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## Fact Sheet: Curbing the Spread Of Weapons of Mass Destruction

[The following is a reprint of an item which originally was published in the Department of State's *DISPATCH*, March 11, 1991, pp. 178-179.]

Saddam Hussein's use of chemical weapons against his people and of Scud missiles to terrorize civilian populations, as well as the chilling specter of germ warfare and nuclear weapons, have brought home the dangers of proliferation to U.S. interests and global peace and stability.

The United States has taken a major step in its efforts to halt the spread of these weapons of mass destruction by issuing three regulations extending export control over chemicals, equipment, and assistance that can contribute to the spread of missiles and chemical and biological weapons.

The proliferation of weapons of mass destruction may profoundly challenge U.S. national security in the 1990s. The new regulations as well as multilateral initiatives, will enhance America's ability to meet that challenge and contribute to the construction of a new world order.

The regulations are sensitive to the importance of exports to U.S. economic vitality and will present no unfair limits to legitimate commerce. And they have been designed to minimize interference with legitimate international trade.

The expanded U.S. export controls apply to equipment, chemicals, and whole plants that can be used to manufacture chemical or biological weapons, as well as to activities of U.S. exporters or citizens when they know or are informed that their efforts will assist in a foreign missile or chemical or biological weapon program,

These regulations implement parts of the executive order on chemical and biological weapons (CBW) issued by the President last November and the Enhanced Proliferation Controls Initiative (EPCI) launched last December.

### WHAT THE NEW RULES DO

The first regulation establishes a list of dual-use equipment with legitimate commercial use but also potential applications of chemical and biological weapons production. Licenses will be required before any such dual-use equipment can be exported to countries in the Middle East and Southwest Asia—geographically from Libya to India—as well as Bulgaria, Burma, China, Cuba, North Korea, Romania, South Africa, the Soviet Union, Taiwan, and Vietnam, whose activities may have CBW implications. The equipment list, which reflects a 3-month effort involving extensive consultation with industry, is unprecedented: never have US export licenses been required for dual-use, CBW-related equipment.

The second regulation expands from 11 to 50 the list of "precursor chemicals" that require an export license. Similar to dual-use equipment, these chemicals are commonly used in commercial products but these have been identified as the ingredients in the manufacture of chemical weapons.

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The United States will join a growing number of Australia Group<sup>1</sup> members that require a license to export any of the 50 precursor chemicals to any country outside the group.

The third regulation provides additional controls, mainly on exports or other support by U.S. firms or individuals for CBW or missile programs abroad. Under its terms, if the U.S. government learns of possible American assistance to such programs, it can intervene to prevent it. This regulation will impose licensing requirements in the following circumstances:

- An American knows that a proposed export or other assistance is destined for CBW or missile activities in listed regions or countries; or
- The U.S. government informs an American that a proposed export or other assistance is destined for chemical warfare or missile activities anywhere in the world; or
- An export of an entire chemical plant that manufactures any of the 50 chemical precursors, or assistance in designing such a plant, is destined to any country outside the Australia Group.

The restrictions on participation by Americans in chemical warfare or missile-related projects is similar to export restrictions that already apply to biological warfare—and nuclear-related exports. Civil and criminal penalties can apply to those who breach the controls.

The regulations providing controls on dual-use equipment and precursor chemicals already have been the subject of extensive consultation with industry.

## MULTILATERAL EFFORTS

The United States cannot do the job alone. American experience in the Gulf has reinforced the lesson that the most effective export controls are those imposed multilaterally. The United States has, therefore, initiated vigorous efforts to obtain allied support for chemical and biological weapon export controls through the Australia Group, missile export controls in the Missile Technology Control Regime, and nuclear export controls through consultation with major nuclear suppliers. These efforts will take advantage of a growing international consensus to stem the spread of weapons of mass destruction.

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<sup>1</sup>The Australia Group is a multilateral forum of 20 supplier countries, including the United States, committed to restricting the spread of chemical weapons. The group members: Australia, Austria, Belgium, Canada, Denmark, the European Community, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Switzerland, United Kingdom, and the United States.