

Abstract

Prohibited Means and Methods of Warfare - Biological Weapons and Chemical Weapons

The aim of this thesis is to evaluate the effectiveness of legislation banning the development, production, stockpiling, using and subsequent destruction of biological and chemical weapons and how are conventions, which prohibit the aforementioned, followed. I deal with these areas so I concluded if biological and chemical weapons still pose a threat to the world. During solving these objectives, I have focused on the classification of the prohibition of biological and chemical weapons to the law of armed conflicts and disarmament law, and whether the prohibition of the use of biological and chemical weapons is considered as part of customary law. Professional publications in the field of international law, political science, military, medicine and others were used to achieve the objectives of the research. They were also used UN resolutions, conventions, which regulate prohibited means and methods of warfare, particularly those that prohibit production, development, stockpiling and use of biological and chemical weapons and, last but not least, reports of international organizations dealing with this area, such as Organisation for the Prohibition of Chemical Weapons and Arms Control Association.

The thesis is divided into theoretical and practical part. The practical part is devoted to practical examples deal with problems of compliance with conventions which prohibit biological and chemical weapons. The first part consists of four chapters. In the introductory chapter I focus on answering the question whether the prohibition of biological and chemical weapons belong to the law of armed conflicts or disarmament law. This chapter conclude that belong to both of these laws. The second chapter outlines the history of the use of biological and chemical weapons and related third chapter accentuates the contemporary concept of biological and chemical weapons. The fourth chapter addresses the question of whether the prohibition of biological and chemical weapons is already part of a customary law or not. In this chapter, I conclude that the prohibition of the use of

biological and chemical weapons is undoubtedly part of a customary law, but the prohibition of ownership of biological and chemical weapons is still emerging customary rule.

Introductory chapter of the second part of the thesis deals with the evaluation of current legislation banning biological and chemical weapons. Here I come to the conclusion that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and or the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction are not perfect and I calculate their shortcomings. Final sixth chapter focuses on compliance with the conventions prohibiting the production, development, stockpiling and use of biological and chemical weapons. I demonstrate on the exemplary countries that states rather respect the prohibition of production, development, stockpiling and use of biological and chemical weapons. Although the states compliance with the prohibition of biological weapons over the prohibition of chemical weapons. On the other hand, biological and chemical weapons are beginning to be used recently by non-state actors and therefore these weapons still pose a threat. In the end I also think over possible solutions violation of the treaties that prohibit biological and chemical weapons.