongoing research and development of additional chemical weaponry. (Israel is also believed to

maintain a sophisticated biological weapons program, which is widely thought to include anthrax and more advanced weaponized agents and other toxins, as well as a sizable nuclear weapons arsenal with sophisticated delivery systems.) For more than 45 years, the Syrians have witnessed successive U.S. administrations provide massive amounts of armaments to a neighboring country with a vastly superior military capability which has invaded, occupied, and colonized Syria's Golan province in the southwest. In 2007, [the United States successfully pressured Israel](#) to reject peace overtures from the Syrian government in which the Syrians offered to recognize Israel and agree to strict security guarantees in return for a complete Israeli withdrawal from occupied Syrian territory.

The U.S. position that Syria must unilaterally give up its chemical weapons and missiles while allowing a powerful and hostile neighbor to maintain and expand its sizable arsenal of nuclear, chemical, and biological weapons is simply unreasonable. No country, whether autocratic or democratic, could be expected to accept such conditions.

This is part of a longstanding pattern of hostility by the United States towards international efforts to eliminate chemical weapons through a universal disarmament regime. Instead, Washington uses the alleged threat from chemical weapons as an excuse to target specific countries whose governments are seen as hostile to U.S. political and economic interests.

One of the most effective instruments for international arms control in recent years has been the Organization for the Prohibition of Chemical Weapons (OPCW), which enforces the Chemical Weapons Convention by inspecting laboratories, factories, and arsenals, and oversees the destruction of chemical weapons. The organization's most successful director general, first elected in 1997, was the Brazilian diplomat Jose Bustani, praised by the *Guardian* newspaper as a "workaholic" who has "done more in the past five years to promote world peace than anyone." Under his strong leadership, the number of signatories of the treaty grew from 87 to 145 nations, the fastest growth rate of any international organization in recent decades, and – during this same period – his inspectors oversaw the destruction of 2 million chemical weapons and two-thirds of the world's chemical weapons facilities. Bustani was re-elected unanimously in May 2000 for a five-year term and was complimented by Secretary of State Colin Powell for his "very impressive" work.

However, by 2002, the United States began raising objections to Bustani's insistence that the OPCW inspect U.S. chemical weapons facilities with the same vigor it does for other signatories. More critically, the United States was concerned about Bustani's efforts to get Iraq to sign the convention and open their facilities to surprise inspections as is done with other signatories. If Iraq did so, and the OPCW failed to locate evidence of chemical weapons that Washington claimed Saddam Hussein's regime possessed, it would severely weaken American claims that Iraq was developing chemical weapons. U.S. efforts to remove Bustani by forcing a recall by the Brazilian government failed, as did a U.S.-sponsored vote of no confidence at the United Nations in March. That April, the United States began putting enormous pressure on some of the UN's weaker countries to support its campaign to oust Bustani and threatened to withhold the United States' financial contribution to the OPCW, which constituted more than 20 percent of its entire budget. Figuring it was better to get rid of its leader than risk the viability of the whole organization, a majority of nations, brought together in an unprecedented special session called by the United States, voted to remove Bustani.

The Case of Iraq

The first country to allegedly use chemical weapons in the Middle East was Great Britain in 1920, as part of its efforts to put down a rebellion by Iraqi tribesmen when British forces seized the country following the collapse of the Ottoman Empire. [According to Winston Churchill](#), who then held the position of Britain's Secretary of

State for War and Air, “I do not understand this squeamishness about the use of gas. I am strongly in favour of using poisonous gas against uncivilised tribes.”

It was the Iraqi regime of Saddam Hussein, during the Iran-Iraq War in the 1980s, that used chemical weapons on a scale far greater than any country had dared since the weapons were banned nearly 90 years ago. The Iraqis inflicted close to 100,000 casualties among Iranian soldiers using banned chemical agents, resulting in 20,000 deaths and tens of thousands of long-term injuries.

They were unable to do this alone, however. Despite ongoing Iraqi support for Abu Nidal and other terrorist groups during the 1980s, the Reagan administration removed Iraq from the State Department’s list of state sponsors of terrorism in order to provide the regime with thiodiglycol, a key component in the manufacture of mustard gas, and other chemical precursors for their weapons program. Walter Lang, a senior official with the U.S. Defense Intelligence Agency, [noted](#) how “the use of gas on the battlefield by the Iraqis was not a matter of deep strategic concern” to President Reagan and other administration officials since they “were desperate to make sure that Iraq did not lose.” Lang noted that the DIA believed Iraq’s use of chemical was “seen as inevitable in the Iraqi struggle for survival.” In fact, DIA personnel were dispatched to Baghdad during the war to provide Saddam Hussein’s regime with U.S. satellite data on the location of Iranian troop concentrations in the full knowledge that the Iraqis were using chemical weapons against them.

