

Legal Limits on the Use of Chemical Weapons: A Case Study of Syria

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Abstract

For more than six years the international community and the people of Syria have had to face the fact that chemical weapons have become part of the Syrian civil war. By using these weapons, the Syrian government have violated international laws. The latest use of chemical weapons in the Syrian civil war has revived the debate on the problem. The use of chemical weapons is a war crime and is prohibited in a series of international treaties. All State parties have agreed to chemical disarmament by destroying any stockpiles of chemical weapons. The main objective of this study is to evaluate the effectiveness of international legal frameworks on use of chemical weapons through determining the use of chemical weapons in the Syrian civil war. The methodology that will be used for achieve the said objective is qualitative in nature based on secondary sources of data like books, journal articles, reports and institutional documents. The findings of the study illustrate that the problem is for years, the international community has struggled to understand how and why the Assad regime, in defiance of norms and threats, has persisted in its use of banned chemical weapons. There have been at least 336 chemical weapons attacks over the course of the Syrian civil war. However, in recent years, the international community, the UN and the OPCW have found several creative strategies to address this problem, but no strategy has so far succeeded in truly treating the problem. This is mostly due to the political dynamics control the effective handling of the crisis. The international community has found ways to address this problem, but it has not managed to exclude the possibility of further chemical attacks once and for all. To uphold the international norm on the non-use of chemical weapons, the international community should consider new, short and long term steps like enhancing national criminal investigations and adopting new powerful universal jurisdiction on use of chemical weapons.

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