Even the Iraqi regime’s use of chemical weapons against civilians was not seen as particularly problematic. The March 1988 massacre in the northern Iraqi city of Halabja, where Saddam’s forces murdered up to 5,000 Kurdish civilians with chemical weapons, was downplayed by the Reagan administration, with some officials even falsely claiming that Iran was actually responsible. The United States continued sending aid to Iraq even after the regime’s use of poison gas was confirmed.

When a 1988 Senate Foreign Relations committee staff report brought to light Saddam’s policy of widespread extermination in Iraqi Kurdistan, Senator Claiborne Pell introduced the Prevention

of Genocide Act to put pressure on the Iraqi regime, but the Bush administration successfully moved to have the measure killed. This came despite evidence emerging from UN reports in 1986 and 1987, prior to the Halabja tragedy, documenting Iraq’s use of chemical weapons against Kurdish civilians—allegations that were confirmed both by investigations from the CIA and from U.S. embassy staff who had visited Iraqi Kurdish refugees in Turkey. However, not only was the United States not particularly concerned about Iraq’s use of chemical weapons, the Reagan administration continued supporting the Iraqi government’s procurement effort of materials necessary for their development.

Given the U.S. culpability in the deaths of tens of thousands of people by Iraqi chemical weapons less than 25 years ago, the growing calls for the United States to go to war with Syria in response to that regime’s alleged use of chemical weapons that killed a few dozen people leads even many of Syrian dictator Bashar Assad’s fiercest opponents to question U.S. motivations.

This is not the only reason U.S. credibility on the issue of chemical weapons is questionable, however.

After denying and covering up Iraq’s use of chemical weapons in the late 1980s, the U.S. government—first under President Bill Clinton and then under President George W. Bush—began insisting that Iraq’s alleged chemical weapons stockpile was a dire threat, even though the country had completely destroyed its stockpile by 1993 and completely dismantled its chemical weapons program.

Vice President Joe Biden, Secretary of State John Kerry, and Secretary of Defense Chuck Hagel—when they served in the U.S. Senate in 2002—all voted to authorize the U.S. invasion of Iraq, insisting that Iraq still had a

chemical weapons arsenal that was so extensive it constituted a serious threaten to the national security of the United States, despite the fact that Iraq had rid itself of all such weapons nearly a decade earlier. As a result, it is not unreasonable to question the accuracy of any claims they might make today in regard to Syria's alleged use of chemical weapons.

It should also be noted that many of today's most outspoken congressional advocates for U.S. military intervention in Syria in response to the Damascus regime's alleged use of chemical weapons were among the most strident advocates in 2002-2003 for invading Iraq. Rep. Eliot Engel (D-NY), whom the Democrats have chosen to be their ranking member on the House Foreign Affairs Committee, was among the right-wing minority of House Democrats who voted to authorize the invasion of Iraq on the grounds that the country possessed weapons of mass destruction. When no such weapons were found, [Engel came up with the bizarre allegation](#) that "it would not surprise me if those weapons of mass destruction that we cannot find in Iraq wound up and are today in Syria."

Engel is currently the chief sponsor of the Free Syria Act of 2013 (H.R. 1327), which would authorize the United States to provide arms to Syrian rebels.

UN resolutions

Unlike the case of Saddam Hussein's Iraq, there are no UN Security Council resolutions specifically demanding that Syria unilaterally disarm its chemical weapons or dismantle its chemical weapons program. Syria is believed to have developed its chemical weapons program only after Israel first developed its chemical, biological, and nuclear programs, all of which still exist today and by which the Syrians still feel threatened.

However, UN Security Council Resolution 687, the resolution passed at the end of the 1991 Gulf War demanding the destruction of Iraq's chemical weapons arsenal, also called on member states "to work towards the establishment in the Middle East of a zone free of such weapons."

Syria has joined virtually all other Arab states in calling for such a "weapons of mass destruction-free zone" for the entire Middle East. In December 2003, Syria introduced a UN Security Council resolution reiterating this clause from 12 years earlier, but the resolution was tabled as a result of a threatened U.S. veto. [As I wrote at time](#), in reference to the Syrian Accountability Act, "By imposing strict sanctions on Syria for failing to disarm unilaterally, the administration and Congress has roundly rejected the concept of a WMD-free zone or any kind of regional arms control regime. Instead, the United States government is asserting that it has the authority to say which country can have what kind of weapons systems, thereby enforcing a kind of WMD apartheid, which will more likely encourage, rather than discourage, the proliferation of such dangerous weapons."

A case can be made, then, that had the United States pursued a policy that addressed the proliferation of non-conventional weapons through region-wide disarmament rather than trying to single out Syria, the Syrian regime would have rid itself of its chemical weapons some years earlier along with Israel and Egypt, and the government's alleged use of such ordnance—which is now propelling the United States to increase its involvement in that country's civil war—would have never become an issue.